

**City of Grove City
BOARD OF ZONING APPEALS
REGULAR MEETING
January 22, 2024**

The regular meeting of the Board of Zoning Appeals was called to order by Chair Holinga at 5:30 p.m. at the Grove City Municipal Building, 4035 Broadway.

1. Roll was called. The following members were present:

George Holinga Mark "Tony" Haughn John Brant

Staff present: Jesse Shamp, representing the Law Director, Laura Scott, Secretary. Mr. Boso was excused.

Also present: Matt Carver, David Joslin and Brian Sweeney representing Health Care Logistics. Mary and Greg Baker of 4996 Snowy Creek Dr. The speakers were sworn in.

2. Nominations were made for the 2024 chair and vice chair of the Board of Zoning Appeals.

Motion by Mr. Brant to elect George Holinga chair of the Board of Zoning Appeals. Second by Mr. Haughn. All in favor. Motion carried.

Motion by Mr. Haughn to elect John Brant vice chair of the Board of Zoning Appeals. Second by Chair Holinga. All in favor. Motion carried.

3. *Motion by Chair Holinga to approve the minutes from the December 27, 2023, meeting of the Board of Zoning Appeals. Second by Mr. Brant.*

VOTE: Holinga, YES; Haughn, YES; Brant, YES; **APPROVED.**

3. Hear the appeal of Brian Sweeney, JH Architects Inc. representing Matthew Carver, Health Care Logistics at 1850 Gateway Circle, (Parcel #040-004147), for a variance to Section 1137.05 Yard Obstructions and Fences; to install a 6' tall decorative fence in front of the 30' building front setback, encroaching the setback by 16', leaving a total front setback of 14'.

Mr. Sweeney explained the need for the fence and the variance. The portion of the fence behind the front setback is permitted but the section in front of the setback requires a variance. The parking setback is at 15'. They propose placing the fence section in front of the parking stalls and adding two rolling gates to enclose the parking lot. The owner has had issues with trespassers, people going through the dumpsters and hosting "drifting" parties on the property. Mr. Haughn asked about permitting for the electronic locking devices. Health Care Logistics will use a Knox Box and card reader system. Mrs. Scott said letters had been sent out to adjoining property owners, but no one responded.

Motion by Chair Holinga to grant the appeal of Brian Sweeney, JH Architects Inc. representing Matthew Carver, Health Care Logistics at 1850 Gateway Circle, (Parcel #040-004147), for a variance to Section 1137.05 Yard Obstructions and Fences; to install a 6' tall decorative fence in front of the 30' building front setback, encroaching the setback by 16', leaving a total front setback of 14', with one condition to begin construction within 12 months. Second by Mr. Brant.

VOTE: Holinga, YES; Haughn, YES; Brant, YES; **APPROVED.**

Chair Holinga explained the 21-day waiting period.

4. Hear the appeal of Gregory Baker, property owner at 4996 Snowy Creek Dr., (Parcel #040-012432), for a variance to Section 1137.05 Yard Obstructions and Fences; to install a 4' tall decorative fence in front of the 30' building front setback, on a corner lot along Shoreside Dr., encroaching the setback from 8' to 14' resulting in a front setback ranging from 22' to 16'.

Greg Baker explained the fence encroachment along Shoreside Dr. is necessary due to the unusual shape of the corner lot property and subsequent layout of the fence to enclose the patio and the mature landscaping around the patio. Mrs. Baker said they have a large golden retriever that they wish to secure in the rear yard. Chair Holinga asked about the black anodized fence material. Mrs. Baker said the black decorative fence was not the only type of fence in the neighborhood. Styles and materials varied greatly. Mrs. Scott said letters had been sent out to adjoining property owners, but no one responded.

Motion by Chair Holinga to grant the appeal of Gregory Baker, property owner at 4996 Snowy Creek Dr., (Parcel #040-012432), for a variance to Section 1137.05 Yard Obstructions and Fences; to install a 4' tall decorative fence in front of the 30' building front setback, on a corner lot along Shoreside Dr., encroaching the setback from 8' to 14' resulting in a front setback ranging from 22' to 16', with one stipulation to begin construction within 12 months. Second by Mr. Haughn.

VOTE: Holinga, YES; Haughn, YES; Brant, YES; APPROVED.

Chair Holinga explained the 21-day waiting period.

Hear the appeal of Rebecca Mott, Plank Law Firm LPA for 5824 Quail Run Dr., (Parcel #040-009118), for the following variances. (Staff note: the applicant is appealing the Building Inspectors "Notice of Corrections" decision (Exhibit 2) in sequential order (see Exhibit A.) Staff has attempted to summarize each item as a variance appeal request for this agenda.)

BZA Appeal Items:

- a) Building Review Item #1: Appeal to Notice of Corrections Item 1 requiring sealed plans stamped by Ohio Licensed Engineer to be accepted because 1) the item fails for lack of specific reference and proper legal notice to the Applicant and Property Owners and 2) the applicant provided plans and specifications for the pool enclosure from the manufacturer that included a structural analysis completed by a New York licensed professional engineer, for support of structural load combinations prescribed by the 2015 International Building Code.
- b) Zoning Review Item #1: Section 1135.10: to appeal the applicability of the current zoning standards establishing the rear setback of 25' and accepting the correct rear yard setback for the property is equal to 15% of the total lot depth of 125', which is 18.75' per the PUD-R (R-1B) standards found in the 1986 lot development standards for the Quail Creek and Meadow Grove extensions table 1135.10.
- c) Zoning Review Item #2: Section 1135.10(a) – to allow a 960sf pool cover structure because the code section listed in the Notice of Corrections is not applicable to the pool structure and refers only to "garages" as in "residential garage" and "detached garage."
- d) Zoning Review Item #3: Section 1137.08 (h) – to allow a 9'-6" tall accessory building (pool structure) because the code section listed in the Notice of Corrections is not applicable because the overall height of the pool structure is below the 13' maximum height for an accessory structure.

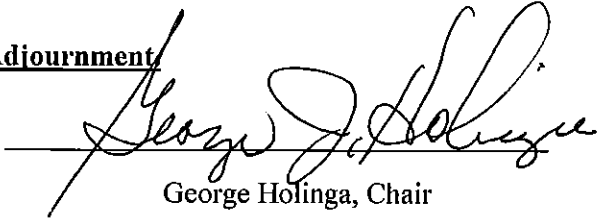
Zoning Review Item #4: Section 1135.09 Permit Expiration and 1305.10 Permit Revocation are not applicable to the lawful permit issued for the in-ground pool.

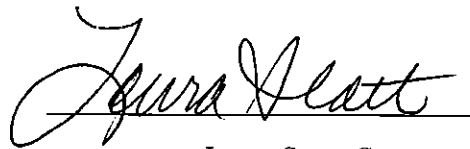
Chair Holinga indicated the appeal from Ms. Mott for 5824 Quail Run Dr. had been postponed until the February 26 Board of Zoning Appeals meeting. Mr. Brant asked Mr. Shamp to advise staff of items being appealed to the BZA that are not within their jurisdiction. Mr. Shamp indicated they were in contact with Ms. Mott and his concern was one of the reasons for the postponement, which was to allow time to sort through the appeal items.

6. New business: Mr. Brant will not attend the February meeting. Mr. Haughn will not attend the March meeting.

The meeting was adjourned at 5:45 p.m.

Adjournment


George Holinga, Chair


Laura Scott, Secretary