



**Board of Zoning and Planning Meeting Minutes  
August 24, 2023  
6:00 PM**

**1) Call to Order**

The meeting was Called to Order by Chairperson Behal.

**2) Roll Call of Members**

Members present: Mr. Schick, Mr. Turner, Mr. Hall, Ms. Dorn, Chairperson Behal

**3) Approval of Minutes**

**Motion to approve Minutes from the July meeting by Mr. Schick, second by Ms. Dorn; all in favor.**

**4) Public Comments**

There were no Public Comments.

Chairperson Behal explained that applicants for cases scheduled as part of the second half of the docket may not be heard for an hour or more, and indicated residents present to speak to those cases may be inclined to leave and return in an hour.

**5) Old Business**

There was no Old Business.

**6) New Business:** 1) Application Number: BZAP - 23-16

Address: 2529 E Broad

Applicant: Melissa Rottier

Owner: Melissa Rottier

Request: The applicant is seeking approval of a Special Permit to allow a 42" high ornamental fence in the front yard (Broad).

This case was recessed and resumed after the Tabling of Application Number BZAP-23-18.

Melissa Rottier was sworn in.

Ms. Rose gave a staff report.

Ms. Rottier stated she lives in Bexley with her family and explained they recently purchased the home and would like to install a fence for safety concerns, which were initially children running into the streets but have been exacerbated by a recent car accident in which a vehicle hit their home. She stated many of the neighboring homes have fences and/or arborvitae.

Ms. Rottier explained that the recommendation from the staff report to place this fence 10' from the property line may be challenging due to an existing tree, but she would be willing to work around the tree.

Chairperson Behal explained the time limits as part of the BZAP meetings.

Ms. Rose stated the right of way is not an issue for this case and Ms. Rottier indicated the property line goes to the sidewalk, however, Ms. Rose explained she would explore this to confirm.

Ms. Rottier said the property line was indicated by pink flags in the pictures.

One board member indicated he is fine putting the fence in front of the tree and explained that a fence will not stop a car that is going at a decent speed and may not protect the home as desired.

Ms. Dorn said there is a home on Roosevelt and Broad with what she assumes to be a similar situation; Ms. Rottier said this is the same fence they are looking for and gave addresses for landscapes she would like to emulate.

Ms. Rose said a small backyard is something to be considered when making this decision, but decisions are made on an individual basis.

Ms. Bokor explained a proposed ordinance for corner lots and Ms. Rose discussed the need for heavy landscaping.

The Findings of Fact and Decision of the Board for application number BZAP-23-16 for property located at 2529 E. Broad Street: The Board of Zoning and Planning finds that upon consideration of the application, proposed variance and evidence and testimony before it, the Applicant has proven that the criteria to grant a Special Variance in accordance with Bexley Code Section 1264.02(c) have been met, to allow a front yard fence is approved with the following conditions: 1) the fence is to be set back 8'-10' from the property line along Broad Street, to work around an existing large tree; 2) a landscape plan should be reviewed by the City's Landscape Consultant, and subject to her approval.

The applicant agreed to the Findings of Fact.

**Motion to approve the Findings of Fact by Mr. Hall, second by Mr. Tuner; roll call: Hall – Yes, Turner – Yes, Dorn – Yes, Schick – Yes, Behal – Yes.**

2) Application Number: BZAP - 23-18

Address: 2524 Bexley Park

Applicant: Ryan Brothers' Landscaping- Ryan

Owner: David Kaplansky & Monique Kademian

Request: The applicant is seeking approval of a Special Permit to allow a 6' fence along the side property line.

Due to issues pertaining to a quorum, Chairperson Behal asked if it would be acceptable to the applicant to Table this matter; the applicant agreed.

**Motion to Table by Mr. Turner, second by Ms. Dorn; all in favor.**

3) Application Number: BZAP - 23-22

Address: 199 S Ardmore

Applicant: Mitch Fries

Owner: Mitch Fries

Request: The applicant is seeking approval of a Special Permit for functional dormer in new detached garage.

Mr. Fries was sworn in.

Ms. Rose gave a Staff Report which described the limits of accessory structures. She stated this application received a recommendation for a Certificate of Appropriateness from the ARB with a condition.

Mr. Fries explained the project is to replace a dysfunctional garage with one that is functional and add a room above to be used as an office; this is the special permit request.

Ms. Rose provided further information.

Findings of Fact: The findings of Fact and decision of the Board for application Number BZAP-23-22 for the property located at 199 S. Ardmore: The Board of Zoning and Planning finds that upon consideration of the application, proposed variance and evidence and testimony before it, the Applicant has proven that the criteria to grant an area variance in section 1226.11(c) have been met and a Special Permit in accordance with Bexley Code Section 1252.15 have been met, to allow a functional dormer on the new garage. The Board further finds after review of the plans and recommendation of the Architectural Review Board, that a Certificate of Appropriateness should be issued as modified and submitted at the August 24th, 2023 BZAP meeting.

The applicant understood the Findings of Fact.

**Motion to approve the Findings of Fact by Mr. Schick, second by Ms. Dorn; roll call: Schick – Yes, Dorn – Yes, Turner – Yes, Hall – Yes.**

4) Application Number: BZAP - 23-23

Address: 2200 E

Main Applicant: Ryan Pearson

Owner: Continental Real Estate Cos.

Request: The applicant is seeking preliminary review to allow demo and redevelopment of the vacant Trinity Lutheran apartment structures at 2160, 2188, & 2186 E Main Street (Parcel No.: 020-000836, 020-000217 & 020-000350), Also a Special Permit and Conditional Use for new 5-story building with housing alternatives and variance for a new 6-story mixed use building to provide additional housing, restaurant, retail and offices.

Mr. Kass, Ryan Person, Jason Hockstock, and Scott Heisler were sworn in.

Mr. Sudy gave a Staff Report stating this is the beginning of a lengthy process and explained that the applicant has been asked to come before the Board for a conceptual review, in which there is no intention that any action will be taken during the meeting. He explained the BZAP is the board that makes final decisions for projects along the Main Street commercial corridor and that other boards make important contributions to other large site developments. Mr. Sudy went on to say the Architecture Review Board (ARB) and Tree and Public Gardens Commission (T&PGC) have their own charges and the BZAP is to look at overall site development, massing, and the way the building will meet the Zoning Code. Mr. Sudy further explained the Zoning Code, Design Guidelines, and Design Standards. He stated this applicant is requesting a special permit because it is needed for a building up to 5 stories, which the applicant is applying for. Mr. Sudy advised the BZAP that they will have to determine that specified criteria are met. Mr. Sudy explained a variance is needed when the applicant wants to deviate from the code, which is expected in a complex redevelopment project; this Board is serving in a quasi-judicial role and has the ability to grant a variance from the Code, as any applicant has the right to apply for a variance.

Mr. Sudy stated that since this is a conceptual review and changes are anticipated, details will not be discussed at this meeting, as the focus will be the project in general; Mr. Sudy noted his prepared Staff Report lacks final details. He stated there is an idea that the parking lot will be realigned and tied into the overall project, and a meeting is set up next week to discuss this. Further, he explained the City administration is interested in more parking and cross access easements into the site, but has not yet considered the design. Additionally, Mr. Sudy explained Mayor Kessler will be speaking to the applicant in the next week.

Mr. Sudy said the issues for the BZAP to consider how they feel about this project include: the manner in which it addresses the Main Street Corridor; the location, sizing, and area of public spaces in and around the building; and the interface with adjacent properties. Overall considerations include massing and more.

Mr. Sudy said that while the goal is a pedestrian-oriented environment, there are still cars, and the applicant is preparing a traffic study. At this current stage, the design calls for one curb cut and movement to the other side of the building. He noted this is generally discouraged along Main Street, but there is a legitimate argument here and this will not be finalized until the study is completed. Cross-access easements are to be considered. Parking was mentioned and Mr. Sudy said the Board will need to determine if cross-access parking will be considered; specific numbers will not be discussed at this meeting because they know things will change. Mr. Sudy read Bexley Code Section 1254.14 that states criteria for whether or not 5 stories are appropriate for this project at this location.

Catherine Cunningham, legal counsel, was introduced.

Ms. Cunningham stated taxes will not be discussed at this meeting because that is a City Council matter and not within this Board's jurisdiction. Furthermore, affordable housing and proposed budget are not in the purview of this Board. She said the Board should focus on talking about how the property will be used, not who will be using the property. A discussion of the impacts on the schools will not be topics of conversation; she stated that development and permitted uses have natural consequences, but the issue at hand is to decide what is permitted or not permitted. She further explained that if the School Board wanted to get involved, they may do so with the developer and/or City Council.

Chairperson Behal explained the acronyms BZAP (Board of Zoning and Planning) and CIC (Community Improvement Corporation) and described the CIC as the development arm of the City as designated by ordinance.

Mr. Sudy explained the site currently contains about 60 units that were historically used as family houses for the Trinity Lutheran Seminary. He stated these could be described as lower-density condos, although there was no individual ownership. Over the last several years the site has been housing for Columbus State students. To the understanding of the City, since Trinity stopped using the site there has been consideration to transition. The City was not involved with choosing the buyer but did provide guidance to Capital about what the zoning code would allow at this space.

Mr. Behal stated the BZAP doesn't have authority over taxes and said there isn't any point in making comments about taxes because the Board will not be voting on this; he asked for comments to focus on how this will impact the Main Street corridor and what is the general feelings of the applicant's request.

Mr. Kass gave a history of his company as it pertains to redevelopment and gave examples of recent projects. He also stated the history of this site, including Capital's involvement and the proposals. He explained his company will be purchasing the site for about 2.5 million dollars per acre. He further provided that Capital is in need of selling this and making other changes to create income and change the profile of the university. Mr. Kass explained this is a challenging site for various reasons and has also good luck. He stated there are large trees at the homes behind the

property, that he moved the building farther south as asked, that there are easements, and that he has had a dozen meetings between various potentially impacted entities. Mr. Kass stated he is anxious to provide easement all the way to the street with outside seating, and that there has been a verbal commitment from Cameron Mitchell regarding a restaurant on the commercial space. Likewise, there have been other conversations with various entities for the use of the commercial space; there will be about 10,000-11,000 square feet of retail space and 12,000 square feet of office space on the second floor. Mr. Kass said there will be no tax abatement involved but noted Bexley City School District has asked to move the administrative office to the second floor so they can have room for additional classrooms and the schools will be giving the first consideration for use of the space. Mr. Kass said that today, the site has zero tax dollars for the city, schools, or county because it is a religious entity. However, Mr. Kass is estimating income of residents in the building to be about 20 million dollars. He stated the schools will have a source of income tax, will also get a pilot payment where they get payment in lieu of taxes, and tax dollars will be used to build garages.

Mr. Kass noted challenges with the property, including a 9 foot change in grade and stated how this will affect the parking deck.

Ryan Garrison explained the grade change is about 5 feet, but the Bexley Square parking lot is about 10 feet above Bexley Gateway.

Mr. Kass said the north/south sewer will need to be redug and they will be applying to the Ohio Department of Development for the demolition and rebuilding of the sewer. He said that based on today's numbers, the estimated cost of the project will be \$73,500,000. Mr. Kass said the site is tight and he knows there are currently exits to Bryden and Parkview; he does not want to burden either of these sites but they are incorporated into the proposed plan for garage accessibility.

Mr. Kass explained about 60% of the units will be one bedroom, with some two bedroom spaces, and three floors of three bedroom apartments on the corners. These are at the request of residents who are looking to downsize and move into the development. Mr. Kass said there will be no maintenance or real estate tax for residents. With more people working from home, he indicated additional bedrooms may be used as home offices, which will bring income tax. Mr. Kass stated that apartments can be expensive and he has a desire to work with the neighbors.

Mr. Kass displayed the elevations and explained the choice of materials to give the Board ideas of massing, location, proposed restaurant, and balconies.

Mr. Kass explained the garage and that parking towards the front will be two hour parking with residential parking towards the back. Parking plans were displayed and it was explained that parking for office space would be above, that there would be about 45 spaces at the surface on the north side, 160 spaces on the first level, and about 60 below that. It was stated that there will be some overnight parking.

Mr. Kass stated they are in talks with a medical use company to use some of the space. It was clarified that Mr. Sudy has made suggestions and there has been back and forth between various entities about what was desired for the location and modifications have been made based on various suggestions. Mr. Sudy said that per usual, staff makes suggestions regarding ways the proposal can be in conformance with the criteria that would allow the Board to potentially approve something such as a special permit. Mr. Sudy indicated that the applicant may be requesting a parking variance and said they've listened to input as much as possible, including regarding waste disposal systems. Mr. Kass indicated the problem with this is that with expensive sites that are small and with certain egress and ingress that cannot be changed, there is constraint about what can and cannot be done. Mr. Kass stated the building cannot be lowered in height because it would not be financially viable. He said this is important to Capital and for him, and discussed the history of his projects in Bexley and the use of tax dollars. Mr. Kass stated there shouldn't be many variances or variables. Mr. Kass indicated he believed the traffic study came in today.

Ms. Bokor requested all speakers utilize the microphone.

Mr. Kass stated his engineer has been able to look at the traffic study and agreed with the egress/ingress points and that no new changes would need to be made.

Jason Hockstock explained the site circulation was discussed with the intent to guide the majority of traffic to Main Street, but there would be some restrictions to the way lanes would be configured, including a south-bound only on the west side of the site and also that the Bryden exit would be exit-only.

Oded Shenkar, 479 Columbia Place, was sworn in and stated he had not been consulted about the project. He explained the alleyway from the back end to Bryden was constructed for garage access and said that based on previous projects, it has received increased traffic and he feels this will destroy the quality of life and the traffic flow of Bryden. He said this is against what Bexley is, as it will not be pedestrian or car friendly.

JD Malone, 2191 Bryden, was sworn in and stated his first hesitation is the tree line is not significant enough to block the view of the large building and the main concern is what is on the property line; he would like to see a wall or large fence. He said he is also concerned with the alley and does not like the idea of traffic from the property flowing onto Bryden, which is currently mostly pedestrian and bicycle, and that there need to be buffers from the homes behind.

Mary Dick, 486 S Parkview, was sworn in and said they do have the drive in and out with the speed bumps but stated those do not slow traffic and equipment driving over these bumps create loud noise. She said the other problem she has is the trash compactor which will be right behind her property. She said there used to be a dumpster a bit more west of where this will be and there was trash all the time and this is a major concern, and she does not know what the noise of a trash compactor will be like.

Bryan Hunt on behalf of the Alexander Condominium Unit Owners Association wanted to identify a few legal issues pertaining to this development, including the ingress/egress, parking easement, and appropriation of the property will likely occur. He stated there was concern about project notice and the latest information posted on the City's website creating confusion. He stated he and his clients want to ensure that going forward this will be a fair and responsible process. He said the demolition of the current buildings will create issues. He stated he wants to guarantee the Board review will be complete and thorough, that there will be adequate notice, and that residents will be able to be heard.

Chairperson Behal stated lawyers do not need to be sworn in because they are not testifying.

Steve Diamond, 500 S. Parkview and owner of the Alexander, was sworn in. He stated he lives in the building along the private drive, which is owned by the condominium and plays an important role in their daily lives and is shared by way of an easement. As owners of the drive, they were recently responsible for payment to repair as a result of refuse trucks utilizing the driveway. This is also the primary access to the building's freight elevator and that losing access will create an undue burden. Furthermore, he stated many walkers and cyclists utilize the private drive to get to Main Street. He also stated there is a pressing matter of refuse trucks and speeding vehicles will escalate. He said this issue will escalate into an unbearable nuisance that no resident should have to bear. Mr. Diamond explained his opinion that the current plan will adversely affect the value of his property and there is a responsibility to ensure developments align with the community's character and values. Mr. Diamond then appealed to Board members about the impact this may have on the community.

Jon Raush, 500 S. Parkview, was sworn in and displayed and explained photos of how Alexander residents must access their garages. He said cars entering from Parkview must use the north lane which could, with higher volume, have cars existing and they might have to wait on Parkview. For detached garages, to get in or out, they have to back out or pull out blindly but this will tie up traffic if there is more. He displayed other uses including moving trucks, delivery trucks, cranes. He said this is an easy to use private driveway currently.

Maria Rosenthal, 500 S. Parkview, was sworn in and stated that her unit's windows and balcony face east and north on the second floor level of the Alexander. She explained the light that permeates her windows and the view from her unit, and described what she will see given the new development. She said this will affect her due to noise, light pollution, and blocking of daylight, as well as safety hazard and lack of privacy, and lack of pedestrian access to nearby locales. She said she believes the proposed plan will have a negative effect on the property value of her unit and while redevelopment is welcome and necessary, and asked the Board to listen to concerns of neighbors and these be addressed with care and fairness.

Jane Landon, 500 S. Parkview, was sworn in and stated she has been a resident of Bexley for 25 years, with the last 7 of those in the Alexander. Her unit provides her a birds eye view of traffic



patterns, which she feels have increased, especially during rush hour. She said increased parking on Parkview has been increasingly difficult to exit the Alexander private driveway onto Parkview. She is concerned this will create additional congestion with the private driveway becoming a main thoroughfare and said there is currently a strong pedestrian presence nearby, and when the parking lot has been utilized more often, infrastructure had to be installed. She said she is concerned about the additional parking resulting in increased motor vehicle traffic and asked what meaningful amenity space will this project provide.

Nicole Bundy was sworn in and stated she lives on South Columbia and is an owner of a unit at the Alexander. She explained she has serious concerns about the neighborhood as a whole. She stated she is concerned about her mother-in-law's quality of life as an Alexander resident, including allowing grandchildren to walk and bike to visit. She explained she is concerned about the property value of the unit should this project be built as is. She said she is worried the proposal changes the nature of the neighborhood; with the volume of traffic, the entire area will be too congested for the safety of bikers and pedestrians, including those going to CSG; she feels South Columbia will be a thoroughfare. She said this will change the character of the community and urged the developers to rethink the plan.

Jim Gross, 500 S. Parkview, was sworn in and it was noted he was the former Bexley City attorney. He gave background on his and his wife's history in Bexley. He said he and his wife support the redevelopment and has had open dialogue with Mr. Kass and wanted to acknowledge and thank Mr. Kass regarding the line of communication. He explained the Alexander building is solely residential and while it is 5 stories, there are only 31 units with 43 residents, and the first floor parking garage is secure and limited to residential use. They would be overwhelmed with a proposal of this size and they will only see the building. They are owners who have made a significant personal investment in their unit. Senior housing has been instilled as an issue and he said he believes the Alexander is an asset to the community in this regard and is concerned that the plan is not in character or compatible with adjacent residential usage, that this will negatively impact investment and enjoyment of the unit. Finally, he invited the Board to visit the building.

Melane Rothem, 274 South Columbia, was sworn in and explained many family members live in close proximity, she is concerned the egress onto Bryden goes onto S. Columbia which is a thoroughfare to Board, and that South Columbia will be used.

Gloria Higgins, of 2202 Bryden, was sworn in and shared that she came to hear what was going on and with an open mind, and the more she heard the more she is horrified. As a former pediatrician, she envisions many additional vehicles where there are no lights and children are playing. She stated this development is too big and with too many people and not enough space and that this building will result in dead children and grandchildren in Bexley.

Mark Parrish, 640 Euclaire, was sworn in and stated he is a commercial architect and is in some ways a competitor to the applicant. He said the theory of the project is a wonderful idea but that

he is not in support of the development in this way and noted this is a generational opportunity and needs to be thought about as a gateway project. He shared his thoughts that the massing is pancake flat and doesn't respond to the different contexts it relates to. He expressed his feelings that one of the instances in trying to stay within the Design Guidelines results in problematic edge conditions and the building being right up against the right of way. He shared he does not support removing trees and stated there were other ways to hold the building back at the south end. He explained his opinion that there is no porosity and stated this building does not represent what it means to be part of the larger community. He expressed his thoughts that the alleyway to the north is problematic and questioned whether four stories makes sense. Furthermore, he shared his thoughts that retail is really important but it is also important to be sensitive to people's ability to use the space and that he finds it problematic that there will be three story units along the public right of way.

Alex Silverman, 683 Vernon, acknowledged residents' concerns and stated he comes from the food and retail industry and is wondering if there has been identified staff parking for the retail spaces. He would like to see documents identifying parking for residents, visitors, and staff and asked if the space between the two buildings is public or private spaces and how will there be flow for visitors. He explained his opinion that redevelopment is needed in the space and he would like to see uses identified.

Spencer Cahoon, 800 S. Cassingham, wanted to focus on parking. He said this is a great opportunity and that it is great that it is spearheaded by a Bexley resident; he said he thinks will be great with tweaks. He said this proposed parking plan differs from what is required for Main Street and asked if there will need to be more parking spots for just the residential residents and in general. He said there isn't enough parking for the planned use of the space and would like to see this follow the Code.

Don Marshner, 2250 Bryden, stated he's pro development and in the field and has questions: his concern, living on Bryden, is overflow given a significant variance request. As it relates to the other developments: were there variances for Bexley Square and Giant Eagle? He stated concern that if there were developments for those, there is already not an appropriate amount of parking on site, and then piling on a significant variance request. He suggested taking a holistic view of parking and asked if the traffic and parking study would be public. Regarding the change in the design, he said he was surprised to see that it had changed from what he saw before and would like to understand the plan further. He said he was told the access point to Bryden was going to be just pedestrian but now it is being proposed as exiting traffic.

Angela Yock, 2240 Bryden, said she appreciates that Mr. Kass is responding to the need for housing and that she feels the project should be done with modifications. She shared her feeling that central Bexley has stuffed schools and asked where these kids are going to go? She reminded the Board that parking on Bryden is limited. She shared she has had previous experience with traffic studies for local developments. She stated Bexley is proud to be a highly walkable community and short Bryden is used often; she asked how to keep it safe for everyone. She explained her feeling

that asking Bryden residents to take the load would be a large burden for residents and it will affect them. She stated the cut through is a walking path and asked the Board to walk to the path to see how it will affect them.

Mr. Kass stated he's been doing this for a long time and appreciates the comments everyone is making and is conscious about what a development like this has in terms of impact. He stated he was instructed to speak to Alexander residents as a whole and shared that Bexley is an older community with older people and he understands that people like the comforts they're used to. He explained his opinion that Bexley isn't welcoming to young people who grew up here and then came back to Central Ohio, and that communities die if they don't start regenerating. He shared they need to provide people to young folks and said it is important for Bexley to have a generation that can actually live here. He said school-age kids don't live in this type of environment and almost 70% of these spaces are single bedroom. He stated the Trinity site is currently occupied by Columbus State attendees who have students in Bexley City Schools. He shared that the proposal to have a higher footprint building with the same density won't solve the parking issue. He explained the building has been designed to have dumpsters in the parking garage that are accessed by chutes; management staff will put the trash from the dumpsters into a compactor that is secluded. He shared people don't want anything to the north or west, and they are trying to provide five ways in and out. He said he believes the Bexley Square parking lot will be utilized as overflow and discussed the number of parking spaces. He said there will be an easement with 45 spaces not taken away from anyone. Furthermore, he stated that there's no guarantee that when you buy property, what will be next to it. He said that in order to buy the land at the price they're asking for, this property needs to be developed densely, and that Main street is dense; when you buy on Short Bryden, you know you're only an alley removed from Main Street, which has commercial zoning and is not where kids live. He said he thinks most people will go out or on Main or at College and that the traffic study will show nothing will need to be changed on the streets or lights.

Chairperson Behal asked about traffic on Main; Mr. Sudy said the idea is that from a safety and aesthetic standpoint they've benefitted from medians. He said they'll look to see if this will add to more traffic but is doubtful it will be a lot.

Chairperson Behal said the purchase is contingent upon them doing due diligence and Mr. Kass meeting certain benchmarks. Mr. Kass said they have a definitive timeline and need to close on the property around November, but may get an extension.

Mr. Kass said the road is only one way as it is not wide enough for two lanes.

Mr. Kass said not everyone will come and leave at the same time and said they tried to spread out the cars but 300 cars will not materially change what is happening on Main or nearby streets. He shared that enough people will leave apartments for work to leave spaces available for the business parking. Mr. Garrison said 320 parking spaces are provided; 220 of them are units and 100 spaces are for shared parking. He explained that the current thought is for 50 short term parking

spaces for the restaurant and that office space will free up spaces in the daytime. Mr. Garrison said that parking and driving habits are changing and that he doesn't think it is out of reason as proposed and there will be overflow. Mr. Sudy said the Code allows for shared parking, but Bexley is behind the curve on parking codes because most places encourage shared parking and developers want to make sure everyone can park. He said that as the BZAP, this proposal is large, but it is not a big project for development in general.

Mr. Kass said not developing the site is not an alternative and not making it dense is unfair to Capital.

Mr. Kass Indicated they're still in the early stages of determining construction equipment and that typically the site project will be encumbered by a fence. He said he intends for construction vehicles to only use Main Street.

Chairperson Behal said this is a very preliminary stage and they won't do anything tonight to make a decision. He explained the Board, Staff, and the Mayor are just trying to do the best for Bexley, and how it impacts residents is important. He stated that if residents didn't come to talk, the Board wouldn't have the perspective they have now.

Ms. Dorn said this is to be exceptional architecture and site design. She said a beautiful, unique building is something that should come into play. Further, she stated she thinks the traffic study is really important to look at side streets and the light outside of Bexley Square should be changed. Looking at easement issues, she asked if there had been consideration as to whether Bryden is entrance only not exit and said she is trying to think of ideas that might work within Code. She indicated she is wondering if a two building design would have common space for the community, that it was stated that one proposed building brought more greenspace along Main and previously considered designs were discussed. Mr. Kass stated the City wants connectivity and discussed potential shortcuts. Mr. Kass discussed adaptation.

Mr. Turner said that he would like to see this in relation to the Gateway; Mr. Kass indicated it is 67 feet and Ms. Bokor stated the ARB will want to see contextual elevations. Mr. Turner explained it is his personal preference to not have buildings right up against the sidewalk with little greenspace. He stated he would like clarity with the alley located at the Alexander, as it is not meant to be a thoroughfare and he would like to see the traffic study. Mr. Kass stated it is the Alexander's property with the easement to Capital University's Trinity; it is a permanent easement.

One Board member stated he'd like to see a further study on the alley that goes up to Bryden and would like to see it be converted into a pedestrian way. He said he's concerned about the way trash is handled on the site and thinks it should be in an enclosed area of the building. Mr. Kass assured the Board that the waste receptacle can be screened and contracted to be picked up often. It was stated that the building has to be distinctively Bexley.

Mr. Schick said the current design has no characteristics that makes him excited, but the building Mr. Kass lives in is exceptional, Mr. Schick asked why this building can't be reminiscent of that. He said the compactor is an open refuse and is of major concern to him and other residents of Short Bryden and unless he sees an effort made he will have a difficult time considering this because of noxious fumes and the characteristics of the community being maintained.

The traffic study and Bryden were mentioned.

Chairperson Behal said everyone in the community should continue to work together.

Mr. Kass discussed the waste enclosure but said he can't put it in the building itself.

5) Application Number: BZAP - 23-24

Address: 2753 Dale

Applicant: Patrick Manley

Owner: Bryan M and Jessica L Olsheski

Request: The applicant is seeking a variance & special permit to allow a garage expansion & conversion to a rec-room.

Patrick Manley was sworn in.

Ms. Rose gave a Staff Report stating that this application pertains to an existing detached garage and is looking to modify the interior and exterior, including functional dormers which require a special permit. She explained these dormers would face an adjacent property and described the setback requirements, additional requirements, the history of this application, and the Code sections pertaining to replacing a demolished garage. It was confirmed that this modification would reduce parking spaces so it can no longer be used as a garage and it would be modified so as to no longer meet the intent of the Code of parking purposes. It was stated there is a setback issue. She mentioned the ARB reviewed it for design only and it was the consensus that the design is appropriate.

Mr. Manley clarified that they aren't demolishing the garage but proposing it be converted to an accessory structure. He said this garage is 74 years old; they could propose to tear this down to build within the setback but Mr. Manley feels there is benefit to keeping the structure; the applicant is therefore requesting the approval of the variance because less room to the property line is a good tradeoff to keep the original structure. He mentioned the dormer eave which was discussed with Ms. Rose and Ms. Bokor.

Mr. Manley said this could be reconverted as a garage in the future and there is as ample room for legal parking spaces in the rear.

The stairwell orientation was discussed.

Mr. Hall stated the ridge should pass through with the dormer lower.

There was discussion about the use of the space.

Ms. Rose stated her concern that they are transitioning an existing garage into a rec room.

It was confirmed that the garage doors will remain.

Ms. Cunningham discussed code provisions.

There was discussion about removing the structure and/or demolition.

Ms. Dorn said this is still structurally a garage, but Board members stated that once converted it won't be.

Mr. Manley said the Code does not mandate the construction of a garage.

Mr. Manley requested a vote with conditions.

The Findings of Fact and Decision of the Board for Application Number BZAP-23-24 for property located at 2753 Dale: The Board of Zoning and Planning finds that upon consideration of the application, proposed variance and evidence and testimony before it, the Applicant has proven that the criteria to grant an area variance in Bexley Code Section 1226.11(c) have been met and the 1.7' variance from Bexley Code Section 1252.15(g)(c) to allow the garage with an outward facing dormer to face the neighboring property and also a Special Permit to allow a 2nd floor functional dormer on the detached garage with the following conditions:

- 1) There will need to be two off street parking spaces in the rear yard provided, subject to staff approval;
- 2) It shall not be used as a dwelling unit;
- 3) If demolished, it was a garage, and in accordance with 1223.05(g) it would be required to be replaced with a garage with a minimum of 2 parking spaces as the original garage; and
- 4) The dormer is to be 1' lower than the garages ridgeline; further subject to the review and approval of the Design Consultant for a Certificate of appropriateness.

The applicant understood the Findings of Fact.

**Motion to approve the Findings of Fact by Mr. Hall, second by Mr. Turner; vote: Hall – Yes, Turner – Yes, Dorn, – Yes, Schick – Yes; Behal – Yes.**

6) Application Number: BZAP - 23-25

Address: 261 N Drexel

Applicant: David Stock

Owner: Jamie Lewis & Margo Lewis

Request: The applicant is seeking approval for a Special Permit to allow 40" stone columns and auto entry court over 12.5' wide.

Jamie Lewis was sworn in.

Ms. Lewis said they will meet code for the height of the pillars and will just discuss the drive, not the auto court.

Ms. Rose gave a Staff Report and explained the space limits.

The Findings of Fact and Decision of the Board for application Number BZAP-23-25 for property located at 261 N. Drexel: The Board of Zoning and Planning finds that upon consideration of the application, proposed variance and evidence and testimony before it, the Applicant has provide that the criteria to grant an area variance in Bexley Code Section 1226.11(c) have been met and the 5.5' variance from Bexley Code Section 1262.01(e) to allow a 30' length of the driveway to be 17.5' wide at the front entrance of the principle structure with the following conditions:

- 1) There will not be any overnight parking; and
- 2) A landscape plan is to be reviewed by the Landscape Consultant for approval.

The applicant understood the Findings of Fact.

**Motion to approve Findings of Fact by Mr. Schick, second by Ms. Dorn; roll call: Schick – Yes, Hall – Yes, Turner – Yes, Dorn –Yes, Behal – Yes.**

7) Application Number: BZAP - 23-26

Address: 1011 S Remington

Applicant: Caleb Frost

Owner: David and Amy Gruenberg

Request: The applicant is seeking approval of a variance to allow a porch addition at the rear of the principal structure, or overlapping pavilion, both of which are proposed at 5.8' from side property line.

Mr. Gruenberg was sworn in.

Ms. Rose explained the application that was received and that Staff had concerns and suggested modifications and code requirements.

Mr. Gruenberg explained that the original proposal was designed to cover the existing patio and explained that it would cost \$1700 to attach the proposed structure to the roof.

Ms. Rose explained that she and Ms. Bokor deferred to the Board because this pergola is proposed in an odd location and shared what types of reviews are necessary for these types of projects.

Ms. Dorn explained that if this project damages the owners' roof, that will be his problem.

The detached structure does not require a variance but the roof extension does; this will be an accessory structure.

Water shedding was discussed; there is a gutter on the proposed system.

The aesthetics were discussed and different ways to vote were discussed.

The Findings of Fact and Decision of the Board for application Number BZAP-23-26 for property located at 1011 S. Remington: The Board of Zoning and Planning finds that a Certificate of Appropriateness shall be issued for Plan A, which includes a pergola at the rear of the property to be constructed as submitted.

**Motion to approve the Findings of Fact by Mr. Schick, second by Mr. Tuner; roll call: Dorn–Yes, Hall–No because it goes against his core, Turner–Yes, Schick–Yes, Behal–No.**

#### **6) Other Businesses**

**Motion to approve BZAP Rules and Regulations by Ms. Dorn, second by Mr. Schick; all in favor.**

#### **7) Adjourn**

The meeting was adjourned.