



5800 Shier Rings Road  
Dublin, Ohio 43016-1236  
Phone 614.410.4600  
Fax 614.410.4747

## **BOARD OF ZONING APPEALS**

### **MEETING MINUTES**

**MARCH 21, 2013**

## **AGENDA**

### **NEW CASE:**

#### **1. Sertek – Setback and Parking 13-015V**

#### **6399 Shier Rings Road and 6233 Avery Road Non-Use (Area) Variances**

Chair Brett Page called the meeting to order at 6:30 p.m. Other Board members present were James Zitesman, Patrick Todoran, Kathy Ferguson, and Brian Gunnoe. City representatives present were Tammy Noble-Flading, Rachel Ray, and Flora Rogers.

### **Motion and Vote**

Brett Page moved to accept the documents into the record. Patrick Todoran seconded the motion. The vote was as follows: Ms. Ferguson, yes; Mr. Gunnoe, yes; Ms. Zitesman, yes; Mr. Todoran, yes; and Mr. Page, yes. (Approved 5 – 0.)

### **Motion and Vote**

Kathy Ferguson moved to approve the February 28, 2013 meeting minutes as presented. James Zitesman seconded the motion. The vote was as follows: Mr. Todoran, yes; Mr. Page, yes; Mr. Gunnoe, yes; Mr. Zitesman, yes; and Ms. Ferguson, yes. (Approved 5 – 0.)

### **Administrative Business & Communications**

Tammy Noble-Flading said that Planning will have an orientation for any new members appointed to the Boards and Commission. She said anyone interested may attend.

Ms. Noble-Flading said that Justin Goodwin, a planner for the City of Dublin, has been updating our 2007 Community Plan. She said one of the primary objectives for the Community Plan update process was to create a completely web-based process that includes all forums associated with public outreach, public comment, and all versions of the draft and completed Community Plan. She said that this effort is part of an objective by the City of Dublin to highlight innovative ways to provide public input through existing forms of technology and emphasis the City of Dublin's objective as a green community. She said that Justin Goodwin conducted a webinar on March 20, 2013 which provided an overview, and question and answer session, regarding the update of the plan.

Rachel Ray demonstrated how to locate and use the Community Plan website. She also mentioned that a video of the State of the City presentation had been posted on the City's website.

**1. Sertek – Setback and Parking  
13-015V**

**6399 Shier Rings Road and 6233 Avery Road  
Non-Use (Area) Variance**

Brett Page swore in anyone intending to address the Board regarding this case including the applicant, Tom Irelan, Dublin Building Systems, 6233 Avery Road, Dublin Ohio, and City representatives. He said that the application will require two motions.

Tammy Noble-Flading presented this application requesting two non-use (area) variances for a site which has 930 feet of frontage along Shier Rings Road and approximately 580 feet along Avery Road. She said the first variance request is for a side yard setback for the property zoned TF, Technology Flex District. The second variance request is for minimum required parking to be provided off-site. She said the site is approximately 11 acres. She said the surrounding uses are all office uses. Ms. Noble-Flading said the site contains three existing buildings located along Avery Road and a fourth building which is oriented along Shier Rings Road. She said there are several access points from Shier Rings Road and Avery Road. She said that a lot split request is prompting the variance application.

Ms. Noble-Flading explained that a three-phased multi-construction project is planned on the site. She said the first phase is a lot split which will divide the site into a 6-acre site to the west, and a 5.4-acre site to the east. She said the applicant is proposing to sell the western portion of the site and retain ownership of the eastern portion. She stated that the proposed lot line is based on the fact that the site consists of two zoning districts, TF, Technology Flex District to the west and CC, Community Commercial to the east. She stated that the applicant is proposing the lot line to align the two zoning districts and eliminate the issue of two zoning districts on one parcel of land. Ms. Noble-Flading said that the lot split will result in the existing building, oriented along Shier Rings Road, to have a zero side yard setback where 20 feet is required.

Ms. Noble-Flading said that the second phase of the project is the construction of a 50,000-square-foot building centered on the parcel to the west. She said the building is under review with Dublin's Building Department and construction should begin within the next year. She said with the construction of the building, the applicant is proposing additional parking along the west and southern property boundaries of the building. She stated that the new parking proposed as part of the second phase of the project will eliminate the need for off-site parking which is the subject of the second variance request.

Ms. Noble-Flading said that that third phase of the project will eliminate of the existing building oriented toward Shier Rings Road and will replaced it with a 20,000-square building addition. She said after this phase is completed, all of the proposed buildings will meet the development standards of the TF, Technology Flex District and will eliminate the side yard setback variance for the existing building.

Ms. Noble-Flading explained that the second variance is being requested because when the new lot line is created, the existing parking will be located off-site. She said that the Zoning Code requires that all parking, provided for a use, is to be located on site.

Ms. Noble-Flading stated that Planning analyzed the two variances, based on the required criteria, and concluded that all required criteria has been met. She stated that she would answer any questions that the board members may have.

Brian Gunnoe asked if that was the small third parcel of land that will be created by the lot split is part of this request.

Ms. Noble-Flading said it was not. She said the third parcel of land is a small piece of land that is dedicated right-of-way to the City of Dublin. She stated that is has no impacts to the proposed request. Mr. Gunnoe asked what was the TF, Technology Flex District.

Ms. Noble-Flading said that the TF, Technology Flex replaced all of the City's industrial zoning districts. She said that the TF, Technology Flex District allows smaller type industrial uses that under the previous industrial zoning district and allows for a mixture of office and industrial uses which is more comprehensive than previous standards. She also stated that the TF, Technology Flex District encourages industrial uses that have a technology focus which is important to the overall objectives of the City of Dublin.

Mr. Gunnoe asked what would happen if this construction was not completed.

Ms. Noble-Flading said that the variances, if approved, would pertain to the existing buildings as long as they remained on-site. She stated that this would be applicable whether or not the proposed phases of construction occur. She said that the caveat is that any new construction of the site would be required to meet the applicable development standards.

James Zitesman asked what the side yard setback was for the CC, Community Commercial District located on the eastern portion of the site.

Ms. Noble-Flading said it was 15 feet.

Mr. Zitesman asked if the three-phased construction process were completed, as proposed, would it eliminate the need for the proposed variance.

Ms. Noble-Flading said yes.

Mr. Page asked what issues may arise if the owners of the site change and their business relationship is no longer amicable.

Ms. Noble-Flading said that there are easement agreements that will continue to allow for access of the site, to remain as it is today, as well as allow the owners of the existing parcel to the west to utilize the existing parking, off-site. She stated that these recorded agreements will ensure the interest of all business owners, regardless of future changes in ownership.

Mr. Page asked if the existing parking, located off-site, will be removed once the new parking area is constructed.

Ms. Noble-Flading deferred to the applicant's representative to respond to Mr. Page's question.

Thomas Irelan, Dublin Building Systems, explained that Sertek is a specialty high-tech manufacturer for the restaurant industry who makes stainless steel countertops, ovens, refrigeration systems, for the food industry. He said that they will not remove existing parking lot after the building is constructed, but would make it non-accessible until the eastern property is redeveloped. Mr. Irelan said that the owner has indicated that in three to five years all phases of the construction will be completed.

Mr. Page verified that the board members did not need any further discussion.

#### **Motion #1 and Vote**

Brett Page moved to approve a variance from Section 153.044(2)(c) to allow a building to be located within the required side yard setback finding that the variance meets all of the required non-use (area) variance standards. Brian Gunnoe seconded the motion.

The vote was as follows: Ms. Ferguson, yes; Mr. Todoran, yes; Mr. Zitesman, yes; Mr. Gunnoe, yes; and Mr. Page, yes. (Approved 5 – 0.)

**Motion #2 and Vote**

Brett Page moved to approve a variance from 153.203(A) to allow the minimum off-street parking required per Code, to be accommodated off-site finding that the variance meets all of the required non-use (area) variance standards. Brian Gunnoe seconded the motion.

The vote was as follows: Ms. Ferguson, yes; Mr. Todoran, yes; Mr. Zitesman, yes; Mr. Gunnoe, yes; and Mr. Page, yes. (Approved 5 – 0.)

Mr. Page announced that the next Board meeting was scheduled April 25th. He adjourned the meeting at 7:04 p.m.

As approved by Board of Zoning Appeals on April 25, 2013.