

BOARD OF ZONING APPEALS

MEETING MINUTES

APRIL 24, 2014

AGENDA

NEW CASE:

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| 1. Jordan Residence-8219 Riverside Drive-Setback Variance
14-026V
(Approved 5 – 0) | 8219 Riverside Drive
Variance Application |
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Steve Smith swore in reappointed Board Member Brian Gunnoe prior to the meeting.

Chair Brett Page called the meeting to order at 6:30 p.m. Other Board members present were Rion Myers, Patrick Todoran, Brian Gunnoe, and James Zitesman. City representatives present were Tammy Noble-Flading, Steve Smith Sr., Law Director, Flora Rogers, and Steve Langworthy.

Mr. Page congratulated Mr. Gunnoe for his reappointment to the Board.

Steve Smith reviewed the Code of Conduct to the Board Members of the Dublin Board of Zoning Appeals and requested each board member sign the Code of Conduct form.

Motion and Vote

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

Motion and Vote

Rion Myers moved, Patrick Todoran seconded, to elect Brett Page as Chair and Brian Gunnoe as Vice Chair of the 2014-2015 Board of Zoning Appeals. The vote was as follows: Mr. Zitesman, yes; Mr. Gunnoe, yes; Mr. Page, yes; Mr. Myers, yes; and Mr. Todoran, yes. (Approved 5 – 0)

Motion and Vote

Rion Myers moved, Brian Gunnoe seconded, to approve the November 19, 2013 meeting minutes as presented. The vote was as follows: Mr. Page, yes; Mr. Zitesman, yes; Mr. Todoran, yes; Mr. Gunnoe, yes; and Mr. Myers, yes. (Approved 5 – 0)

Communications

Tammy Noble-Flading congratulated Mr. Gunnoe on his re-appointment and he and Mr. Page on their vice-chair and chair positions, respectively. She thanked them for their service to the Board and she stated that she appreciates him taking that leadership role.

Ms. Noble-Flading said as part of 2014 they are talking about training opportunities for various boards and commissions, including the Board of Zoning Appeals. She asked the board members to consider topics that would be helpful for the service to the Board and the City of Dublin.

Administrative Business

Mr. Page swore in those who intended to address the Board in regards to any of the cases on this Agenda, including the applicant Ralph Jordan, homeowner.

1. Jordan Residence - 8219 Riverside Drive - Setback Variance 14-026V 8219 Riverside Drive Variance Application

Tammy Noble-Flading presented this variance request for a single-family residence to allow an in-ground pool, deck and pool barrier to encroach in front of the front facade of the primary structure. She said the site is about 1.2 acres on the west side of Riverside Drive, just north of Arrow Head Road. She said the site is zoned R-1, Residential Districts specifically Restricted Suburban Residential District. She said the surrounding area is residential in nature with similar zoning districts.

Ms. Noble-Flading said the applicant's site and the house is situated beyond the front building line setback to maximize the views of the river. She said the applicant is before the Board for a variance that would permit the construction of an in-ground pool, deck and pool barrier that is forward of the primary structure by 12 feet. She said there is also an existing shed and enclosed-in fence area on the southern portion of the primary structure. Directly behind the fenced-in area is a retaining wall that exists based on the steep slope of the property. She stated the property slopes approximately 8 to 10 feet.

Ms. Noble-Flading said all of the criterion have been met and Planning is recommending approval of the request.

Mr. Page asked if there were any questions for staff.

Mr. Gunnoe asked if the back of the house is within the flood plain.

Ms. Noble-Flading stated yes.

Mr. Gunnoe asked if the construction of a pool is permitted in the flood plain.

Ms. Noble-Flading said they would discourage it, not only based on zoning regulations but also based on the soil types that are associated with floodplain areas. She stated it is not typically conducive for construction.

Mr. Page asked if the applicant would like to address the Board.

Ralph Jordan, 8219 Riverside Drive, said that his family has always wanted a pool and is before the Board because of the proposed location of the pool. He said the neighbors would not be impacted, there is enough screening on the north side of the location of the pool and it will not be visible from Riverside and this is the best spot to accommodate the pool.

Mr. Zitesman asked if they would have to take down any of the trees.

Mr. Jordan said they will have to remove three fairly mature trees that sit next to the house will need to be removed. He stated that it was a difficult decision to make but they believed the location was the most appropriate area of the site to maximize screening for the pool.

Mr. Zitesman asked if the accessory building was theirs.

Mr. Jordan stated yes.

Mr. Page asked if there were any other questions. [There were none.]

Mr. Page thanked the applicant and closed the public portion of the discussion and opened to the Board for discussion.

Mr. Zitesman said there nothing further to discuss, in his opinion.

Mr. Page said that he believed the unique circumstances of the property included the typography of the site and that the applicant did make considerations regarding the most appropriate location for the pool.

Motion and Vote

Mr. Page requested a motion to approve this variance to Zoning Code Section 153.231 to allow a pool, deck and pool barrier to be located 12 feet forward of the primary structure because it meets all the required variance standards and review criteria. Rion Myers made the motion, seconded by James Zitesman. The vote was as follows: Mr. Todoran, yes; Mr. Gunnoe, yes; Mr. Zitesman, yes; Mr. Myers, yes; and Mr. Page, yes. (Approved 5 – 0)

Mr. Page thanked the applicant.

Mr. Page said the next meeting is scheduled May 22, 2014 and adjourned the meeting at 6:54 p.m.

As approved by the Board of Zoning Appeals on May 22, 2014.