

**City of Grove City
BOARD OF ZONING APPEALS
REGULAR MEETING
December 21, 2015**

The Chair, Ms. Reisling called the Board of Zoning Appeals meeting to order at 5:35p.m. at the Grove City Municipal Building, 4035 Broadway.

Roll was called and the following members were present:

John Brant

Kelly Reisling

George Holinga

Staff present: Stephen Smith, Director of Law, Yazan Ashrawi, Attorney, representing the Law Director, Chief Building & Zoning Official Michael Boso and Planning and Zoning Coordinator Laura Scott.

All representatives addressing the board were sworn in. The Chair moved to the first item on the agenda.

***Motion by the Chair, Ms. Reisling to approve the minutes from November 23, 2015
Board of Zoning Appeals meeting. Second by Mr. Brant.***

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

The Chair moved to the next item #3 on the agenda.

1. Hear the appeals of **Donald T. Plank, attorney representing Prologis, L.P.** for variances to Prologis Southpark development, an office/warehouse project, 1933 Marlane Dr., Parcel #040-001144.

Mr. Plank introduced three exhibits to the board; a detailed landscape plan, Table 1135.12-II demonstrating the standard building height for all buildings and a master site plan depicting the setback deviations requested. The variances were contemplated as part of the development plan approved by City Council on 11-16-15. The development is contingent on their approval. All access (other than emergency) to the project will be from South Park. Ample landscaping and screening including mounding and 240 pine trees will be installed along Marlane from which there will be no access to the development. In regards to the 50' reduction in setback to the west, the approved mounding and landscaping significantly exceeded the code requirements with a 6' foot mound, three rows of pine trees (95 trees total.) There will be no truck parking, bay doors on this side, only employee parking. Plank indicated the additional landscaping being provided would typically allow a 50% reduction in setback had this been a commercial or office project. Discussion followed on the size of the trees at planting (6') and the length of time before the trees would obscure more of the buildings.

Mr. Brant referred to a letter from Farmbrook Condominiums Homeowners Association. He explained he was in Military Intelligence in the army and had experience with calculating the

movement of the sun. He did not feel a 5'4" increase in building height was significant or could make a difference for more than one hour of the day. Plank explained the building height difference is on the east and west sides of the buildings only, not the entire building.

Mr. Sanders who lives on the north side of the project asked about the elevation the building would be constructed at and would it add to the overall height of the building? Mr. Boso, Chief Building Official referred to the grading plan and explained the elevation would be the same at the north end of the building as it would be at the south. Plank explained that due to the topography of the land they will be digging down 4' and so the building will only be 36' higher than the mound along Marlane Dr. Research also indicates the distance to the nearest homes is between 290-300 feet, the length of the football field.

Plank explained that because of the way Section 1135.12 is written that in all other zoning districts with the exception of Office Laboratory (OLR) zoning, the maximum building height allowed without a variance is 35'. This tells us that most buildings other than residential and OLR require a variance for height, for example City Hall, churches, the new library, hotels, etc.

The chair made *three consecutive motions* to grant appeals by Donald T. Plank, attorney representing Prologis, L.P. for variances to Prologis Southpark development, an office/warehouse project, 1933 Marlane Dr., Parcel #040-001144 followed:

- a) Section 1135.12(L) to reduce the 100' setback to 50' on the west side of the property to permit parking within the side-yard setback next to a residential district. Second by Mr. Brant.

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

- b) Section 1136.06(b) to reduce the 20' setback for truck parking to 15' from the south property line. Second by Mr. Brant.

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

- c) Table 1135.12 (II) to increase the maximum height of the building from 35' to 40' 4". Second by Mr. Holinga.

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

The chair advised Mr. Plank of the 21 day waiting period then moved to Item #4.

- 2. Hear the appeals of **Greg Filbrun, AHV Construction LLC, representing James J. Marsh III**, 4153 Big Run Road South, Parcel # 040-003086. for the following variances:

Mr. Filbrun explained the pole building is to be post and frame construction and will match the existing home in color. The property abuts the Walmart Distribution center. There are several pole buildings in the area. The owner is a police officer and will park his police motorcycle and

other cars in the new building. The existing accessory building will be removed. The existing tree line will not be disturbed.

The chair made four consecutive motions to grant the appeals of Greg Filbrun, AHV Construction LLC, representing James J. Marsh III, 4153 Big Run Road South, Parcel # 040-003086 followed;

- a) Section 1137.08 (h) to exceed the maximum overall height for a detached garage of 13' by 11' for a total garage elevation of 24'. Second by Mr. Brant.

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

- b) Section 1135.10 (a) to exceed the maximum size of a detached garage of 700 square feet by 900 square feet for a total of 1,600 square feet. Second by Mr. Holinga.

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

- c) Section 1135.10 (a) to exceed the combined maximum area allowed for an attached and detached garage of 900 square feet by 1,300 square feet for a total combined of 2,200 square feet for both garages combined. Second by Mr. Brant.

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

- d) Section 1135.10 (a) to construct a metal pole building not similar in materials or construction to the main building. Second by Mr. Holinga.

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

The chair advised Mr. Filbrun of the 21-day waiting period then moved to the next item.

- 3. Hear the appeal of **Logan Dilts, DaNite Sign, representing Drug Mart and Massey's Pizza**, located at 2290 Stringtown Rd., Parcel # 040-004289 for the following variances:

Mr. Dilts of DaNite Sign described the hardship with the layout of the property and the need for the variance due to the obscure location of the tenants behind the Drug Mart storefront, the day care out lot and the mature landscaping. He confirmed the area is surrounded by Commercial property. He explained how the proposed sign would match the sign at Park Square and the need for a reduction in setback due to the decorative posts that will be added to the sign. Mrs. Scott said she believed the Park Square sign was 16' high.

The chair made four consecutive *motions* to grant appeals by Logan Dilts, DaNite Sign, representing Drug Mart and Massey's Pizza, located at 2290 Stringtown Rd., Parcel # 040-004289;

- a) Section 1145.16 (e)(1) to exceed the maximum height for a monument sign of 8 feet by 8' 9" for a total height of 16' 9".

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

- b) Section 1145.16 (a) (2) to exceed the maximum area allowed of 50sf by 100 sf for a total sign area of 150sf.

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

- c) Section 1145.16 (e) (2) to encroach the 10' minimum setback for a sign from adjoining lot line (city right-o-way) by 2.5 feet, and install the sign at 7.5 feet from right-of-way along Stringtown Rd.

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

- d) Section 1145.06 to add a changeable copy area to the sign.

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

The chair advised Mr. Dilts of the 21-day waiting period then moved to the next item #6 on the agenda.

- 4. Hear the appeal of **Robert F. Peters, III, Director of Quality Improvement, The Buckeye Ranch**, 5665 Hoover Rd., Parcel #040-004974 for a variance to Section 1137.05(c) to exceed the 6' maximum height for a screening or privacy fence with open mesh by 6' for a total height of a 12' high fence.

Mr. Nick Rees, President of the Buckeye Ranch gave a brief overview of the Ranch going back to 1961. Rees stated the Ranch serves 2200 kids per year here and at their other facilities. They have room for only 88 kids and get the most difficult kids for the Intensive Care Center. They are part of the Ohio Mental Health system not the penal/criminal system. These are children and the fence is necessary for their safety and for the safety of the public. Runaways are often returned to facility after police are called. Some have been hurt after running away from the property. The fence should reduce these cases significantly.

Mr. Peters referred to the aerial photo to show members and guests the fence will be to the interior of the lot connecting buildings which are several hundred feet away from Hoover Rd and the adjoining Mt. Carmel Hospital and Gateway Business Park neighbors. There is also a berm that screens the facility from the freeway.

Mr. Bill Ferguson, President of the Quail Creek Home Owners Association and another resident were concerned this was a "prison" fence and would be located on the perimeter of the property and along Hoover Rd. Mr. Peters explained that is not the case. The fence will be green vinyl coated chain link, with 2" mesh on most of the vertical sections with a smaller 3/8" mesh which is 'no grip' at the top, curved back towards the property. Combined with the 12' height, it will not be easily climbed. In addition to keeping the kids in who generally range from 14-16 years old it will also prevent people who don't belong there from getting to the children keeping them safer. It has no barbed or razor wire, is not electrified and is in no way dangerous to anyone. The green fence has been carefully placed, close-in to the buildings on the 85 acre parcel north of the Equestrian Center. It will run through areas with mature trees and vegetation so as to blend in and have low visibility. Ms. Reisling asked about visibility to Hoover. Little of the fence will be seen from Hoover Rd and the residential area east of Hoover. An area several hundred feet west of Hoover which crosses one of the roadways will get additional screening per Mr. Peters. Mr. Ferguson also felt it would decrease property values and create a negative perception. Mr. Ferguson read a letter from Chris Tucker a resident who opposed the fence because he thought it would detract from the area.

Peters said they are the only facility like this in Ohio that does not have a fence. The kids haven't changed but they are facing tougher issues. They get the most difficult kids here. These kids come to their Intensive Care Center or ICC for treatment.

Mr. Holinga asked about access by police and fire vehicles or city services. Mr. Peters explained they are staffed 24/7 and use an electronically controlled security system. There are several access points called "sally ports" both pedestrian and vehicle that will be electronically controlled, accessible to Police and can accommodate emergency vehicles.

Mr. Herron who has lived in the area 15 years only recalls one incident but was also curious about the fence and visibility. He and his wife walk the trails near the Equestrian center. It was clarified by the Ranch, none of the fence will be constructed on the Equestrian lot just south of the main campus parcel. Mr. Boso explained he had toured the property and did not believe you could see the fence from there.

Ms. Reisling also surveyed the property and did not think it would be very visible. Mr. Brant stated the code would allow the Ranch to construct a 5' chain link around most of the perimeter of the facility if they wanted to without a variance. He thought this was the better option erecting it to the interior of the lot.

Motion to grant the appeal of Robert F. Peters, III, Director of Quality Improvement, The Buckeye Ranch, 5665 Hoover Rd., Parcel #040-004974 for a variance to Section 1137.05(c) to exceed the 6' maximum height for a screening or privacy fence with open mesh by 6' for a total height of a 12' high fence. Second by Brant.

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

The Chair stated there is a 21-day waiting period to allow for appeals. Mr. Boso thanked the members of the Board of Zoning Appeals for their service this year. There being no new business Ms. Reisling motioned to adjourn at 6:50 PM.

Adjournment.



Ms. Reisling, Board Member



Laura Scott, Secretary