

## 23-2

### Appeal to City Council and Building Code

**Status:** Active

**Date Created:** Feb 20, 2023

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#### Applicant

James Hughes  
jameslhughes@icloud.com  
673 Montrose Ave  
Bexley, Ohio 43209  
614-632-5974

#### Primary Location

2555 MAIN ST  
Bexley, OH 43209

#### Owner:

BEXLEY CITY SCHOOLS  
2555 E. MAIN ST. BEXLEY, OH 43209

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#### Appellant Information

##### Decision Appealing

City Staff Decision

##### Appellant Name(s)

James L Hughes

##### Contact Address

673 Montrose Ave

##### Contact Phone Number

614-632-5974

##### Contact E-Mail Address

Jameslhughes@icloud.com

#### Reason for Appeal

Reference application ARB-23-1

1. We and others impacted by this project object to these proposed sun shades. We live directly across the street from the Montrose west playground and can clearly see both west and east playgrounds from our front porch. We and others were not aware nor involved with Montrose PTO shade committee planning, School Facilities/Operations planning & community surveys regarding this project. Not being transparent with the neighborhood about this project did not afford us the opportunity to make public comments in the 1/11/23 BOE meeting where a decision was made to approve this project.
2. We were unaware of this project (Public right to know) until a letter dated 1/27/23 was received from the City Building Dept. This letter is 16 days after BOE approval and 14 days after the school district submitted an application to the city. This proposal passed through a lot of hands before notifying the surrounding neighborhood. The neighborhood residents are the ones who will have to live with these monstrosities.
3. Installing canopies over playgrounds as proposed are unnecessary and most likely will not increase accessibility as is stated in the application. The playground is generally open all of the time. Patrons can come and go pretty much all the time.
4. These canopies will be expensive to maintain as proposed. It is proposed that the canopies will be put up in the spring and taken down in fall. Our view of the playground will constantly change, disrupting our quality of life. This install / removal process will also subject the materials to damage, theft, or loss therefore increasing costs to maintain and/or replace them.
4. There is zero evidence that the area is subject to "unrelenting sun exposure" as stated in the application. What is that exactly and when does it occur? Only during the summer months? Winter months? Anytime the sun shines? This is untruthful and scaremongering language. Students and Patrons are not not left with little sun protection for their skin as stated in the proposal. More untruthfulness and scaremongering language.
5. Properly worn clothing and sunscreen are more common sense solutions for individual protection from the sun. It's been that way for years and won't change.
6. Students and Patrons are not at increased risk of sun damage and burns as stated in the application. More untruthfulness and scaremongering. Using that logic, the bicycle seats and other components on the kids bicycles ridden to get to the playground will likely be as hot or hotter than the playground equipment.
7. Other playgrounds in the surrounding area (Cassingham, Maryland, Jeffery Mansion, Schneider Park, Christ Lutheran, St Catherine's, Bexley Pool) do not have canopies such as what is being proposed over top of the playground equipment. See attached pictures.
8. There are simpler, less intrusive options to improve / refresh the playground allowing patrons to seek some relief from the elements. See attached pictures of some options that can be installed to make the playground a more inviting place to visit. Sturdy umbrella

structures installed over top of the existing tables and benches will provide relief / shade should someone want it. Integrated shade structures could be installed over top of the existing equipment to provide a more balanced function and appearance to the overall area. Existing floor / ground surfaces around the playground equipment are worn, faded and gaps are forming between the pieces. Edges are also curling up creating trip hazards. Something needs to be done here.

9. These proposed canopies will likely amplify noise creating an uncomfortable surrounding for the neighborhood. Adding more surfaces as proposed will facilitate sound reverberations that will travel in all directions making it a less desirable neighborhood to live in.

10. Currently, steady/hard driving rain will generally keep the playground equipment clean. These canopies will trap dirt and grime onto the surfaces beneath them creating a dirtier environment for kids to play in. Facilities Operations will undoubtedly face more complaints about the lack of cleanliness and will now be required to clean/power wash/scrub the playground equipment periodically to make it an acceptable place for kids to play in.

### How to Decision Impacts You

These 2 large circus tent like canopies will create a very intrusive and unappealing appearance for us and others in the neighborhood. The precedent being set here if these circus tent like canopies are installed will only increase operations budgets and ultimately the costs to Bexley taxpayers. We use our front porch a lot when the weather is acceptable. We also rarely run the ac in the summer opting for opening our front, back and side windows to get fresh air through the house. The unappealing view and possible noise amplification will definitely impact our quality of life in a negative way.

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### Case Information

**BZAP or Council Case #**

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**Review Date**

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**Status**

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**# to be Notified**

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**Conditions**

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### Attachments



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## History

Date	Activity
Feb 16, 2023 at 5:05 pm	James Hughes started a draft of Record 23-2
Feb 16, 2023 at 6:33 pm	James Hughes altered Record 23-2, changed ownerStreetName from "S CASSINGHAM RD" to "Main st"
Feb 16, 2023 at 6:33 pm	James Hughes altered Record 23-2, changed ownerStreetNo from "348" to "Montrose Elementary "
Feb 17, 2023 at 1:41 pm	James Hughes added attachment BDF30D0A-C38F-4C38-BCA9-42BBE295399E.jpeg to Record 23-2
Feb 17, 2023 at 1:42 pm	James Hughes added attachment EFF7F180-B927-4223-9DD9-B38E786E2AA4.jpeg to Record 23-2
Feb 17, 2023 at 1:44 pm	James Hughes added attachment 07EC5D8C-E40F-46BC-8958-65ED15FFAB7B.jpeg to Record 23-2
Feb 17, 2023 at 1:46 pm	James Hughes added attachment 5FDA0B52-ED12-4014-B9F5-39F283AEB243.jpeg to Record 23-2
Feb 17, 2023 at 1:47 pm	James Hughes added attachment 370B2B91-B336-482D-8704-D44FDC77C2EA.jpeg to Record 23-2
Feb 17, 2023 at 1:50 pm	James Hughes added attachment 0B7EF80C-8679-4F65-95EB-AB63BF4461BA.jpeg to Record 23-2
Feb 17, 2023 at 2:48 pm	James Hughes added attachment FE24B6AC-7481-43C3-AF47-3482C3CA2BF7.png to Record 23-2
Feb 17, 2023 at 2:48 pm	James Hughes added attachment A65667D5-8B79-4617-B87D-3BC8024B85A7.png to Record 23-2
Feb 17, 2023 at 2:49 pm	James Hughes added attachment 731EFE81-123A-4EAC-8C11-299A9B981C0E.png to Record 23-2
Feb 18, 2023 at 7:51 am	James Hughes added attachment E1F35E77-A2D9-4376-90B9-7C3ED713C5DA.jpeg to Record 23-2
Feb 18, 2023 at 7:53 am	James Hughes added attachment 77214150-4A5E-4C16-B13F-6EC1E5099925.jpeg to Record 23-2
Feb 18, 2023 at 7:54 am	James Hughes added attachment 69A9F918-7DAF-4611-ACDE-19CF50F47B5D.jpeg to Record 23-2
Feb 20, 2023 at 9:08 am	James Hughes added attachment 667FFC53-AB25-4439-B85A-F86277E1F38B.jpeg to Record 23-2
Feb 20, 2023 at 9:31 am	James Hughes added attachment DEBEEBBF-6B87-4FE9-8438-F865C80248E6.jpeg to Record 23-2
Feb 20, 2023 at 9:31 am	James Hughes added attachment EDAEBD96-9EEA-4FAD-8F4F-AE7B9AE6C870.jpeg to Record 23-2
Feb 20, 2023 at 9:32 am	James Hughes added attachment 492F58D7-FA77-48C9-B948-64DE7F6F406E.jpeg to Record 23-2
Feb 20, 2023 at 9:32 am	James Hughes added attachment 4E2933EB-AB21-4BB3-8097-2B9C74E65C39.jpeg to Record 23-2
Feb 20, 2023 at 12:23 pm	James Hughes added attachment AE7C5A25-58F5-49EF-A3EE-93310F810627.png to Record 23-2
Feb 20, 2023 at 5:35 pm	James Hughes submitted Record 23-2
Feb 28, 2023 at 4:17 pm	completed payment step Payment on Record 23-2

## Timeline

Label	Status	Activated	Completed	Assignee	Due Date
 Payment	Paid	Feb 20, 2023 at 5:35 pm	Feb 28, 2023 at 4:17 pm	-	-
 Application Complete & Scheduled for Public Review	Active	Feb 28, 2023 at 4:17 pm	-	-	-
 Board of Zoning & Planning OR City Council Review	Inactive	-	-	-	-
 Appeal Result	Inactive	-	-	-	-