

**BZAP-24-35**

(BZAP)Board of Zoning & Planning
Application - Review of Variance
requests for Residential and
Commercial Development
Status: Active
Submitted On: 9/25/2024

Primary Location

470 S PARKVIEW AV
Bexley, OH 43209

Owner

Jana Clarke
S. Parkview Ave. 470 Bexley, OH 43209

A.1: Project Information

Brief Project Description - ALSO PROVIDE 2 HARD COPIES OF PLANS TO THE BUILDING DEPARTMENT.

Addition of garage and in-law suite; change the curb cut for a driveway on the other side of the house (eliminate current curb cut)

Architecture Review**Conditional Use****Planned Unit Dev****Rezoning****Variance or Special Permit****What requires Major Architectural Review ?**

The addition of an attached garage, an in-law suite above it and a curb cut switch to move our driveway to the other side of the lot.

What requires Minor Architectural Review ?**Major Architectural Review****Minor Architectural Review****Appeal of ARB or Staff Decision to BZAP****State the specific nature of the Appeal.**

Upcoming ARB Hearing Date ---(Hearings held the 2nd Thursday of the month. Application must be submitted 4 weeks prior to the upcoming meeting date)

11/14/2024

Upcoming BZAP hearing --- (Hearings held the 4th Thursday of the month. Application must be submitted 4 weeks prior to the upcoming meeting date)*

10/24/2024

All BZAP (Board of Zoning & Planning) applications that also require ARB (Architectural Review Board) design review must go to the ARB hearing PRIOR to being heard by BZAP

Applicant (or representative of the project) must be present at the appropriate hearings

A.1: Attorney / Agent Information

Agent Name*

Santiago Alvarez

Agent Address

Agent Email*

sant.alvarez26@gmail.com

Agent Phone*

412-606-3739

Property Owner Name*

Jana Clarke

Property Owner Email

jana.clarke@bexley.us

Property Owner Address

470 S. Parkview Ave.

Property Owner Phone number

513-315-7636

A.2: Fee Worksheet

Estimated Valuation of Project

500000

Minor Architectural Review☐**Major Architectural Review**☒**Variance Review**☒**Variance Review Type**

Single Family

Zoning☒**Zoning Review Type**

Conditional Use request

**Sign Review and Architectural Review for
Commercial Projects**☐**Review Type**Special Permit, Conditional Uses and All
Others**Appeal of ARB decision to BZAP**☐

Appeal of BZAP decision to City Council☐**Conditional Use - Explain type of Use if being requested and fill out Conditional Use Criteria**

Single use housing with in-law suite conditional use requested

Appeal of Zoning Officer determination to BZAP☐**Detailed explanation of appeal**

B: Project Worksheet: Property Information**Occupancy Type**

Residential

Zoning District

Medium density residential

Use Classification ?

R-3 (25% Building and 50% Overall)

B: Project Worksheet: Lot Info

Width (ft)

65

Depth (ft)

175

Total Area (SF)

11375

B: Project Worksheet: Primary Structure Info

Existing Footprint (SF)

1290

Proposed Addition (SF)

1549

Removing (SF)

—

Type of Structure

Garage; In law suite (above garage)

Proposed New Primary Structure or Residence (SF)

—

Total (footprint) square foot of all structures combined

2839

B: Project Worksheet: Garage and/or Accessory Structure Info (Incl. Decks, Pergolas, Etc)

Existing Footprint (SF)

—

Proposed Addition (SF)

—

New Structure Type**Ridge Height****Proposed New Structure (SF)**

—

Is there a 2nd Floor

—

Total of all garage and accessory structures (SF)

—

Total building lot coverage (SF)

—

Total building lot coverage (% of lot)

—

Is this replacing an existing garage and/or accessory structure?

—

B: Project Worksheet: Hardscape

Existing Driveway (SF)

—

Existing Patio (SF)

200

Existing Private Sidewalk (SF)

—

Proposed Additional Hardscape (SF)

2080

Total Hardscape (SF)

2280

B: Project Worksheet: Total Coverage

Total overall lot coverage (SF)

4919

Total overall lot coverage (% of lot)

43

C.1 Architectural Review Worksheet: Roofing

Roofing



Structure

—

Existing Roof Type

—

New Roof Type

—

New Single Manufacturer

New Roof Style and Color

C.1 Architectural Review Worksheet: Windows

Windows



Structure

—

Existing Window Type

—

Existing Window Materials

—

New Window Manufacturer

New Window Style/Mat./Color

C.1 Architectural Review Worksheet: Doors

Doors☐**Structure**

—

Existing Entrance Door Type

—

Existing Garage Door Type

—

Door Finish

—

Proposed Door Type**Proposed Door Style****Proposed Door Color**

C.1 Architectural Review Worksheet: Exterior Trim

Exterior Trim☐**Existing Door Trim**

—

Proposed New Door Trim**Existing Window Trim**

—

Proposed New Window Trim**Trim Color(s)****Do the proposed changes affect the overhangs?**

—

C.2 Architectural Review Worksheet: Exterior Wall Finishes

Exterior Wall Finishes

☐

Existing Finishes

—

Existing Finishes Manufacturer, Style, Color

Proposed Finishes

—

Proposed Finishes Manufacturer, Style, Color

By checking the following box I agree (as the applicant of record) to monitor this application and respond to any additional information requested by the Zoning Officer, Design Consultant, and Bldg. Dept Staff, through the email in this application, in order to allow a notice to be written and sent out 2 weeks prior to the next scheduled meeting and to be placed on the Agenda. This includes the ARB meeting when Design Recommendation is needed prior to Board of Zoning and Planning Review. I understand that incomplete applications may be withheld from the agenda or only offered informal review.*

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D: Tree & Public Gardens Commission Worksheet

Type of Landscape Project

—

Landscape Architect/Designer

Architect/Designer Phone


Architect/Designer E-mail

Project Description


I have read and understand the above criteria

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D: (Staff Only) Tree & Public Gardens Commission Worksheet

 Design plan with elevations (electronic copy as specified in instructions plus 1 hard copy)

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 Design Specifications as required in item 3 in "Review Guidelines and List of Criteria" above

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 Applicant has been advised that Landscape Designer/Architect must be present at meeting

☐

E.1 Variance Worksheet

Description of the Proposed Variance. Please provide a thorough description of the variance being sought and the reason why.

Proposed addition of an attached 1549 sq ft in-law suite above a 4-car garage. Requesting a variance to build in-law suite exceeding 800 sq ft maximum allotment.

1. Does the property in question require a variance in order to yield a reasonable return? Can there be any beneficial use of the property without the variance? Please describe.

The property requires the variance in order to have an in law suite attached to the primary dwelling.

2. Is the variance substantial? Please describe.

No it doesn't impact any other property.

3. Would the essential character of the neighborhood be substantially altered or would adjoining properties suffer a substantial detriment as a result of the variance? Please describe.

The character of the neighborhood would not be altered and the adjoining properties would not suffer. The addition is in the back of the house and will not be able to be seen by the road. In addition, the addition would be back to back with our neighbor to the North (where there is current blockage by trees) and their view would not be altered.

E.2 Variance Worksheet

4. Would the variance adversely affect the delivery of governmental services (e.g. water, sewer, garbage)? Please describe.

No. The addition (garage and in-law suite on the 2nd level) are in the back of the property. Water, sewer and garbage are all located in the front of the property.

5. Did the property owner purchase the property with the knowledge of zoning restriction? Please describe.

Yes - the necessity for an in-law suite came after the purchase of the property.

6. Can the property owner's predicament feasibly be obviated through some method other than a variance? Please describe.

No - we would like to attach a garage with an in-law suite on the second level.

7. Is the spirit and intent behind the zoning requirement observed and is substantial justice done by granting the variance? Please describe.

Yes! We meet the requirements for the in-law suite:

(a) The in-law suite must be located within the principal structure (which includes attached garages or areas over attached garages). - confirmed

(b) No more than one in-law suite is permitted per principal structure - confirmed

(c) Maximum size of the in-law suite shall not exceed 800 square feet. - we are requesting this variance in order for the in-law suite to be larger than the 800 sq ft maximum.

(d) 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. - confirmed

(e) The in-law suite may be located on the first or second floor. - it will be located on the 2nd floor of a newly attached garage.

(f) Property owner must live on site, and the in-law suite must be subservient to the principal use of the property as a dwelling. - confirmed.

(g) The in-law suite shall be occupied by family of the owner of the principal residence. - confirmed.

F.1 Fence Variance Worksheet

Lot Type

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Narrative description of how you plan to meet the pertinent outlined variance criteria

F.1-F.2 Fence Variance Worksheet: Side and Rear Yard Restrictions for Corner Lots

1. **Compatibility:** Describe how the proposed side yard fence or wall exceeding forty-eight inches in height and on the street side of a corner lot compatible with other properties in the neighborhood?

2. **Height:** Please verify that the maximum height of such fence or wall shall not exceed seventy-two inches as measured from the average grade, as defined in Section 1230.06. Artificially raising the height of the lot line by the use of mounding, retaining walls or similar means shall be included within the seventy-two inch maximum height.

3. **Transparency:** Fences exceeding forty-eight inches in height should include transparency in the upper 12" to 18" of the fence through the use of latticework, pickets, or other appropriate design elements. Describe how you have satisfied this requirement.

4. **Screening:** A landscaping plan must be filed with the application for a special permit, indicating how such fencing or wall is to be screened from the street side elevation. The landscape plan should be designed in such a way as to mitigate the impact of a solid fence or wall as it relates to the street and other properties. Describe how the landscape plan addresses these items.

5. **Visibility and Safety:** The installation of such fence or wall shall not create a visibility or safety concern for vehicular and/or pedestrian movement. Please describe any visibility/safety concerns with your design.

6. Material Compatibility: No chain link, wire mesh or other similar material shall be installed on lot lines adjacent to public rights-of-way. Please verify that your design complies with this requirement.

7. Finished Side: Any fence or wall erected on a lot located at the intersection of two or more streets must have the finished and not the structural side facing the adjacent property, alley or street. Please verify that your design complies with this requirement.

F.3 Fence Variance Worksheet

Front Yard Restrictions

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Fences Adjacent to Commercial Districts

☐

Require Commercial Fences Adjacent to Residential Districts

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F.3 Fence Variance Worksheet: Front Yard Restrictions

The proposed decorative landscape wall or fence is compatible with other properties in the neighborhood.

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The height of the fence or wall does not exceed the size permitted as above when measured from the average grade of the yard where the fence or wall is to be installed. Artificially raising the height of the lot line by the use of mounding, retaining walls or similar means shall be included in the maximum height.

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Posts, columns and finials may extend up to 6" above the maximum allowed height of the fence panels. CHAPTER 1264. FENCES AND WALLS City of Bexley Zoning Ordinance

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A landscaping plan shall be filed with the application indicating how such fencing and/ or wall is to be integrated with existing front yard landscaping.

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The installation of such fence and/or wall shall not create a visibility or safety concern for vehicular and/or pedestrian movement.

—

No chain link, wire mesh, concrete block or other similar type material shall be installed as a decorative landscape wall or fence.

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The fence and/or wall shall have a minimum of 50% transparency.

—

That the lot exhibits unique characteristics that support the increase in fence height.

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G. Demolition Worksheet

Is your property historically significant? Please attached supporting documentation. Recomend sources include ownership records, a letter from the Bexley Historical Society, etc.

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Is your property architecturally significant? Please attached supporting documentation. Recomend sources include a letter of opinion from an architect or expert with historical preservation expertise.

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If you answered "yes" to either of the above two questions, please describe any economic hardship that results from being unable to demolish the primary residence, and attach any supporting evidence.

If you answered "yes" to either of the above two questions, please describe any other unusual or compelling circumstances that require the demolition of the primary residence, and attach any supporting evidence.

I will provide a definite plan for reuse of the site, including proposed replacement structures, by completing Worksheets B & C and any other pertinent worksheets, along with required exhibits.

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Provide a narrative time schedule for the replacement project

Please provide a narrative of what impact the proposed replacement project will have on the subject property and the neighborhood.

I: Conditional Use Worksheet

The use is consistent with the goals and policies of any adopted plans of the City of Bexley, including, but not limited to, the Main Street Guidelines.

Yes

The use will not have a negative impact on the neighboring land uses and the larger community because of the differences between the proposed use and existing uses in the community.

Yes

The use will not be hazardous to or have a negative impact on existing or future surrounding uses.

Yes

The use meets or satisfies the lot/yard or height requirements in the code and other general code provisions including landscape requirements, parking standards, and storm drainage requirements as existing or as may be adopted.

Yes

The use does not create an undue burden on existing public facilities and services such as street, utilities, school or refuse disposal.

Yes

The use is consistent with and/or furthers the City's economic goals and will not decrease property values or have a negative economic impact.

Yes

The use is in character and keeping and compatible with the adjacent structures and uses.

Yes

Any proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance. Yes

Yes

Please provide a narrative for how you meet the above criteria.

The addition of the garage and the 2nd floor in-law suite meets setback requirements, height is less than the existing primary structure, and it is located within the back of the property.

J: Home Occupation Worksheet

Business Name

Business Description

No person other than members of the family residing on the premises shall be engaged in such occupation.

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The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation.

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There shall be no change in the outside appearance of the building or premises, or other visible or nuisance evidence of the conduct of such home occupation.

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There shall be no sales in connection with a home occupation.

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No traffic shall be generated by a home occupation in greater volume than would normally be expected in a residential neighborhood.

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Any need for parking generated by the conduct of a home occupation shall be met off the street and other than in a required front yard. The off-street parking spaces required for the home occupation shall be maintained in addition to the space or spaces required for the residence itself.

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Please provide a narrative for how you meet the above criteria.