



MEETING MINUTES

Board of Zoning Appeals

Thursday, July 24, 2025

CALL TO ORDER

Mr. Murphy called the meeting to order at 6:33 p.m. in Council Chambers, 5555 Perimeter Drive. He welcomed members of the public and stated that in addition to attending the meeting, the public can access the livestream on the City's website. The City welcomes public participation including public comments on cases. He reviewed the meeting procedure.

ROLL CALL

Board Members present: Garrett Anderson, Abigail Dalesandro, Brad Linville, Patrick Murphy, Bridget Tyznik

Staff Members Present: Zach Hounshell, Ethan Lower, Joe Batchelor

APPROVAL OF MINUTES/ACCEPTANCE OF MEETING DOCUMENTS

Mr. Anderson noted an amendment to the June 26, 2025 minutes. On the fourth page, Mr. Garvin was referenced incorrectly.

Mr. Anderson moved, Ms. Tyznik seconded acceptance of the documents into the record and approval of the 06-26-25 regular BZA meeting minutes as amended.

Vote: Ms. Dalesandro, yes; Mr. Murphy, yes; Ms. Tyznik, yes; Mr. Linville, yes; Mr. Anderson, yes. [Motion carried 5-0]

The Chair swore in staff and members of the public who planned to address the Board during the meeting.

CASE REVIEWS

Case #25-063V

Cypress Church of Dublin, Non-Use (Area) Variance

Request for review and approval of a Non-Use (Area) Variance to reduce the required parking spaces for an existing church. The 5.72-acre site is zoned R-1, Restricted Suburban Residential District and is located at 7055 Avery Road.

Staff Presentation

Mr. Lower stated that this is a variance application to reduce the required parking spaces for Cypress Church of Dublin. As a non-use area variance, this would allow deviations from the development standards where there is evidence of a practical difficulty or special conditions. A determination of approval or disapproval is required. The site is located at 7055 Avery Road and abuts Wexford Woods to the south and west, and Wexford Estates to the north. The site is 5.72 acres and is zoned R-1, Restricted Suburban Residential. The site contains a building constructed in 1983, which houses Cypress Church, and the existing parking lot spans much of the site to the rear of the building. There is also a small accessory structure along the rear property line to the west. There are mature trees and vegetation along Avery Road as well as an access drive. [Images of existing conditions shown.] The site was annexed to the City of Dublin in 1973. In 1983, the church and parking lot were built to conform with zoning regulations from Washington Township. In 2003, the site was rezoned to R-1 Restricted Suburban Residential. That rezoning was part of a larger effort to rezone properties that had Township zoning and bring them into City zoning districts. That explains why the site is currently legally non-conforming. While this variance does not consider the addition, its proposed location impacts parking. The addition is 2,700 square feet and would serve as an entry and gathering space. It would not add to any sanctuary space in the church. The site is currently at the maximum on lot coverage permitted by Code (45%). If the variance were denied, the church could not build this addition without pursuing a separate variance to exceed that lot coverage requirement. The applicant has requested a variance to reduce the number of parking spaces to 211. Should the variance be granted, the applicant would build the addition to the church. The site currently has 225 parking spaces, and Code requires a minimum of 1 parking space for every 30 square feet of sanctuary space. The sanctuary is currently at 6,969 square feet which would require 233 parking spaces. This variance would reduce parking by 14 space and the site would fall a total of 22 spaces short of the requirement. The applicant estimates that currently only 44% of available parking is used at peak times.

For the first set of criteria, all three are required to be met. Staff has reviewed the application and determined that all three have been met. First, staff found that the property's construction under previous zoning requirements represents a special circumstance that limits the ability for expansion of the building or pavement based on current setback restrictions, the property being at the maximum 45% lot coverage, and existing mature vegetation forward of the structure. Second, the variance is not necessitated by any action or inaction of the applicant. The existing arrangement of the site and its natural features have remained largely unchanged since its construction to conform with the township zoning standards including the lot coverage, parking, access drive and vegetation. The request is necessary based on the current zoning being applied to the site and different development standards from when it was constructed. Third, the applicant has provided sufficient evidence that the addition to the building will not substantially impact the need for parking, and the applicant has approximated the current need for parking at peak times is only 44%, well below capacity. The reduced parking would not affect nearby neighborhoods and would prevent added pavement to the front of the building, the removal of trees, and the degradation of character in the neighborhood. For the second set of criteria, two of the four must be met, and staff has determined that three have been met. First, no special privileges are conferred upon the applicant, and the total reduction in parking is minimal. Second, the request is not recurrent in nature and does not require modifications to the Code for off-street parking. Third, the variance would not adversely affect the delivery of government services. Fourth, there is another method available to the applicant. However, it would require applying for a variance for lot coverage and

tree removal permits. Thus, this condition is not met. Either method would require that the applicant come before the Board to request a variance.

There have been previous cases approved by the Board that are consistent with the variance requests presented today.

Staff recommends approval of the non-use (area) variance to Zoning Code Section 153.212 to allow the reduction in parking spaces for an existing church to 211 spaces. Public comments were received prior to the meeting and have been included in packet materials for consideration.

Board Questions

Mr. Linville asked if there are other properties that are grandfathered in under the new zoning regulations that have similar parking variances. Mr. Lower stated that the rezoning was for a range of different properties that had township zoning. There are similar cases that have relatively consistent circumstances.

Mr. Murphy asked if the similar cases were from abutting municipalities. Mr. Lower shared a case in 1998 and another in 2000 and stated that both involved different churches zoned R-2 with the same parking requirements and were granted variances to reduce parking to accommodate expansion. Mr. Murphy sought confirmation that the 1998 variance included an expansion to the sanctuary. Mr. Lower answered affirmatively.

Mr. Linville asked how the determination is made that the sanctuary is not being expanded. Mr. Hounshell stated that based on what has been submitted by the applicant, this is not an expansion of worship space.

Applicant Presentation

Dustin Todd, Archall Architects, 49 E. Third Avenue, Columbus, stated that the overall purpose of the project is to provide a dedicated entry space that also increases the square footage for fellowship before and after services. The current entry to the building is at the doors to the sanctuary, which creates congestion with people being welcomed before service or gathering after service. That is also the space they use for their café. In response to the question about expanding the sanctuary, due to the construction types, they must separate this addition from the existing building with a firewall. There is an additional set of doors that will separate it from the sanctuary space. It will not be open to the existing sanctuary, nor will it be used as part of the worship space during services. The required parking is not needed for current operations. Obstacles to adding the parking include lot coverage, multiple protected trees on the front of the property, parking flow, and aesthetics. This site has a nice drive off of Avery Road that allows stacking of vehicles. Adding something to the front would impede that flow. The building looks nice from Avery Road with green space and trees. Adding parking would be a detriment to the site and the surrounding neighborhood.

Ms. Dalesandro asked how large the congregation is.

Ken Murphy, Senior Pastor, 6357 Durban Drive, Galloway, stated that the congregation is about 500 people. They do multiple services, so 500 people are not attending at one time.

Ms. Dalesandro asked if the 44% usage is consistent throughout the year. Mr. Murphy stated that there is lower attendance in the summer, but parking has not been the issue in Dublin.

Mr. Linville asked if this addition is a part of plans to improve other areas of the church. Mr. Todd stated this project is a stand-alone project. There will be some finish changes on the interior but this is the only plan for increasing the square footage.

Mr. Anderson asked if there will still be the same amount of ADA spaces. Mr. Todd stated that they will meet Code regarding ADA spaces. Mr. Murphy asked if that would require reallocating current spaces to ADA spaces. Mr. Todd answered in the affirmative. Some existing spaces will be lost with the addition. They are happy to work with staff if they have comments or suggestions.

Public Comments

Two comments were received electronically and distributed to board members.

Board Discussion

Mr. Anderson asked how different the Washington Township zoning was compared to Dublin's residential zoning. He also asked if there was a lot coverage requirement when the property was under Washington Township regulations. Mr. Lower stated that the specific zoning type was not stipulated in available records. Staff attempted to do a direct comparison but were unable to do so.

Mr. Murphy stated that the transition occurred in 2003 when the property was rezoned. He asked whether considerable changes had been made to the parking area or the structure. Mr. Lower that there have not been any considerable changes. If there had been, the property would then have to conform to R-1 standards.

Mr. Linville asked if the fact that this property has been able to continue to exist as a non-conforming property is considered a privilege. Mr. Batchelor stated that a non-conforming use is more a legal requirement than a privilege. Mr. Linville asked if the other two churches enjoyed the same legal status or if they had similar variances because of the zoning change. Mr. Hounshell stated that the other two properties were already zoned to the R-2 zoning district. The basic requirements they were diverging from are the same and for the same reason. Mr. Lower stated that they were seeking to build an addition that would reduce their current parking spaces and would then have to meet the R-2 standard. Mr. Linville sought confirmation that this variance is similar to those other two cases with the same rationale. Staff answered affirmatively.

Mr. Anderson stated that he agrees with staff on the first criteria; the protected trees in the front, and that the project would require other variances creates a special circumstance for the property. It being grandfathered in adds to the special circumstance. He also agrees with staff's analysis of Criteria 2 for the same reasons listed. The property remains largely unchanged. They began by building in township zoning and then the property was annexed into the City. He also feels Criteria 3 has been met. Based on the church's comments and public comment, overflow is not going to be an issue, and it will not affect neighbors. For the second set of criteria, he agrees with staff that the first three are met. There would not be a special privilege conveyed on Cypress Church. This request is only a reduction to 211 parking spaces where other churches requested and were

granted much larger reductions. The situation does not seem recurrent and will have no impact to governmental services.

Mr. Linville stated that he does think the site is getting a privilege that other properties in the same district do not have as other churches have gotten similar privileges. He agrees that at least two of the other criteria in the first set of criteria are met.

Mr. Murphy stated circumstances surrounding the annexation do convey a privilege to the church that might not be afforded to other churches, but those unique circumstances necessitate seeking a variance as they were formerly governed under a separate municipality. The difference in this case is the reduction of 14 parking spaces on a property that as mentioned has 44% usage during peak times. There is not cause to believe that there would be a major impact from reducing 14 spaces in the area. The applicant is not responsible for zoning ordinances that were in place in the 1970s or the annexation in 2003. There is no substantially adverse effect in allowing the expansion. He agrees with the City in its assessment of Code Section 153.231(H)2(B) including its assessment that the fourth element is not met.

Mr. Anderson asked why this property is zoned R-1 instead of R-2 like the similar properties mentioned previously. Mr. Hounshell stated that the others were in different areas of the City, and when this was rezoned in 2003, it was done to try and bring it closer to compliance with the existing development character of Avery Road.

Ms. Tyznik moved, Ms. Dalesando seconded approval of a Non-Use (Area) Variance to Zoning Code Section 153.212 to allow the reduction of parking spaces for an existing church to 211 spaces.

Vote: Mr. Linville, yes; Ms. Tyznik, yes; Mr. Anderson, yes; Ms. Dalesandro, yes; Mr. Murphy, yes. [Motion carried 5-0.]

COMMUNICATIONS

Mr. Hounshell stated that there will be another joint meeting September 2, 2025 with City Council.

ADJOURNMENT

The meeting was adjourned at 7:09 p.m.



Chair, Board of Zoning Appeals



Deputy Clerk of Council