



Board of Zoning and Planning Staff Report June 27, 2024

Kathy Rose, Zoning Officer

NEW BUSINESS:

1) Application Number: BZAP-24-14

Address: 2357 Bexley Park

Applicant: Guy Allison

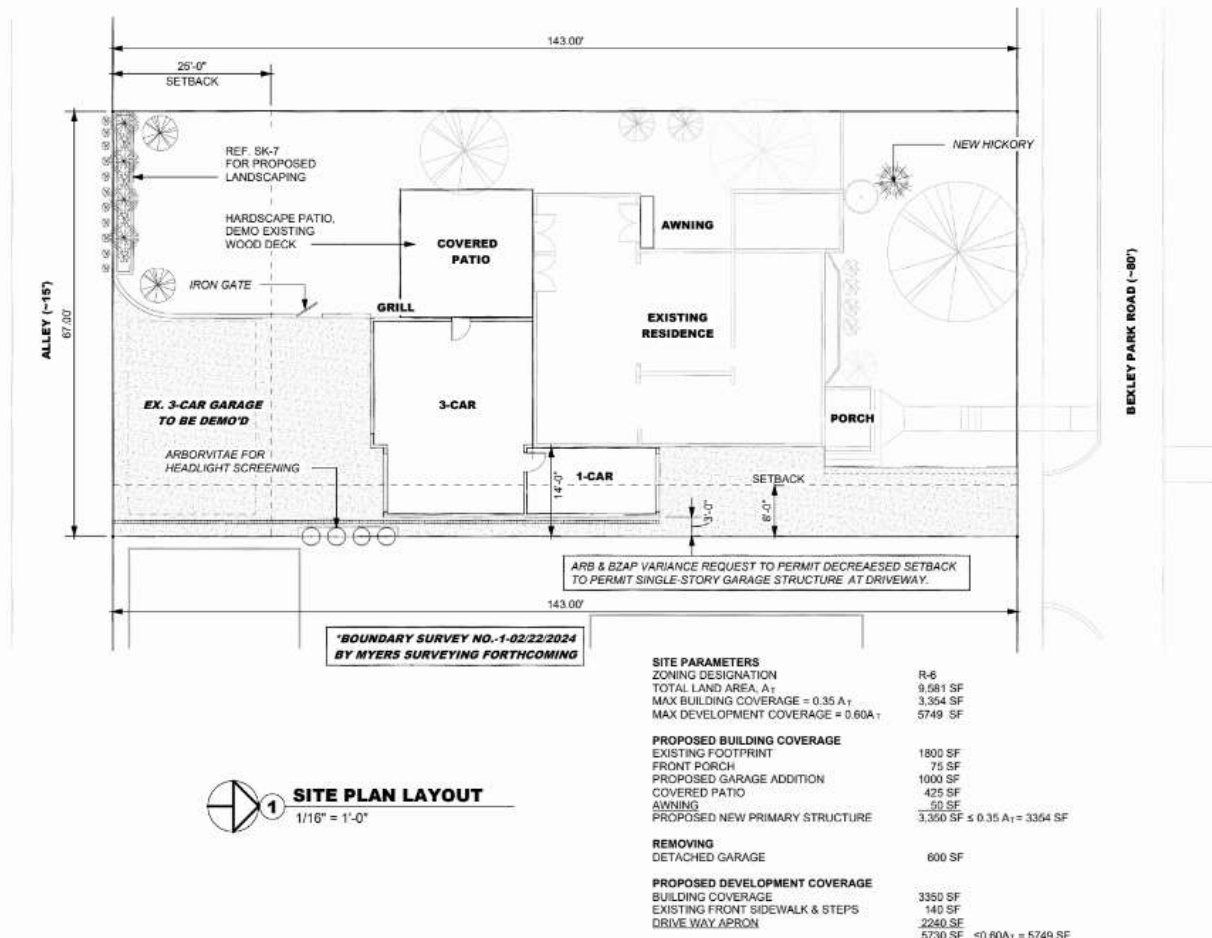
Owner: Alexa Meara

Request: The applicant is seeking a Special Permit in accordance Bexley Code Section 1252.15(a) to allow a functional dormer on a new detached garage. The applicant is also seeking a variance from Bexley code Section 1252.15(a) which limits the maximum eave height to 9', to allow the eaves of the new detached garage to be 10'.

BZACKGROUND

R-6 Zoning District – Minimum lot size 50' x 120'

This is a 67'x 142' lot.



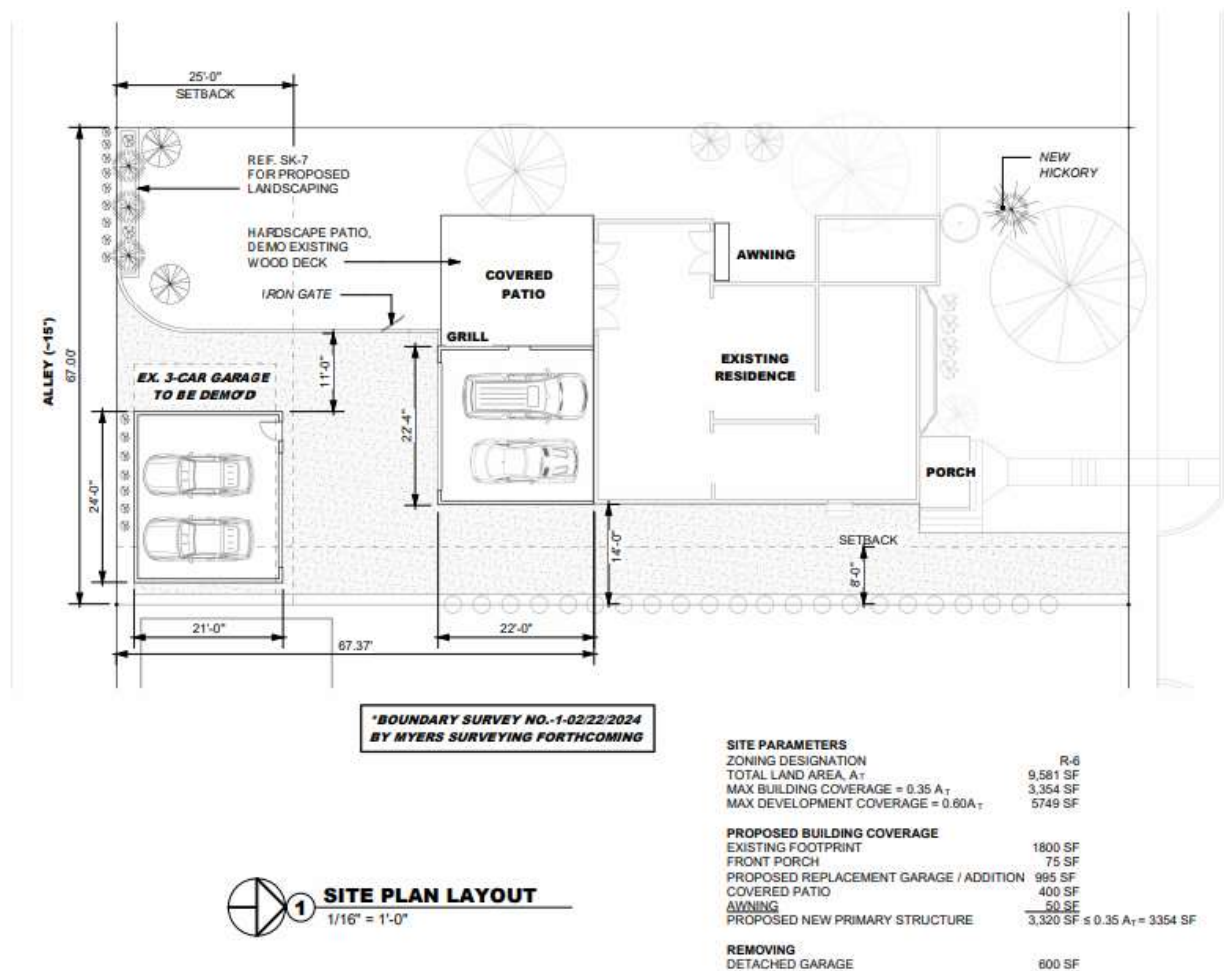
The applicant originally planned to demolish the existing 3-car detached garage, and proposed a 3-car attached garage and open porch addition at the rear of the house and a 1-car attached garage along the east side of the house, 3' off the east side property line.

This would have required a 5' variance, as any additions to the house would also needs to meet a required 8' setback from the side yard property line, and it further limited the front driveway access to only the 1- car attached garage space.

Staff pointed out the variance, and lack of hardship to support the encroachment, and encouraged them to research other options as well.

The current plan is a result of that research.

The applicant now proposes a 2-car attached garage to the rear of the principal structure with an attached open porch, which will replace the attached deck. They also propose to replace the existing 3-car detached garage with a 2-car detached garage.



When this case first went before the May Architectural Review Board, there were some design concerns and modifications discussed and recommended. The design was once again modified and has since received a Certificate of Appropriateness for the proposed additions to the house, which now meet code.

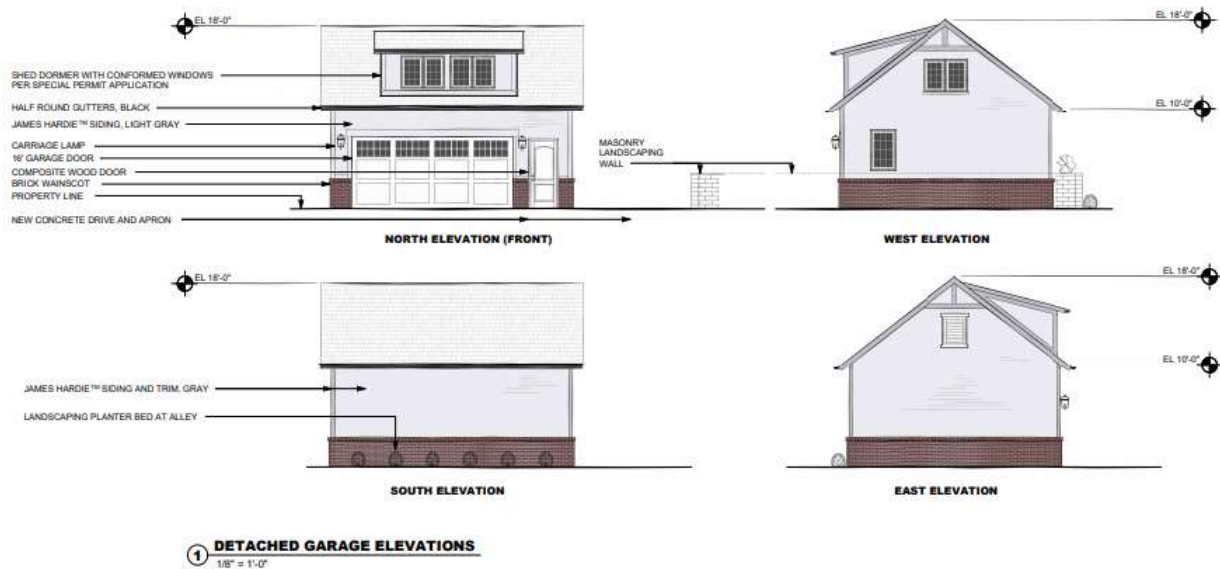
The detached garage has received a recommendation from the ARB to the BZAP for a Certificate of Appropriateness, subject to zoning review and approval.

STAFF COMMENTS

The existing 3-car detached garage is 600sq' with two dormers, and also has a carport type structure attached on the west side



The new 2-car detached garage is 600 sq' feet and will also have dormers, which requires a [Special Permit](#). The eaves are 10' high, which is 1' higher than code permits, which may be supported by the design. Karen can share the design discussion from ARB.



If the Board finds it appropriate to approve a Special Permit for the functional dormers and a 1' variance from Bexley code Section 1252.15(a), to allow the 10' high eaves on the proposed detached garage, staff would defer to the BZAP for any conditions they find necessary in allowing for the replacement structure as proposed.

2) Application Number: BZAP-24-16

Address: 123 S. Cassady Ave.

Applicant: Taylor Patterson

Owner: Alexa Lowe

Request: The applicant is seeking a variance from Bexley Code Section 1252.10(a)(2) In residential districts, 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 is allowed, in order to construct 8' tall decorative arched trellis over the gate of the 48" high fence along the eastern side of the property.



BACKGROUND:

R-3 Zoning District – Minimum lot width 90' x 160'

This lot is 46.8' wide by 125' deep.

The front yard is platted to Bexford Place (north) however; the front door faces Cassady Avenue. The applicant has constructed a 48" high fence along the Cassady Avenue side of the property, which meets code. There is an entry gate along included with the fence along the east side of the lot and that is where the applicant would like to add an arched trellis.

PROPERTY ADDRESS: 123 CASSADY AVENUE, BEXLEY, OHIO 43209

SURVEY NUMBER: 2306.1803

2306.1803
MORTGAGE LOCATION SURVEY
THIS IS NOT A BOUNDARY SURVEY
FRANKLIN COUNTY



POINTS OF INTEREST:
NONE VISIBLE

CLIENT NUMBER: 177052

BUYER: LOWE

SELLER: WILLIAMS

LOT: 41

BLOCK:

PLAT: 7

PG: 423

SUBDIVISION: BULLITT PARK PLACE NO. 2

COUNTY: FRANKLIN

THIS MORTGAGE LOCATION SURVEY IS PERFORMED IN ACCORDANCE WITH 4733-38 OF THE OHIO ADMINISTRATIVE CODE AND IS NOT A BOUNDARY SURVEY PURSUANT TO CHAPTER 4733-37 OF THE ADMINISTRATIVE CODE AND IS ONLY FOR THE USE OF THE MORTGAGE LENDER AND TITLE INSURER. DO NOT USE THIS MORTGAGE LOCATION SURVEY FOR FUTURE CONSTRUCTION OF FENCES, SHEDS, GARAGES, ADDITIONS OR ANY OTHER STRUCTURE(S). THIS DOCUMENT MAY NOT SHOW ALL EASEMENTS



Fences that exceed the 48" height limit along a street side property line are allowed with a Special Permit from the Board of Zoning and Planning, when submitted along with an overall

landscape plan, specific fence design criteria to make the panels less solid and a height limit of 6'.

Staff would consider the 8' high "archway" over the fence gate as an accessory structure, similar to a trellis. Accessory structures are limited to 10' in height, and required to be setback a minimum of 3' from a side or rear property line. The fact that this is a corner lot, it would require a 20' setback from the east side property line along Cassady Avenue. That 20' setback is based on the property width.

The proposed arch is more of a decorative feature than a typical trellis and guides you to the entry gate. I did not have any concerns related to zoning and this design has been reviewed by the City Design consultant, who can share her review with the Board.

STAFF COMMENTS

The mortgage survey shows the gate location is approximately 5' back from the (east) side property line along Cassady Avenue. It also shows the right-of-way to be 60'.

The map I have in my office shows this section of the Cassady right-of-way to be 70' in width. This might place the fence on the property line instead of 5' back from the east side property line.

If the Board finds it appropriate to grant a 20' variance from 1252.10(a)(2), to allow the 8' arched trellis over the entry gate at the east side property line, Staff would recommend that the East side property line location be surveyed and verified by the Zoning Officer.

3) Application Number: BZAP-24-17

Address: 2606 Bexley Park

Applicant: Ethan McGory

Owner: J. William St Clair

Request: The applicant is seeking a 20' variance from Bexley Code Section [1252.10\(a\)\(2\)](#) In residential districts, 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 is allowed, in order to construct a garden within a hedge in the eastern side of the property with raised beds and a decorative fountain feature located 5' from the east side property line along Remington Road. The applicant is also seeking a variance from Bexley Code Section [1252.15\(g\)\(1\)](#) which

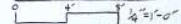
indicates “Accessory structures and uses shall be permitted only in the rear yard”, to allow the proposed fountain to be constructed in the east side yard.

BACKGROUND R-6 Zoning Standard corner lot size – 70’ x 120’

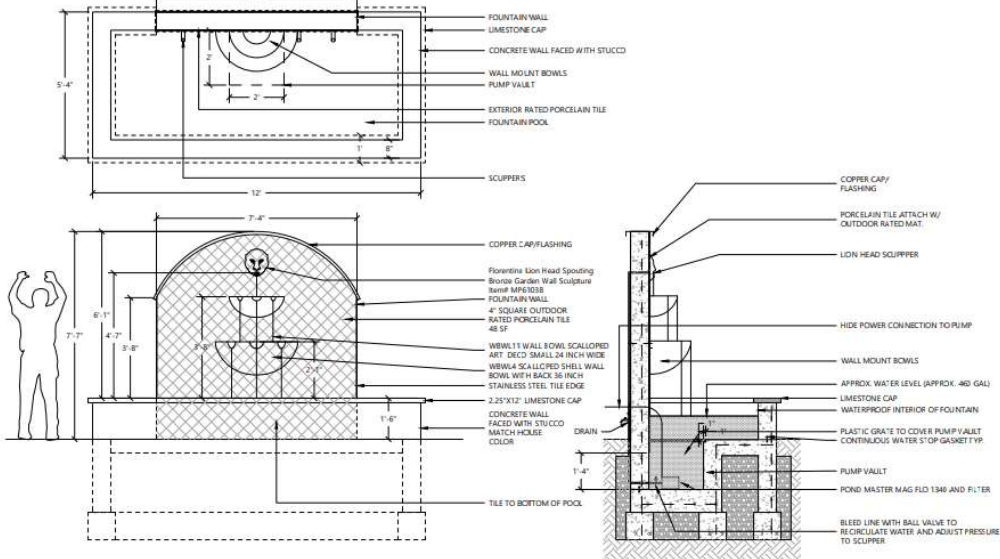
This corner lot is 67.78’ x 234.55’. The house (which includes an attached garage) is very close to the west (side) property line and north (rear)property line. This makes the east side yard the primary outdoor living space.



Profile view of the road showing a 10% grade. The horizontal distance is 100 feet, and the vertical rise is 10 feet. A north arrow points to the right.



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The contractor hired to do the work, started on the job prior to review, approval and/or permits.

Staff reviewed the work underway at the site and found the start of a concrete structure, which was later indicated to be a proposed water fountain. The location of the fountain is in the side yard and 5' from the east property line.

Accessory structures are limited to 10' in height and are to be located in the rear yard and meet the 3' setback from the side or rear property line. The fact that this is a corner lot requires additional setback requirements. The fountain is 7'7" in height, in the side yard, and located 5' from the east side property line.

This corner lot, and is between 50 to 100 feet in width; therefore, Bexley Code Section 1252.10(a)(2) would require a 25' setback from the street side property line.

STAFF COMMENTS

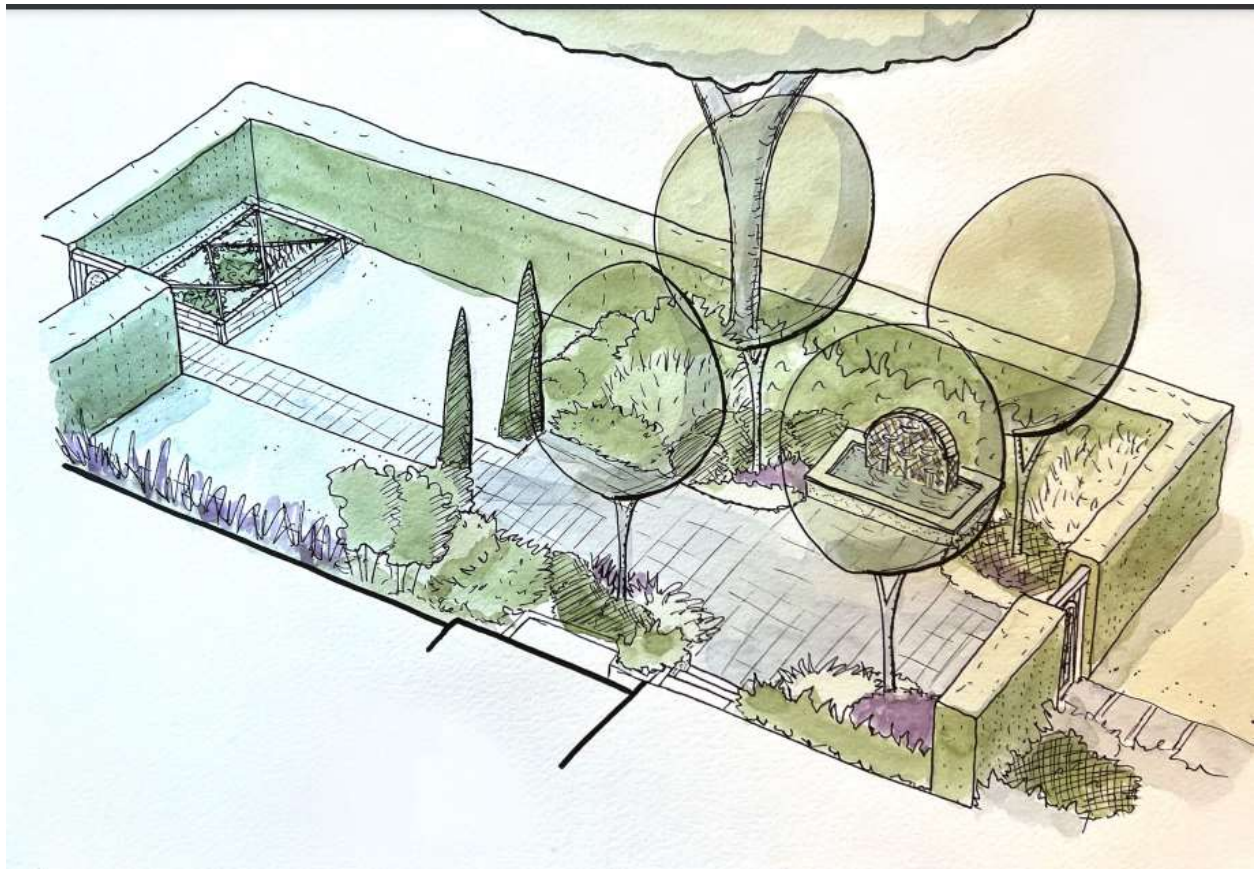
Based on the unusual configuration of the house on the lot, there is little to no rear yard or west side yard. The east side yard is the only location that would accommodate outdoor living space. The owner proposes an enclosed garden space surrounded by a hedge.

The property line is approximately 1' behind the sidewalk along Bexley Park and 1' behind the sidewalk along Remington.

The enclosed garden space has doors shown as entry points to the garden and where modified from their original 6' height to meet the 48" height limit for fences in a side yard and within the 25' setback from the side yard property line along Remington Road.

Parks Department Staff will continue to monitor the site with regards to plantings in the appropriate location and of the appropriate height and where the tall hedge can and cannot be located to keep it safe from obstructing vehicular and pedestrian traffic as follows :

(outside of the city right-of-way) and in accordance with Bexley Code Section 1252.10 (c).....to not materially impede vision between a height of two and one-half and ten feet above the centerline grades of the intersecting streets in the area bounded by the curb lines of such corner lot and a line joining points along such curb lines thirty feet from the corner curb point of where the streets intersect.



Staff would agree that the location of the principal structure limits the usable space outdoors to the east side of the property.

If the Board finds it appropriate to grant a variances from Bexley code Section 1252.15(g)(1) to allow the fountain in the side yard, and from Bexley code Section 1252.10(a)(2) to allow the fountain to encroach 20' into the 25' side yard setback, it should be conditioned upon the review and approval by the City Landscape Consultant on all plantings. The Board may also want to consider a better transition of the hedge proposed at the northeast corner of the property and next to the alley intersecting Remington – to provide safe egress from the alley.



Kathy Rose

Zoning Officer