



Board of Zoning and Planning Staff Report August 22nd, 2024

Matt Klingler, Zoning Officer

NEW BUSINESS:

- 1) Application Number: BZAP-23-17
Address: 1065 S Roosevelt
Applicant: Mark Williams and Tim Carsey
Owner: Mark Williams and Tim Carsey

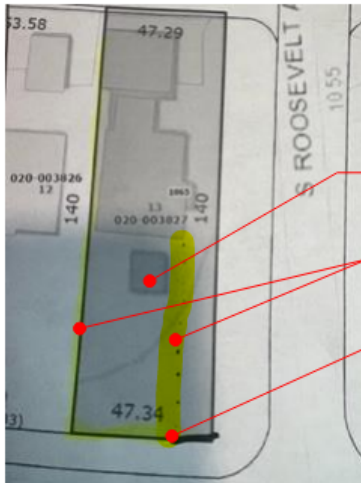
Request: The applicant is seeking a variance to Bexley Code Section 1264.02 to allow a 6 ft fence on the front yard (east and west property line) which is a 30" height variance to allow a front yard fence and a variance to allow a variance from Bexley Code 1252.15(g)(1) to allow an accessory structure in the front yard.

BACKGROUND

- R-6 Zoning District – Corner lot Minimum dimensions 70' x 120' (8,400 sq. ft.)
 - This corner lot is a 47.29' x 140' deep (6,620.6 sq. ft.)
- The front yard is platted to Livingston, however front door faces Roosevelt.
- Per Bexley code section 1264.02 front yard fences between the height of 24" and 42" may be allowed via a special permit by the BZAP.
 - The east front yard fence is 72" tall.
 - The portion of the fence requires a variance
 - The west front yard fence (along Roosevelt) and the south front yard fence (along Livingston) is 42" tall.
 - This portion of the fence requires a special permit.
- Per Bexley Code section 1252.15 (g) (1), accessory structures are only permitted in the rear yard.
 - This accessory structure, which looks to be a pergola/ covered deck and is located in the front yard of the property.

STAFF COMMENTS

- The fences are heavily landscaped on the street side which is a requirement of the code.
- There is a retaining wall along to Roosevelt and Livingston Ave sidewalks which artificially raises the height above the maximum allowed 42" height for a special permit.
- As long as the trees and shrubs are trimmed back as far as possible (and kept that way) the site meets the "site triangle" requirements for corner lots.
- The house and garage sit at the far NW corner of the lot, so the house does not have much space for a rear private yard.
- The accessory structure is well hidden via trees and landscaping as is the fence.



Yellow Highlight shows fence line

Pergola in front yard.

72" Fence along this side

42" fence in front yard



Livingston Ave with 42 inch fence covered by foliage.
The fence sits 6 ft back from stone wall.



Accessory Structure



-
- 2) Application Number: BZAP-23-19
Address: 733 Vernon
Applicant: K Bryon Wernicke
Owner: Barbara Wernicke Trustee

Request: The applicant is seeking a variance from Bexley Code Section 1252.10(2), which requires accessory uses and detached structures shall be located a minimum of five feet farther back from the side street property line than the principal structure, to allow a 6' high screened garden structure to be located 1.2' from the north side property line along E. Mound Street.

BACKGROUND

- R-6 Zoning District – Corner lot Minimum dimensions 70' x 120' (8,400 sq. ft.)
 - This corner lot is a 52.5' x 134.94' (7,084 sq. ft.)
- This requires a variance because the garden structure is considered an accessory structure. For this property, which is in the R-6 zoning district, the side yard setback is 20 ft AND an additional 5 ft for any accessory uses or detached structures.
 - This requirement would put the temporary greenhouse structure in the middle of the rear yard.
- The applicant has worked with staff over the past 18 months to reduce the height and change the appearance of the structure. The history of the submissions is in the packet.

STAFF COMMENTS

- The applicant would like to have a temporary greenhouse structure in order to grow vegetables, and have it not installed in the middle of their rear yard.

- The applicant has committed to keeping it covered only a couple months of the year, and the rest of the year it will be uncovered.
- This particular corner lot is 1,400 sq. ft. smaller than a typical corner lot in the R-6 district, thus space is an issue.



Modify Overall Height

Peak Height modify to 6'
from 8'2" currently

Top Rail modify to 4'10"
from 7'



MODIFIED CONFIGURATION
6' @ PEAK 4'10" @ TOP RAIL



CURRENT CONFIGURATION

- 3) Application Number: BZAP-24- 24
Address: 2281 Bryden Road
Applicant: Aastha Shankar
Owner: Charles Hillman

Request: The applicant is seeking approval from BZAP for a Certificate of Appropriateness to convert garage to bedroom, addition of garage and bedroom which requires a 15' 8 1/4" variance to encroach into the rear yard setback.

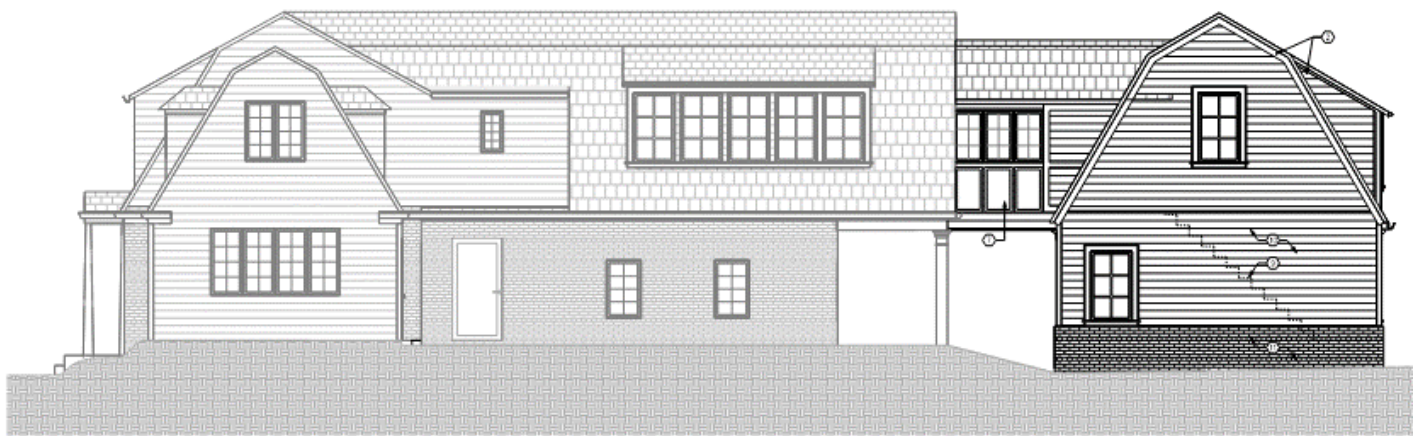
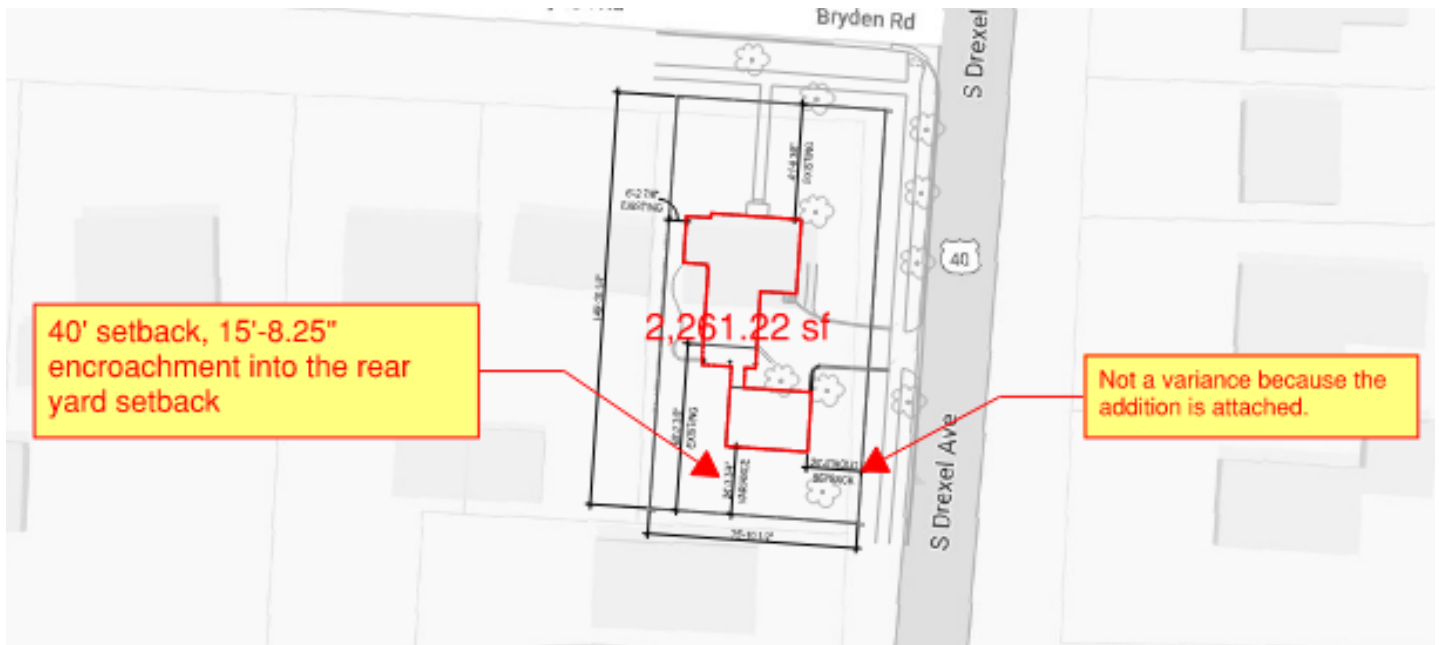
BACKGROUND

- R-3 Zoning District – Corner lot Minimum dimensions 120' x 160' (19,200 sq. ft.)
 - This corner lot is 149' -10" x 75' – 10.5" (11,362 sq ft)
- This project requires a variance because the rear yard setback in the R-3 zoning district is 40 feet.
 - The new addition encroaches 15'-8.25" into the rear year thus requiring a variance.
- The side yard setback is 20 feet with which this complies.
- This project is a 2-story addition in the rear yard that attached to the original house via 2nd story hallway.
 - The area of the 1st floor which will be the garage to park vehicles is approximately 640.88 sq ft.
 - The area of the 2nd floor in-law suite is approximately 615 sq. ft.
- The addition is considered an “in-law suite” per section 1252.17 which have the following requirements:
 - The in-law suite must be located within the principal structure (which includes attached garages or areas over attached garages).
 - No more than one in-law suite is permitted per principal structure
 - Maximum size of the in-law suite shall not exceed 800 square feet.
 - The structure must maintain a single-family residential appearance, which blends with the principal structure and the neighborhood.
 - An architectural rendering and floor plan must be provided and approved by BZAP. Said plans shall include a landscape plan, which will be followed as approved.
 - The in-law suite may be located on the first or second floor.
 - Property owner must live on site, and the in-law suite must be subservient to the principal use of the property as a dwelling.
 - The in-law suite shall be occupied by family of the owner of the principal residence

STAFF COMMENTS

- The Architectural Review Board recommended a certificate of appropriateness for this project at the August 8, 2024 meeting.

- No conditions were put on the project, however they did ask the applicant to review and make changes to a few details mainly concerning the detailing of the 2nd story hallway/ breezeway and the manner in which it ties into the garage.
- There was a neighbor at the ARB who was concerned about the privacy for their property because of the dormer windows that will be on the South side of the addition.
- The ARB took note of this and suggested a landscape plan be submitted to BZAP to help alleviate the concerns of the neighbors.
 - Side note: a Landscape plan is a requirement in 1252.17 to be submitted to City prior to approval.



4 ELEVATION WEST / NEW CONSTRUCTION
1/4" = 1'-0"

- 4) Application Number: BZAP-24-27
Address: 226 S Dawson
Applicant: Kyle Gerlach
Owner: Kyle Gerlach

Request: The applicant is seeking a variance to Bexley Code Section 1264.02 (c) for 12" height variance to allow a 54" tall black aluminum fence in the front yard and a special permit to allow a 54" tall fence in the side yard of a corner lot in accordance with Bexley Code 1264.03(b).

BACKGROUND

- R-6 Zoning District – Corner lot Minimum dimensions 70' x 120' (8,400 sq. ft.)
 - This corner lot is 54.80' x 135' (7,398 sq ft)
- The address is platted to Elm but the front door faces Dawson, and it has a Dawson address. Thus the front yard is Elm, which looks like side yard.
- There is a large city Right of Way along Dawson, which further makes this home's front yard look like it should be the Dawson side of the house.
- Owner would like to put a fence in the front yard which requires a height variance from 1264.02.
- Owner would also like to a put a fence in the side yard which requires a special permit for the height.

STAFF COMMENTS

- Staff has reviewed the site and plan, and finds this project to be appropriate.
- Applicant has committed to working with City staff to come up with a landscape plan which is required for front and side yard fences.
- The white lines will be 4.5 ft tall black aluminum and the yellow line will be 6' tall wood.



5) Application Number: BZAP-24-28
Address: 490-492 N Cassady Rd
Applicant: Jawad Khan
Owner: Bob Marshall

Request: The applicant is seeking a special permit and a variance from Bexley code section 1254.17 to allow a food trailer/ cart (accessory use/ structure) to be permanently installed in the side yard of 490 N Cassady.

*See Jason Sudy's (City Planner) staff report.