

**City of Grove City  
BOARD OF ZONING APPEALS  
MEETING MINUTES  
FOR: May 23, 2011**

**Regular Meeting**

Board Member Harold “Butch” Little called the Board of Zoning Appeals regular meeting to order at 7:00 p.m. at the Grove City Municipal Building, 4035 Broadway. Present were: Board members Harold “Butch” Little, John Brant and Jeff Davis; Chief Building and Zoning Official Michael Boso; Planning and Zoning Coordinator Christy Zempter; Urban Forester Jodee Lowe; and Asim Haque of Schottenstein, Zox & Dunn, representing the City. Also present were: David Endicott, 5775 Cypress Hollow Ct., and Roger Runion, R&S Builders; Robert Adams, 4317 Hoover Road; and Jack Middendorf, representing Zamarelli’s Pizza Palace, 4011 Front Street.

*Motion* was made by Mr. Brant to approve the minutes of the March 28, 2011, regular meeting.

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

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

- 1.) **Hear the appeal of Roger G. Runion, R&S Builders LLC, representing Dave Endicott, 5775 Cypress Hollow Ct.,** for the following variances:
  - a.) To Section 1135.10(a) of Grove City’s Codified Ordinances to build a detached garage that exceeds the 700-square-foot allowable area for detached garages by 20 square feet and, combined with the existing attached garage, exceeds the 900-square-foot overall allowable area for garages by 300 square feet.
  - b.) To Section 1137.08(h) of Grove City’s Codified Ordinances to exceed the 13-foot allowable height for detached garages by 1 foot.

Mr. Runion, the contractor for the proposed project, submitted a site plan showing how pavement would be extended to reach the proposed garage in response to staff’s request prior to the meeting. He said that the new pavement would be blacktop, matching the existing driveway. He explained that the additional garage space was needed to house all the vehicles owned by the homeowner and his family, in part because the house is located on a cul-de-sac and street parking is limited. He added that the additional height was necessary to accommodate storage of various items.

Mr. Brant asked if the applicant had considered an attached garage rather than a detached garage. Mr. Runion said that, given the amount of storage space needed and the configuration of the lot, an attached garage would come very close to the side lot line and the neighboring house. Because the detached garage would be placed farther back on the pie-shaped lot, Mr. Runion said, it could be set farther from the lot line.

Mr. Brant asked if either of the neighbors facing the cul-de-sac had objected to the proposed garage. Mr. Endicott indicated that the neighbors to each side of his property have no problem with the plan. It was established that the two neighbors who had expressed opposition to the project owned property behind the subject lot.

One of those neighbors, George Bates, 5882 Birch Bark Circle, told the board that the location of the proposed structure would most affect the views from neighboring properties behind the site. Mr. Bates

said that one of his objections to the proposal is the size of the building, adding that the increased height of the garage is necessary to accommodate a standard-pitch roof on such a wide structure. In addition to the presence of the building itself, he added that the removal of existing trees to make room for the garage would make the view less attractive from his property.

Mr. Bates indicated that he also was concerned about whether the garage would create drainage issues on his property, adding that gutters and downspouts were not shown on the plans submitted to the board. Mr. Runion later stated that gutters and downspouts would be included on the garage and would tie into the existing drainage system on the property.

Mr. Bates noted that he had submitted a copy of the Quail Creek subdivision's Declaration of Covenants, Easements, Conditions and Restrictions, which indicates that any structure such as the one proposed requires the approval of the developer. He added that, as proposed, the garage would be out of place in the subdivision.

Mr. Brant asked Mr. Haque if the subdivision's deed restrictions should even be considered by the board, given that they are enforced by the developer and/or subdivision residents rather than the City or any other governmental entity.

Mr. Haque said that the board is only authorized to approve variances to the City's codified ordinances and that if neighbors believed the terms of the subdivision's Declaration were being violated, they would have to appeal to whatever authority enforces those restrictions.

Mr. Bates said the list of deed restrictions wasn't submitted as a binding document, but as an indication of his expectations as a homeowner in the subdivision.

Mr. Brant asked if the subdivision had a homeowners association. Mr. Bates said there was one representing the first phase of the subdivision but not the second and third phases, which include his property.

Mr. Davis asked Mr. Endicott and Mr. Runion why they decided on the garage as proposed rather than some other option.

Mr. Endicott said that, in addition to the problem of proximity to the neighboring lot line, an addition to the existing attached garage would block a bathroom window on that side of the house. Ultimately, he said, the proposed detached garage would provide more storage space and would look better, in his opinion.

Mr. Davis asked if he had considered widening the driveway to create more parking space. Mr. Endicott responded that the driveway had already been extended but more space was needed. In addition, he would prefer to keep the vehicles out of the elements and said he believed it's more aesthetically pleasing to have vehicles stored in garages.

Mr. Brant asked if the applicant would be open to planting trees or creating some other type of screening of the structure to improve the neighbors' view. Both Mr. Runion and Mr. Endicott indicated that they were willing to work with the board and the neighbors to find an appropriate method of screening.

Mr. Little asked if the applicant would be willing to consider a structure smaller than 24x30 feet. Mr. Runion said he would accept whatever the board was willing to approve, but that anything smaller than 20x24 feet probably would not meet the storage needs for the site. Mr. Little noted that the reduction of area also would help reduce the height of the garage.

Mr. Little proposed the possibility that the garage be attached to the house, but offset beyond the window, so that Mr. Endicott's storage needs could be met with a structure that would be more aesthetically pleasing to the neighbors.

Mr. Runion and Mr. Endicott approached the board so that Mr. Little could illustrate his suggestion on the site plan. After some discussion, Mr. Brant asked if the applicant would be willing to table the issue until the June meeting, and Mr. Runion and Mr. Endicott indicated that they were willing to return in June with some other options for the structure.

**Motion** was made by Mr. Little to table the appeal of Roger G. Runion, R&S Builders LLC, representing Dave Endicott, 5775 Cypress Hollow Ct., for variances to Section 1135.10(a) of Grove City's Codified Ordinances to build a detached garage that exceeds the 700-square-foot allowable area for detached garages by 20 square feet and, combined with the existing attached garage, exceeds the 900-square-foot overall allowable area for garages by 300 square feet, and to Section 1137.08(h) of Grove City's Codified Ordinances to exceed the 13-foot allowable height for detached garages by 1 foot.

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

- 2.) **Hear the appeal of Robert L. Adams, 4317 Hoover Road**, for a variance to Section 1135.10(a) of Grove City's Codified Ordinances to build a detached pole shelter/carport that, combined with the existing attached garage, exceeds the 900-square-foot overall allowable area for garages by 182 square feet.

Mr. Adams told the board that the area of his lot is nearly a full acre, a size that can accommodate the open-air pole shelter he has proposed at the end of his existing driveway. He added that the building would be 22x23 feet in area with an 8-foot ceiling.

Mr. Brant asked if any correspondence had been received from neighboring property owners. Ms. Zempter said she had not received any response from neighbors but noted that the owners of a neighboring property were in attendance at the meeting.

Mr. Little noted that access to the structure was shown from Hoover Road and asked if the configuration of the existing driveway would be affected by the project. Mr. Adams said that no change would be made to the driveway and that the pole shelter would be constructed at the end of the existing pavement. Mr. Adams said the shelter would be offset approximately 15 feet from the house.

Mr. Little noted that siding and roofing materials would have to match the materials on the existing house, and Mr. Adams said he understood that.

Neighboring property owner Martin Griffin, 2575 Suann Ave., told the board that he and his wife had seen plans for the proposed structure and that they both approved of the proposal.

Mr. Little asked if any utilities would be run to the structure, and Mr. Adams responded that there would be none. It was established that drainage would be accomplished via surface drainage with gutters and downspouts.

**Motion** was made by Mr. Little to approve the appeal of Robert L. Adams, 4317 Hoover Road, for a variance to Section 1135.10(a) of Grove City's Codified Ordinances to build a detached pole shelter/carport that, combined with the existing attached garage, exceeds the 900-square-foot overall allowable area for garages by 182 square feet.

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

Mr. Little advised all applicants 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.

3.) **Hear the appeal of Jack Middendorf, 4011 Front Street**, for the following variances:

- a.) To Section 1136.06(a) of Grove City's Codified Ordinances to eliminate the required parking setback and related landscaping along public streets.
- b.) To Section 1136.06(c) of Grove City's Codified Ordinances to reduce the 20-foot required parking setback adjacent to an incompatible use district by up to 14 feet and reduce the required supplemental landscaping.
- c.) To Section 1136.08 of Grove City's Codified Ordinances to eliminate supplemental landscaping required for screening of service structures.
- d.) To Section 1137.05(c) of Grove City's Codified Ordinances to install a screening fence between the building setback line and street right-of-way line.

Mr. Middendorf told the board that he wanted to enlarge the parking lot at Zamarelli's Pizza Palace to accommodate employee parking and that all landscaping would be done to the Urban Forester's specifications. He indicated that he had discussed the landscaping requirements with Ms. Lowe.

Mr. Brant asked if Ms. Lowe had come to an agreement with the applicant on landscaping. Ms. Lowe asked if Mr. Middendorf had seen the stipulations set forth in the staff report, and Mr. Middendorf indicated that he had. Mr. Brant asked if the applicant had any problems with what Ms. Lowe proposed, and Mr. Middendorf said he didn't.

Mr. Brant asked Ms. Zempter if she had received any response from neighboring property owners. She said that she hadn't.

Mr. Davis asked about the timing of the project. Mr. Middendorf said he was pursuing the project now because of the availability of matching funds through the Town Center Grant program. He noted that he had already made some improvements to beautify the property, including the replacement of a wire fence with a new white vinyl fence.

Mr. Little noted that the plans didn't show what species of plants would be included in the landscaping. Ms. Lowe responded perennials would be planted along the fence line in place of the evergreens generally required because snow on the parking lot is plowed to the fence, and evergreens would not survive in that location. Mr. Middendorf noted that evergreens would be planted along the fence line past the paved area and around the service structure.

Mr. Middendorf said that he was waiting to find out when the City planned to install a sidewalk along Front Street to determine what would be planted in that area. Ms. Lowe said that it was her understanding that there aren't immediate plans to install the sidewalk, so the required shrubbery should be planted in that area.

Mr. Little asked if any mounding would be included around the parking lot. Ms. Lowe responded that mounding was not required if the 24-inch evergreen screening was planted.

*Motion* was made by Mr. Little to approve the appeal of Jack Middendorf, 4011 Front Street, for a variance to Section 1136.06(a) of Grove City's Codified Ordinances to eliminate the required parking setback and related landscaping along public streets.

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

*Motion* was made by Mr. Little to approve the appeal of Jack Middendorf, 4011 Front Street, for a variance to Section 1136.06(c) of Grove City's Codified Ordinances to reduce the 20-foot required parking setback adjacent to an incompatible use district by up to 14 feet and reduce the required supplemental landscaping.

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

*Motion* was made by Mr. Little to approve the appeal of Jack Middendorf, 4011 Front Street, for a variance to Section 1136.08 of Grove City's Codified Ordinances to eliminate supplemental landscaping required for screening of service structures.

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

*Motion* was made by Mr. Little to approve the appeal of Jack Middendorf, 4011 Front Street, for a variance to Section 1137.05(c) of Grove City's Codified Ordinances to install a screening fence between the building setback line and street right-of-way line.

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

Mr. Little introduced into the record correspondence related to the appeal for 5775 Cypress Hollow Court. Two letters from George W. and Kathryn A. Bates and one letter from Tim Mathews in opposition to that item were noted for the record.

Mr. Boso also noted that reference was made to a 10-foot side setback in the discussion related to 5775 Cypress Court, but the actual required side setback is 6 feet.

Mr. Little noted that an appeal for signage variances at 2261 Stringtown Road had been on the original meeting agenda but, prior to the meeting, the applicant requested that it be postponed until the June 27, 2011, meeting.

Mr. Little asked if there was any new business to discuss, and none was indicated.

**Adjournment.**

*Motion* was made by Mr. Little and seconded by Mr. Brant to adjourn the meeting at 7:50 p.m. VOTE: Little, YES; Davis, YES; Brant, YES. **APPROVED.**

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Harold "Butch" Little, Chairman

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Christy Zempter, Secretary