



**DRAFT v2**

# MEETING MINUTES

## Board of Zoning Appeals

Thursday, December 15, 2022

### CALL TO ORDER

Mr. Nigh, Vice Chair, called the December 15, 2022, meeting of the City of Dublin Board of Zoning Appeals (BZA) to order at 6:32 p.m.

### ROLL CALL

Board Members present: Mr. Nigh, Mr. Clower, and Mr. Gavin  
Board Members absent: Mr. Deschler and Mr. Murphy  
Staff present: Ms. Noble and Mr. Hounshell

### ACCEPTANCE OF DOCUMENTS

Mr. Clower moved, Mr. Garvin seconded, to accept the documents into the record.  
Vote: Mr. Nigh, yes; Mr. Garvin, yes; and Mr. Clower, yes.  
[Motion Carried 3-0]

### CASE PROCEDURES

The Chair briefly explained the rules and procedures of the Board of Zoning Appeals and swore in Staff and any members of the public who planned to address the Board during the meeting.

### NEW CASE

#### 1. Herman Residence at 4600 Deer Run Court, 22-165V, Non-Use (Area) Variance

The Vice Chair - This is an application for Variances to Zoning Code §153.190(E)(1)(g) to allow a 2:12 roof pitch and to Zoning Code §153.190(E)(1)(i) to allow for the elimination of all window trim and shutters. The 2.14-acre site is zoned Planned Unit Development District, Deer Run Estates and is located northeast of the intersection of Deer Run Drive with Dublin Road.

Mr. Hounshell – He presented an aerial view of the site. Deer Run Estates is a heavily-wooded, gated community off Dublin Road and very little is visible from the public road; Deer Run Drive and Deer Run Court are private drives [existing condition photographs]. This is a new home for a development that is designed for creative and custom homes throughout that has been granted for this development as stated in the development text.

The applicant submitted renderings for a custom, minimalist-style home, designed by Keith Hake in the Modernist style. The renderings reflect the absence of window trim and shutters using taller, single-pane windows, with almost flat appearing rooflines, as proposed.

The Residential Design Standards were adopted several years ago as a minimum standard to attain a certain level of aesthetic design for homes in Dublin. The standards were not created to limit creativity, but requires four-sided architecture, specific material types, and to emphasize the fit within the immediate area. This custom home display creative design that was envisioned by the regulations of the City of Dublin, as well as development text. Therefore the intent of the Code is maintain and the quality standards are preserved.

Mr. Hounshell presented our analysis both Variances for ease of review. Staff has reviewed the application against the Non-use Variance Review Criteria and found the first three criteria in the first set have been met as required as well as all four of the second set of criteria where only two out of the four criteria are required. Therefore, Staff recommends approval of both Variances.

### **Questions for Staff**

Mr. Gavin – He clarified the home would not be visible from Dublin Road.

Mr. Hounshell – Mr. Hounshell stated that is correct. All the lots in this community are heavily wooded all the way from Dublin Road to the Scioto River.

### **Applicant Presentation**

Keith Hake, Residential Planner, 10596 Wellington Boulevard, Powell, OH, stated he did the designs for Mr. Herman's house while working with the builder, Keith Koch, Corinthian Homes. He created a wide-open floor plan with lots of glass. The windows were eight-foot high by four-foot wide so shutters would not work, nor would they be compatible to the style of the house. The house would sit on the high part of the lot but be hidden as most of the trees would be saved on this property. He designed another house just up the road in the same community in previous years. He had received a lot of positive feedback on that house.

### **Public Comment**

Mr. Hounshell - No comments have been received.

### **Board Discussion**

Mr. Clower – The Board has approved similar Variances in the past. In the minutes provided my Staff, there was a case on Dublin Road that this Board approved. It was an architecturally-striking and beautiful house. He thought it has just been built and if it is not finished it is almost finished. It is a unique home visually, even from Dublin Road, whereas the one this evening would be much less visible. The Board approved another home on the other side of the Scioto River around six months ago with a similar style roof pitch and all of the neighbors had approved of the design, also. He agreed with Staff's recommendation to approve the Variances.

Mr. Garvin – He agreed with Mr. Clower. Staff was successful showing all the criteria had been met of which he agreed.

Mr. Nigh – He agreed that Staff did a good job. The criteria was carefully presented in detail. For the applicant's benefit in advance, he pointed out that since there were just three members in attendance that a unanimous vote would be needed for the Variances to be approved. It appears, all three of the Board Members are in agreement to allow the Variances.



Mr. Clower moved, Mr. Garvin seconded, to approve the Non-Use (Area) Variances to Zoning Code §153.190(E)(1)(g) to allow a 2:12 roof pitch and to Zoning Code §153.190(E)(1)(i) to allow for the elimination of all window trim and shutters.

Vote: Mr. Garvin, yes; Mr. Nigh, yes; and Mr. Clower, yes.  
[Motion Carried 3-0]

### **APPROVAL OF MEETING DATES**

Mr. Garvin moved, Mr. Clower seconded, to adopt the proposed meeting dates from March 2023 – February 2024.

Vote: Mr. Nigh, yes; Mr. Garvin, yes; and Mr. Clower, yes.  
[Motion Carried 3-0]

### **COMMUNICATIONS**

- Zachary Hounshell – Staff will begin updating the Community Plan next year, which will require engagement with the Boards and Commission, as well as the public for input.
- Mr. Hounshell – There was a request from the Board of Zoning Appeals a few months ago regarding a Code Amendment for 'Open and Uncovered Structures'. Staff is moving forward with these updates to the Zoning Code and will present to the Planning and Zoning Commission for a review and a recommendation of approval to City Council in the next month or two.
- Tammy Noble – Staff is updating the Zoning Code for solar panels. Draft language was presented to City Council through the First Reading and as part of that discussion, Council determined input from the public was needed. The City is hosting a meeting on January 11, 2023, and conducting a survey to obtain more feedback from the public residing or conducting business in the City.
- Joseph Nigh – This is Robin Clower's last Board of Zoning Appeals meeting as his family is moving. He seriously committed his time and effort to this Board. He thanked Mr. Clower for his hard work and dedication to the City of Dublin.

Mr. Nigh adjourned the meeting at 6:50 p.m.

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Joseph Nigh, Vice Chair  
Board of Zoning Appeals

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Administrative Assistant II, Recorder

