

**City of Grove City
BOARD OF ZONING APPEALS
MEETING MINUTES
FOR: Monday, April 22, 2013**

Regular Meeting

Board Member Harold “Butch” Little called the Board of Zoning Appeals regular meeting to order at 7:01 p.m. at the Grove City Municipal Building, 4035 Broadway. Present were: Board members Harold “Butch” Little, John Brant and Kelly Reisling; Chief Building and Zoning Official Michael Boso; Planning and Zoning Coordinator Christy Zempter; and Stephen Smith of Ice Miller, representing the City. Also present were: Dave McMillan, 2673 Kingston Ave.; Brad Mathias, 5585 Deergrass Ct.; and Mark Waller, representing South-Western City Schools, 2584 Dennis Lane.

Motion was made by Mr. Brant and seconded by Ms. Reisling to approve the minutes of the January 28, 2013, regular meeting.

All who wished to address the board were sworn in at this time.

- 1.) **Hear the appeal of Dave McMillan, 2673 Kingston Ave.,** for a variance to the requirements of Table 1135.10-I of Grove City’s Codified Ordinances to construct a detached garage that would encroach the 25-foot rear setback by 19 feet and the 6-foot side setback by 3 feet.

Mr. McMillan told the board that he hoped to construct a garage in the back yard. There is no garage on the property now, and the driveway is so narrow that cars cannot be parked side by side. As a result, the applicant said, he and his wife often have to move one car to remove the other or park in the street. He went on to explain that the proposed location of the garage is dictated by the need to maneuver around a 10-12-foot patio at the rear of the house.

Ms. Reisling noted that the applicant had included letters from two neighboring property owners indicating their approval of his plans. She asked if any other neighbors had expressed disapproval. Mr. McMillan said that he hadn’t. He said he had spoken to a third neighbor after he submitted the application, and she had expressed no issues with the plan. He said the fourth adjoining property was owned by Creative Housing and he hadn’t made contact with them. Ms. Reisling asked if the Building Division had received any response from neighboring property owners, and Ms. Zempter said none had been received.

Mr. Brant asked if the existing driveway would continue to be used, and the applicant said the existing driveway would be extended to the proposed garage. Mr. Brant asked if he would still have to back out onto Kingston. The applicant said he wasn’t sure yet if the extended driveway would be constructed in a way that would allow vehicles to turn and head out onto the street. Mr. Brant asked about the visibility currently for entering Kingston from the driveway. Mr. McMillan said that visibility in one direction is very good, but there’s a curve near the driveway in the other direction, which limits visibility.

Mr. Little asked how moving the garage over to accommodate the 6-foot side sideback would affect the applicant’s ability to maneuver into and out of the garage. Mr. McMillan said he believed the extra 3 feet would allow for a better angle and that moving the garage 3 more feet toward the interior of the lot would hamper maneuverability.

Mr. Little noted that there appeared to be a shed in the back yard and asked if it would remain when the garage was constructed. The applicant said it would be removed and the items stored in it would be stored in the new garage.

In response to Mr. Little's questions, the applicant said the material used for the driveway extension would match that of the existing driveway, and the garage would be finished with the same materials as the house. He said that the only utility planned for the garage was electric.

Motion was made by Mr. Little to approve the appeal of Dave McMillan, 2673 Kingston Ave., for a variance to the requirements of Table 1135.10-I of Grove City's Codified Ordinances to construct a detached garage that would encroach the 25-foot rear setback by 19 feet and the 6-foot side setback by 3 feet.

Seconded by Ms. Reisling. VOTE: Little, YES; Reisling, YES; Brant, YES. APPROVED.

Mr. Little advised the applicant that there is a 21-day period during which the board's approval of variances may be appealed to City Council, and that any work done during that time would be at the applicant's risk. Mr. McMillan asked when the 21-day period began and was told that it began the day of the meeting. Ms. Zempter told him that a permit application could be submitted for review prior to the expiration of the appeal period, but no permit could be issued until the end of it.

- 2.) **Hear the appeal of Brad Mathias, 5585 Deergrass Ct.,** for the following variances:
- a.) To the requirements of Table 1135.10-I of Grove City's Codified Ordinances to encroach the 6-foot side setback by 2 feet; and
 - b.) To Section 1135.10(a) of Grove City's Codified Ordinances to exceed the 900-square-foot allowable area for garages by 130 square feet.

Mr. Mathias told the board that when he bought the house from Rockford Homes before it was finished, he hadn't realized that his truck would have to be angled to park inside the existing garage, leaving no space for other vehicles. He told the board that he wanted to construct a carriage garage at the end of the existing driveway where he could park his truck.

Ms. Reisling asked if the existing garage would remain in place. The applicant said the existing garage is attached to the house and couldn't be removed. He added that the proposed second garage also would be attached to the house and would be finished with the same materials as the house and existing garage.

In regard to the setback variance, Mr. Mathias said that construction is under way on the house in the neighboring lot, and it appeared to be at least 6 feet from the property line, so the separation between the proposed garage and the neighboring house would be about 10 feet. Mr. Brant asked if the applicant had talked to the owner of the neighboring property, and Mr. Mathias said that the lot had been owned by Rockford Homes and he didn't know who had bought it from them.

Mr. Little asked if there would be any change to the existing driveway, and the applicant said there would be no change and that the new garage would be constructed at the end of the driveway.

Mr. Little asked if the driveway could extend over to encroach the easement. Ms. Zempter said that pavement could be located within the City's required setback, but any encroachment of an easement would be up to the easement holder. Mr. Little asked if any utility other than electric was planned for the new garage. Mr. Mathias said no other utility was planned for the garage.

Motion was made by Mr. Little to approve the appeal of Brad Mathias, 5585 Deergrass Ct. for a variance to the requirements of Table 1135.10-I of Grove City's Codified Ordinances to encroach the 6-foot side setback by 2 feet.

Seconded by Mr. Brant. VOTE: Reisling, YES; Brant, YES; Little, YES. **APPROVED.**

Motion was made by Mr. Little to approve the appeal of Brad Mathias, 5585 Deergass Ct., for a variance to Section 1135.10(a) of Grove City's Codified Ordinances to exceed the 900-square-foot allowable area for garages by 130 square feet.

Seconded by Ms. Reisling. VOTE: Brant, YES; Little, YES; Reisling, YES. **APPROVED.**

3.) **Hear the appeal of Mark Waller, representing South-Western City Schools, 2584 Dennis Lane,** for a variance to Section 1145.06(c) of Grove City's Codified Ordinances to install a sign with manually changeable copy.

Ms. Reisling recused herself from the vote on this item because her husband is a member of the South-Western City Schools Board of Education.

Mr. Waller told the board that the proposed sign would feature 4-inch manually changeable letters. He said that traffic picking up and dropping off students at the site would be circulating past the sign in the front of the building and that it would be visible to traffic along Hoover Road. However, he said, he didn't think it would be a distraction to passing drivers. He said the sign would be used to advertise programs and events held by the school, city and community at the site. He added that he anticipated increased use of the school for city programs in the summer because the new school would be air-conditioned, while the existing building is not.

Mr. Brant asked if the sign would be parallel to Hoover Road. Mr. Waller said it would be perpendicular to the road. Mr. Brant asked how far back the sign would be, and Mr. Smith noted that it would be 12 feet, 2 inches from the right-of-way. Mr. Brant noted that it would meet setback requirements. Mr. Little expressed concern about the proximity of the sign to the street and asked why it wasn't set farther back. Mr. Waller said that if the sign were moved farther back, he thought the legibility of the stationary address numerals would be compromised. Mr. Smith then clarified that there was additional space between the edge of the right-of-way and the curb. Mr. Boso indicated that the sign would probably be about 24 feet from the curb.

Mr. Little asked if the sign would be illuminated in any way, and Mr. Waller said he didn't expect it to be. Mr. Brant asked if messages would be on one or both sides of the sign, and the applicant said messages would be on both sides.

Mr. Little asked how many more times the board could expect variance requests from the school district in the near future. Mr. Waller said that variances already had been approved for the heights of all three new elementary school buildings planned for the next few years, but requests for signage for the remaining two may be forthcoming.

Motion was made by Mr. Little to approve the appeal of Mark Waller, representing South-Western City Schools, 2584 Dennis Lane, for a variance to Section 1145.06(c) of Grove City's Codified Ordinances to install a sign with manually changeable copy.

Seconded by Mr. Brant. VOTE: Little, YES; Brant, YES. **APPROVED.**

Mr. Little asked if there was any new business to discuss, and Ms. Zempter said she had none. Mr. Little asked if there were any prospective applications for the May meeting. Ms. Zempter said that none had been submitted yet, but she had spoken with two potential applicants. It was further noted that the May

meeting would be held Tuesday, May 28, because Memorial Day falls on the fourth Monday of the month.

Adjournment.

Motion was made by Mr. Little and seconded by Ms. Reisling to adjourn the meeting at 7:29 p.m.
VOTE: Reisling, YES; Brant, YES; Little, YES. **APPROVED.**

Harold "Butch" Little, Board Member

Christy Zempter, Secretary