GENOA TOWNSHIP BOARD OF ZONING APPEALS MEETING MINUTES

DATE: Tuesday, October 23, 2018
TIME: 7:00 PM
LOCATION: Genoa Township Hall, 5111 S. Old 3C Hwy., Westerville, Ohio 43082

AGENDA ITEMS:

- BZA (2018-06) H. Thomas Hope – Variance, allow for creation of 2 lots of less than 2 acres in RR Zoning District.
- BZA (2018-07) Brian Hess – Variance, allow for a setback less than required

STAFF PRESENT: Susan Dorsch, Permit and Compliance Inspector

CALL TO ORDER

Chair Mark Harmon called the meeting to order at 7:02 p.m.

ROLL CALL (00:01:07)

<table>
<thead>
<tr>
<th>MEMBERS PRESENT</th>
<th>MEMBERS ABSENT</th>
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<tbody>
<tr>
<td>Mark Harmon, Chair</td>
<td>Teresa Yu</td>
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<tr>
<td>Mark Phillips, Vice chair</td>
<td>David Buhn</td>
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<tr>
<td>Dorothy Driskell</td>
<td>Geoffrey Bishop, Alt.</td>
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PUBLIC HEARING (00:01:30)

Mr. Harmon called the following hearing to order at 7:03 p.m. and read the legal notice.

H. THOMAS HOPE REQUESTING APPROVAL OF A VARIANCE TO SECTION 606.01 OF THE GENOA TOWNSHIP ZONING RESOLUTION TO ALLOW FOR THE CREATION OF TWO LOTS OF LESS THAN THE REQUIRED TWO (2) ACRE MINIMUM ON LOT 1232 OF THE LANETTA SUBDIVISION, LOCATED AT 7811 LANETTA LANE, WESTERVILLE, OHIO 43082, CURRENTLY ZONED RURAL RESIDENTIAL (RR) (BZA 2018-06).

Mr. Harmon noted that the applicant e-mailed a request to have the public hearing continued.

MOTION (00:02:25): Mr. Harmon moved, to accept Jennifer Popp’s request to continue the public hearing of the subject variance application, submitted on behalf of H. Thomas Hope, to allow for the creation of two lots of less than the required two (2) acre minimum on lot 1232 of the Lanetta Subdivision, located at 7811 Lanetta Lane, Westerville, Ohio 43082, currently zoned Rural Residential (RR) also known as BZA Case No. 2018-06, until Tuesday, November 27, 2018 at 7:00 p.m. in the Genoa Township Hall. Additional or revised materials will be due to the Genoa Township Development and Zoning Department by Friday, November 2, 2018 at 4:00 p.m.

Motion was seconded by Ms. Driskell.

Discussion: Mr. Harmon asked why the applicant asked for a continuance. Ms. Dorsch replied that the applicant is deciding if they would like to submit different plans for the lot split.

Roll call: David Buhn, yes; Dorothy Driskell, yes; Mark Phillips, yes; Teresa Yu, yes; Mark Harmon, yes. Motion carried.
Mr. Harmon announced the hearing closed at 7:07 p.m.

Mr. Harmon called the following hearing to order at 7:08 p.m., read the legal notice and asked everyone who wished to speak to this matter to sign-in and to stand. Those standing were sworn-in.

BRIAN HESS REQUESTING APPROVAL OF A VARIANCE TO ALLOW FOR A NEW BUILDING TO BE CONSTRUCTED AT LESS THAN THE REQUIRED ONE-HUNDRED (100) FOOT SETBACK ON LOT 1147 IN THE PURDIE INDUSTRIAL PARK LOCATED AT 6269 FROST ROAD, WESTERVILLE, OHIO 43082, CURRENTLY ZONED LIGHT INDUSTRIAL (LI) (BZA 2018-07).

The following were marked as exhibits “A” – “D”.
- Exhibit “A” – Legal Notice
- Exhibit “B” – Sign-in Sheet
- Exhibit “C” – Application
- Exhibit “D” – Staff Report, dated October 23, 2018

STAFF REPORT (00:06:57): Susan Dorsch, on behalf of the Genoa Township Development and Zoning Department, gave an overview of the exhibit D.

Staff noted that the legal notice for this hearing was printed and published on October 10, 2018, in the Delaware Gazette and posted at the Genoa Township Hall on October 3, 2018. An attempt to mail notice of this hearing to property owners contiguous to and across the street from the subject property was also made.

APPLICANTS’ PRESENTATION (00:11:10): Brian Hess, applicant, presented a background of his company. Mr. Hess stated that he wants to add a building to his property for more office space. He added that his plan is to build a building that the neighbors would be proud of. He stated that he could add an accessory building 15 feet from the residential district boundary line, but he wants to add office space in a better-looking building.

Mr. Phillips asked Mr. Hess if he knows the restrictions of the Zoning Resolution. Mr. Hess stated he does not.

Mr. Phillips asked for clarification for how much of a variance Mr. Hess is asking for. Mr. Hess replied he is asking for a 60-foot variance to be 40 feet off the residential district boundary line.

Ms. Yu asked what he plans on doing with the items that are currently on the property in the space where the proposed building will be located. Ms. Yu asked if he plans on paving the property behind the building. Mr. Hess stated yes, he plans on paving the property and also adding some landscaping.

PUBLIC COMMENTS (00:28:50): Mr. Harmon asked any individuals who were properly sworn-in to share their comments.
1. Mary Johnston (6324 Mt. Royal) stated that she likes that he will be removing the items on the property and that there will be screening from her property.
2. Mike Hatem (6366 Mt. Royal) asked if a new owner purchases the property what happens to the variance. Mr. Harmon replied that once the variance is granted and the building is constructed than any new owner can use the building for any of the uses permitted in the Zoning Resolution.
3. Deb Hatem (6366 Mt. Royal) thanked the applicant for stating he would be a good neighbor. She stated she is worried about noise from a new owner with a building closer to the residential district boundary line. Mr. Buhn asked what Ms. Hatem’s thoughts are on the application. Ms. Hatem stated that she is not sure what the applicant is asking for.

4. Mark Johnston (6324 Mt. Royal) stated that he needs some more detailed plans before he can say whether he does or does not like the plan.

5. Tudie Beck (6362 Mt. Royal) commented that she agrees with the other speakers that she would like to see more detailed plans. She added that she believes 15 feet is too close for a building to be located to a residential district boundary line.

APPLICANT’S RESPONSE (00:43:00): Mr. Hess clarified that he is not trying to build something 15 feet from the residential property.

Mr. Harmon asked what the distance is between the existing building and the property line. Jordan Scholl (5105 Parkmoor Dr.), a landscape company owner that rents space on the property from Mr. Hess, replied the existing building is 180 feet from the residential property and the property width is 140 feet. Mr. Scholl proceeded to clarify the application plan and how it affects his landscape business.

BOARD DISCUSSION/FINDINGS OF FACT (00:47:43): The Board discussed Mr. Hess’s application. They determined that the application as submitted does not provide enough specific details for the Board to make an informed decision on the variance request. They also noted that specific details must be provided so if the request is approved the applicant can be held accountable to what has been proposed.

The Board asked Mr. Hess which of the two building types he proposed would he prefer. Mr. Hess stated that he would prefer the Area 51 style building.

The Board questioned staff about the amount of impervious surface coverage allowed on the subject property. Staff stated that the total impervious surface coverage was a maximum of seventy-five (75) percent. Staff also noted that the maximum building coverage was thirty-five (35) percent.

The Board suggested that Mr. Hess 1) determine the specific design of the building he wishes to build on his property and provide details as part of his submittal, 2) that he provides a site plan showing the proposed location of the building, any proposed landscaping and any other changes that are proposed for the site.

The Board asked the Applicant if he would like to continue his hearing so he could provide additional information to the Board. During discussions with the Board, Mr. Hess indicated that he would be able to have new materials ready for submission to the Township by November 2, 2018. He requested that his hearing be continued to the next regular meeting, November 27, 2018.

MOTION (00:59:24): Mr. Phillips moved to accept Brian Hess’ request to continue the public hearing of the subject variance application to allow for a new building to be constructed at less than the required one hundred (100) foot setback on lot 1147 in the Purdie Industrial Park located at 6269 Frost Road, Westerville, Ohio 43082, currently zoned Light Industrial Zoning District (LI) also known as BZA Case No. 2018-07 until Tuesday, November 27, 2018 at 7:00 p.m. in the Genoa Township Hall. Additional or revised materials will be due to the Genoa Township Development and Zoning Department by Friday, November 2, 2018 at 4 p.m.

Motion was seconded by Mr. Harmon.
Roll call: David Buhn, yes; Dorothy Driskell, yes; Mark Phillips, yes; Teresa Yu, yes; Mark Harmon, yes. Motion carried.

Mr. Harmon announced the hearing closed at 8:03 p.m.

MINUTES (01:01:52)
The board reviewed meeting minutes presented by the Genoa Township Development and Zoning Department for the hearings held on September 25, 2018.

Discussion: Mr. Harmon asked about item two on page three of the minutes as he believed he stated it was not a good use for the property. Staff and the Board agreed to check the audio and vote to accept the minutes at the next meeting.

OTHER BUSINESS (01:03:30):

- 2019 BZA Meeting Schedule

Mr. Harmon moved to accept the 2019 BZA meeting schedule as presented. Motion was seconded by Ms. Driskell. All voted yes. Motion carried.

ADJOURNMENT
Mr. Phillips moved to adjourn this meeting at 8:15 p.m. Motion was seconded by Ms. Driskell. All voted yes. Motion carried.

Meeting was adjourned at 8:15 p.m.

PREPARED BY:            BOARD OF ZONING APPEALS APPROVED:

Paul Benson, Zoning Secretary            Mark Harmon, Chair

10-23-2018            11/27/2018
Date Prepared            Date Approved by the Board of Zoning Appeals

OTHERS PRESENT AT MEETING

Jordan Scholl  5105 Parkmoor Dr
Mary Johnston  6324 Mt. Royal Ave
Mike Hatem    6366 Mt. Royal Ave
Deb Hatem     6366 Mt. Royal Ave
Mark Johnston 6324 Mt. Royal Ave
Tedie Beck    6362 Mt. Royal Ave
Rick Stose    6580 Mt. Royal Ave
Don Bozzo     6548 Mt. Royal Ave
Kathy Haegle  6286 Mt. Royal Ave
Audio of this meeting is available at www.gen oatwp.com