



PLANNING REPORT

Board of Zoning Appeals

Thursday, June 29, 2017

M/I Homes- 8549 Dicesare Loop- SPECIAL PERMIT

Case Summary

Agenda Item	3
Case Number	17-063SP
Proposal	To add a parking area in association with a model home that will be constructed in the Riviera PUD, Planned Unit Development.
Request	<p>The request is for a Special Permit that is permitted by Section 153.073(D)(2)(C)(6) to allow a parking lot that will be used in association with a model home.</p> <p>Requires review and approval by the Board of Zoning Appeals based on the review criteria of Section of Zoning Code Section 153.231(G)(3).</p>
Site Location	The site is located on the west side of Avery Road, approximately 400 feet northwest of the intersection with Riviera Boulevard.
Applicant	Doug Tailford, M/I Homes
Case Managers	Tammy J Noble, Senior Planner (614) 410- 4649 tnoble@dublin.oh.us Mary Turner, Planning Assistant (614) 410- 4691 mturner@dublin.oh.us
Planning Recommendation	Approval of a Special Permit Based on Planning's analysis, the request meets the review criteria for a special permit and approval is recommended with no conditions.

Facts

Site Area	±0.38 acres
Zoning	PUD, Planned Unit Development and contained in Riviera PUD
Surrounding Zoning And Uses	The surrounding area is zoned PUD, Planned Unit Development and is located within the Riviera PUD. The area is all vacant and has been graded in preparation of residential construction.
Site Features	The site is a corner lot, located north of the primary access to the subdivision. The model home is located on the parcel directly west of the parcel. The site is vacant and is flat with no significant topography. There is a stand of vegetation located on the western side of the parcel.
Background	<p>The Riviera Subdivision is a residential project that was approved by the Planning and Zoning Commission on April 9, 2015 and City Council in June of 2015. Riviera Subarea A and B, Section 1 and Section 2 was approved by the Planning and Zoning Commission on April 21, 2016.</p> <p>The Riviera subdivision contains up to 185 single-family residential lots with 76 acres of open space and is located on the west side of Avery Road, 975 feet north of Memorial Drive. Section 2, where the model home site and parking area are located, has 45 lots, 5 streets, 8.4 acres of open space, and a retention basin that is located in the northeast corner of the development, on the west side of Avery Road. The site will have three access points. A loop street is located in the center of the site and provides access to most lots and a reserve is located on the west side of the center of the looped road.</p> <p>The parking area is located on Lot #83 of the subdivision. The model is located on Lot #84 of the subdivision. The purpose of the model home is to provide a visual representation of the model homes and options available for homes built in Riviera.</p>



Facts

Proposal

The applicant is requesting a special permit to allow a freestanding, parking area to be located on the adjacent lot for a model home. The request includes an 8-space parking lot, an associated sign, and additional landscaping. The model home and the adjacent lot, containing the parking area, are located on Dicesare Loop, north of where Devictor Way, Timble Falls Drive, and Dicesare Loop intersect, and are lots #83 and #84 respectively.

Details

Special Permit- Parking Lot for Model Home

Process

Zoning Code Section 153.073(D)(2)(C) allows the Board of Zoning Appeals to authorize special permits for parking lots that are associated with model homes. The section states that freestanding, off-site parking lots for model homes shall be permitted only on residential lots adjacent to unoccupied lots with the exception of the model home and only after obtaining a special permit from the Board of Zoning Appeals.

Request

The applicant is requesting approval of a special permit to allow a freestanding, parking area that will provide 8 parking spaces to the proposed model home. Of the 8 parking spaces, 1 space is handicap accessible. The parking area is proposed to have one sign that is 2 square feet in size and 3 feet high, with "Parking" on one side and an arrow that points toward the spaces, and the Model Name on the other side. The only provisions of the Zoning Code that permits signs for free-standing parking areas is the directional sign provisions. The sign meets the size and height requirements for a directional sign but is proposing the name of the model home which is not permitted for directional signs. This will be required to be removed prior to approval by the City of Dublin. The sign will also not be permitted to be illuminated. The site has landscaping that includes ornamental trees and shrubbery along the western edge of the property and at the entrance to the parking lot, along the southern edge.

The model home has been approved by an administrative process and is not subject to review by the Board of Zoning Appeals. The Board is required to review the parking area as a special permit based on its potential impacts to the surrounding lots.

Analysis

Special Permit

Process

Section 153.073(D)(2)(C) of the Zoning Code identifies criteria for the review and approval of a special permit. In accordance with this Section, the Board of Zoning Appeals shall approve, disapprove, or approve with conditions a special permit based on a site plan and a

Analysis	Special Permit
	narrative outlining the scope of use to be submitted by the applicant and owner of record of the property. In making its decision, the Board shall consider that the proposed parking lot, associated with a model home, complies with the following criteria.
1) <i>Adjacent to Unoccupied lot.</i>	Criterion met: All of the surrounding lots are unoccupied.
2) <i>Parking Lot Does Not Extend Beyond the Rear Elevation.</i>	Criterion met: The primary parking area is located within the front and rear elevations of the model home with a small amount of parking, mostly pavement area for vehicular navigation that slightly extends beyond the rear elevation of the model home. Planning has determined that this meets the intent of the criteria and allows pavement area that is necessary for safe and efficient circulation.
3) <i>Parking Lot Does Not Extend Forward of Front Elevation</i>	Criterion met: The parking lot does not extend forward of the home.
4) <i>Sidewalk is provided from Model Home to Parking Lot.</i>	Criterion met: Access to the model will be provide by a public sidewalk across the frontage of the lot. Planning has discussed adding a more direct access point from the model home to the parking area but this would create additional pavement which is typically discourage and will impact the existing vegetation. This
5) <i>Parking Lot and Sidewalk Must BE Removed 90 Days after Building Permit is Obtained on Adjacent Lots (or) Model Home is discontinued.</i>	Criterion met: This standard is monitored through Building Standards Division and will be enforced if either a building permit is issued for an adjacent lot or the model home ceases its use, or after the occupancy requirements are fulfilled as required in §153.073 (D)(2).
Process.	Section 153.231(G)(3) provides criteria that the Board shall consider the following criteria.
1) <i>Meets applicable requirements established by the Code.</i>	Criteria Met. The proposal meets all of the requirements of the Code.
2) <i>Compatible with existing land use and character.</i>	Criteria Met. The parking lot is small and is similar to guest parking areas that are used for other model homes. The parking area will be screened and hours of operation, as it relates to parking needs, will be similar to office hours and not impact the surrounding community.

Analysis		Special Permit
3) <i>Proposed use can be developed and maintained.</i>	Criteria Met. The parking area will be discontinued when either a building permit is obtained for an adjacent lot or the operations of the use have discontinued. When either of these two conditions occurs, the parking lot will be removed and the site will be developed for a single-family home.	

Recommendation		Minor Project Review – Sign
Approval	Based on Planning's analysis, the requested special permit meets the required standards, therefore approval of the special permit is recommended with no conditions.	

Special Permit Review Criteria

Section 153.097(A) Portable Structures and Temporary Uses.

Regulation of portable structures such as temporary construction trailers, temporary use trailers and portable classrooms is intended to provide for unusual circumstances or the short term needs of the residents of the city, to preserve the quality of life in residential areas and to provide a review process that maximizes the safety and aesthetic appeal of the portable structures and temporary uses and minimizes the duration and intrusion of such structures.

(C) The Board shall consider that the proposed structure be:

(1) Permitted in any zoning district provided the use of the structure is a permitted use in the zoning district or an accessory use as provided in 153.074;

(2) Located on the site so as to provide safe access to the structure and be served by adequate parking;

(3) Screened from view and sensitively located and to show adherence to the standards of the community;

(4) Detailed in a dimensioned site plan to include a complete structure elevation, landscape plan, and site lighting;

(5) Proposed for a limited period of time no to exceed one year. The duration of the proposed special permit shall be specified by the applicant and approved by the Board. Extension of the special permit for an additional limited period of time may be permitted by reapplication to the Board when reasonable progress toward a permanent structure is demonstrated. The Board shall base its decision on any extension request on the same criteria as the initial special permit.

(6) Detailed in a narrative noting the specific use proposed and the scope of the intended use;

(7) Proposed in compliance with development standards with respect to parking and landscaping.

Section 153.231(G)(3) Standard of Review.

In reviewing an application for a special permit, the Board of Zoning Appeals shall consider the following:

(a) Whether the proposed use meets the applicable requirements established by this Code;

(b) Whether the proposed use is compatible with the existing land use and the general development character of the neighborhood;

(c) Whether the use can be developed and maintained without substantially impairing the general purpose and intent of the zoning district in which the use is proposed to be located.