



**Board of Zoning and Planning Meeting Minutes
December 5, 2024
6:00 PM**

1) Call to Order

The meeting was Called to Order by Chairperson Behal.

2) Roll Call of Members

Members present: Mr. Tuner, Ms. Dorn, Mr. Rosenthal, Mr. Eshelbrenner, Mr. Marsh, Mr. Schick, Chairperson Behal

3) Approval of Minutes

Motion to approve the October, 2024 Meeting Minutes by Mr. Marsh; Turner, Eshelbrenner, Marsh, and Behal in favor; MOTION PASSED.

4) Public Comments

There were no Public Comments.

5) Old Business

1) App No: BZAP 24-28 (also filed under BZAP 24-31)

Address: 490 -492 N Cassady

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.

Mr. Klingler explained that he had been unable to make contact with the applicant and that they food truck is no longer on the premises.

There was discussion about next steps.

Motion to table this application to the January 23, 2025 meeting by Mr. Turner, seconded by Mr. Eshelbrenner; all in favor. MOTION PASSED.

6) New Business

1) App No: BZAP 24-35

Address: 470 S Parkview

Applicant: Santiago Alvarez

Owner: Jana Clarke

Request: The applicant is seeking a certificate of appropriateness and an area variance from Bexley code section 1252.17 to allow a 1,549 sq. ft in-law suite addition above a new attached garage.

Jana and Justin Clarke were sworn in.

Mr. Klinger gave a Staff Report about this case and explained square footage and the variances requested.

Ms. Bokor shared the history of this request in front of the ARB and detailed how the application is progressing through the boards.

It was stated that the only variance is the square footage of the in-law suite, and that this project contains elements of both an addition and in-law suite.

Mr. Alvarez gave information about the proposed project including square footage, the circulation block, reasoning for this project, the components of the project, and how the space can be utilized in the future.

Ms. Clarke explained there will still be a large yard space.

Entry was discussed as was what constitutes an independent dwelling unit; the square footage of the dwelling unit was mentioned, as well as another application. Board members discussed aspects of the project and shared various opinions, while staff and the applicant asked and answered questions.

Next steps were discussed; the applicant requested a vote.

Findings of Fact and Decision of the Board for Application BZAP 24-35 for property located at 470 S Parkview: The Board of Zoning and Planning finds that upon consideration of the application, evidence and testimony before it, the Board finds it appropriate to grant a 392 square foot area variance from Bexley code section 1252.17 to allow for an in-law suite addition above a new attached garage with the condition that the applicant return to the Architectural Review Board for final design approval and Certificate of Appropriateness.

The applicant agreed to the Findings of Fact.

Motion to approve the Findings of Fact by Mr. Turner, seconded by Ms. Dorn; roll call: Eshelbrenner-No, Marsh-Yes, Dorn-Yes, Turner-Yes based on the fact that the issue is contingent on an interior wall, Schick-Yes, Rosenthal-No, Behal-No; MOTION PASSED.

2) App No: BZAP 24-40

Address: 2075 Fair Ave

Applicant: Gary Alexander (Agent for owner)

Owner: William Bundy

Request: The applicant is seeking a certificate of appropriateness for a mudroom addition, a 6'-7 1/2" rear yard setback area variance from Bexley code sections 1252.09, and an area variance from Bexley code section 1264.02 to install a new 5 ft tall ornamental black steel fence in the front yard.

Mr. Alexander was sworn in.

Mr. Klinger gave a Staff Report which explained the lot layout and project, and indicated staff is in support of this project. Ms. Bokor explained that the ARB approved this as a Consent Agenda item.

Mr. Alexander stated his belief that the lot is the issue and explained the project, giving specifics about the grade and indicated meeting the spirit of the code.

The Findings of Fact and Decision of the Board for Application BZAP 24-40 for property located at 2075 Fair Ave: The Board of Zoning and Planning finds that upon consideration of the application, evidence and testimony before it, the Board finds it appropriate to grant a certificate of appropriateness for a mudroom addition, a 6' 7 1/2" rear yard setback area variance from Bexley code sections 1252.09, and a height variance from Bexley code section 1264.02 to install a new 5-foot-tall ornamental black steel fence in the front yard.

Motion to approve the Findings of Fact by Mr. Schick, second by Mr. Turner; roll call: Dorn-Yes, Rosenthal-Yes, Schick-Yes, Marsh-Yes, Turner-Yes, Eshelbrenner-Yes, Behal-Yes. MOTION PASSED.

3) App No: BZAP 24-41

Address: 2111 Park Hill

Applicant: Steven Schwope

Owner: Patrick King

Request: The applicant is seeking a certificate of appropriateness and an 18'-6" area variance to encroach into the street-side side yard setback for a new attached single-bay garage addition.

Mr. Schwope was sworn in.

Ms. Bokor explained the ARB discussed this application and gave ideas about how to improve the project and that there will be upgrades to the original submittal, if it is approved.

Mr. Klingler explained the zoning aspects of this project.

Mr. Schwoppe gave a history of this proposal.

Board members, the applicant, and staff discussed portions of this application including current garage size and the possibility of increasing the proposed project.

Findings of Fact and Decision of the Board for Application Number BZAP 24-41 for property located at 2111 Park Hill: The Board of Zoning and Planning finds that upon consideration of the application, evidence and testimony before it, the Board finds it appropriate to grant a certificate of appropriateness and an 18' 6" area variance to encroach into the street-side yard setback for a new attached single bay garage addition with the condition that all minor changes are subject to approval by the Residential Design Consultant.

Motion to approve the Findings of Fact by Mr. Turner, seconded by Ms. Dorn; roll call: Schick-Yes, Eshelbrenner-Yes, Turner-Yes, Dorn-Yes, Rosenthal-Yes, Marsh-Yes, Behal-Yes. MOTION PASSED.

4) App No: BZAP 24-42

Address: 295 N Cassingham

Applicant: Kiernan Smith

Owner: Jennifer Zmuda

Request: The applicant is seeking variances from Bexley code section 1262.04 to convert an existing attached garage into a bonus room and from Bexley code section 1262.01 (a) to convert the existing driveway into parking spaces.

Mr. Smith was sworn in.

Mr. Klinger described the lot, its history, and the code.

Board members and staff discussed the intent of the code, a potential project which may follow this application in 5-10 years, and lot dimensions.

The submitted drawings were explained, code was discussed, and parking space dimensions were clarified.

The Findings of Fact and Decision of the Board for Application BZAP 24-42 for property located at 295 N Cassingham: The Board of Zoning and Planning finds that upon consideration of the application, evidence and testimony before it, the Board finds it appropriate to grant variances from Bexley code section 1262.04 to convert an existing attached garage into a bonus room and from Bexley code section 1262.01 (a) to convert the existing driveway into parking spaces.

Motion to approve the Findings of Fact by Mr. Eshelbrenner, seconded by Mr. Schick; roll call: Rosenthal-No, Turner-No due to the cars being in the setback, Eshelbrenner-No for the same reason as Mr. Turner, Dorn-No, but would change if the cars would be parked side by side, Schick-No, Marsh-No, Behal-No due to precedent and the potential to otherwise achieve the same result. MOTION FAILED.

The Findings of Fact and Decision of the Board for Application BZAP 24-42 for property located at 295 N Cassingham: The Board of Zoning and Planning finds that upon consideration of the application, evidence and testimony before it, the Board does **NOT** find it appropriate to grant the variances from Bexley code section 1262.04 to convert an existing attached garage into a bonus room and from Bexley code section 1262.01 (a) to convert the existing driveway into parking spaces.

Motion to approve the Findings of Fact by Mr. Rosenthal, seconded by Mr. Marsh; roll call: Rosenthal-Yes due to precedent for a car parked in the side yard, Dorn-Yes because she does not agree with the cars in the setback, Tuner- Yes for the same reasons as previously stated, Eshelbrenner-Yes for the same reasons as previously stated, Schick-Yes for the same reasons as previously stated, Behal-Yes due to precedent. MOTION PASSED.

5) App No: BZAP 24-45

Address: 333 N Parkview

Applicant: Matt North

Owner: Jimmy Conroy

Request: The applicant is seeking a 30" height variance from Bexley Code section 1264.02 to install a 6 ft tall black steel fence in the front yard.

Mr. North sworn in.

Mr. Klingler gave a staff report which explained the proposed project, its location, and lot details.

The applicant explained the reasoning for the proposed fence height and Board members recalled another fence on North Parkview. A gate was discussed, as was setback from the nearby private drive.

The Findings of Fact and Decision of the Board for Application BZAP 24-45 for property located at 333 N Parkview: The Board of Zoning and Planning finds that upon consideration of the application, evidence and testimony before it, the Board finds it appropriate to grant variances from Bexley code section 1264.02 to install a 6' tall black steel fence in the front yard.

Motion to approve the Findings of Fact by Mr. Marsh, seconded by Mr. Turner; roll call: Dorn-Yes, Schick-Yes, Marsh-Yes, Rosenthal-Yes, Turner-Yes, Eshelbrenner-Yes, Behal-Yes. MOTION PASSED.

7) Tabled Applications

App No: BZAP 24-39

Address: 819 S Cassingham

Applicant: Amy Music

Owner: Amy Music & Nathan Daynes

Request: The applicant is seeking a variance from Bexley code section 1252.15 (g) (1) to allow a playhouse accessory structure within 3 ft of the required side and rear yard setback for accessory structures.

7) Other Business

Board members discussed various cases and scenarios.

8) Adjourn

The meeting was adjourned.