



City of Dublin

Land Use and Long
Range Planning

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BOARD OF ZONING APPEALS

MEETING MINUTES

JUNE 25, 2015

AGENDA

- 1. Links of Ballantrae – Parking Lot for Model Home 5649 Eden Bridge Drive
15-042SP Special Permit
(Approved 4 – 0)**
- 2. Celtic Crossing – Parking Lot for Model Home 8282 Macha Court
15-053SP Special Permit
(Approved 4 – 0)**
- 3. Wexford Estates – Remias Property – Setback Variance 6369 Angeles Drive
15-054V (Non-Use) Area Variance
(Approved 4 – 0)**

Vice Chair Jamie Zitesman called the meeting to order at 6:35 p.m. Other Board members present were Patrick Todoran, Rion Myers, and Martha Cooper. Brian Gunnoe was absent. City representatives present were Tammy Noble, Lia Yakumithis, Katie Dodaro, and Flora Rogers.

Council Member Amy Salay thanked the Board for their work on behalf of the City and all the volunteers hours spent on site visits and attending meetings. She administered the Oath of Office appointing Martha Cooper to the Board.

Motion and Vote

Mr. Myers moved, Mr. Todoran seconded, to accept the documents into the record. The vote was as follows: Mr. Zitesman, yes; Ms. Cooper, yes; Mr. Todoran, yes; and Mr. Myers, yes. (Approved 4 – 0)

Motion and Vote

Mr. Todoran moved, Mr. Myers seconded, to approve the May 28, 2015 meeting minutes. The vote was as follows Ms. Cooper, abstain; Mr. Zitesman, yes; Mr. Myers, yes; and Mr. Todoran, yes. (Approved 3 – 0 – 1)

Communications

Ms. Noble said there are a few personnel changes in Planning. She said the City has hired a Development Director, Donna Goss and starts on July 20th. She said Steve Langworthy is taking a new position within the department that will be more long range oriented and leaves the Planning Director position available. She said they are in the process of interviewing for that position and she will continue to inform the Board of decision related to the position.

- 1) That the parking area sign meet the requirements of the Zoning Code and not be illuminated.

David Balcerzak, MI Homes, agreed to the above condition.

The vote was as follows: Ms. Cooper, yes; Mr. Todoran, yes; Mr. Myers, yes; and Mr. Zitesman, yes. (Approved 4 – 0)

**2. Celtic Crossing – Parking Lot for Model Home
15-053SP**

**8282 Macha Court
Special Permit**

Tammy Noble said this is the first time the Board has heard a case for a parking area associated with a model home. She said the model home get approved as an administrative process. She said they are proposing a parking lot associated with the subdivision Celtic Crossing and only utilized in terms of the model home and will be temporary and will be removed once the model home operations have been completed.

Ms. Noble said the site is zoned PUD and is a recent residential subdivision that was approved by the Planning and Zoning Commission and is currently vacant. She said they are preparing the land for development and is currently being graded. She stated the applicant is proposing to build the model home with a parking lot on the adjacent site. She said they are proposing a small parking area to include landscaping which is required to buffer the parking lot. She said they are proposing a sign to indicate the parking area for the model home and it has been noted in the staff report that the special permit does not address signs and therefore the provisions for Directional Signs are the applied to the sign which limits the information and size and height of the sign.

Ms. Noble said the requirements for the special permit must be met, the two adjacent lots next to the site are not constructed for residential use and there is a design standard so that the parking area is actually parallel to the model home and does not extend forward or behind boundaries of the model home. She said the Code also requires that there is a sidewalk connection to allow for pedestrian traffic between the parking lot and the model home of which it does. She said the parking lot must be removed within 90 days after either of the two lots beside it would develop or the operations for the model home would cease, if either of the two conditions occur the parking lot is to be removed. She said this is monitored through the Building Department.

Ms. Noble said general requirements are the site meet all provisions of the Code and this application does meet all the provisions with the exception of the sign which is a condition of approval that require that if a sign is used that it meet the requirements of a Directional Sign. She said compatibility with the surrounding area there are typically small parking areas in residential communities when there is not sufficient enough parking for individual homes and is not out of character with other subdivision and in this case it would be temporary and does meet the standard. She said the Building Department will ensure that the parking area is removed when no longer being utilized.

Ms. Noble said that Planning is recommending approval for the application with one condition, that the parking area sign meet the requirements for the Directional Signs as required by Code and not be illuminated.

Mr. Zitesman asked if anyone had questions or from the public that would like comment in regards to the application.

Todd Kellner, Manager of Sales Administration for Pulte Homes, said he was available for any questions.

Mr. Zitesman asked if the applicant understand and agrees to the condition.

Mr. Kellner agreed and said he understands the restrictions and it is not an issue.

Mr. Zitesman asked if the copy "Thanks for visiting" would be removed from the back side of the sign.

Mr. Kellner said if it is not approvable then it would be removed.

Ms. Noble said it would need to be removed as well as logos and agreed to meet with the applicant to assist with the sign permit process and answer any further questions.

Mr. Kellner asked for clarification on the adjacent lot being considered sold or permitted.

Ms. Noble said it is related to permit and there is 90 days to remove the parking area.

Mr. Zitesman asked if they intended the time frame for the special permit for a year.

Mr. Kellner said it was requested for two years and hoped it would be only one year.

Ms. Noble said they are permitted to have it up to a certain percentage of lots sold in the development and they want to make sure they are not using the model home to attract traffic for other subdivisions.

Mr. Zitesman asked if there were any further questions. [There were none.]

Motion and Vote

Mr. Myers made a motion, seconded by Ms. Cooper, to approve the Special Permit to Section 153.073(D)(2)(C)(6) to permit a parking lot that will be used in association with a model home, because it meets all the applicable review criteria, with one condition:

1) That the parking area sign meet the requirements for Directional Signs as required by the Zoning Code and not be illuminated.

*Todd Kellner, Pulte Homes of Ohio, agreed to the above condition.

The vote was as follows: Mr. Todoran, yes; Mr. Mr. Zitesman, yes; Ms. Cooper, yes; and Mr. Myers, yes. (Approved 4 – 0)

**3. Wexford Estates – Remias Property – Setback Variance 6369 Angeles Drive
15-054V (Non-Use) Area Variance**

Tammy Noble said this is a variance application for a residential property based on the rear yard setback. She said the applicant is proposing to construct a patio that will encroach into the rear yard setback. She said the site is approximately a 1/3 of an acre and located on the south side of Angeles Drive, east of Tullymore Drive. She said the site is zone PLR, Planned Low Density Residential and is in the Wyndham Village PLR. She said the surrounding community is residential in nature with smaller residential lots to the north and the east. She said the south is a reserve area that is associated with an adjoining subdivision and to the west is a residential lot.

Ms. Noble said the site has been developed with a single-family, residential home with an access point from Angeles Drive. She said there is a garage to the front of the house which pushes the house back approximately 13 feet. She said the site has an existing at grade patio and was constructed previous to 2005 and approximately 13 x 13 and encroaches in the rear yard setback as well as the no build zone. She said the application is to remove the existing patio and increase the size of the patio with the new dimensions the applicant proposing to encroach into the rear yard setback by 9 feet, 4 inches. She said they are only addressing the rear yard setback and the applicant will have to come back for approval from the Planning and Zoning Commission and City Council to remedy the No Build Zone.

Ms. Noble said based on the analysis and that the property abuts a reserve area that is not buildable site which will give distance between this particular applicant and the adjoining property owner. She said the front loaded garage pushes the habitable space of the house back which then impacts the amount of space that is in the rear yard and therefore is a special condition that has been met. She said the applicant was not the owner of the property when the site was constructed so they did not contribute to these conditions and in terms of adverse effect with the distance that is provided between them and the next property owner the amount of vegetation that is buffering this house there are no impacts to the surrounding community.

Ms. Noble said two of the requirement's for Section B need to be met and they have conclude that four have been met. She said in terms of other methods available they did conclude that if the applicant were to build under the Code the size of the patio would be a non-functional space. She said that is not a practical solution for the applicant.

Ms. Noble said they have recommended approval for the application with no conditions.

Mr. Zitesman asked if anyone had any questions for staff, or if there were anyone from the public that would like to speak to this application. [There were none.]

Motion and Vote

Mr. Myers made a motion, seconded by Mr. Todoran, to approved this Variance request to Section 153.053(G)(2)(a) to permit a patio that extends 9 feet, 4 inches into the rear yard

setback, because it meets all the applicable review criteria. The vote was as follows: Mr. Zitesman, yes; Ms. Cooper, yes; Mr. Todoran, yes; and Mr. Myers, yes. (Approved 4 – 0)

Mr. Zitesman said the next meeting is scheduled for July 23, 2015, and adjourned the meeting at 7:19 p.m.

As approved by the Board of Zoning Appeals on July 23, 2015.