



Board of Zoning and Planning Meeting Minutes

Thursday, August 26, 2021

6:00 PM

1) Call to Order

The meeting was Called to Order. Click here to view a live recording:
<https://www.youtube.com/watch?v=T812Hi8y-pw&t=0s>

2) Roll Call of Members

Brian Marsh, Rick Levine, Sean Turner, Kurt Wesolek, Bob Behal

3) Public Comments

There were no public comments.

4) Approval of Minutes

Motion to Approve the minutes from the July 22, 2021 BZAP meeting: Brian Marsh, seconded by Kurt Wesolek.

Marsh, Levine, and Wesolek were in favor; Bob Behal and Sean Turner abstained.

5) Staff Report

A) Staff Report

6) Old Business

7) New Business

A) Application Number: BZAP-21-36

Address: 2010 E. Broad

Applicant: Brent Foley

Owner: St. Charles Preparatory School

Request: Applicant is seeking planning review and approval of a master plan for construction of a convocation center/gymnasium addition, learning resource center, performing arts center, a parking lot relocation and landscaping on the west side of St. Charles Preparatory School and also a parking variance.

Foley was sworn in.

Staff described the proposed plans for St. Charles Preparatory School, including requests for variances for the number and locations for parking spaces, and building height. This request was for a site plan that would allow a future performing arts center, new common lobby, convocation center, and resource learning center which will be serviced by one access point for vehicular, pedestrian, and non-motorized transportation.

Parking was discussed as it pertains to the current situation and the code. St. Charles will provide a lighting plan at a later date and is hoping to remake this as a successful and visually appealing entry into the City.

Bokor stated that the ARB gave this a positive recommendation and discussed the pedestrian pathways.

Foley indicated St. Charles had worked with the neighbors for the most recent parking lot project and is looking to make enhancements to the grotto. They have prepared a detailed parking strategy and discussed daily and event parking needs. Additionally, a landscape plan is in the works to be presented to the ARB.

There were no neighbors in attendance for public comment, but there was discussion with the committee and Foley about current parking and the various proposed buildings and current structure.

Shannon was sworn in and explained these would be development standard variances, not use variances, and discussed the standards from the Duncan case.

Negron was sworn in and discussed current traffic control and parking scenarios.

The Finding of Fact and Decision of the Board on Application Number BZAP-21-36 for the property located at 2010 E. Broad St.: Upon consideration of the application, proposed variance and evidence and testimony before it, the Board finds: the Applicant has proven that the criteria to grant an area variance in the Bexley Code Section 1226.11(c) has been met and a variance from Bexley Code Section 1262.04(b) for parking in the front or side yard in accordance with that section is allowed with the following conditions: the parking spaces as shown on the site plan submitted for the August 26, 2021 meeting be in conformance or closely in conformance as modified by staff and note that they have 110 approximate parking spaces outside of the jurisdiction of the city that they are intending to use to service this. Approval of Certificate of Appropriateness for the overall site plan, which would include Tree and Public Garden approval for the landscape plan, overall lighting, any other site improvements that are necessary in order for this to work from a technical aspect.

Motion to approve: Sean Turner, seconded by Brian Marsh
VOTE: Brian Marsh, Rick Levine, Sean Turner, Kurt Wesolek, Bob Behal

The Finding of Fact and Decision of the Board on Application Number BZAP-21-36 for the property located at 2010 E. Broad St.: Upon consideration of the application, proposed variance and evidence and testimony before it, the Board finds: the Applicant has proven that the criteria to grant an area variance in the Bexley Code Section 1226.11(c) has been met and a variance from Bexley Code Section 1262.02(h) for the number of onsite parking spaces

be allowed as per the following conditions: the parking spaces as shown on the site plan submitted for the August 26, 2021 meeting be in conformance or closely in conformance as modified by staff and note that they have 110 approximate parking spaces outside of the jurisdiction of the city that they are intended to use to service this. Approval of Certificate of Appropriateness for the overall site plan, which would include Tree and Public Garden approval for the landscape plan, overall lighting, any other site improvements that are necessary in order for this to work from a technical aspect.

Foley and Shannon stated these meet their approvals.

Motion to approve: Kurt Wesolek, seconded Sean Turner

VOTE: Rick Levine, Bran Marsh, Kurt Wesolek, Sean Turner, Bob Behal

The applicant is okay to table discussion for the height variance and certificate of appropriateness.

Motion to table the height variance indefinitely by Sean Turner, seconded by Brian Marsh. All in favor, the motion passes.

Motion to table the Certificate of Appropriateness for BZAP until the September 23rd meeting by Rick Levine, seconded by Brian Marsh. All in favor, the motion passes.

B) Application Number: BZAP-21-32

Address: 328 S. Merkle

Applicant: Steve Graham

Owner: Marc Hollander

Request: Applicant is seeking a Special Permit to allow a wall in the front yard, just beyond the front facade of the principal structure.

Graham and Hollander were sworn in. Rose stated this was a two-part application to add a highwall in the front yard and expand the existing driveway for the lot located on the corner of Dale and Merkle. This home is platted to Dale but the front appears to be on Merkle. Graham said the only way to build out is to do so in the area that is considered the front yard, but it visually doesn't look like the front yard.

Board members and the applicant discussed changing the height of the existing wall and the chimney.

Rose stated the applicant is also seeking a variance to 1262.01(e). She had concerns about this because of the percentage of hardscape in the front yard. Options were discussed with the applicant, owner, staff, and Board members.

The Findings of Fact and Decision of the Board for Application No. BZAP-21-32 for property located at 328 S. Merkle: Upon consideration of the application provided, proposed variance and the evidence and testimony before it, the Board finds: the Applicant has proven that the criteria to grant an area variance in Bexley Code Section 1226.11(c) have been met and a variance from Bexley Code Section 1264.02(c) to allow: 42" wall in the front yard as submitted, and Bexley Code 1262.01(e) to allow an expansion of the existing drive on the Dale Avenue side of the property with the following conditions: that it be a different color material for the additional walk, that the walk is to start 10' beyond the property line along Dale, and further subject to final review and approval by the Zoning and Landscape Consultant.

This met with the owners' approval.

Motion to Approve: Rick Levine, seconded by Kurt Wesolek

VOTE: Kurt Wesolek, Sean Turner, Rick Levine, Brian Marsh, Bob Behal

- C) Application Number: BZAP-21-33
 Address: 270 S. Dawson
 Applicant: Juliet Bullock
 Owner: Ashley Pitts

Request: Applicant is seeking a variance to allow a swimming pool in the east side yard.

Bullock and Pitts were sworn in.

Rose stated this project was submitted as an ARB application but is now before the BZAP because it is a corner lot plated to Dale but Dawson appears to be the front yard. The open porch addition is included with this, but there is no variance for this because it was given a positive recommendation from the ARB. The swimming pool is technically in the side yard; this seems appropriate because of the lot configuration. A landscape plan had been provided. Bokor stated the ARB immediately approved the covered porch but did not discuss the pool.

Bullock said the east of the house has been the home's rear yard. The landscape plan and fence was discussed.

There was no public comment.

The Findings of Fact and Decision of the Board for Application No. BZAP-21-33 for property located at 270 S. Dawson: Based on the evidence and testimony before it, the Board finds it appropriate to grant a variance from Bexley Code Section 1252.15 to allow a swimming pool in the east side yard as submitted and to include the proposed landscape plan. The Board also finds it appropriate to grant a Certificate of Appropriateness for the open porch addition on the east side of the principle structure as submitted.

The Findings of Fact and Conclusions of Law were accepted by the applicant.

Motion to Approve: Brian Marsh, Sean Turner

VOTE: Sean Turner, Kurt Wesolek, Brian Marsh, Rick Levine, Bob Behal

- D) Application Number: BZAP-21-35
 Address: 2813 Powell
 Applicant: Mark A. Schieber
 Owner: Seth Kantor

Request: Applicant is seeking a variance to allow a deck and fence to encroach into the west side yard.

Schieber was sworn in.

Rose stated the applicant is seeking a special permit to allow a 6' wood fence and the construction of an on-grade deck. She indicated the grade slopes but is being maintained, and discussed the landscape plan and criteria for fencing on corner lots. She shared that if the Board finds it appropriate to grant the special permit, they might want to include conditions regarding

the landscaping wall.

The Board, applicant, and Rose discussed the plan and consultation with the Landscape Consultant.

There was no public comment.

The Findings of Fact and Conclusions of Law for Application No. BZAP-21-35 for property located at 2813 Powell: Based on the evidence provided and testimony given the Board finds it appropriate to grant a variance from Bexley Code Section 1264.03 to allow: a 6' high fence along Merkle Ave. as submitted and Bexley Code 1252.09 to allow an on-grade deck on the side property line along Merkle Ave. with the condition that the retaining wall in the right of way is subject to further review and approval by the Landscape Consultant and/or Tree and Public Garden Commission.

The applicant accepted the Finding of Fact and Conclusion of Law.

Motion to Approve: Sean Turner, seconded by Kurt Wesoleck

VOTE: Brian Marsh, Rick Levine, Kurt Wesoleck, Sean Turner, Bob Behal

8) Other Business

Rose stated she approved a sign permit for a new restaurant.

9) Adjourn

Motion to adjourn: Marsh, seconded by Levine.

Meeting adjourned.