



Board of Zoning and Planning Meeting Minutes March 23, 2023

1) Call to Order

The meeting was called to Order by Chairperson Behal.

2) Roll Call of Members

Members present: Mr. Levine, Mr. Schick, Mr. Marsh, Chairperson Behal

Chairperson Behal indicated three positive votes are required to pass an application in tonight's meeting.

3) Approval of Minutes

Motion to approve the Minutes from the January, 2023 meeting by Mr. Marsh, second by Mr. Levine; all in favor.

It was noted that there was no meeting held in February, 2023.

4) Public Comments

There were no public comments.

5) Old Business

1. Application Number: BZAP-23-1

Address: 934 Grandon

Applicant: Valerie Halas

Owner: Todd Burger

Request: The applicant is Architectural review and approval of a Certificate of Appropriateness for a 2-story addition at the rear of the house. The applicant is also seeking a 2' 7 1/2" variance from Bexley Code Section 1252.09 (R-6 Zoning) to allow a 2-story addition to be constructed 4' 4 1/2" from the north side property line.

Ms. Halas was sworn in.

Ms. Rose shared a Staff Report and indicated that due to the size of this lot, it has a 6' 8" required side yard setback, so the variance request is actually 1' 3.5". She gave an overview of how far the home is from the property lines and how the addition will fit on the lot. She indicated this project was previously brought to the ARB where it received a favorable review and recommendations.

Ms. Bokor stated the ARB was very positive and she felt it is important to look at the three dimensional drawings. She also shared the ARB's suggestions.

Ms. Halas shared information.

The findings of fact and decisions of the Board, for Application No. BZAP-23-1 for property located at 934 Grandon: 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 a



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1'3 1/2" variance from Bexley Code Section 1252.09 (R-6 Zoning) to allow a 2-story addition to the rear of the principal structure, as recommended by the Architectural Review Board and as submitted, which includes a cover of the rear entrance door. The Board further finds it appropriate to grant a Certificate of Appropriateness, as recommended by the Architectural Review Board.

The applicant understood the Finding of Facts.

There will be no trees removed as a result of this project.

Motion to approve the Finding of Facts by Mr. Marsh, second by Mr. Schick. Schick – Yes, Marsh – Yes, Levine – Yes, Chairperson Behal – Yes.

2) Application Number: BZAP-23-3

Address: 273 S Dawson

Applicant: Amy Lauerhass

Owner: Natalie Cohen

Request: The applicant is Architectural review and approval of a Certificate of Appropriateness for a one-story addition, which would connect the house to the detached garage. The applicant is also seeking a variance from Bexley Code Section 1252.09 (R-6 Zoning District) which requires a principal structure to be 25' from the rear property, to allow an addition to connect the principal structure to the detached garage.

Ms. Rose gave a Staff Report which stated this lot is platted to Dawson; she gave an overview of the distances between the structures and the property lines, the addition, and the orientation of the home on the lot. Further, she indicated that the ARB recommended a Certificate of Appropriateness as part of their Consent Agenda.

Ms. Bokor stated the ARB unanimously approved this as part of the Consent Agenda with no conditions.

Ms. Lauerhass was sworn in.

She said the detached garage meets all of the requirements for a detached structure and the proposed addition meets all of the stipulations for an addition, but because the garage will be connected to the primary structure, the existing garage out of conformance. The addition will have a flat roof and a rail will be added. The proposed addition is within the setback.

The homeowners have a goal to keep the existing magnolia tree.

The homeowner to the south are fine with this project.



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The findings and decisions of the Board, for Application No. BZAP-23-3 for property located at 273 S Dawson: 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 a 2'5" variance and a 3" variance from Bexley Code Section 1252.09 (R-3 Zoning) to allow and addition to connect the principal structure to the detached garage. The Board further finds it appropriate to grant a Certificate of Appropriateness as recommended by the Architectural Review Board. It was recommended that in an effort the applicant is made to preserve the existing Magnolia tree, the Tree & Public Garden Commission be contacted for suggestions.

The applicant understood the Finding of Facts.

Ms. Rose stated that because the applicant is doing what they can to maintain the tree, and because the tree is on private property, the applicant may need to alert the Tree & Public Gardens Commission should the tree be impacted.

Motion to approve the Finding of Facts by Mr. Schick, second by Mr. Levine. Marsh – Yes, Levine – Yes, Schick – Yes, Chairperson Behal – Yes.

3) Application Number: BZAP-23-4

Address: 181 Ashbourne

Applicant: Amy Lauerhass

Owner: Debora Ortega-Carr

Request: The applicant is seeking Architectural review and approval for a Certificate of Appropriateness, for a porch addition to the house. The applicant is also seeking a variance from Bexley Code 1252.09 (R-3 Zoning District) which requires a principal structure to be 40' from the rear property line, to allow a covered porch addition on the south side of the attached garage.

Ms. Rose indicated that this lot is on the corner of Ashbourne and Denver and the principle structure includes an attached garage and is nonconforming. Further, she gave an overview of the property lines and encroachment. This project was approved as part of the Consent Agenda by the ARB.

Ms. Bokor stated there were no conditions from the ARB.

Ms. Lauerhass indicated that the house is not close to the setback and the current garage is outside of the setback. The applicant would like to add the porch to the back of that; the South side of the lot has a lot of landscape, trees, and glass that the homeowners don't want to disturb. This will be a pergola structure with a rubber roof. The project will be two feet further back from the west property line than the existing garage, and will be within the setbacks on the south side.



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Chairperson Behal asked if the heat source that is part of the outdoor entertaining area can be so close to the structure. Ms. Lauerhass said there are two stipulations: an exhaust hood that will vent out to the top, and the back wall will be made of a non-combustible material.

Ms. Rose stated construction documents will be reviewed by the Chief Building Official.

The findings and decisions of the Board, for application No. BZAP-23-4 for property located at 181 Ashbourne: 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 a 23'8" variance from Bexley Code Section 1252.09 (R-3 Zoning) to allow a covered porch addition to the south side of the garage, as submitted. The Board further finds it appropriate to grant a Certificate of Appropriateness, as recommended by the Architectural Review Board.

The applicant understood the Finding of Facts.

Motion to approve the Finding of Facts by Mr. Levine, second by Mr. Schick. Marsh – Yes, Levine – Yes, Schick – Yes, Chairperson Behal – Yes.

4) Tabled by the applicant to April 27th, 2023

BZAP Application Number: ARB-23-1

Address: 2555 East Main - Montrose Elementary School

Applicant: Bexley City Schools

Owner: Bexley City Schools

Request: The neighboring property owner is appealing the approval of Sun shades at Montrose Elementary School.

Motion to Table ARB-23-1 to the April 27, 2023 meeting by Mr. Marsh, second by Mr. Schick; all in favor.

7) Other Business

1) Ordinance 06-23 Amending Official Zoning Map at southwest corner of Sheridan and Main

Mr. Sudy stated that this parcel was transferred in ownership from Capital University, but it is still part of the Campus Planning district. However, there is a desire for this parcel to be more in keeping with the frontage of Main Street and is better suited for the MUC district. This will also slightly amend the Main Street District boundary. The opinion of the City is that they are "catching up" to the intent of the parcel and taking away one small hurdle for the potential redevelopment.



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Jackson B. Reynolds III was sworn in on behalf of the owner of the property. He stated the owner was approached by the City when research about Schneider Park was being conducted. The owner is comfortable with the City-initiated rezoning of the property.

Chairperson Behal asked about the gravel surfacing, to which Mr. Sudy stated the City issued a one-year permit many years ago, as well as a follow up letter about one year ago to remind the owner of the expired permit. Currently, the City is unaware of formal or informal plans on this site, and the City is happy to issue a follow up to the letter. Chairperson Behal stated for consistency standards, there can't be gravel covered lots within the City. Chairperson Behal explained the history of the discussion and said he feels that for consistency, there should be a request that the owner abide.

Mr. Reynolds stated there have been iterations of development plans and is once again working on a plan. The owner is aware of the City's desire for something to be accomplished.

Mr. Sudy stated there will be Council hearings on this and the BZAP will decide on a recommendation to Council.

Ms. Rose stated she can send a letter to the owner.

Mr. Marsh is interested in Staff reaching an agreement with the owner.

Chairperson Behal indicated reasons for the gravel to be removed from this site.

Mr. Sudy stated this is about rezoning, not the property itself, but Staff should be under advisement about the time limit to be imposed.

Ms. Rose stated she is planning to write a letter.

There was discussion about the steps the Compliance officer can take.

**Motion to recommend approval of Ordinance 06-23 by Mr. Schick, second by Mr. Marsh.
Levine – Yes, Marsh – Yes, Schick – Yes, Chairperson Behal – Yes**

Chairperson Behal wanted to advise Staff to send a letter.

Mr. Marsh stated he is inclined not to do anything because an extension has already been granted.

Mr. Schick stated that since it wasn't already enforced, it would be in best faith for both parties to work together.



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2) Ordinance 07-23 Amending Official Zoning Map Schneider Park

Mr. Sudy explained that this case is similar to the one before, but will allow Schneider Park with parcels along the waterway to be zoned in the Open Space District. The area is currently an amalgamation of other Zoning Districts. There are some gaps, which are part of the Campus Planning District. The City has secured easements for those parcels and is only intended to be a trail. Other park facilities can go in the Open Space district.

The parcel lines go into the floodway and therefore there is not as much land space as there looks to be.

Mr. Sudy discussed the history of parcels along waterways. These parcels have been owned by a variety of entities over time.

Motion to recommend approval of Ordinance 07-23 by Mr. Marsh, second by Mr. Schick. Levine – Yes, Marsh – Yes, Schick – Yes, Chairperson Behal – Yes

8) Adjourn

The meeting was adjourned.