City of Upper Arlington

AGENDA

BOARD OF ZONING & PLANNING

3600 Tremont Road | Upper Arlington, OH 43221
614-583-5030 | upperarlingtonoh.gov

3/26/2025 | 6:00 PM

Municipal Services Center, Council Chamber
3600 Tremont Road

1. **Call to Order/Roll Call**

2. **Consent Agenda**

   a. Board of Zoning and Planning certification for 2025.

   b. Review of the BZAP meeting minutes from January 22, 2025, February 5, 2025, and February 19, 2025.

   c. 1851 Bedford Road (VAR-12-25) - To allow a 672-square foot detached garage that exceeds the maximum size (466 square feet), encroaches one-foot into the three-foot minimum side yard setback, three feet into a five-foot wide utility easement, and is 21'-6" tall, in lieu of the 17-foot height limit. Building and development coverage variances are also needed.

   d. 2633 River Park Drive (VAR-14-25) - To allow a one-story addition to encroach up to 2'-4" into the side yard longwall setback.

3. **Variance/Conditional Uses**

   a. 4515 Sussex Drive (VAR-13-25) - To allow a one-story addition to encroach 9'-2" into the 33'-9" rear yard setback.

   b. 4263 Greensview Drive (VAR-11-25) - To allow a swimming pool five feet from the property line, in lieu of the 10-foot minimum setback required.

4. **Development/Site Plans**

5. **Zoning Map/Text Amendments**

6. **Adjournment**

City of Upper Arlington

MEMORANDUM
COMMUNITY DEVELOPMENT DEPARTMENT
3600 Tremont Road | Upper Arlington, OH 43221
614-583-5070 | upperarlingtonoh.gov

Date: Wednesday, March 26, 2025

To: Upper Arlington Board of Zoning and Planning (BZAP)

From: Justin Milam, AICP, Senior Planner (jmilam@uaoh.net; 614-583-5083)

RE: 2025 BZAP Certification

Requirements

Section 2(a) of the Board's Rules and Regulations states: *The Secretary shall certify the membership of the Board each year at the time the Board organizes.*

Board Certification

I, Justin Milam, Secretary of the Board of Zoning and Planning of the City of Upper Arlington, Ohio, do hereby certify that the following have been duly appointed by the Mayor and approved by City Council in accordance with the Codified Ordinances as members of the Board of Zoning and Planning:

DANIEL BARRINGER (term expires June 30, 2026)
KEVIN CARPENTER (term expires June 30, 2026)
MATT MCGRATH (term expires June 30, 2026)
MARIANNE MITCHELL (term expires June 30, 2027)
R. TODD BOYER (term expires June 30, 2027)
SHANNON TOLLIVER (term expires June 30, 2027)
WILLIAM WESTBROOK (term expires June 30, 2026)

ATTEST:

Justin A. Milam

03.26.2025

Justin Milam — Date

February 5, 2025

MUNICIPAL SERVICES CENTER, 3600 TREMONT ROAD
CITY COUNCIL CHAMBERS

Members Present: Todd Boyer, Kevin Carpenter, Marianne Mitchell, Shannon Tolliver, Bill Westbrook

Members Absent: Daniel Barringer, Matt McGrath

Staff Present: Senior Planner Justin Milam, Assistant City Attorney Darlene Pettit

1. Call to Order

Chair Tolliver called the meeting to order at 6:00 pm.

A motion was made by Mr. Westbrook to excuse Mr. McGrath and Mr. Barringer, seconded by Mr. Carpenter. The motion carried unanimously.

2. Informal Review

a. 2470 Abington Road - Informal review of a proposed front porch that would project 9'-8" into the front yard, in lieu of the six-foot limit.

Mr. Milam stated there have been changes in the code to allow for a six-foot projection into the front yard, with no limit on the width. This front porch will be across almost the entire front of the house, but would be deeper than the code allows. It goes 9’-4” beyond the 40-foot front yard setback. It is well designed and detailed, but they would like direction from the board.

The applicant shared the client wants to have enough space on the front porch to add furniture, which takes the dimensions to the requested projection. The decorative columns are taking up some of the space. They think that architecturally is looks good with the street and house.

Mr. Westbrook explained he is a land developer and he has an issue with the projection being so far outside of the front setback, and it would be a problem if this was allowed consistently. He is ok with it being six foot per code. It being almost 10 feet past the setback is too much. Mr. Carpenter agreed that the projection is more severe than he would like. He understands they want to take advantage of the park across the street, it is just a little too big for his taste. He does like the design of it, perhaps they can get smaller furniture to reduce the size. Chair Tolliver would like it to be smaller as well. The client explained they are opening the front with double hung doors to give better views, and the larger furniture goes with it. He will go back to the homeowners to discuss the input from the board.

3. Unfinished Business

a. Postponed from January 22, 2025 BZAP hearing (no prior review) - 2587 Berwyn Road (VAR-05-25) - To allow a one-story addition to attach to an existing detached garage, resulting in five variances: to encroach 3'-4" into the eight-foot minimum side yard setback, 3'-8" into the side yard longwall, 8'-2" into the 40-foot minimum rear yard setback, to reduce the side yard sum from 16 feet to 14 feet, and to increase building coverage from 29 percent to 31 percent

Mr. Milam reviewed this variance application. It was postponed at the request of staff, due to the number and severity of variances requested. The applicant still wished to pursue this, but they have explored some other options for the Board to consider. They would like to add a one-story addition that connects the existing house to the existing detached garage. When this changes to an attached garage then that must now meet different side and rear setbacks. They also have a 74-feet-long side wall. This would be 3’-4” into the eight-foot side yard setback and 3’-8” into the side yard long wall setback, encroach 8’-2” into the 40-feet minimum rear yard setback, reduce the side yard setback from 16 to 14 feet, and increase the building coverage from 29 to 31 percent.

Mr. Milam stated that was for the initial plan. They have looked at a few different changes, and the latest version keeps the same footprint, but they have alleviated some of the side yard long wall setback. They still need a variance but it is reduced. The connection to the detached garage would be an open porch with a roof. So those variances will go away. That takes it from five variances to two. The building cover largely stays the same at 31%.

Ms. Emison swore in the applicants Ben Calhoun and Brenda Parker. Ms. Parker stated the addition is to give the house a fourth bedroom. The first-floor addition makes sense for the kids and future aging in place. Ideally, they would like the

addition attached to the garage, for weather issues, and that would allow for a mudroom/laundry room. Mr. Calhoun talked to all his neighbors and they were all ok with the plans.

Ms. Tolliver stated they like the reduction in variances. Mr. Milam stated the applicant's preference is for the first revision, and request feedback from the Board. Mr. Calhoun explained he feels there is value in attaching the garage, and it is not visible to any of the neighbors. Mr. Calhoun stated they would be open to a variance stating they could not finish the garage and make it livable space. Mr. Carpenter explained there would be no way to enforce this with future owners of the house.

The board discussed the options. The scale of the first option is too large and precedent-setting would be hard to control, as they do not usually approve five variances. Chair Tolliver stated the board is leaning towards the second option.

Chair Tolliver entertained a motion to approve variance application 05-25, 2584 Berwyn Road, to allow a one-story addition, not attached, to an existing garage that will encroach two feet five inches into the side yard long wall setback and to allow one-story addition to attach to an existing garage that will increase the building coverage from 29% to 32%, citing findings number three and four.

Mr. Carpenter moved, seconded by Mr. Westbrook to approve the 05-25, 2584 Berwyn Road, to allow a one-story addition to an existing garage that will encroach two feet five inches into the side yard long wall setback and to allow one-story addition to attach to an existing garage that will increase the building coverage from 29% to 32%, citing findings number three and four.

VOTING AYE: Kevin Carpenter, Marianne Mitchell, Donald Osterhout, Shannon Tolliver, Bill Westbrook
VOTING NAY: None
ABSENT: Daniel Barringer, Matt McGrath
ABSTAIN: None

b. Postponed - 2248 Club Road (VAR-63-25) – To allow an enclosed breezeway that connects the house with the existing detached garage, making it all one principal structure. It would reduce the minimum side yard setback from 10 feet to three, the minimum rear yard setback from 32.5 feet to five, encroach into the side yard longwall setback, and project into the rear yard profile (all existing). [The detached garage may presently used for sleeping quarters, which is not permitted.] Building cover would increase from 29.1 percent (per BZ-03-97) to 29.6 percent.

Chair Tolliver entertained a motion to postpone Variance application 63-25, 2248 Club Road, to March 5th BZAP work session.

Mr. Carpenter moved, seconded by Mr. Boyer, to postpone Variance application 63-25, 2248 Club Road, to March 5th BZAP work session.

VOTING AYE: Kevin Carpenter, Marianne Mitchell, Donald Osterhout, Shannon Tolliver, Bill Westbrook
VOTING NAY: None
ABSENT: Daniel Barringer, Matt McGrath
ABSTAIN: None

4. Presentation

a. Update on the Envision Henderson Plan

*****Mr. McGrath recused himself from discussion on the plan.

Mr. Milam provided an update on Envision Henderson Project (attached Exhibit A). He stated the BZAP board will be asked to make a formal recommendation for adoption to City Council in two weeks. There are no code changes needed to implement this vision and accomplish the plan. He highlighted the opportunities and the implementation. He stated this study looked at both sides, north and south, of Henderson Road, which is approximately one mile in length. The corridor has approximately 1,500 residents and also 1,500 jobs, there are no single-family residences in this area, with no new buildings since 1994. Due to the age of the buildings the land is more valuable than the buildings.

Safety along the corridor was the most important in the feedback they received. Most accidents along the corridor are occurring at driveways or street intersections, so that will be a focus. Additional themes were desire for high quality of places there, softening market for offices, mixed use, gateway aspect should be good for the community, sidewalks, and improve the area. From that they developed priorities, which created the vision and then the plan. The plan does have two roundabouts, located at the intersections of Gettysburg/Dierker Road and Reed Road. There will also be planned “back yard” space, a lively community outdoor space, modeled after some very successful projects in other cities. On the western edge they hope to add housing into the office district, to create vibrancy with different types of uses. Should they want to make any further additions to the code, it would be in the Commercial code and they could add some of the general characteristics the City wants to see in mixed use areas.

5. Adjournment

A motion was made by Mr. Westbrook to adjourn, seconded by Mr. Carpenter. The meeting was adjourned at 7:02 pm.

ATTEST:

CHAIR:

February 19, 2025

The Board of Zoning and Planning met in regular session in the Council Chamber of the Municipal Services Center, 3600 Tremont Road, and was called to order by Chair Tolliver at 6:00 p.m.

Members Present: Todd Boyer, Kevin Carpenter, Matt McGrath, Marianne Mitchell, Shannon Tolliver, and Bill Westbrook

Members Absent: Daniel Barringer

Staff Present: Senior Planner Justin Milam, Assistant City Attorney Darlene Pettit, and Deputy City Clerk Abbie Emison

Chair Tolliver called for a motion to excuse the absence of Mr. Barringer. Ms. Mitchell moved, seconded by Mr. Carpenter, to excuse Mr. Barringer.

VOTING AYE:	Todd Boyer, Kevin Carpenter, Matt McGrath, Marianne Mitchell, Shannon Tolliver, and Bill Westbrook
VOTING NAY:	None
ABSENT:	Daniel Barringer
ABSTAIN:	None

The motion carried (6-0).

Consent Agenda

Chair Tolliver moved the item *2201 Glenmere Road (VAR-10-25) - To allow a one-story addition to project up to 3'-2" into the side yard longwall setback*, from the Consent Agenda and added to the section *Variances/Conditional Uses*.

Chair Tolliver moved the item *4320 Harborough (VAR-08-25) - To allow a second story addition, located atop the existing first floor, that encroaches 7'-2" into the 36'-3" rear yard setback,* from *Variances/Conditional Uses* to the Consent Agenda.

Chair Tolliver removed the *Review of January 22, 2025 and February 5, 2025 BZAP minutes* from the agenda.

a. 2510 Abington Road (VAR-06-25) - To allow a one-story addition to project up to 2'-8" into the side yard longwall setback.

   With finding #4 noted.

b. 2259 Canterbury Road (VAR-09-25) - To allow a two-story addition that would encroach up to 3'-8" into the 10-foot minimum side yard setback and reduce the minimum side yard setback sum from 20 feet to 14'-4".

   With findings #4 and #1 noted.

c. 4320 Harborough (VAR-08-25) - To allow a second story addition, located atop the existing first floor, that encroaches 7'-2" into the 36'-3" rear yard setback.

   With findings #4 and #6 noted.

Chair Tolliver called for a motion to approve the Consent Agenda. Ms. Mitchell moved, seconded by Mr. Westbrook, to approve the Consent Agenda.

VOTING AYE:	Todd Boyer, Kevin Carpenter, Matt McGrath, Marianne Mitchell, Shannon Tolliver, and Bill Westbrook
VOTING NAY:	None
ABSENT:	Daniel Barringer
ABSTAIN:	None

The motion carried (6-0).

Variances/Conditional Uses

Ms. Emison administered an oath to those persons wishing to present testimony this evening, including applicants, representatives of applicants, and anyone speaking as a proponent or opponent of an application.

a. 2201 Glenmere Road (VAR-10-25) - To allow a one-story addition to project up to 3'-2" into the side yard longwall setback.

Mr. Boyer recused himself from discussion on VAR-10-25. Mr. Milam provided a brief summary of the application. The applicant would like to build a small addition that blends well with the rest of the home. The issue is with the side yard longwall setback. Mr. Milam

stated that the applicant will add additional plantings to block the view from neighboring properties.

Chair Tolliver called for a motion to approve VAR-10-25, to allow a one-story addition to project up to 3'-2" into the side yard longwall setback, with finding #4 noted. Mr. Carpenter moved, seconded by Ms. Mitchell, to approve VAR-10-25.

VOTING AYE:	Kevin Carpenter, Matt McGrath, Marianne Mitchell, Shannon Tolliver, and Bill Westbrook
VOTING NAY:	None
ABSENT:	Daniel Barringer
ABSTAIN:	Todd Boyer

The motion carried (5-0).

b. 2600 Slate Run Road (VAR-02-25) - To allow a 100-square foot treehouse that is ~~12'-9"~~ 11'-11 1/4" tall and installed up to ~~9'-10"~~ 7'-4" above grade with 460 square feet of elevated decking that is installed up to 13'-9" above grade, where 12 feet above grade is the limit for recreational structures. [Postponed from January 22, 2025 BZAP meeting.]

Mr. Milam provided an update on the 2600 Slate Run Road variance application. He noted that the treehouse height had been reduced from 12'-9" to 11'-11.25" in a good faith effort by the applicant. However, the base of the treehouse and decking remained at 7'-4" above grade, which was the main variance issue. The applicant had also met with neighbors and offered to plant additional landscaping in coordination with them.

Mr. Milam reviewed the history of treehouse projects in Upper Arlington, noting several past examples from the 1980s. Ms. Pettit advised against using time limit conditions on approvals, as they are difficult to enforce, especially with property transfers. Instead, he recommended focusing on routine maintenance and structural engineering requirements.

The applicant, Nick Berger, spoke about the materials being used, noting that cedar shake cladding would naturally age to gray and blend in visually. He emphasized that the top of the structure would be 37 feet below neighboring homes' finished floor elevations. The homeowner, Scott White, added that they had productive meetings with neighbors to address concerns about color and lighting. Board Members discussed the stairs and platforms. Mr. Berger explained that lowering the platforms further would compromise structural integrity. The board considered the uniqueness of the lot and ravine location.

Chair Tolliver called for a motion to approve Variance VAR-02-25 to allow a 100 square foot treehouse 11'-11.25" tall installed up to 7'-4" above grade with 460 square feet of elevated decking installed up to 13'-9" above grade, where 12' above grade is the limit for recreational structures, with finding #4 noted and the following conditions: 1) that the routine maintenance occurs per the recommendation of the builder with special care for the health of the trees per an arborist, and any potential impacts on the ravine and its grading; 2) a minimum two-inch thick layer of wood chips be placed on the ground where construction equipment will be set; 3) the tree house not include any heating, cooling, or electric and not be used for sleeping quarters; 4) that additional trees be added to mitigate views for the structure from adjacent properties.

Mr. Carpenter moved, seconded by Ms. Mitchell, to approve VAR-02-25.

VOTING AYE:	Todd Boyer, Kevin Carpenter, Matt McGrath, Marianne Mitchell, Shannon Tolliver, and Bill Westbrook
VOTING NAY:	None
ABSENT:	Daniel Barringer
ABSTAIN:	None

The motion carried (6-0).

c. 1960 Hillside Drive (VAR-07-25) - To permit the construction of a new single-family residence that does not meet neighborhood compatibility standards and includes a swimming pool with decking that would encroach eight feet into the 10-foot minimum setback.

Mr. Milam presented the variance application for 1960 Hillside Drive, which proposed demolishing an existing residence and constructing a new two-story modern home that did not meet neighborhood compatibility standards. The proposed house would be 26 feet tall, where 22 feet is the standard for modern homes without board review. Mr. Milam noted that the height would be mitigated by the site sitting 6 feet below adjacent properties. The application also included a variance for hardscaping around a proposed pool that did not meet the 10-foot setback requirement. Mr. Milam mentioned the applicant was considering using a grass paver product that might not count towards the setback.

The applicant stated the pool decking was related to an egress issue. They want to ensure access around the house for safety reasons, although they would consider alternative materials. Board Members discussed the pool's proximity to the neighboring property. Mr. Milam clarified that the pool itself met the 10-foot setback, but the

hardscaping did not. The applicant agreed to remove the hardscaping within the setback area.

Chair Tolliver called for a motion to approve Variance VAR-07-25 to permit construction of a new single-family residence that does not meet neighborhood compatibility standards and to permit a fireplace in the Hillside Drive front area, with findings #4 and #8 noted. Ms. Mitchell moved, seconded by Mr. Carpenter, to approve VAR-07-25.

VOTING AYE:	Todd Boyer, Kevin Carpenter, Matt McGrath, Marianne Mitchell, Shannon Tolliver, and Bill Westbrook
VOTING NAY:	None
ABSENT:	Daniel Barringer
ABSTAIN:	None

The motion carried (6-0).

Council Recommendation

a. Review and recommendation to City Council of the Envision Henderson Plan.

Mr. McGrath recused himself from discussion on the plan. Mr. Milam presented the Envision Henderson Plan for recommendation to City Council. He noted that no changes had been made since the board's work session review. The plan resulted from months of community engagement and stakeholder interviews, focusing on visioning for West Henderson Road.

Mr. Milam explained that no zoning code changes were currently proposed, but the board could consider recommending that council give the plan more "teeth" in the future. He mentioned potential future steps, including funding in the Capital Improvements Plan and further traffic engineering studies. Mr. Milam referenced section 5.04 of the UDO as a point of reference for where additions could be included for the Envision Henderson Plan, as well as the Lane Ave. and Kingsdale West studies.

Board Members discussed the plan's implementation timeline and infrastructure capacity evaluation. They expressed support for the plan's community engagement efforts and potential improvements to the area. They recommended waiting to recommend any UDO code changes as a result of this study until after City Council adopts the plan.

Chair Tolliver called for comments from the public. Bill Hadler spoke about concerns with the plan. He emphasized the need for ongoing dialogue with property owners and raised issues about proposed roundabouts and access point removals.

Mr. Carpenter responded to Mr. Hadler's concerns, explaining that access management and safety improvements would be key considerations in future engineering plans. He noted that the plan provides guidance and direction for future discussions, rather than mandating specific changes.

Chair Tolliver called for a motion to recommend the Envision Henderson Plan to City Council for adoption. Ms. Mitchell moved, seconded by Mr. Carpenter, to recommend the Envision Henderson Plan to City Council for adoption.

VOTING AYE:	Todd Boyer, Kevin Carpenter, Marianne Mitchell, Shannon Tolliver, and Bill Westbrook
VOTING NAY:	None
ABSENT:	Daniel Barringer
ABSTAIN:	Matt McGrath

The motion carried (5-0).

* * *

There being no further business, Chair Tolliver called for a motion to adjourn. Ms. Mitchell moved, seconded by Mr. Carpenter, to adjourn. The motion carried unanimously and the meeting was adjourned at 7:00 p.m.

ATTEST:

CHAIR:

Authors: Justin Milam, AICP, Senior Planner

BZAP Meeting Date: March 26, 2025

Subject: 1851 Bedford Road (VAR-12-25) - To allow a 672-square foot detached garage that exceeds the maximum size (466 square feet), encroaches one-foot into the three-foot minimum side yard setback, three feet into a five-foot wide utility easement, and is 21'-6" tall, in lieu of the 17-foot height limit. Building and development coverage variances are also needed.

Site Description/History

The subject property, 1851 Bedford Road, is located on the west side of the street, one parcel north of Tremont Road; it is zoned R-1c, One-Family Residence District. The property is irregularly shaped with 60 feet of frontage and 130 feet of depth, which includes a 35' x 30' 'panhandle' area on the west side. [The panhandle was created when a portion of the property was sold and transferred to 1852 Tremont Road to the south. Staff could not identify the date of the transfer.] It was platted as Lot #17 of the Upper Arlington subdivision from 1917 with five-foot wide utility easements on the north, west and south sides of the property. A two-story stone and siding home, noted as a Contributing Structure in the Historic District, projects two feet beyond the 40-foot building setback line. A driveway on the north side of the property leads to a two-story, two-car, 360-square foot detached garage. [It sits 8.5 feet from the west property line, two feet from the north (in the easement) and eight feet from the south.] The home and detached garage were built in 1927, and purchased by the applicant in December 2014. The property is enclosed with six-foot tall wood fencing and mature trees; two neighboring garages are adjacent to the panhandle area.

The property has received several past variances:

- VAR-40-88: To allow a screened porch to encroach 10.86' into the 23.86 rear yard setback; and
- BZ-12-03: To allow an addition that exceeds building (25 percent) and development coverage (58 percent) limits, and is located in the rear yard and rear yard profile.

Proposal

This application proposes the demolition of the existing detached garage and the construction of a new one in the same 'panhandle' area; the structure is re-oriented so that it is further back and to the south. It would now be five feet from the west property line, three feet from the north (still in the easement) and four feet from the south. The proposed garage is 24' x 28'

(672 square feet) and 21'-6" tall, as it includes space for two vehicles plus stairs and storage on the first floor, with a home office on the second floor. [This is approximately the same height as the existing detached garage.] The elevations note a vinyl siding exterior with a double-hung window on the front and single on the back (not shown on plan). A mini-split air conditioner will be installed as well. No changes are proposed to the existing driveway, landscaping or fencing. The City Engineer is supportive of the easement encroachment as there are no City facilities. The increased garage size results in excess building cover (+101 square feet) and development cover (+305 square feet).

Zoning Code Requirements

To allow a detached garage that results in four variances to Article 6.09:

- Exceeds the maximum height limit (466 square feet) at 672 square feet;
- Encroaches one-foot into the three-foot minimum side yard setback;
- Encroaches three feet into the five-foot wide utility easement; and
- Measures 21'-6" in height, in lieu of the 17-foot height limit (to match existing).

It also results in two variances to Article 5.02(C):

- Increase the building cover limit from 29 percent to 30.5 percent; and
- Increase the development cover limit from 58 percent to 62.5 percent.

Alternatives

With this variance application, the applicant is mainly trying to accomplish two objectives: have a similar design as the existing detached garage they have now and take advantage of the 'panhandle' rear yard area of their property that creates the least amount of maintenance due to its limited space. The applicant could eliminate all six of the requested variances, but would result in a situation that is less than what exists today.

Requested Action and Findings

Staff has reviewed the application and plans, discussed it with the applicant and visited the site. When an application includes six requested variances, it typically generates immediate concern, with Staff and the applicant collaborating to make the request more palatable and ready for the Board's consideration. This case is different, however, due to the unusual shape of the property (Finding #1 - Special conditions of the property) and the fact the garage is largely in the same location, has the same style/height as the existing detached garage, and is bigger to accommodate two vehicles and storage (Finding #4 - Essential character of the neighborhood). While not always encouraged or recommended, the City Engineer is supportive of the easement encroachment (Finding #5 - Impacts on government facilities/services). Staff would note that this certainly is not precedent-setting due to the uniqueness of the situation. For these reasons, Staff recommends that this application be approved, subject to the City Engineer's approval of an Easement Application that includes a Hold Harmless Agreement and the detached garage not be used for sleeping quarters.

Attachments

1.	BZAP Staff Report Pics - 1851 Bedford Road
2.	Variance Application - 1851 Bedford Road
3.	Building Card - 1851 Bedford Road

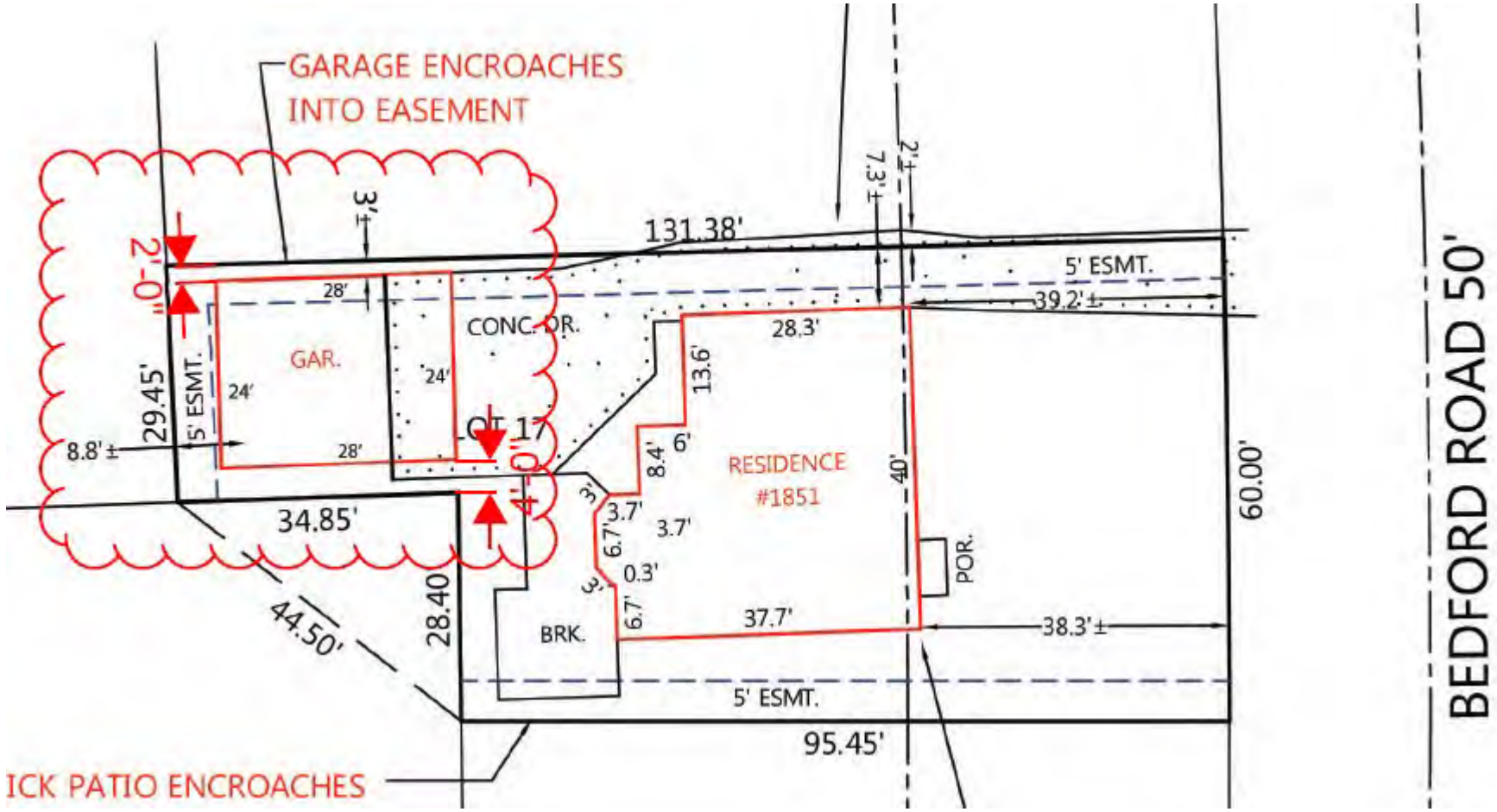
1851 Bedford Road

BZAP Staff Report Pictures | Variance Application

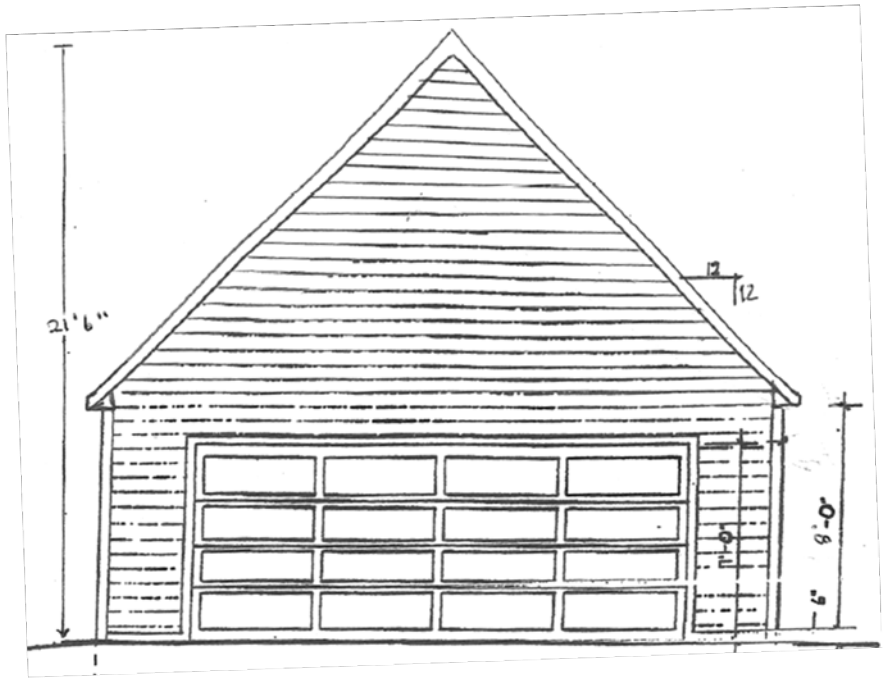
Google Maps ® Aerial – Looking North

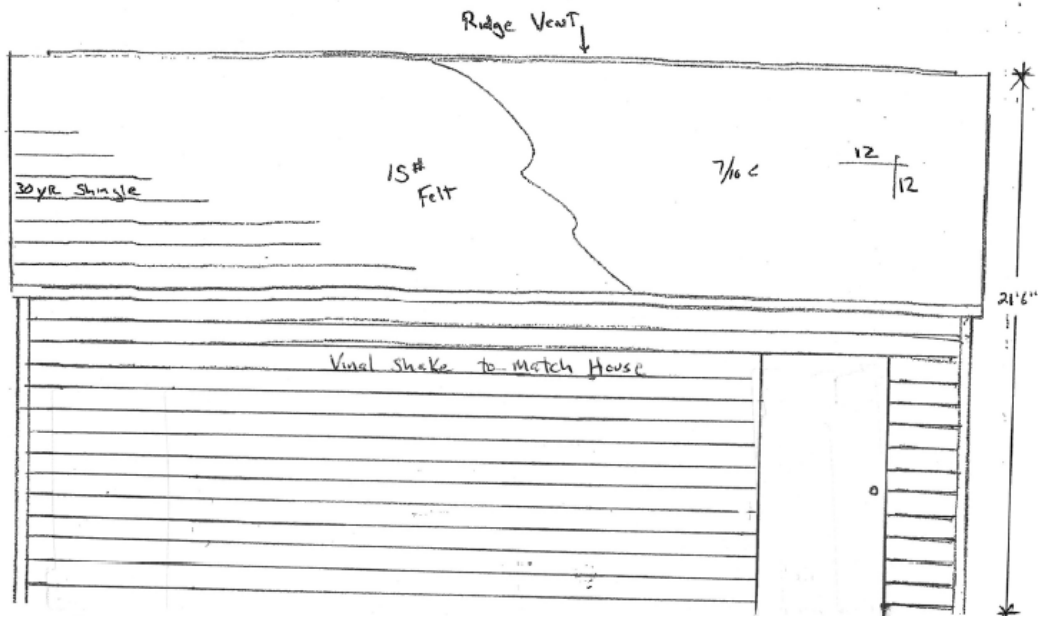
Existing Site Photos

Proposed Site Plan



Proposed Elevations





25-642

Variance Application

Status: Active

Submitted On: 2/16/2025

Primary Location

1851 BEDFORD RD
UPPER ARLINGTON, OH 43212

Owner

SMNJ 2014 REVOCABLE FAMILY TRUST
Bedford Rd 1851 UPPER ARLINGTON, OH 43212

Applicant

Heather Mills
614-949-8860
hmills68@gmail.com
1851 Bedford Rd
Columbus, OH 43212

Variance Information

Describe Variance Request

Rebuild existing two story detached garage, enlarging new garage above lot coverage ratio.

What practical difficulty, special conditions and/or circumstances exist that are peculiar to the land or structure involved and which are not generally applicable to other lands or structures in the same zoning districts?

At some point in time, part of our lot was sold to the neighbors. We already have a small lot and no longer having that portion of the backyard makes it challenging to stay within the lot coverage requirements. Based on the sale of the backyard, our parcel is now oddly shaped, where there is a small amount of unusable space around the existing garage. The lot would be more functional using that space to add additional garage storage.

Will granting the variance confer a special privilege that is denied by this regulation to other lands, structures, or buildings in the same district?

No, the new garage sizing is not outside other garages in the area. The second floor will be finished and climate controls to provide useable square footage for an office, workout room, game room, etc.

Will the essential character of the neighborhood area be substantially altered or will adjoining properties suffer substantial detriment as a result of the variance?

No. We will keep the 5' easement to the back of the garage, and ~3' from the fences on each side. The existing garage is already two stories so it will not change the current landscape. The garage will be finished in a composite cedar shake, matching the existing home. Other finishing details will match existing home. The new garage depth will primarly be built where there is existing concrete driveway. Approximately 200 square feet of existing concrete driveway will be removed (and not replaced) to construct the larger garage.

Have all reasonable alternatives been investigated or exhausted to find that this variance request is the minimum necessary to make reasonable use of land and structures?

Yes. As stated, our lot is an odd shape due to the sale of a large piece of our backyard to the neighbors. The current garage will barely fit two cars (the front and back of the vehicles are right at the garage walls). The existing space around the garage is unusable due to it being an odd lot and minimal space.

Can this property yield a reasonable return or can there be any beneficial use of the property without the variance?

No. Future buyers want a usable garage. The new garage will provide additional finished/climate controled square footage above the garage, with plenty of room for two cars, bikes, outdoor equipment in the garage. Enlarging the garage does not take away any other usable space and actually makes the odd backyard space more functional.

Acknowledgement: I or a representative will be present at the BZAP hearing.*

☑

City of Upper Arlington

COMMUNITY DEVELOPMENT DEPARTMENT

3600 Tremont Road | Upper Arlington, OH 43221
614-583-5070 | upperarlingtonoh.gov

Revised: May 2023

Certification of Notice

Applicant Name: Heather Mills

Location of property subject to BZAP request: 1851 Bedford Rd.

This application will be heard by the Board of Zoning and Planning on: March 26th, 2025

Describe activity which requires Board of Zoning and Planning review:

We are requesting a height and lot variance to rebuild existing original garage. Height variance is required to maintain current second story and lot coverage variance is requested as a past owner sold a significant parcel of our lot necessitating a variance to rebuild the garage.

Board of Zoning and Planning (BZAP) meetings begin at 6 PM on Wednesdays and are held at the Upper Arlington Municipal Services Center, 3600 Tremont Road, Upper Arlington, Ohio, 43221. Meeting location details and additional instructions will be provided on the Agenda, which is posted on the City's website at upperarlingtonoh.portal.civicclerk.com. For further information, please contact the Planning Division at planning@uaoh.net.

Your signature below DOES NOT constitute approval or disapproval of the request. Your signature only represents that you have been properly notified of the request. You are encouraged to attend any and all meetings regarding this matter.

Address of Property to be notified:	Property Owner Name:	Property Owner Signature or Certified Mail No.:	Date obtained or Mail sent:
1876 Coventry Rd.	Tommaso & Amy Mauro		2/15/25
1866 Coventry Rd.	Douglas & Kristin Lach		2/15/25
1860 Tremont Rd.	James & Lauren Colantoni		2/15/25
1852 Tremont Rd.	William & Susan Fitz		
1859 Bedford Rd.	Steve & Laura Reece		2/14/25
1867 Bedford Rd.	Julia Pinkham	Julia Pinkham	2/15/25
1868 Bedford Rd.	Renee & Chris Weaver		2/15/25
1858 Bedford Rd.	Todd & Jennifer Yaross		2/15/25
1852 Bedford Rd.	William & Margaret Braun	Margaret Braun	2/15/25
1824 Tremont Rd.	Erin Biehle		

Applicant Signature: Heather Mills **Date:** 2/15/25

City of Upper Arlington

COMMUNITY DEVELOPMENT DEPARTMENT

3600 Tremont Road | Upper Arlington, OH 43221
614-583-5070 | upperarlingtonoh.gov

Revised: May 2023

Certification of Notice

Applicant Name: Heather Mills

Location of property subject to BZAP request: 1851 Bedford Rd.

This application will be heard by the Board of Zoning and Planning on: March 26th, 2025

Describe activity which requires Board of Zoning and Planning review:

We are requesting a height and lot variance to rebuild existing original garage. Height variance is required to maintain current second story and lot coverage variance is requested as a past owner sold a significant parcel of our lot necessitating a variance to rebuild the

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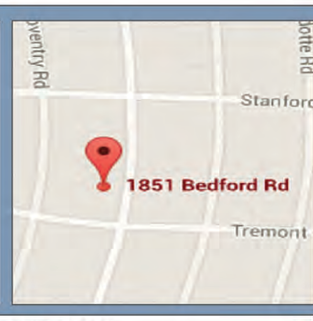
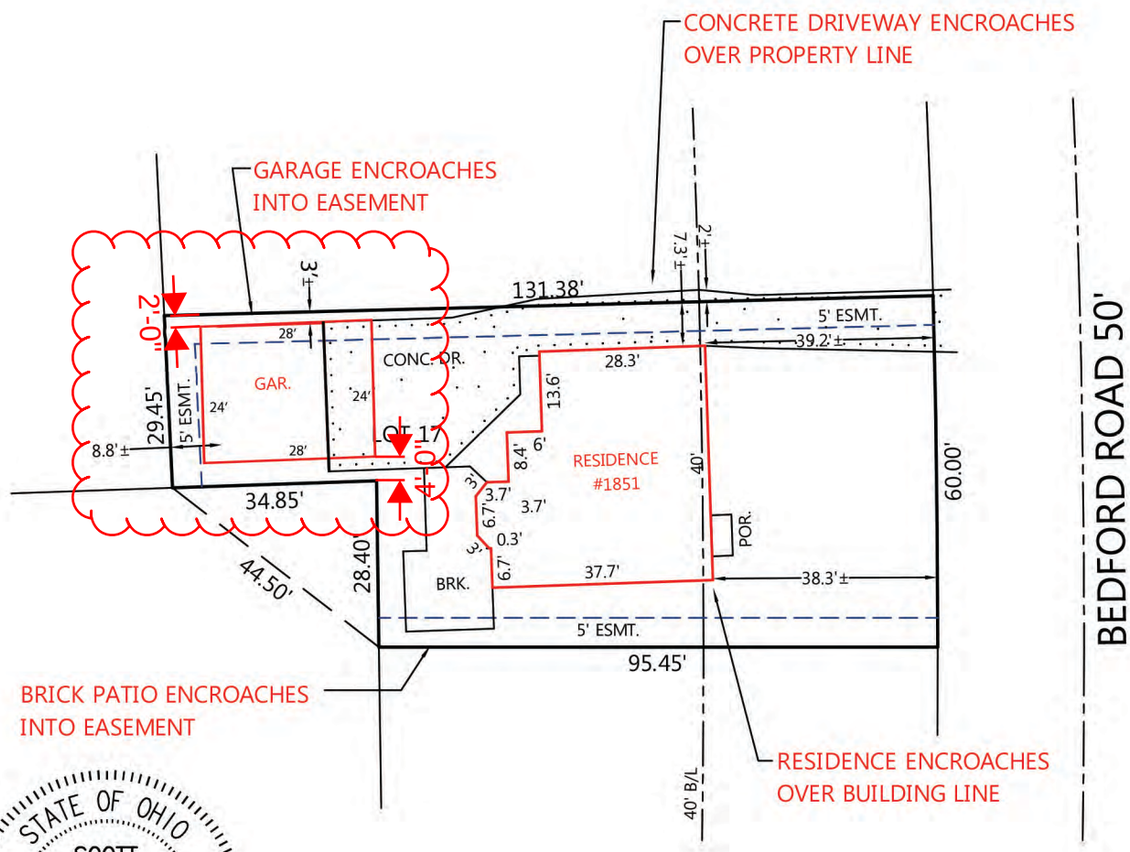
1852 Bedford Rd.	William & Margaret Braun		
1824 Tremont Rd.	Erin Biehle		2/15/25
Applicant Signature:			**Date:**

WCT
WORLD CLASS TITLE



PROPERTY ADDRESS: 1851 BEDFORD ROAD UPPER ARLINGTON, OHIO 43212

SURVEY NUMBER: 164357



STATE OF OHIO
SCOTT D. GRUNDEI
S-8047
REGISTERED
PROFESSIONAL SURVEYOR

Scott D. Grundei

THIS PLAT IS NOT TO BE USED TO ERECT FENCES OR OTHER STRUCTURES, AND MAY NOT SHOW ALL EASEMENTS AFFECTING THE SUBJECT TRACT

LSGI#: 164357

10 20 30 60

SCALE: 1" = 30'

POINTS OF INTEREST: GARAGE ENCROACHES 3.1'+/- INTO THE EASEMENT.RESIDENCE ENCROACHES 1.7'+/- OVER THE BUILDING LINE. BRICK PATIO ENCROACHES INTO THE EASEMENT. CONC DRIVEWAY ENCROACHES 2'+/- OVER THE PROPERTY LINE. SHED ENCROACHES OVER THE PROPERTY LINE.

CLIENT NUMBER: WC1410-025

DATE: 11/13/2014

BUYER: SHEA M. MILLS AND HEATHER M. MILLS

SELLER: KRISTA MARIE MCKELVEY

SUBLOT / ORIGINAL LOT: 17

SUBDIVISION: UPPER ARLINGTON

PLAT: 13 **PG:** 8 **COUNTY:** FRANKLIN

CERTIFIED TO: WORLD CLASS TITLE + FIFTH THIRD MORTGAGE COMPANY

THIS PLAT DEPICTS THE SUBJECT PROPERTY IN ACCORDANCE WITH THE OHIO ADMINISTRATIVE CODE, CHAPTER 4733-38, MINIMUM STANDANDS FOR MORTGAGE SURVEYS IN THE STATE OF OHIO, AND IS NOT A BOUNDARY SURVEY PURSUANT TO CHAPTER 4733-37, OHIO ADMINISTRATIVE CODE.

THIS MORTGAGE LOAN IDENTIFICATION SURVEY IS NOT TO BE USED FOR THE INSTALLATION OR BUILDING OF FENCES, SHEDS, GARAGES, ADDITIONS OR ANY OTHER STRUCTURE. TO DETERMINE EXACT BOUNDARY LINES , A BOUNDARY SURVEY IS REQUIRED.

Kelly Cantwell
kelly.cantwell@sothebysrealty.com
www.streetsothebysrealty.com
614.256.1670
Sotheby's INTERNATIONAL REALTY

LANDMARK Survey Group
Landmark Survey Group
2099 West Fifth Avenue
Columbus, Ohio 43212
Phone: 614.485.9000
Fax: 614.485-9003

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PROJECT:

Residential Garage

SCOPE OF WORK:

New 24X28 S.F. Garage 672

OWNER:

Heather Mills
1851 Bedford Rd.
Columbus 43212

P.I.D. 070-000238

INDEX TO DRAWINGS

1 PROJECT INFO, MAPS, SITE PLAN
2 PLANS
3 ELEVATION
4 ELEVATION
5 ELEVATION, SECTION
6 SECTIONS
7 NOT USED
8 NOT USED
9 NOT USED

DESIGN CRITERIA

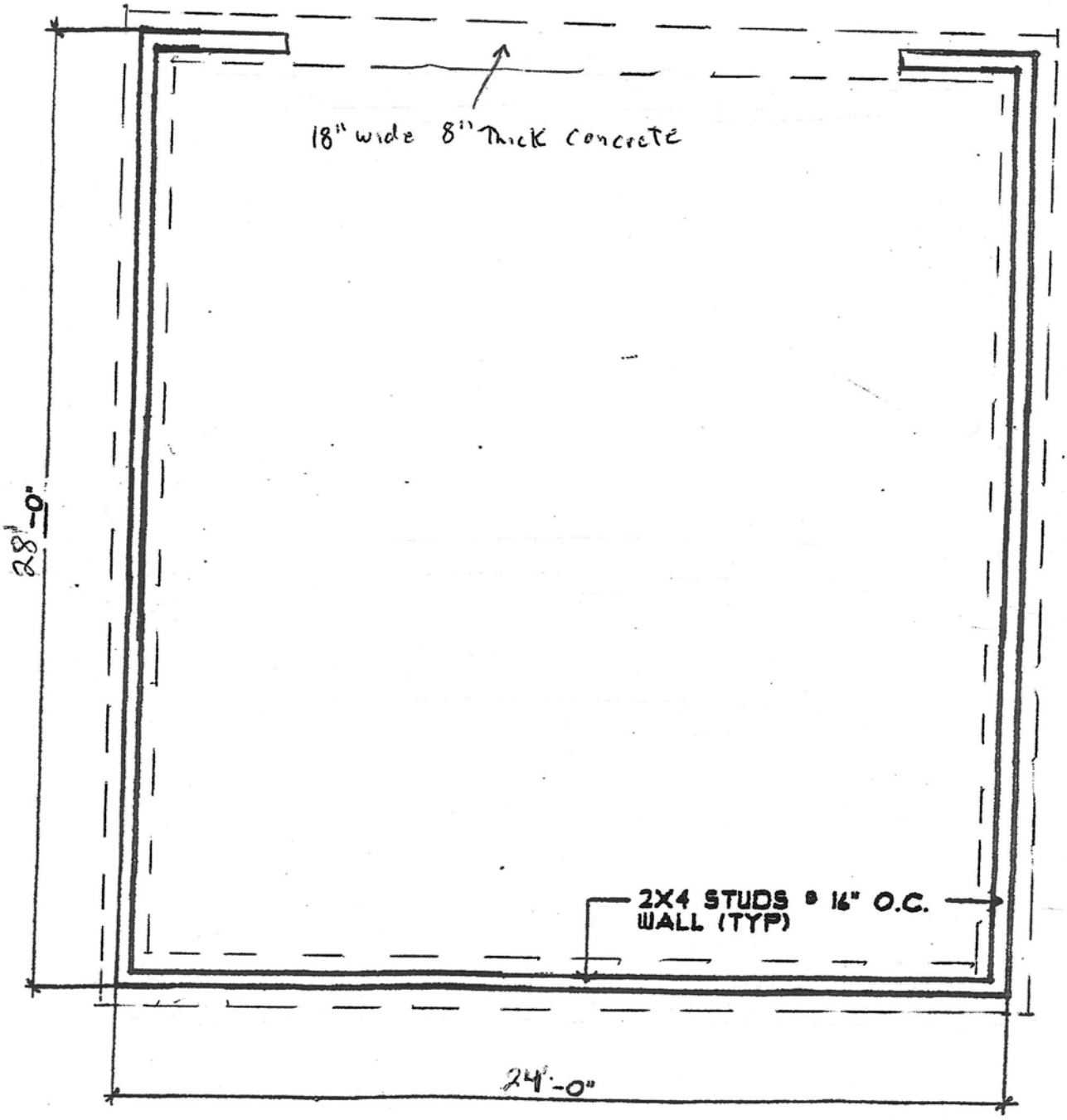
Exterior dimensions are from out to out of sheathing.
Interior dimensions are from face to face of framing
All interior partitions are 2X4 (31/2") unless otherwise noted.
Design loads
Footings 1,500 PSF soil bearing (assumed)
Garage floor 50 PSF, 2000/20 SQ IN
Second floor 40 PSF
Wind load 100MPH Exposure 8
Frost Depth 36"
Seismic Zone 1
Lumber grades
Unless otherwise specified all wood
Framing shall have the following
Minimum values.

SPF #2	E = 1.4	
Up to 2X4 Fb = 1500		(repetitive)
SPF #2	E=1.4	
2X6	Fb=1308	(repetitive)
2X8	Fb= 1208	(repetitive)
2X10	Fb = 1107	(repetitive)
2X12	Fb = 1008	(repetitive)

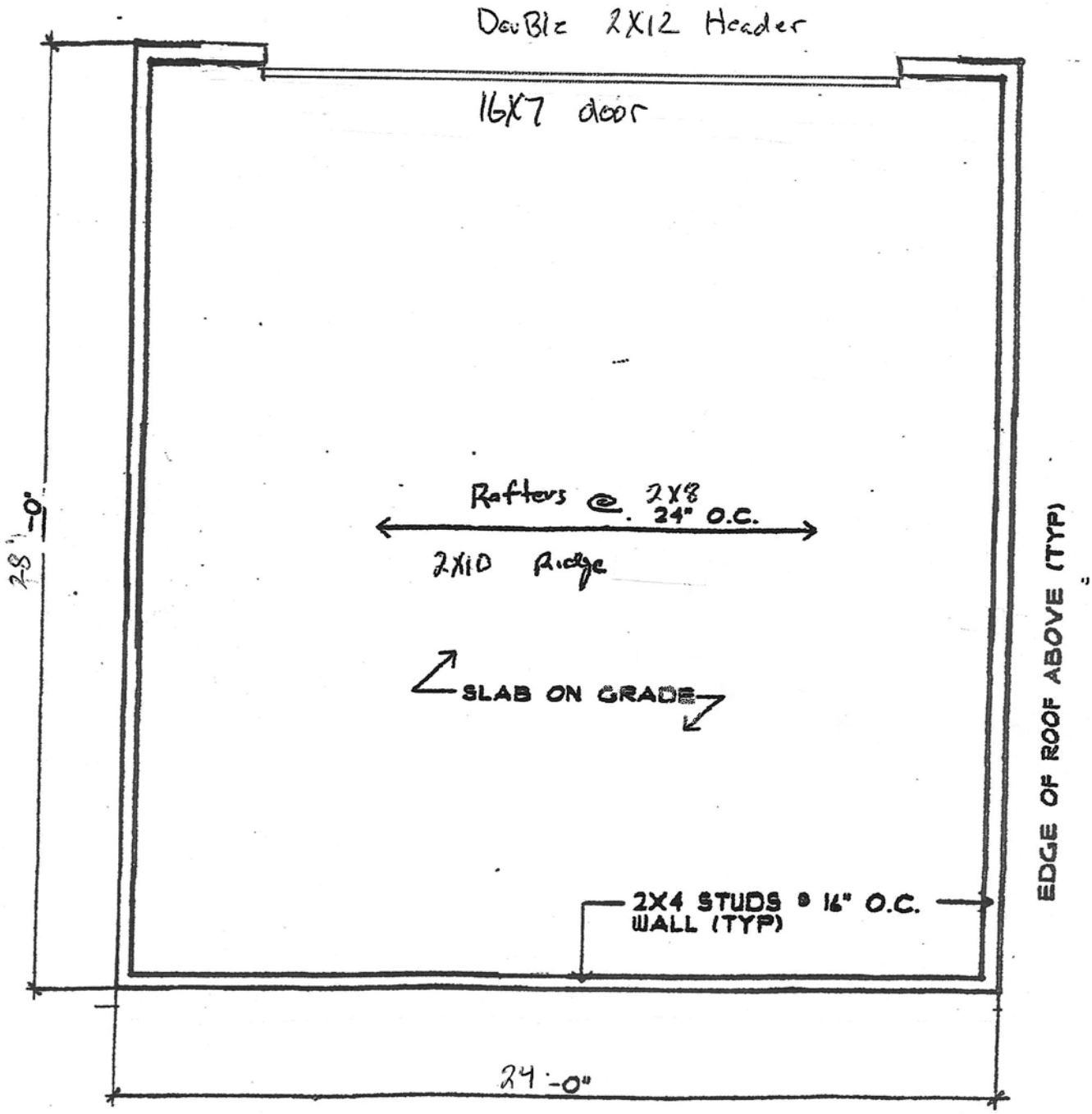
Microlam/Gluelam
Trus joist or equal

E	=	2.0
Fb	=	2800
Fc	=	500
Fv	=	285

Fastening to follow current ORC standards
Provide ½" plywood bracing full height
At inside and outside corners
4" – 0" min. first and second floor
All lumber shall be graded and marked
With the appropriate grade stamp
Roof sheathing shall be ½" s[am rated
APA with edge stiffeners (H Cups) shall
Be used on roofs framed @ 24 O.C.
Concrete slab shall be air entrained
With a vapor barrier and a min. strength
Of 2500 PSI for basement slabs and 3500 PSI
For garage slabs.



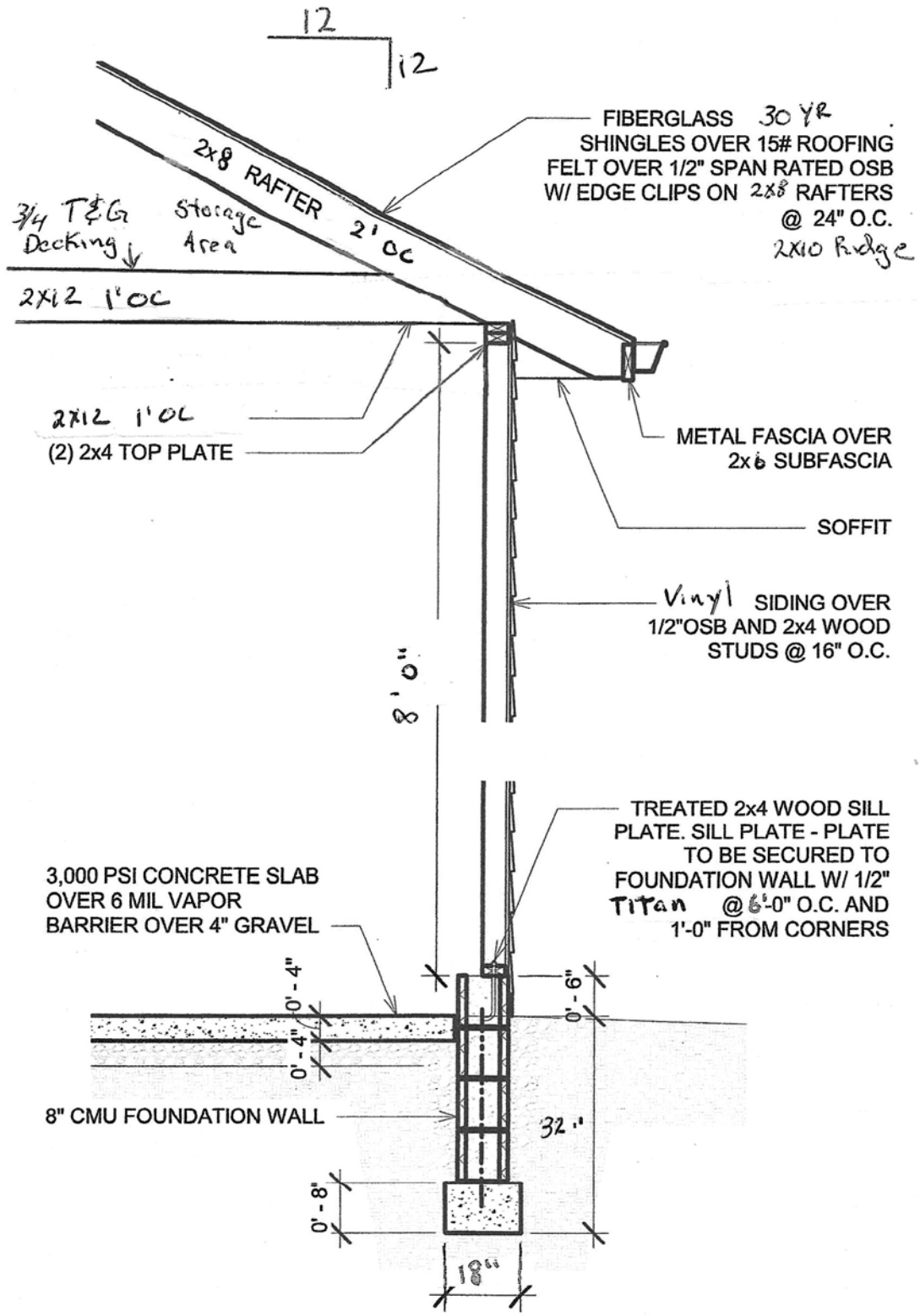
Foundation



FLOOR PLAN

SCALE: 1/4" = 1'-0"

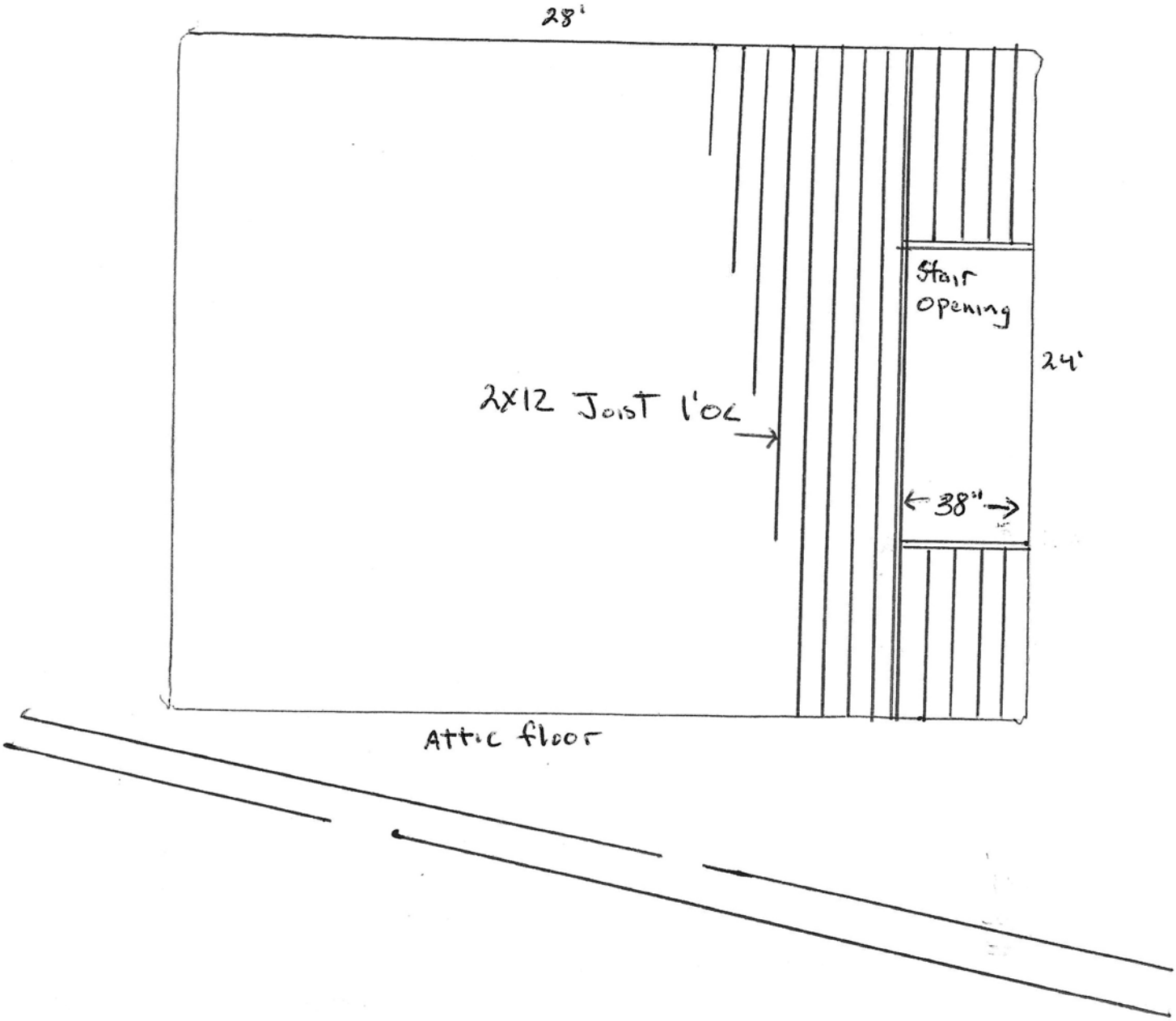
0 1' 2' 3' 4' 5' 6' 7' 8'



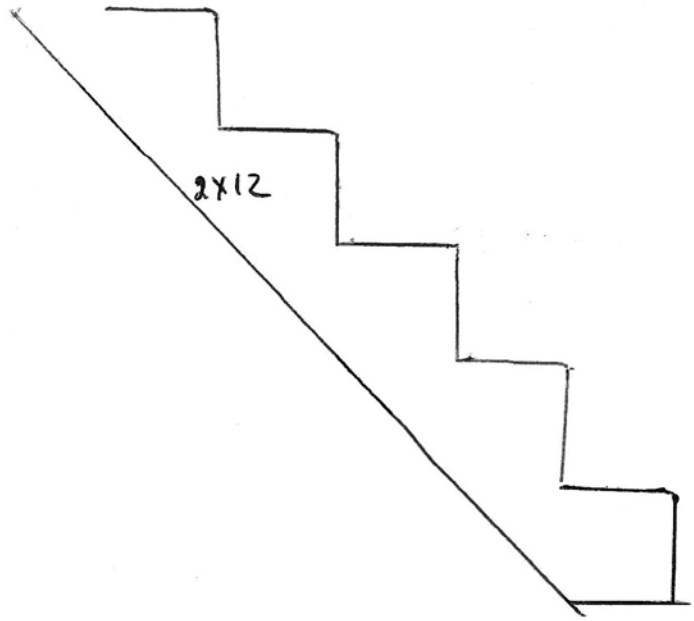
NOTE: FOOTING MUST BEAR ON UNDISTURBED SOIL

1 Section 1
1/2" = 1'-0"

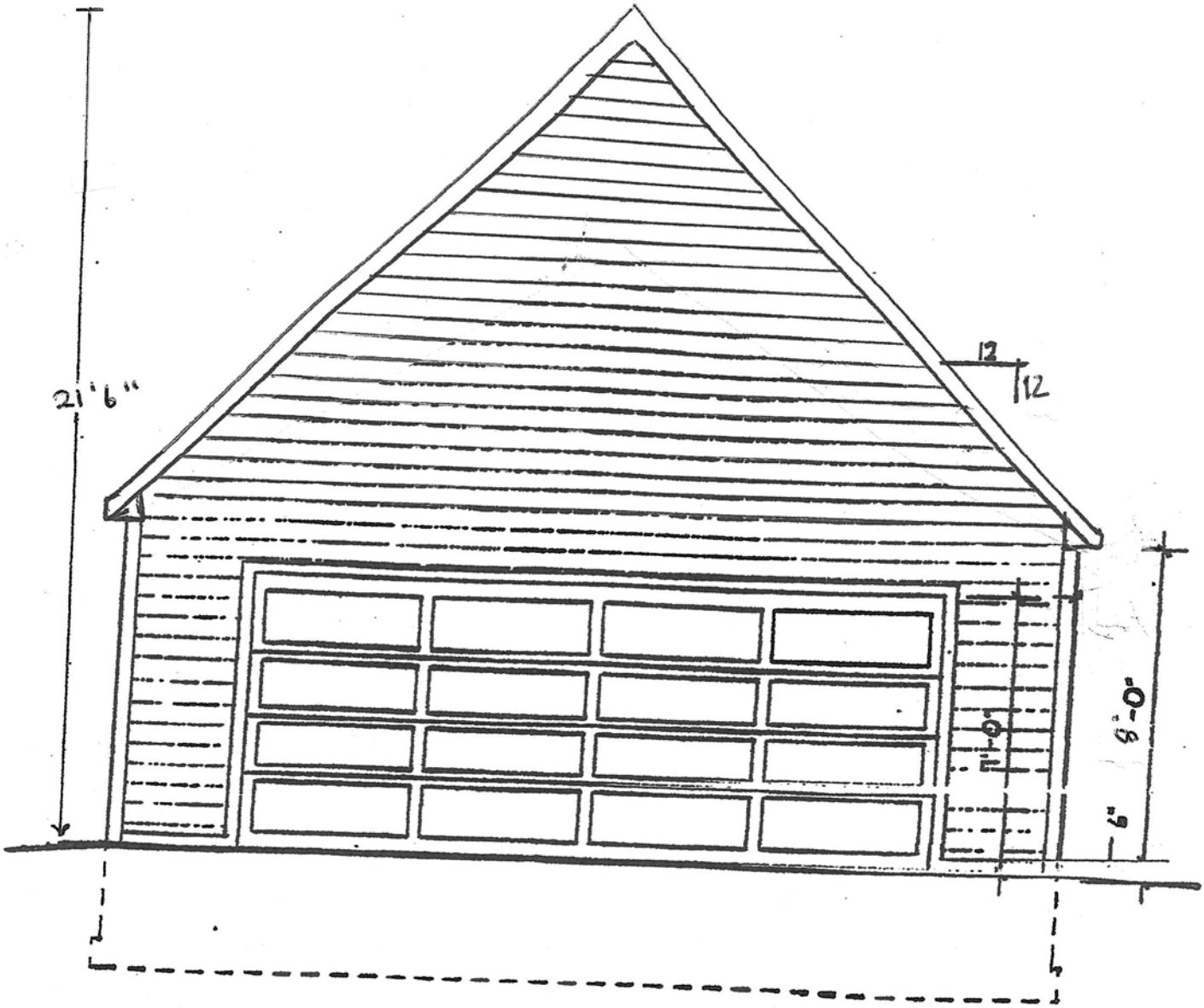
Franklin Garage Builders



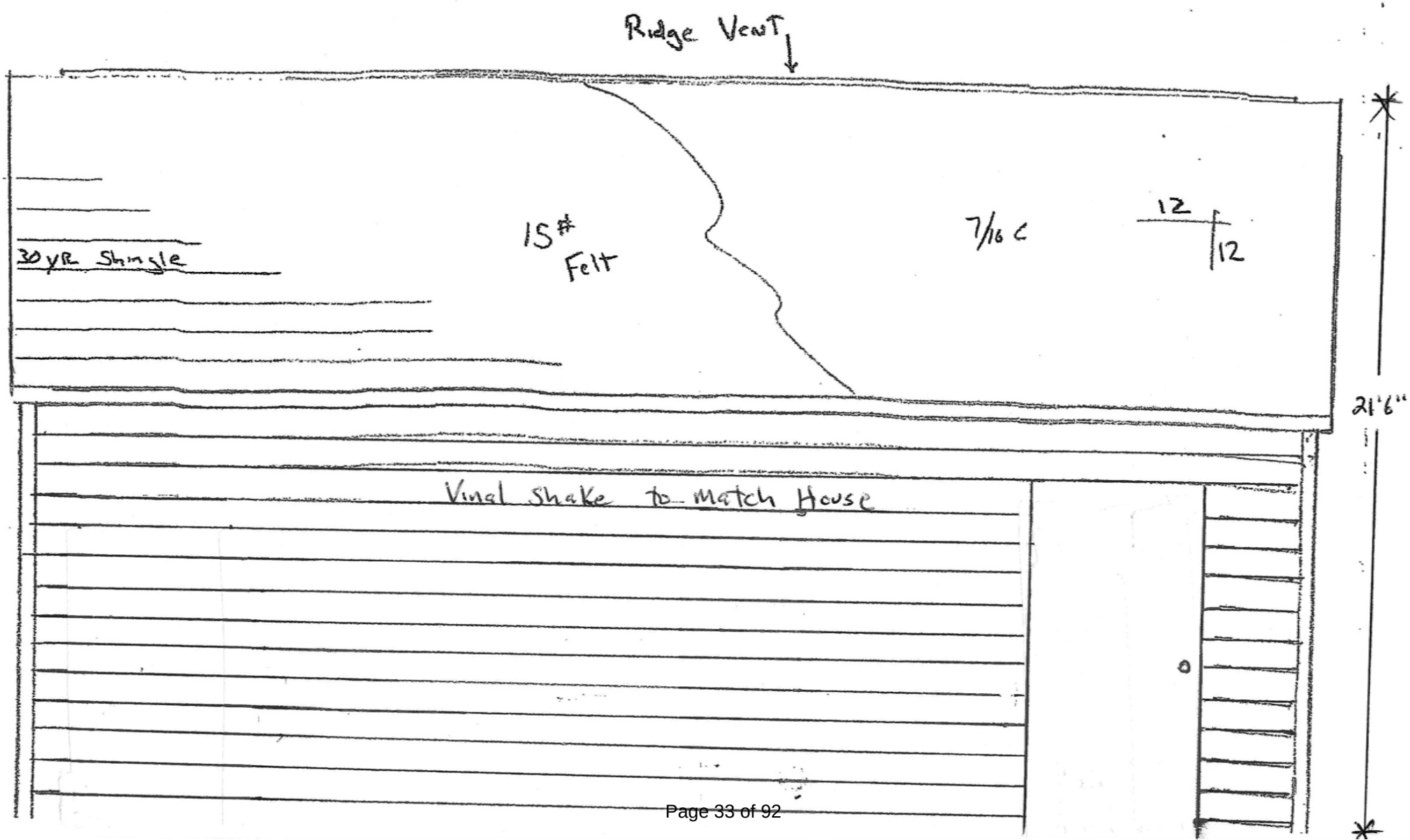
Rise & Run to code
field Verify



Stairs



SCALE: 1/4" = 1'-0"


Ridge Vent
30 yr Shingle
15#
Felt
7/16 C
12
12
21'6"
Vinal Shake to match House

ORIGINAL CONSTRUCTION

070-000238

1851 BEDFORD ROAD	17	25	U.A. Blocks
Street Address	Lot Number	Bl. No.	Subdivision Name

R-1c		40'	Plat Bk. 6
Zoning Category	Lot Size	Building Setback	Parcel No.

SSAF Permit & Date Issued

BUILDING PERMIT NO._____ Issued:_____ Fee:_____ Valuation:_____

Owner/Address/Phone:_____

Contractor/Address/Phone:_____

Description of Work:_____

Building Square Footage:_____ OBBC Use Grp:_____ OBBC Type Const:_____

BUILDING PERMIT INSPECTIONS:		REJECTED	APPROVED
Level I	Sewer Tap: Permit No._____ Issued:_____ Contractor:		
Level II	Footer:		
Level III	Grade & Damproof:		
Level IV	Foundation Tile:		
Level V	Temporary Electrical Service: Permit No._____ Issued:_____ Contractor:		
Level VI	Framing:		

		ROUGH	FINAL
	Heating: Permit No._____ Issued:_____ Contractor:		
	Electric: Permit No._____ Issued:_____ Contractor:		

		UNDERGRD.	ROUGH	FINAL
	Plumbing: Permit No._____ Issued:_____ Contractor:			

Level VII		REJECTED	APPROVED
	Insulation:		
Level VIII	Driveway: Permit No._____ Issued:_____ Contractor:		
Level IX	FINAL FOR OCCUPANCY		

● ADDITIONAL CONSTRUCTION ●

BUILDING PERMIT NO.: _____ ISSUED: _____ FEE: _____ VALUATION: _____

Owner/Address/Phone: _____

Contractor/Address/Phone: _____

Description of Work: _____ Square Ftg. _____

BUILDING PERMIT INSPECTIONS: (Levels I & V Note in Misc. if Needed)	REJECTED	APPROVED
Level II Footer:		
Level III Grade & Damproof:		
Level IV Foundation Tile:		
Level VI Framing:		

	ROUGH	FINAL
Electric: Permit No.: _____ Issued: _____ Contractor:		
Electric: Permit No.: _____ Issued: _____ Contractor:		
HVAC: Permit No.: _____ Issued: _____ Contractor:		
HVAC: Permit No.: _____ Issued: _____ Contractor:		

	UNDERGRD	ROUGH	FINAL
Plumbing: Permit No.: _____ Issued: _____ Contractor:			
Plumbing: Permit No.: _____ Issued: _____ Contractor:			

	REJECTED	APPROVED
Level VII Insulation:		
Level VIII Driveway: Permit No.: 0947-85 Issued: 7-1-85 Contractor: Boreau Cement Contr.; replacement	7-9-85 mj.	
Level IX FINAL FOR OCCUPANCY		

MISC. PERMITS AND NOTES: ~~Fence Permit #~~ 3165-87, 7-24-87

BZAP approved Var. 40-88 on 6-20-88 to permit const. of screened porch to encroach 10.86' into 23.86 rear yd.

SUPPLEMENTARY PAGE

Address of Work: 1851 BEDFORD ROAD

BUILDING PERMIT NO.: 7227-88 ISSUED: 7-8-88 FEE: $48.00 VALUATION: $15,969.00

Owner/Address/Phone: Mr. & Mrs. Steve Kochensparger, 1851 Bedford Rd.

Contractor/Address/Phone: Suncraft Corp., Inc., 3435 E. Livingston Ave., Cols., Oh. 43227 231-6622

Description of Work: Construct Porch Square Ftg.

BUILDING PERMIT INSPECTIONS: (Levels I & V Note in Misc. if Needed)	REJECTED	APPROVED
Level II Footer:		7-21-88
Level III Grade & Damproof:		
Level IV Foundation Tile:		
Level VI Framing:	8-3-88	8-8-88
Electric: Permit No.: 6271-88 Issued: 7-22-88 Contractor: Kollix Elec., Inc. : outlet, lights, light fixtures & 1 motor	ROUGH 8.5.88	FINAL 8-11-88
Electric: Permit No.: Issued: Contractor:		
HVAC: Permit No.: Issued: Contractor:		
HVAC: Permit No.: Issued: Contractor:		
Plumbing: Permit No.: Issued: Contractor:	UNDERGRD / ROUGH / FINAL	
Plumbing: Permit No.: Issued: Contractor:		
Level VII Insulation:	REJECTED	APPROVED
Level VIII Driveway: Permit No.: Issued: Contractor:		
Level IX FINAL FOR OCCUPANCY	8-17-88	

MISC. PERMITS AND NOTES:

BUILDING PERMIT NO.: _____ ISSUED: _____ FEE: _____ VALUATION: _____

Owner/Address/Phone: _____

Contractor/Address/Phone: _____

Description of Work: _____ Square Ftg. _____

BUILDING PERMIT INSPECTIONS: (Levels I & V Note in Misc. if Needed)	REJECTED	APPROVED
Level II Footer:		
Level III Grade & Damproof:		
Level IV Foundation Tile:		
Level VI Framing:		

	ROUGH	FINAL
Electric: Permit No.: _____ Issued: _____ Contractor:		
Electric: Permit No.: _____ Issued: _____ Contractor:		
HVAC: Permit No.: 4110-94 Issued: 4-4-94 Contractor: Aimes Htg & Clg / conversion		1-3-95
HVAC: Permit No.: _____ Issued: _____ Contractor:		

	UNDERGRD	ROUGH	FINAL
Plumbing: Permit No.: 5074-94 Issued: 4-4-94 Contractor: Truxall Plmbg / hot water heater			4-12-94
Plumbing: Permit No.: _____ Issued: _____ Contractor:			

	REJECTED	APPROVED
Level VII Insulation:		
Level VIII Driveway: Permit No.: _____ Issued: _____ Contractor:		
Level IX FINAL FOR OCCUPANCY		

MISC. PERMITS AND NOTES:

3-17-03 BZAP approved building cover, development cover, rear yard & rear profile requests. BZ-12-03

3600 Tremont Road | Upper Arlington, OH 43221
614-583-5070 | upperarlingtonoh.gov | planning@uaoh.net

Authors: Justin Milam, AICP, Senior Planner

BZAP Meeting Date: March 26, 2025

Subject: 2633 River Park Drive (VAR-14-25) - To allow a one-story addition to encroach up to 2'-4" into the side yard longwall setback.

Site Description/History

The subject property, 2633 River Park Drive, is located on the south side of the street, one lot west of Kioka Avenue. It is zoned R-1b, One-Family Residence District and platted as Lot #10 of the River Park Addition from 1956. The property has 108 feet of frontage with a 40-foot building setback line and 210 feet of depth, similar to other lots on the block, but much bigger than most lots in the subdivision. A ranch home with siding sits 20 feet behind the setback line, like others on the block, and includes a driveway and two-car attached garage on the east side of the property. The rear yard is mostly enclosed with chain-link fencing and landscaping, some of which is fairly mature. The applicant purchased the property in December 2016; the home was built in 1955.

Building Permit #25-311 was submitted by the applicant on January 23, 2025 and denied on February 12, 2025. [Building Code review had already occurred prior to zoning review, thus the delay.]

Proposal

This application proposes a one-story master bedroom and bathroom addition on the southwest side of the home. The addition is 19' x 17'-6" (332.5 square feet), is 15'-1" tall and includes siding to match the house. It continues the existing plane of the home, nearly 11 feet from the side property line, and with a side yard elevation of more than 59 feet, would project up to 2'-4" (or 22 square feet) into the side yard longwall, which applies when a side yard elevation exceeds 40 feet in length. The design continues to the same roof design for the length of the addition; new windows are shown on all three elevations. The proposal complies with all other coverage and setback standards.

Zoning Code Requirements

- To allow a one-story addition to encroach up to 2'-4" into the side yard longwall setback (Article 5.02).

Alternatives

The applicant has looked at stepping-in the addition so that a variance would not be needed, but would block other windows on the home and result in a smaller patio. The applicant also believes that the addition would stand-out more if it were stepped in as opposed to just continuing the existing elevation.

Requested Action and Findings

Staff has reviewed the application and plans, visited the site, and discussed it with the applicant. The proposed variance is one of the lesser side yard longwall variance requests recently reviewed by the Board, primarily due to the home already being set in from the side property line. The proposed addition blends well with the home, will not be visible from the street, and will be mostly screened from neighboring vistas with existing mature landscaping. There are some spots, mainly to the west of the proposed addition, that could and should be supplemented with one or two evergreen trees to further mitigate views. For this reason, Staff is supportive of this application, subject to additional evergreen plantings along the west property line, and would recommend that Findings #4 and #8 be considered.

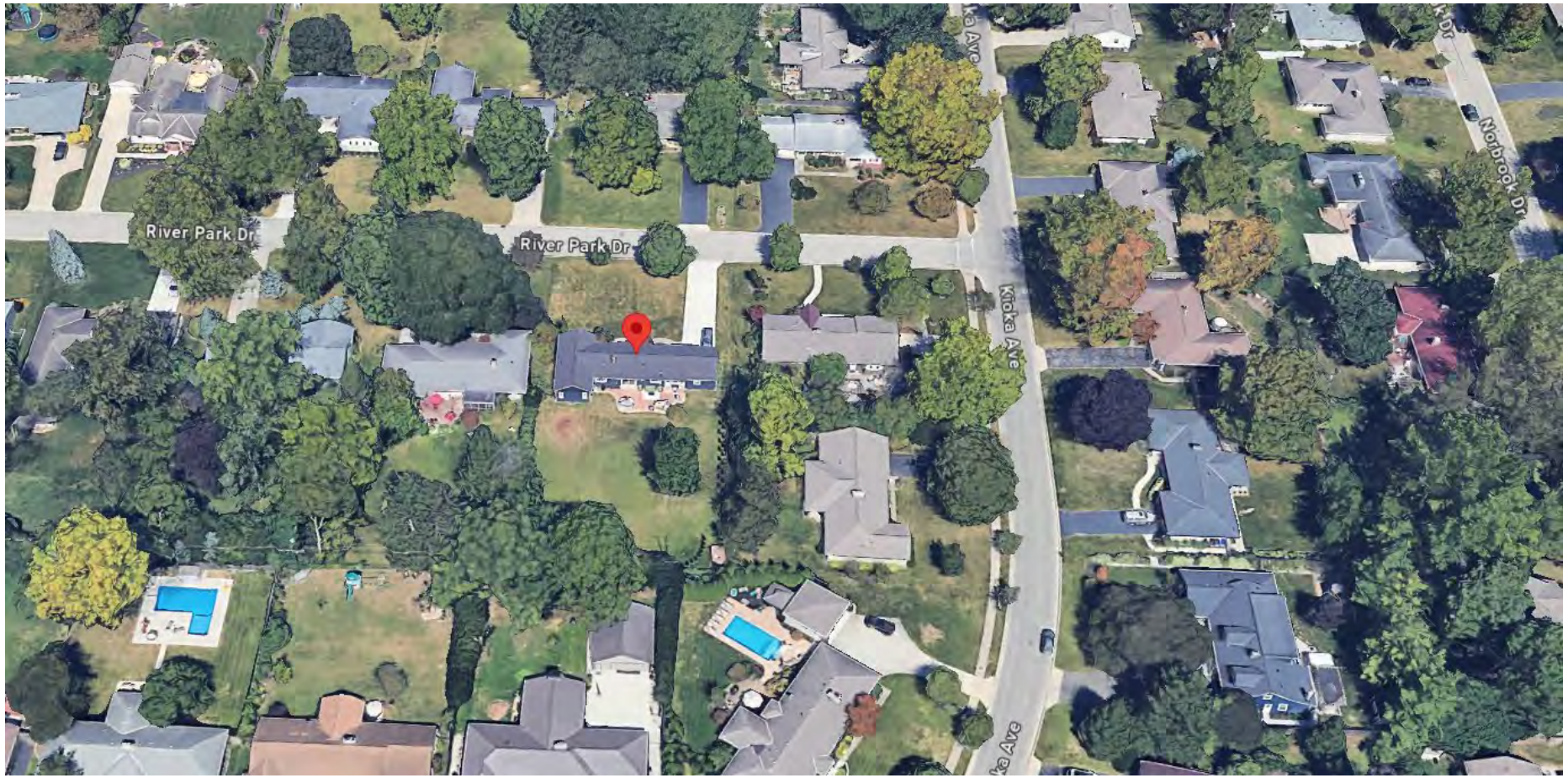
Attachments

1.	BZAP Staff Report Pics - 2633 River Park Drive
2.	Variance Application - 2633 River Park Drive

2633 River Park Drive

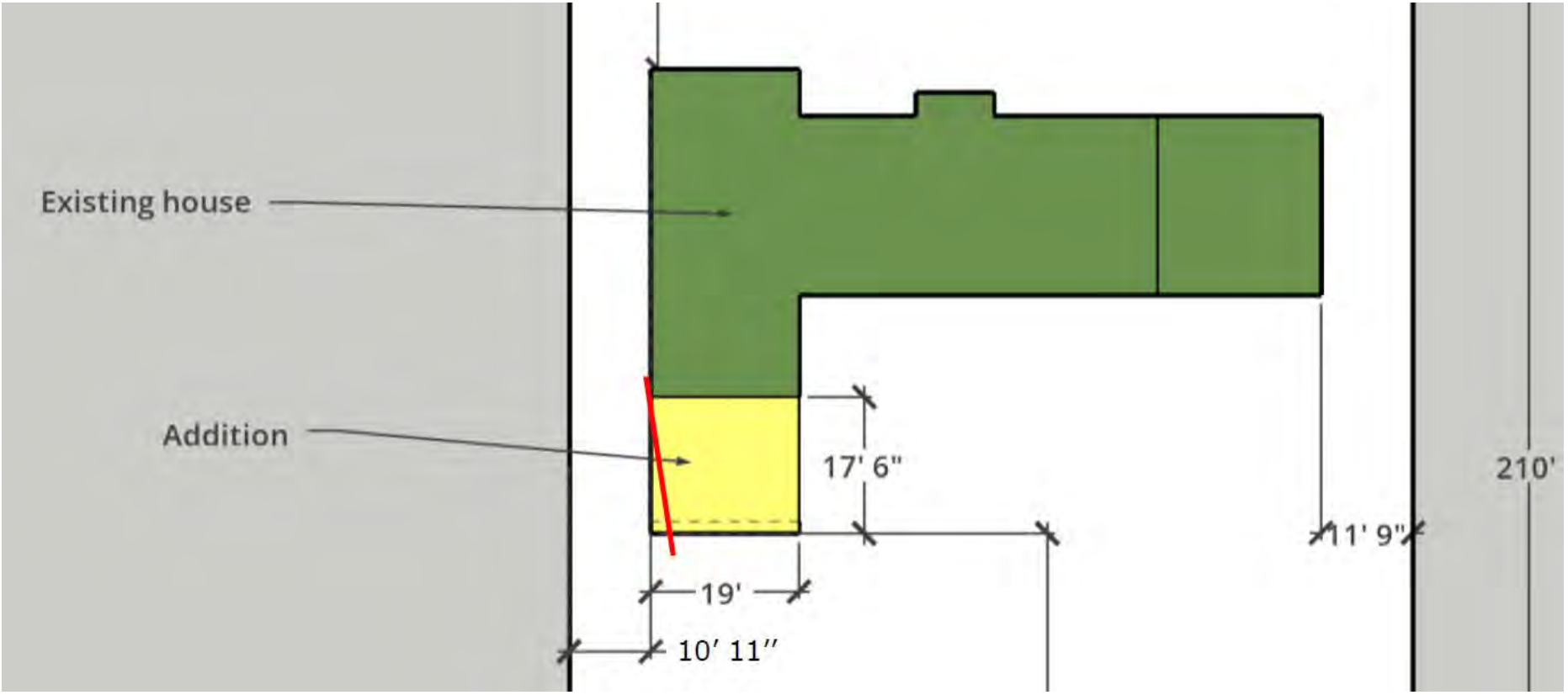
BZAP Staff Report Pictures | Variance Application

Google Maps ® Aerial – Looking North

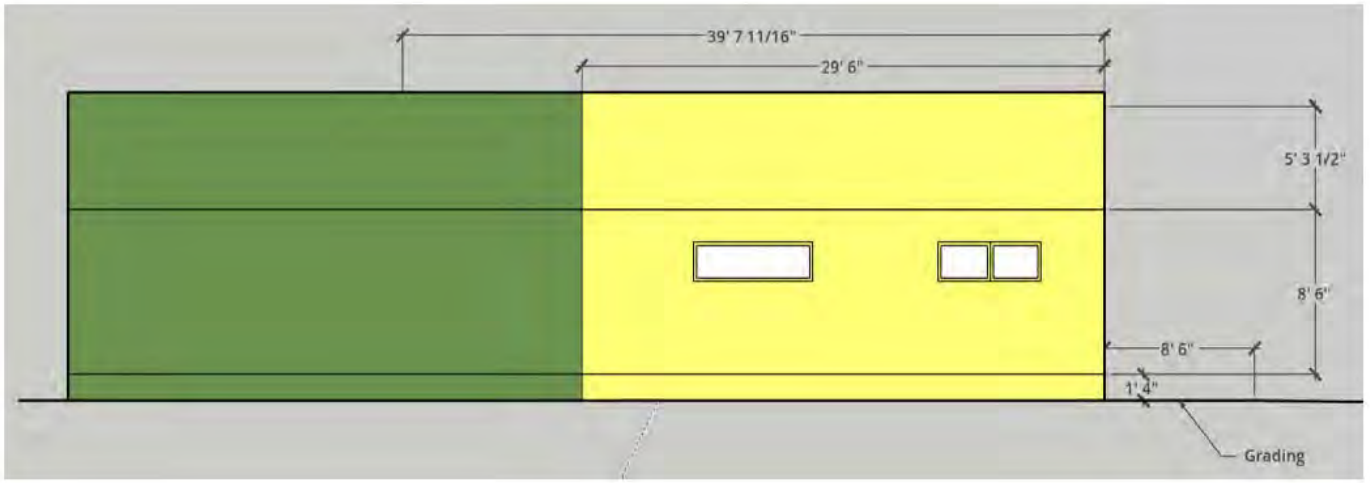


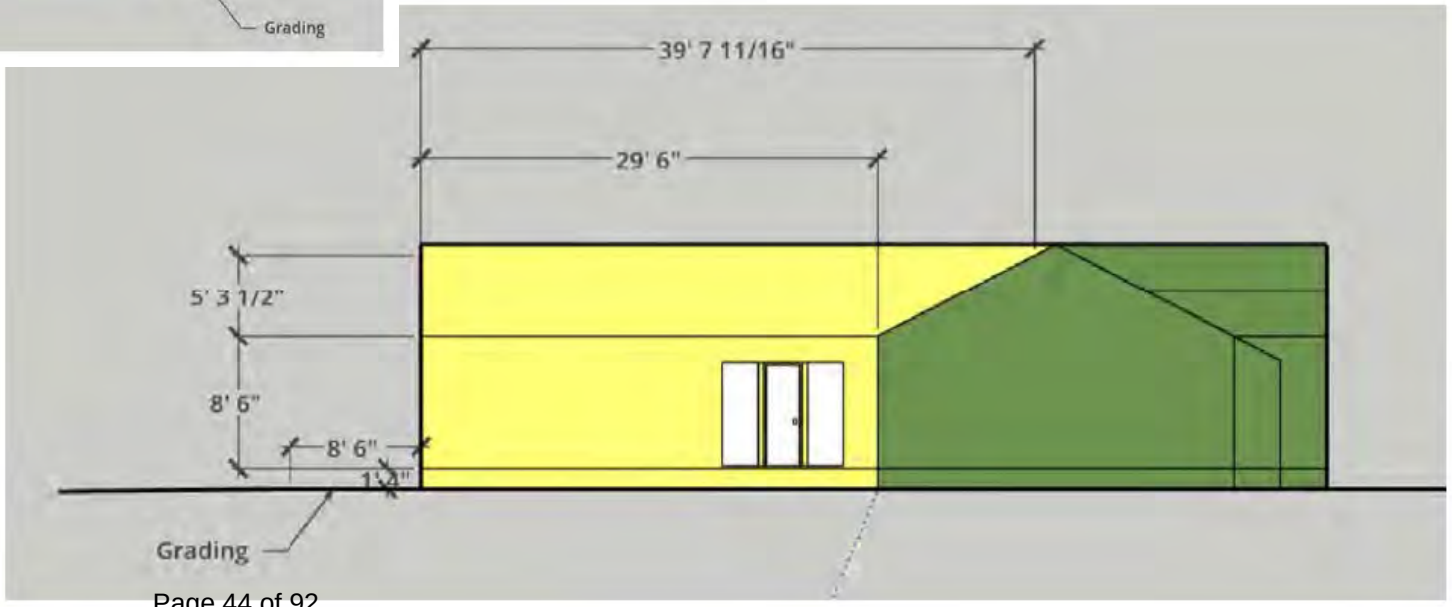
Existing Site Photos

Proposed Site Plan



Proposed West and East Elevations





25-898

Variance Application

Status: Active

Submitted On: 3/5/2025

Primary Location

2633 RIVER PARK DR
UPPER ARLINGTON, OH 43220

Owner

AGUIRRE CHARLOTTE
RIVER PARK 2633 COLUMBUS, OH 43220

Applicant

Charlotte Aguirre
614-551-9701
charlotte@loismillergroup.com
2633 River Park Dr
Columbus, OH 43220

BZAP Information

BZAP Case #

VAR-14-25

Status

Pending

BZAP Determination Date

03/26/2025

Vote Tally

Primary Variance

Side Yard Longwall

Findings of Fact for Approval/Denial

Variance Request

To allow a one-story addition to encroach up to 2'-4" into the side yard longwall setback.

BZAP conditions

Variance Information

Describe Variance Request

Construct a single story addition that encroaches 2' 5'' into the side yard setback line.

What practical difficulty, special conditions and/or circumstances exist that are peculiar to the land or structure involved and which are not generally applicable to other lands or structures in the same zoning districts?

The house wall is currently 10'-11" away from the property line. We are seeking to add an addition to the back of the house which would extend this wall to 60' in length. This added length would require a setback line of 13'-4", which would require the addition to be "stepped-in" from the existing wall. This would create an unusual and unattractive break in the exterior wall line, causing the addition and the roof line to clearly stand out as an addition instead of seamlessly extending the length of the house.

Will granting the variance confer a special privilege that is denied by this regulation to other lands, structures, or buildings in the same district?

No, this is a common request that has seen a recent number of approvals. This past February, three homes received approvals for similar setback line encroachments: 2510 Abington Rd (2'-8" encroachment"), 2259 Canterbury Rd (3'-8" encroachment), and 2201 Glenmere Rd (3'-2" encroachment).

Will the essential character of the neighborhood area be substantially altered or will adjoining properties suffer substantial detriment as a result of the variance?

No. The essential character of the neighborhood will not be substantially altered nor will the adjoining properties suffer. In fact, obtaining the variance will create a more attractive visual aesthetic and will cause the home to fit in more seamlessly with the neighborhood.

Have all reasonable alternatives been investigated or exhausted to find that this variance request is the minimum necessary to make reasonable use of land and structures?

Yes – there is no other way to feasibly create a bedroom addition. Our only other option is to build east into the yard, taking space away from the patio and removing a window from an existing bedroom, which would disallow that room from being considered a bedroom.

Can this property yield a reasonable return or can there be any beneficial use of the property without the variance?

I am a 11-year licensed Upper Arlington realtor at Remax Premier Choice on Fishinger Rd. I believe this addition with the variance would allow for the home to sell at a significantly higher price point because it would have a true and spacious owner's suite befitting the half-acre-plus lot. The additional bathroom and first floor laundry would also be desirable and bring in a higher price point.

If we are not granted the variance, we cannot feasibly build the addition and will be prevented from creating a true owner suite with bathroom, walk-in closets and first floor laundry. We would like to create this addition in a sensical, aesthetically pleasing way that will not just raise the value of our house but mostly just allow our family to have a more comfortable and enjoyable living environment.

Acknowledgement: I or a representative will be present at the BZAP hearing.*

☑

Dear Neighbor,

My name is Charlotte Aguirre, and my husband Brian and I are your neighbors located at 2633 River Park Drive. We are enlarging our master bedroom on the back of our house. After applying for the permit, we found out that we need to apply for a variance from the Board of Planning and Zoning. Part of that process is notifying all neighbors within 100 feet of our property.

Here are the details of the proposed addition:

We would like to enlarge the master bedroom to the south side of our house, which will extend 17 ½ feet into the backyard. It will be a straight continuation of our current house and match the roofline (single story addition). Our current house is 11 feet from our property line on the West side but according to current building code, if we add 17 ½ feet to the south side, our addition would need to be 13 ½ feet from the property line. If we built this addition according to current code, it would make the exterior of the house look asymmetrical and our roof line would be mismatched because we would have a 2 ½ foot zig- zag between our existing house and the addition So to make this look more aesthetically pleasing from the street view, we'd like to have a straight roof line, which necessitates our petition for a variance. We feel that this would be much more in keeping with the neighborhood and not look like an addition, but rather like it was always a part of the original home plan.

We will be discussing this issue at the next formal BZAP meeting on March 26th, 2025, which starts at 6pm and is located in the Council Chamber of the Municipal Service Center located at 3600 Tremont Road.

Sincerely,

Brian and Charlotte Aguirre

City of Upper Arlington

COMMUNITY DEVELOPMENT DEPARTMENT

3600 Tremont Road | Upper Arlington, OH 43221
614-583-5070 | upperarlingtonoh.gov

Revised: May 2023

Certification of Notice

Applicant Name: Charlotte Aguirre

Location of property subject to BZAP request: 2633 River Park Drive

This application will be heard by the Board of Zoning and Planning on: 3/26/25

Describe activity which requires Board of Zoning and Planning review:

rezoning the building set backline for a proposed residential building additon.

Board of Zoning and Planning (BZAP) meetings begin at 6 PM on Wednesdays and are held at the Upper Arlington Municipal Services Center, 3600 Tremont Road, Upper Arlington, Ohio, 43221. Meeting location details and additional instructions will be provided on the Agenda, which is posted on the City's website at upperarlingtonoh.portal.civicclerk.com. For further information, please contact the Planning Division at planning@uaoh.net.

Your signature below DOES NOT constitute approval or disapproval of the request. Your signature only represents that you have been properly notified of the request. You are encouraged to attend any and all meetings regarding this matter.

Address of Property to be notified:	Property Owner Name:	Property Owner Signature or Certified Mail No.:	Date obtained or Mail sent:
2651 River Park Dr	Keith and Brenda Knore	9589 0710 5270 1809 9879 02	2/28/25
2650 River Park Dr.	James and Nancy Kimnach	9589 0710 5270 1809 9878 58	2/28/25
2661 River Park Dr	Dorothy Konrad	9589 0710 5270 1809 9878 41	2/28/25
2630 River Park Dr.	Justin and Crina Molenda	9589 0710 5270 1809 9878 72	2/28/25
2610 River Park Dr.	Paul Kunzen Jr.	9589 0710 5270 1809 9878 89	2/28/25
2611 River Park Dr.	Ed and Karen Waldrop	9589 0710 5270 1809 9879 64	2/28/25
3821 Kioka Ave	Jason and Colleen McKibben	9589 0710 5270 1809 9879 57	2/28/25
3809 Kioka Ave	Kevin and Samantha Mooney	9589 0710 5270 1809 9879 26	2/28/25
2650 Donna Dr	Tracy and Dawn Shrimpton	9589 0710 5270 1809 9879 19	2/28/25
2666 Donna Dr	Robert Murgas and Lisa Verdon	9589 0710 5270 1809 9878 96	2/28/25

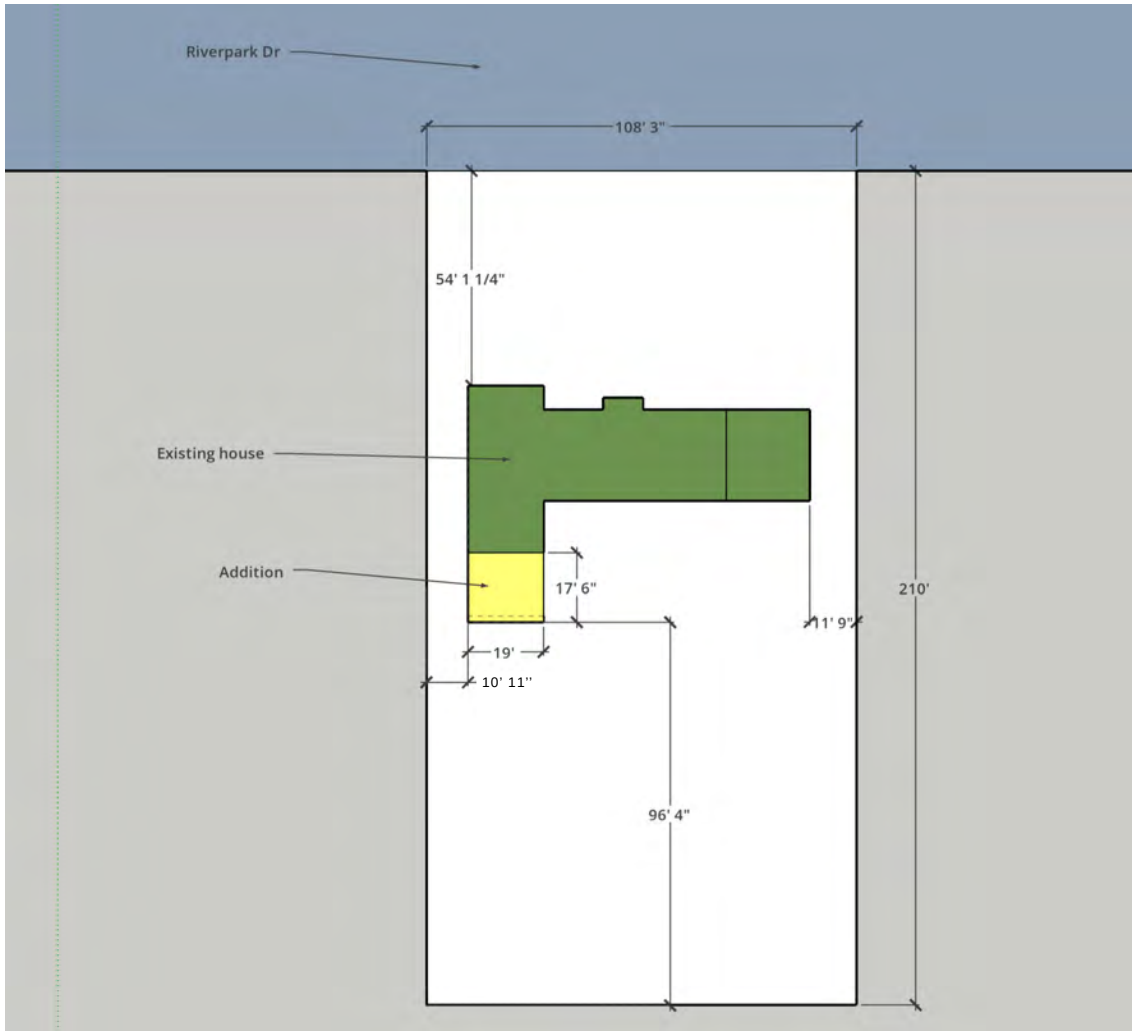
Applicant Signature: [signature] **Date:** 3/3/25

Site Plan

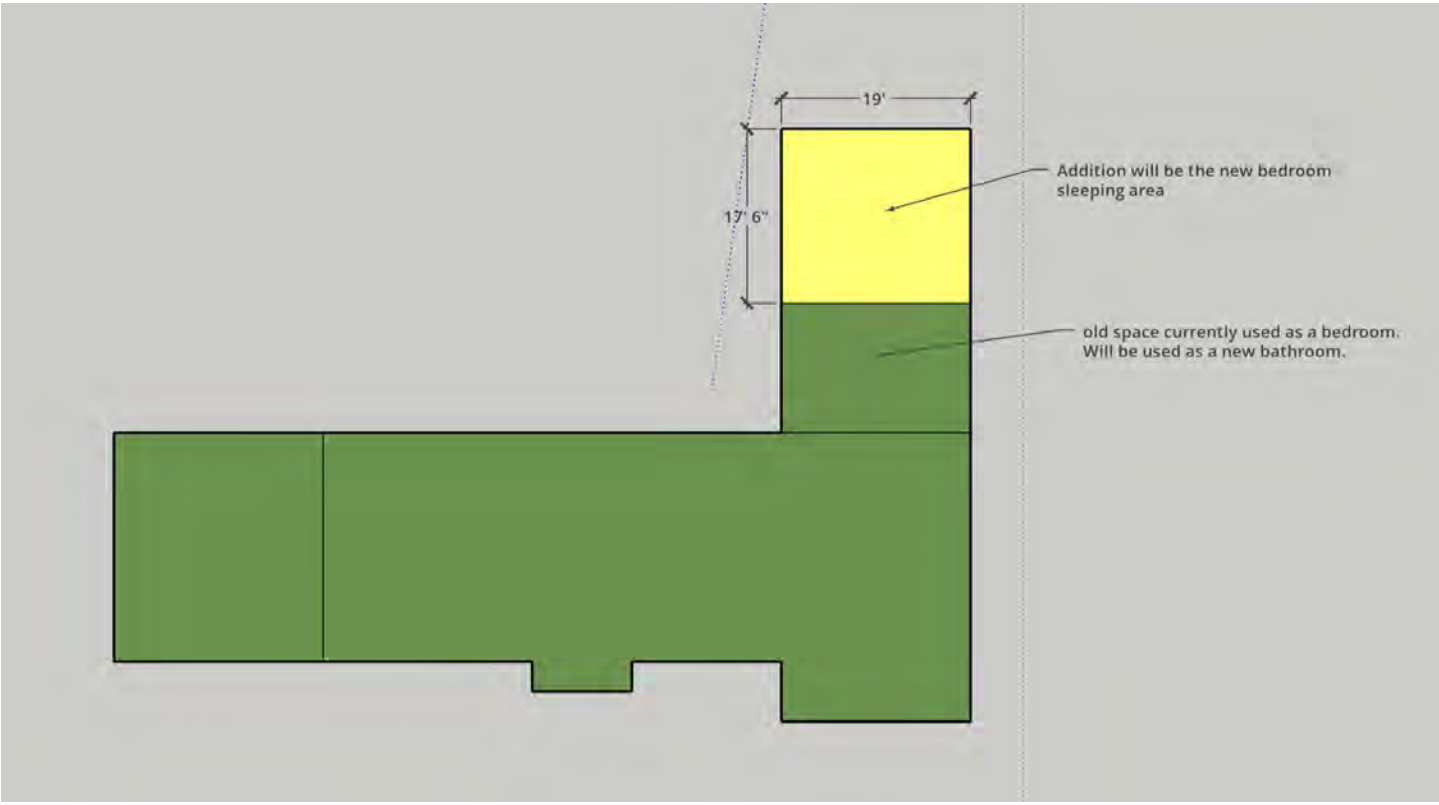
Total Lot Square footage: 22,680
Existing house Sqft: 1,886
Addition Sqft: 332.5
Total house size: 2,218.5

Percent of lot covered by house : 9.78%

North

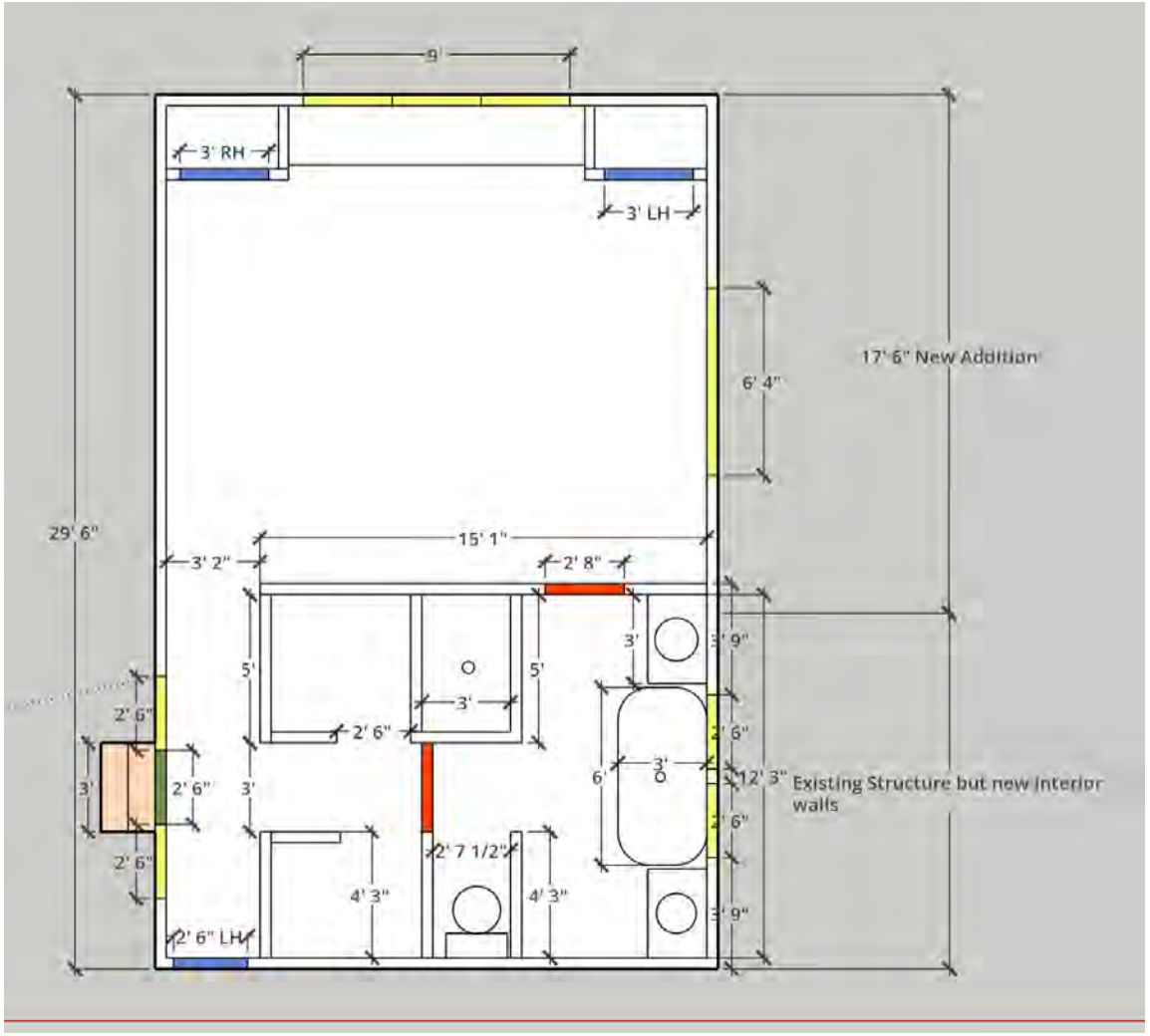


Rough overview

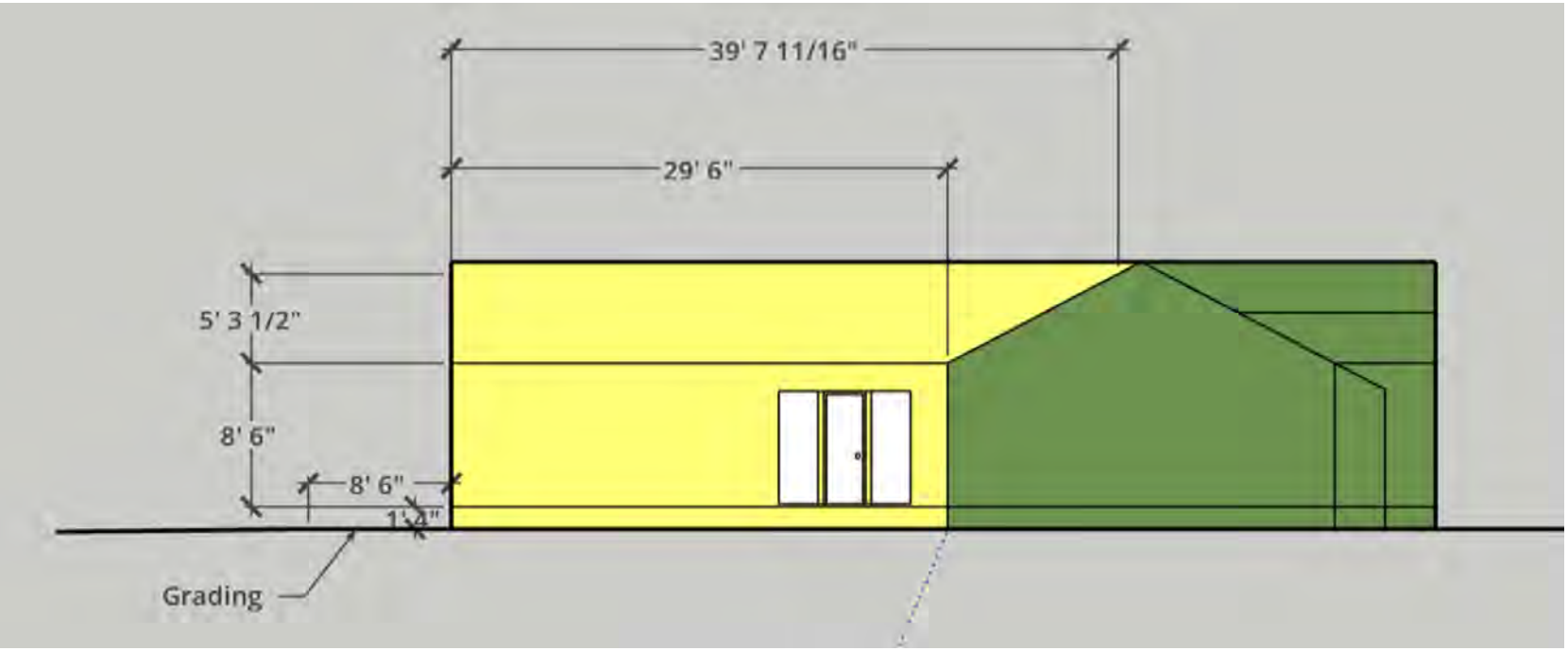


Floor Plan

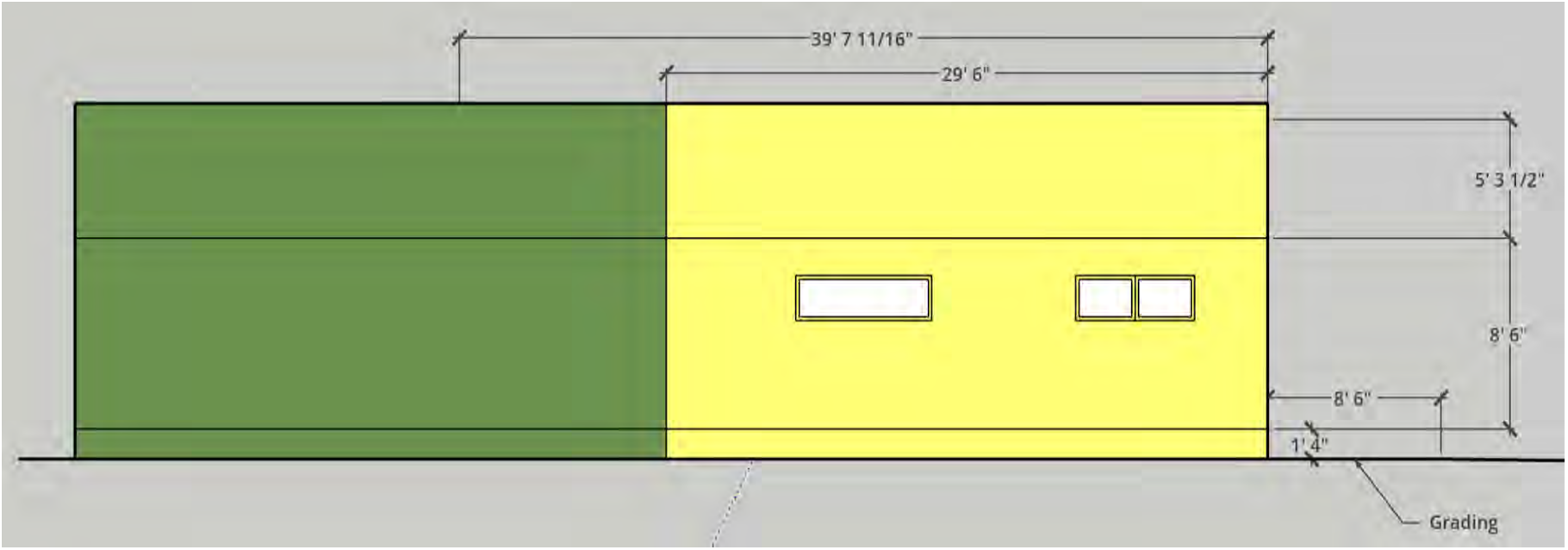
Red is pocket doors
Green is a LH exterior door
Blue is Interior Door as labeled
Peach Steps to exterior Door



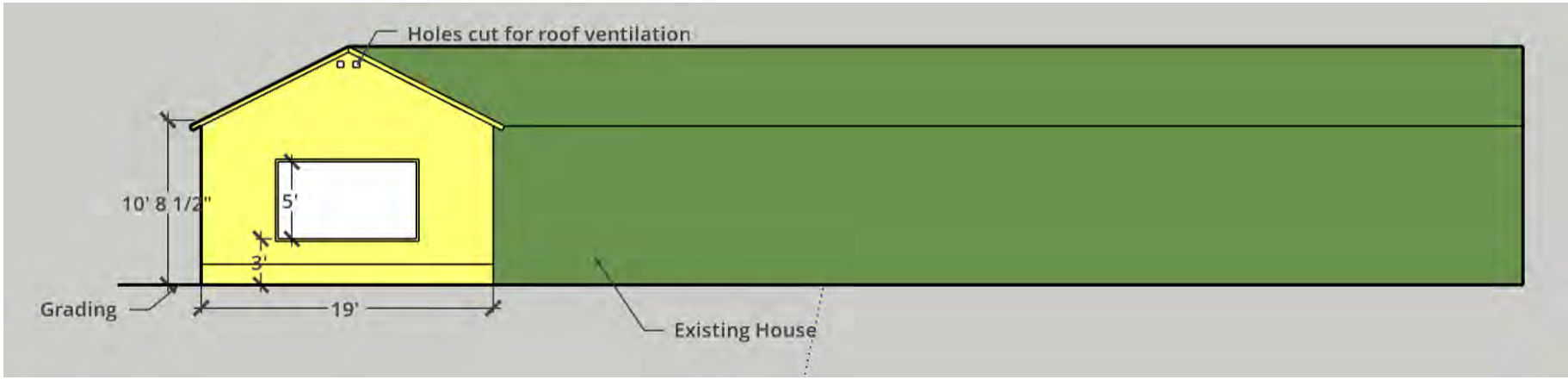
West Elevation



East Elevation



South Elevation



The North Elevation is not shown because the addition would be completely blocked by the existing front of the house

3600 Tremont Road | Upper Arlington, OH 43221
614-583-5070 | upperarlingtonoh.gov | planning@uaoh.net

Authors: Madison Strauss, Intern

BZAP Meeting Date: March 26, 2025

Subject: 4515 Sussex Drive (VAR-13-25) - To allow a one-story addition to encroach 9'-2" into the 33'-9" rear yard setback.

Site Description/History

The subject property, 4515 Sussex Drive, is located on the west side of the street, toward its northern terminus. It is zoned R-1b, One-Family Residence District. The property is rectangular with 90 feet of frontage and 135 feet of depth, similar to others in the neighborhood. It was platted as Lot #9 in the Essex Place No. 2 subdivision from 1965. A 23'-6" tall, two-story stone and stucco home sits along the platted 40-foot front yard setback and complies with all coverage and setback limits. A driveway on the south side of the property leads to an attached two-car garage. There are multiple mature trees and shrubbery along the property lines; a split-rail fence encloses the rear yard. The applicant purchased the property in September 2015; the home was built in 1965.

Proposal

This application proposes a one-story family room addition to be located on the west (rear) side of the home. The addition is 22' x 24' (530 square feet) and is 17 feet tall with a stucco (or fiber cement siding) exterior to match the home. The roof ridge runs north-south so that the lowest eave faces the rear yard neighbor; windows and doors are present on all sides. Of the area of the addition, roughly 200 square feet encroaches into the rear yard setback. The plan also includes an expanded deck, outdoor kitchen and hot tub - all of which have been revised to comply with City standards. The proposal complies with all coverage ratios, as well as the side yard longwall setbacks and rear yard profile, as the rear addition is one story. A landscape plan has been submitted which adds a significant amount of dense arborvitae to supplement existing conditions in the side and rear yards.

Zoning Code Requirements

- To allow a one-story addition to encroach 9'-2" into the 33'-9" rear yard setback (Article 5.02).

Alternatives

The applicant has investigated an alternate design which would reduce and/or eliminate the needed variance, however, this would significantly alter the floor plan and overall design intent. The applicant has made sure to have the lowest eave that is closest to the rear

property line to minimize views and any potential impacts. The applicant has previously adjusted the location of the outdoor kitchen, hot tub, and decking so that variances would not be needed for them as well; a quality landscape plan was also added. The rear yard neighbor has expressed support for this application, as they do not even see the subject house today due to existing mature trees.

Requested Action and Findings

Staff has reviewed the application and plans, visited the site, and discussed it with the applicant. While the encroachment into the rear yard may be larger than what the Board may typically support, there are some factors present that would help justify the request. The proposed addition blends well with the home and has an orientation that limits height in the rear yard. Also, existing and proposed landscaping will essentially make the addition invisible from adjacent neighbors and the street. The plan has also been adjusted so that other variances are not needed for other structures and uses in the rear yard. Should the Board support this application, Staff would recommend that Findings #4 and #8 be considered.

Attachments

1.	BZAP Staff Report Pics - 4515 Sussex Drive
2.	Variance Application - 4515 Sussex Drive

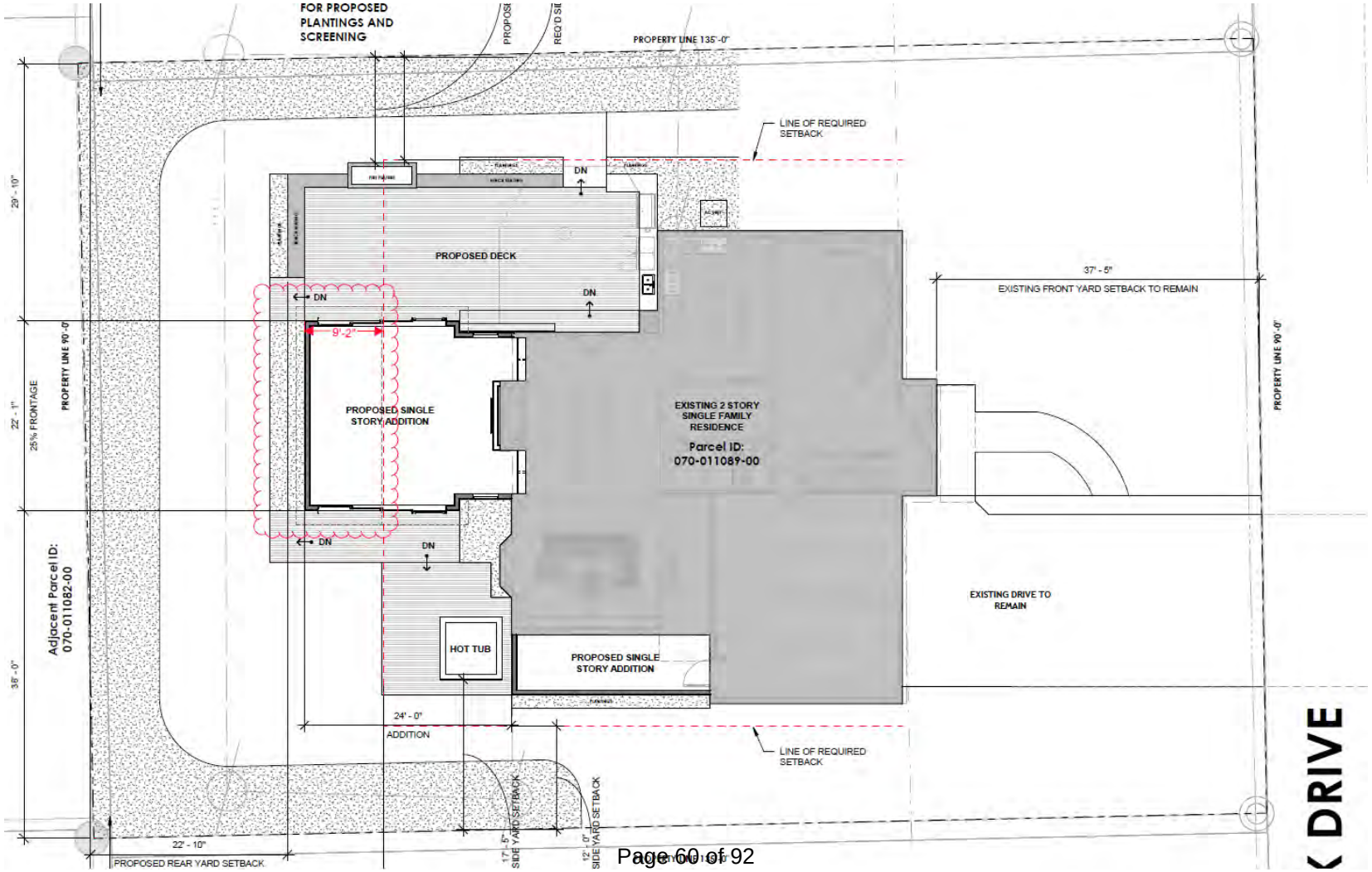
4515 Sussex Drive

BZAP Staff Report Pictures | Variance Application

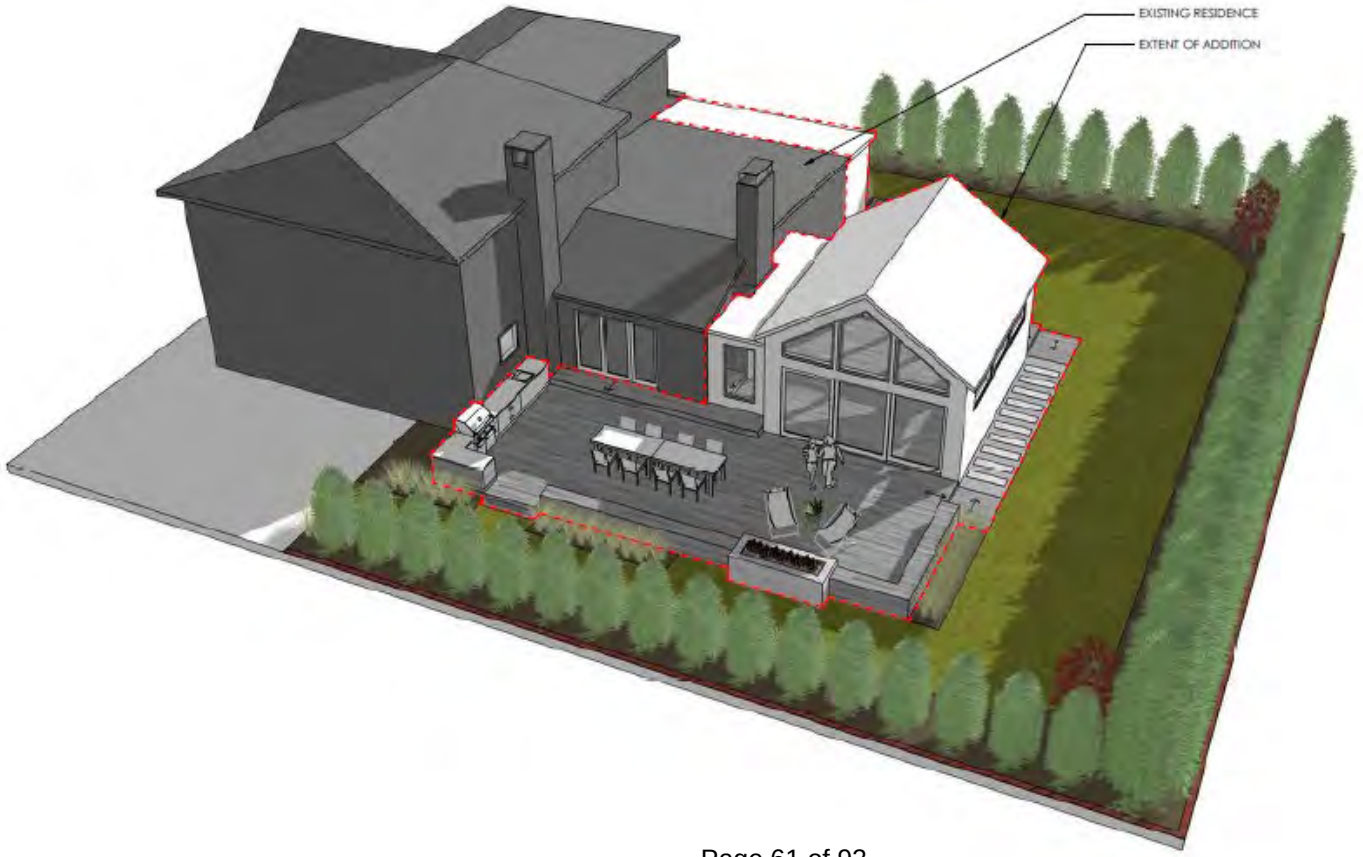
Google Maps ® Aerial – Looking North

Existing Site Photos

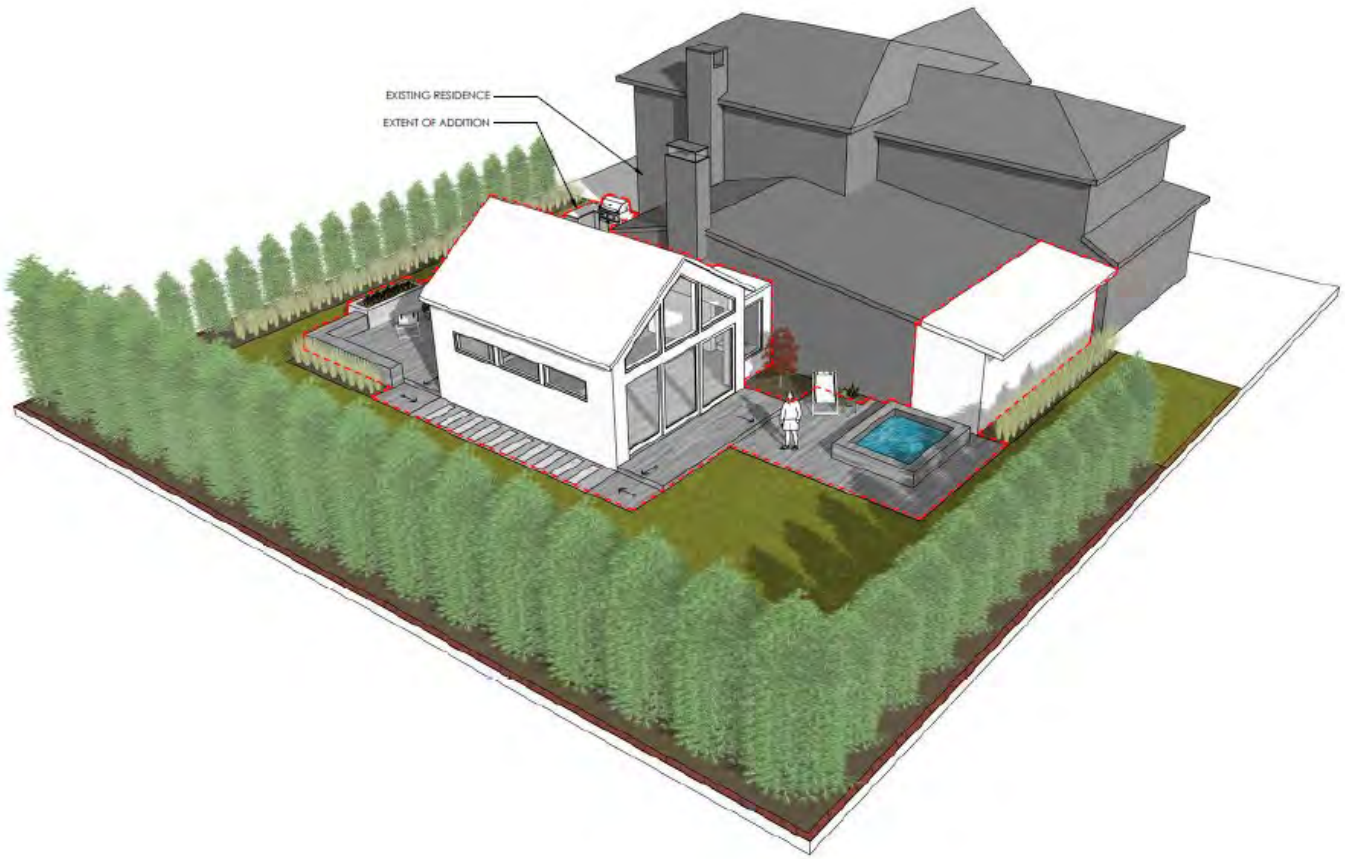
Proposed Site Plan



Proposed Elevation (Looking Southeast)



Proposed Elevation (Looking Northeast)



25-689

Variance Application

Status: Active

Submitted On: 2/19/2025

Primary Location

4515 SUSSEX DR
UPPER ARLINGTON, OH 43220

Owner

SARAH J FITE
SUSSEX 4515 COLUMBUS, OH 43220

Applicant

James Carter Bean
614-595-2285
carter@beanarchitects.com
2231 MCCOY ROAD
UPPER ARLINGTON, OH 43220

BZAP Information

BZAP Case #

VAR-13-25

Status

Pending

BZAP Determination Date

03/26/2025

Vote Tally

Primary Variance

Rear Yard

Findings of Fact for Approval/Denial

Variance Request

4515 Sussex Drive (VAR-13-25) - To allow a one-story addition to encroach 9'-2" into the 33'-9" rear yard setback.

BZAP conditions

Variance Information

Describe Variance Request

A single story addition is proposed on the west side (rear yard) of the existing 2-story single family residence. The addition and associated hardscape encroach into the required rear yard setback by 10'-11" providing a 22'-10" setback in lieu of 33'-9'. Additional vegetation screening is being proposed to buffer views from adjacent parcels.

What practical difficulty, special conditions and/or circumstances exist that are peculiar to the land or structure involved and which are not generally applicable to other lands or structures in the same zoning districts?

There are no special conditions peculiar to this property.

Will granting the variance confer a special privilege that is denied by this regulation to other lands, structures, or buildings in the same district?

We do not feel that the granting of this variance would confer any special privilege.

Will the essential character of the neighborhood area be substantially altered or will adjoining properties suffer substantial detriment as a result of the variance?

We feel that the essential character of the neighborhood will be maintained and that the adjoining property owners would not be negatively impacted by the proposed addition. Furthermore, the installation of new landscape buffering will be beneficial to the adjacent neighbors.

Have all reasonable alternatives been investigated or exhausted to find that this variance request is the minimum necessary to make reasonable use of land and structures?

Alternate layouts have been investigated, however, would not achieve the desired organization and associations of indoor / outdoor living spaces. We feel that the encroachment is minimal in depth and the addition would occupy only 25% of the rear frontage.

Can this property yield a reasonable return or can there be any beneficial use of the property without the variance?

This property would continue to yield a reasonable return without the variance and implementation of the requested improvements. That being said, the property owner is very happy with their home and would like to continue to reside here. The addition and site improvements are being requested so that the property will remain functional and comfortable for their growing family.

Acknowledgement: I or a representative will be present at the BZAP hearing.*

☑

J. CARTER BEAN
ARCHITECT

February 19, 2025

Mr. Justin Milam
Senior Planner
City of Upper Arlington
Community Development Department
3600 Tremont Road
Upper Arlington, Ohio 43221

Re: Variance to Rear Yard Setback
4515 Sussex Drive
Upper Arlington, Ohio 43220

Dear Mr. Milam,

This letter is to formally request a variances from the required rear yard setback at 4515 Sussex Drive to accommodate a one-story addition and associated hardscape improvements.

The Fite family has lived in this home for 10 years. During that time, their pod has increased to 5. With three growing boys, the physical configuration and amount of space, both indoor and out, no longer provides the flexibility desired. Through these proposed alterations, the function of their home would be greatly improved.

As listed on the City's website, the following Findings of Fact shall be considered with this request:

1. Any special conditions/circumstances peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same zoning district.
   Response: There are no special conditions peculiar to this property.

2. Whether the property will yield a reasonable return or there can be beneficial use of the property without the variance;
   Response: This property would continue to yield a reasonable return without the variance and implementation of the requested improvements. That being said, the property owner is very happy with their home and would like to continue to reside here. The addition and site improvements are being requested so that the property will remain functional and comfortable for their growing family.

3. Whether the variance is substantial and the minimum necessary to make possible the reasonable use of the land or structures;
   Response: We feel that the encroachment is minimal in that the proposed addition is of a small scale (one story) with the ridge running north/south, such that the lowest eave is closest to the west property line. Furthermore, substantial landscape buffering is proposed on all sides of the rear yard, not only the west.

4. Whether the essential character of the neighborhood would be substantially altered or adjoining properties would suffer substantial detriment;
   Response: We feel that the essential character of the neighborhood will be maintained and that the adjoining property owners would not be negatively impacted by the proposed addition. Furthermore, the installation of new landscape buffering will be beneficial to the adjacent neighbors.

5. Whether the variance would adversely affect governmental service delivery (water, sewer, etc.);
   Response: Governmental service delivery will not be impacted as a result of granting this variance.

4400 NORTH HIGH STREET SUITE 401 COLUMBUS, OHIO 43214 TEL 614.262.BEAN FAX 614.262.2329

6. Whether special conditions or circumstances exist as a result of actions of the current or a previous owner;
   Response: No special conditions or circumstances exist as a result of actions of the current or a previous owner.

7. Whether the property owner's predicament can be resolved through some other method;
   Response: An alternate layout, respecting the rear yard setback, would not achieve the desired organization and associations of indoor / outdoor living spaces.

8. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance; and/or
   Response: I believe the spirit and intent behind the rear setback to be preservation of open space. As designed, this one-story proposed addition would only occupy 25% of the rear frontage and encroach 10'-11". Therefore, we feel that the perceived open space would remain intact.

9. Whether the granting of the variance requested would confer any special privilege that is denied to other lands, structures, or buildings in the same district.
   Response: We do not feel that the granting of this variance would confer any special privilege.

Thank you for your consideration in this matter.

Sincerely,

J. Carter Bean

4400 NORTH HIGH STREET SUITE 401 COLUMBUS, OHIO 43214 TEL 614.262.BEAN FAX 614.262.2329

City of Upper Arlington

COMMUNITY DEVELOPMENT DEPARTMENT

3600 Tremont Road | Upper Arlington, OH 43221
614-583-5070 | upperarlingtonoh.gov

Revised: May 2023

Certification of Notice

Applicant Name: Kirk and Sarah Fite

Location of property subject to BZAP request: 4515 Sussex Drive, Columbus, Ohio 43220

This application will be heard by the Board of Zoning and Planning on: 03.26.2025

Describe activity which requires Board of Zoning and Planning review:

A single story addition is proposed on the west side (rear yard) of the existing 2-story single family residence. The addition and associated hardscape encroach into the required rear yard setback by 10'-11" providing a 22'-10" setback in lieu of 33'-9'. Additional vegetation screening is being proposed to buffer views from adjacent parcels.

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Address of Property to be notified:	Property Owner Name:	Property Owner Signature or Certified Mail No.:	Date obtained or Mail sent:
4530 REED RD, COLUMBUS OH 43220	Zhaohua Liu	9589071052702303213504	2/26/25
4520 REED RD, COLUMBUS OH 43220	James & Jacqueline Gabel	9589071052702303213498	2/26/25
4510 REED RD, COLUMBUS, OH 43220	Jaqueline Ware Fulton	9589071052702303213573	2/26/25
4500 REED RD, COLUMBUS, OH 43220	Denise Spires	9589071052702303213511	2/26/25
4495 SUSSEX DR, COLUMBUS, OH 43220	Kevin M. Schultz	9589071052702303213535	2/26/25
4505 SUSSEX DR, COLUMBUS, OH 43220	Matthew A. Copeland	9589071052702303213481	2/26/25
4525 SUSSEX DR, COLUMBUS, OH 43220	Ru Tai Jiang	9589071052702303213528	2/26/25
4520 SUSSEX DR, COLUMBUS, OH 43220	Anne N. Holzchuh	9589071052702303213542	2/26/25
4510 SUSSEX DR, COLUMBUS, OH 43220	Benjamin Skurek	9589071052702303213559	2/26/25
4500 SUSSEX DR, COLUMBUS, OH 43220	Thomas William Carskadon IV	9589071052702303213566	2/26/25
3600 Tremont Road, Upper Arlington, OH 43221	Justin Milam	9589071052702303213474	2/26/25
Applicant Signature: James Carter Bean			**Date:** 2/26/25

City of Upper Arlington

COMMUNITY DEVELOPMENT DEPARTMENT

3600 Tremont Road | Upper Arlington, OH 43221
614-583-5070 | upperarlingtonoh.gov

Revised: May 2023

Certification of Notice

Applicant Name: Kirk and Sarah Fite

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3600 Tremont Road, Upper Arlington, OH 43221	Justin Milam	9589071052702303213474	2/26/25
Applicant Signature: James Carter Bean			**Date:** 2/26/25

~Existing Site Conditions Exhibit ~

Quarter Township 1, Township 1
Range 19, United States Military District
City of Upper Arlington, County of Franklin
State of Ohio

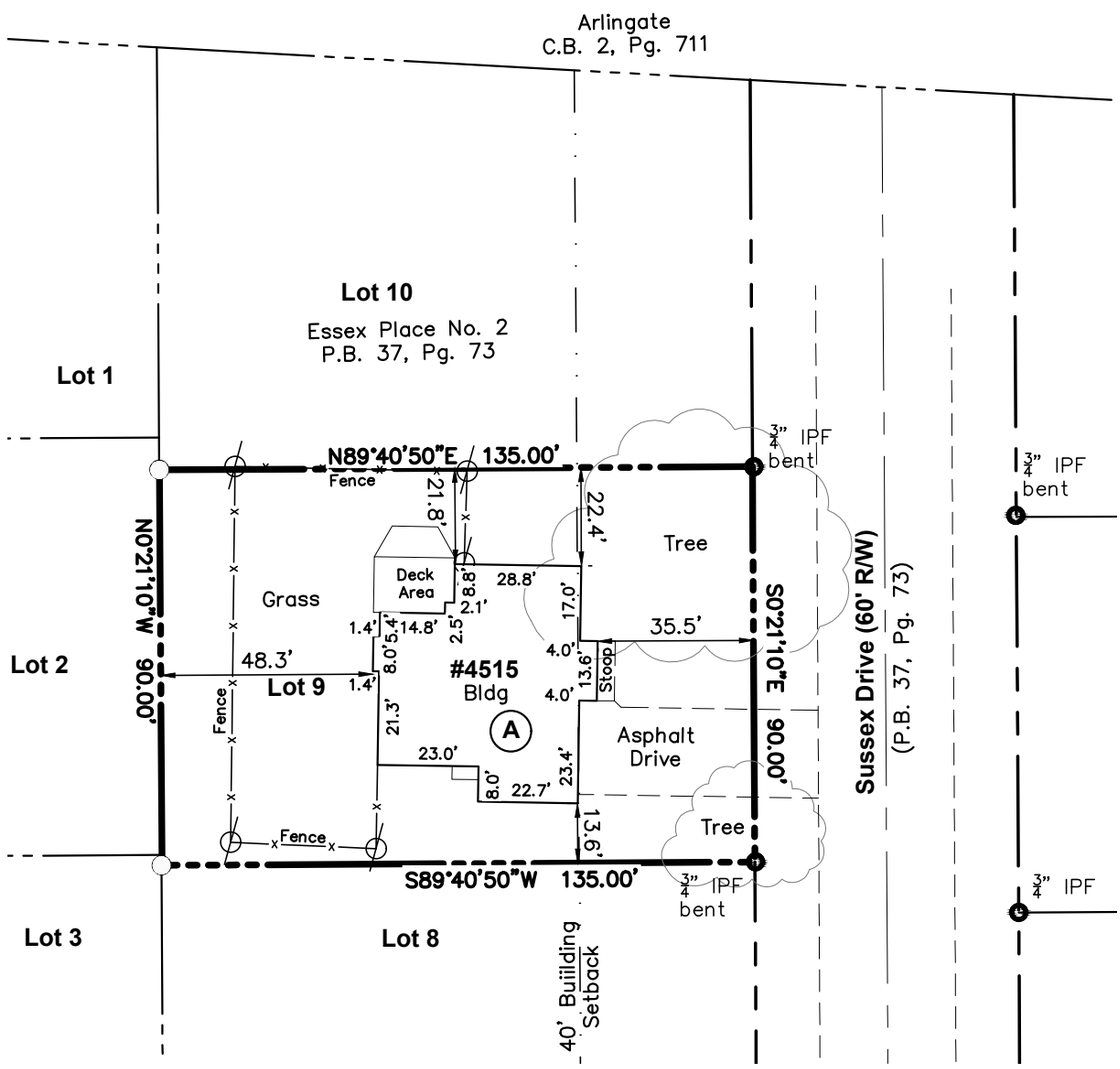
GRAPHIC SCALE

40 0 20 40

(IN FEET)
1 inch = 40 ft.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (NSRS 2011). Said bearings are derived from GPS observation and determine a portion of the westerly right-of-way line of Sussex Drive to have a bearing of S0°21'10"E.

(A) = Sarah J. Fite and Kirk G. Fite
I.N. 202202250031671



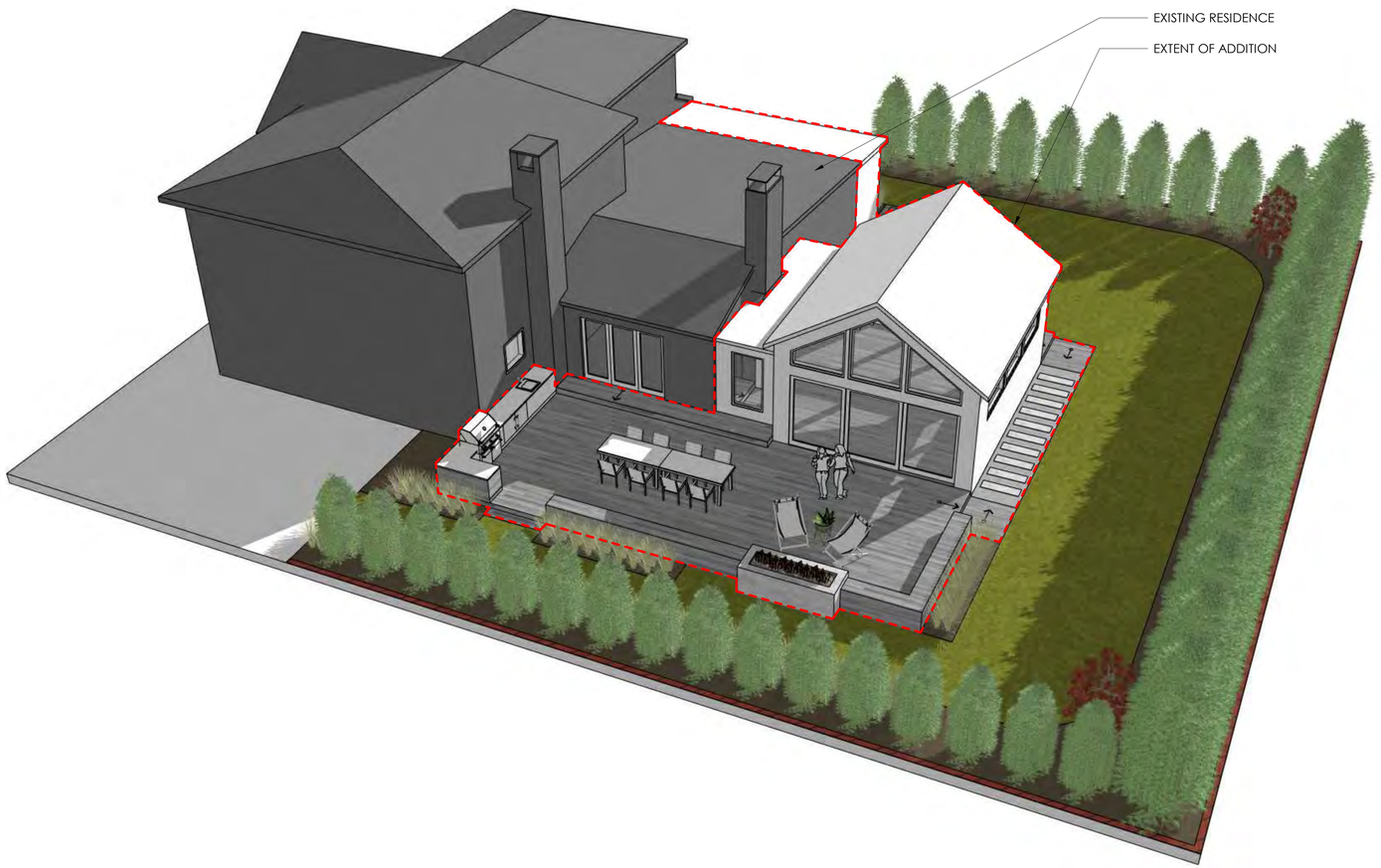
This Survey is based on existing records from Franklin County, and from actual field survey work performed in January of 2025.

DRAWN BY: JRM	JOB NO.: 24-0001-1540
DATE: 01/17/2025	CHECKED BY: BCK

ADVANCED CIVIL DESIGN
ENGINEERS SURVEYORS
781 Science Blvd, Suite 100
Gahanna, Ohio 43230
ph 614.428.7750
fax 614.428.7755

Z:\24-0001-1540\DWG\PRODUCTION DRAWINGS\SURVEY\24-0001-1540 parcel (bk).dwg Page 1 Jan 21, 2025 - 1:40:23pm bkarshner

3D MASSING CONCEPT
AERIAL VIEW LOOKING SOUTHEAST - N.T.S.



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BEAN
1 CENTER POINT DRIVE
2200 CORPORATE HEIGHTS
SUITE 240 • COLUMBUS
OHIO • 43214
TEL 614 262 5788
FAX 614 262 2329

FITE RESIDENCE ADDITION
4515 SUSSEX DRIVE, COLUMBUS OH 43220

FOR

SARAH AND KIRK FITE
4515 SUSSEX DRIVE, COLUMBUS OH 43220

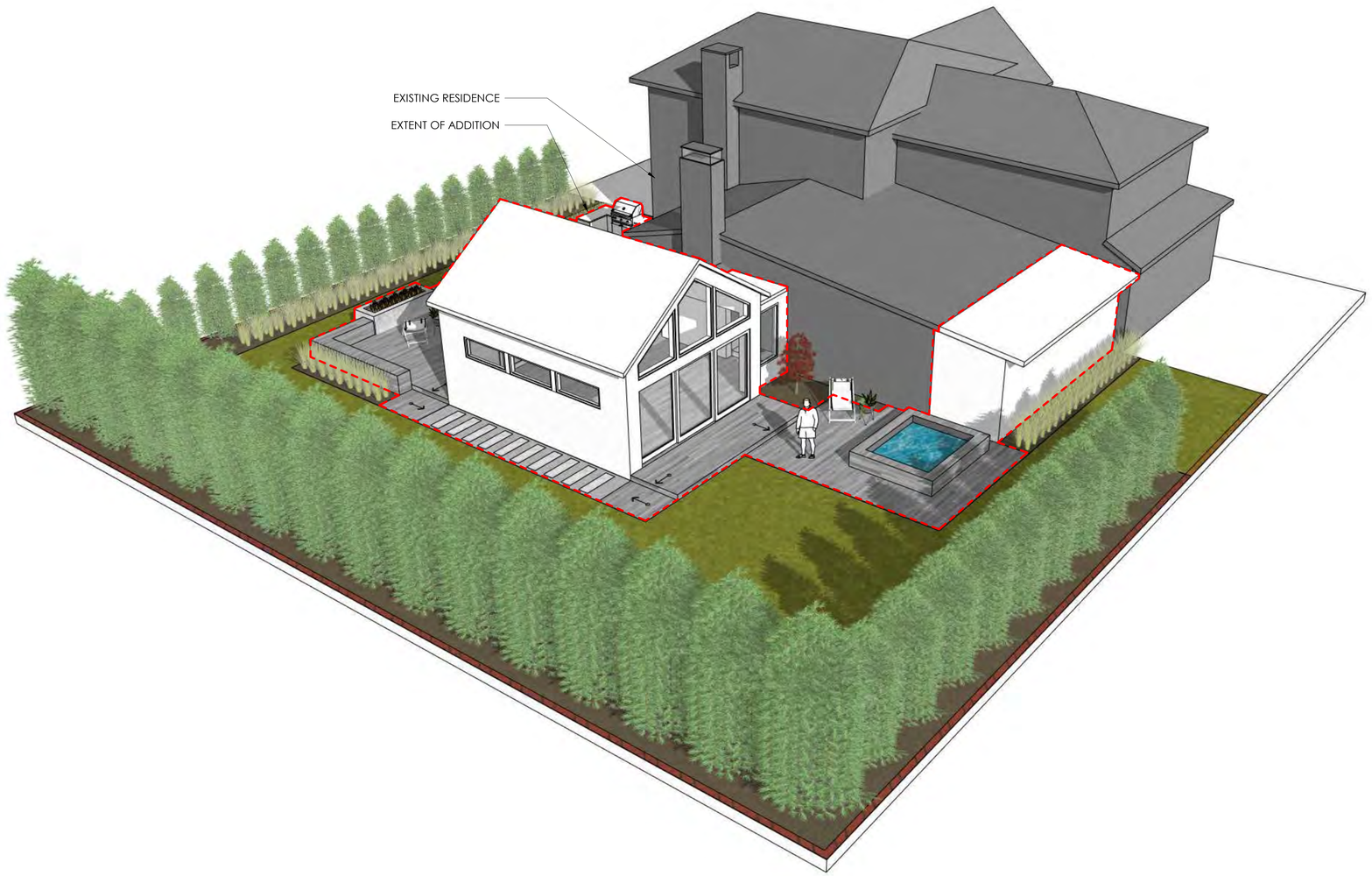
No.	Date	Description
	02.19.25	PLANNING & ZONING

DRAWING TITLE
3D IMAGE

DRAWING NUMBER
SD-1.3

BEAN Project Number

3D MASSING CONCEPT
AERIAL VIEW LOOKING NORTHEAST - N.T.S.



BEAN
21 EAST BROAD STREET
42 EAST GOODALE STREET
SUITE 240 • COLUMBUS
OHIO • 43214
TEL 614 262 5544
FAX 614 262 2329

FITE RESIDENCE ADDITION
4515 SUSSEX DRIVE, COLUMBUS OH 43220

FOR

SARAH AND KIRK FITE
4515 SUSSEX DRIVE, COLUMBUS OH 43220

No.	Date	Description
	02.19.25	PLANNING & ZONING

DRAWING TITLE
3D IMAGE

DRAWING NUMBER
SD-1.4

BEAN Project Number

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3D MASSING CONCEPT
VIEW LOOKING SOUTHEAST - N.T.S.

BEAN
21 CHEVRON PLACE
22 CHEVRON PLACE
SUITE 240 • COLUMBUS
OHIO • 43214
TEL 614 262 5511
FAX 614 262 2329

FITE RESIDENCE ADDITION
4515 SUSSEX DRIVE, COLUMBUS OH 43220

FOR

SARAH AND KIRK FITE
4515 SUSSEX DRIVE, COLUMBUS OH 43220

No.	Date	Description
	02.19.25	PLANNING & ZONING

DRAWING TITLE
3D IMAGE

DRAWING NUMBER
SD-1.5

BEAN Project Number

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3D MASSING CONCEPT
VIEW LOOKING NORTH - N.T.S.

BEAN
21 CHEVRON PLACE
22 CHEVRON PLACE NORTH
SUITE 240 • COLUMBUS
OHIO • 43214
tel 614 262 5544
fax 614 262 2329

FITE RESIDENCE ADDITION
4515 SUSSEX DRIVE, COLUMBUS OH 43220

FOR

SARAH AND KIRK FITE
4515 SUSSEX DRIVE, COLUMBUS OH 43220

No.	Date	Description
	02.19.25	PLANNING & ZONING

DRAWING TITLE
3D IMAGE

DRAWING NUMBER
SD-1.6

BEAN Project Number

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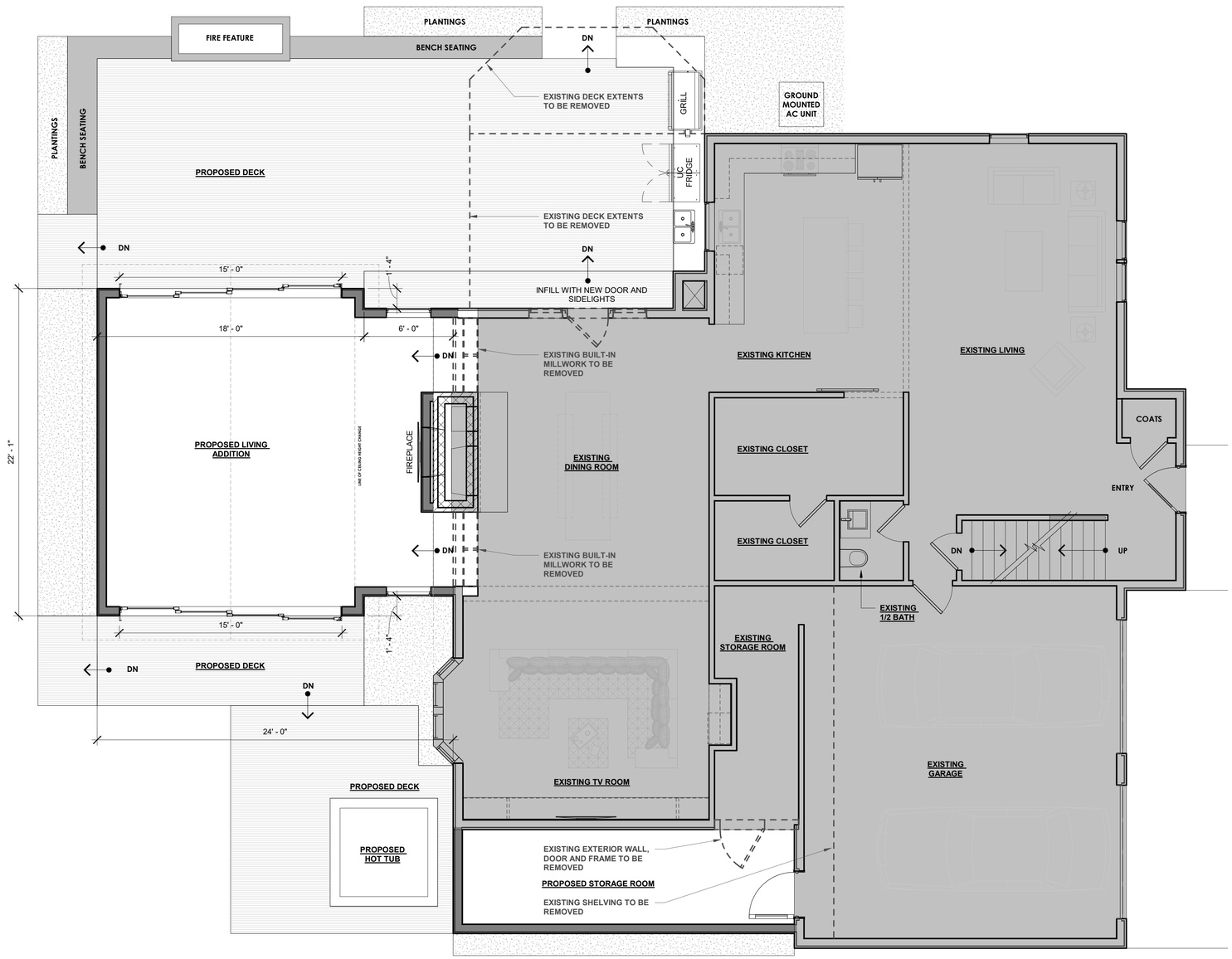

1 FIRST FLOOR PLAN ADDITION CONCEPT
1/4" = 1'-0"

N

2/19/2025 12:39:19 PM C:\Users\Bean\OneDrive\Desktop\FITE Residence\REVIT\2025_01_14_CONCEPT.rvt

BEAN

1 CENTER POINT DRIVE
#200 DOWNTOWN NORTH
SUITE 40 • COLUMBUS
OHIO • 43214
TEL 614 262 5111
FAX 614 262 2329

FITE RESIDENCE ADDITION
4515 SUSSEX DRIVE, COLUMBUS OH 43220

FOR

SARAH AND KIRK FITE
4515 SUSSEX DRIVE, COLUMBUS OH 43220

No.	Date	Description
	02.19.25	PLANNING & ZONING

DRAWING TITLE
PROPOSED FIRST FLOOR ADDITION PLAN

DRAWING NUMBER
SD-1.7

BEAN Project Number

EXISTING AERIAL IMAGE LOOKING WEST- N.T.S.

4515 SUSSEX DRIVE,
COLUMBUS OH 43220

EXISTING AERIAL IMAGE LOOKING NORTH- N.T.S.

4515 SUSSEX DRIVE,
COLUMBUS OH 43220

EXISTING REAR YARD IMAGES

VIEW LOOKING SOUTHEAST

VIEW LOOKING NORTHEAST

VIEW LOOKING WEST

VIEW LOOKING WEST

BEAN
1 CENTER POINT DRIVE
2000 CENTER POINT CIRCLE
SUITE 240 • COLUMBUS
OHIO • 43214
TEL 614 262 5511
FAX 614 262 2329

FITE RESIDENCE ADDITION
4515 SUSSEX DRIVE, COLUMBUS OH 43220

FOR

SARAH AND KIRK FITE
4515 SUSSEX DRIVE, COLUMBUS OH 43220

No.	Date	Description
	02.19.25	PLANNING & ZONING

DRAWING TITLE
EXISTING AERIAL IMAGES

DRAWING NUMBER
SD-1.1

BEAN Project Number

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ZONING	R-1B
ZONING DISTRICT	One-Family Residence District
MIN LOT AREA	12,000 S.F.
MIN LOT FRONT	90'
FRONT YARD SETBACK	40' or platted
SIDE YARD SETBACK	10' (1-1.5 story) or 12' (2-2.5 story)
MIN SIDE YARD SUM	20' (1-1.5 story) or 26' (2-2.5 story)
REAR YARD SETBACK	1/4 lot depth or 40' whichever is less
BUILD HEIGHT MAX	35' (2-1/2 stories)
MAX DEVELOP COVER PERMIT	40% TLA
MAX BUILD COVER	27% TLA

ZONING INFORMATION

LOT SQ FT: .28 ACRES = 12,197 SF
EXISTING BUILDING LOT COVERAGE: 2,175 SF
PROPOSED BUILDING LOT COVERAGE: 2,850 SF

EXISTING BUILDING LOT COVERAGE %: 17.8%
PROPOSED BUILDING LOT COVERAGE %: 23.3 %

ALLOWABLE BUILDING LOT COVERAGE: 27%

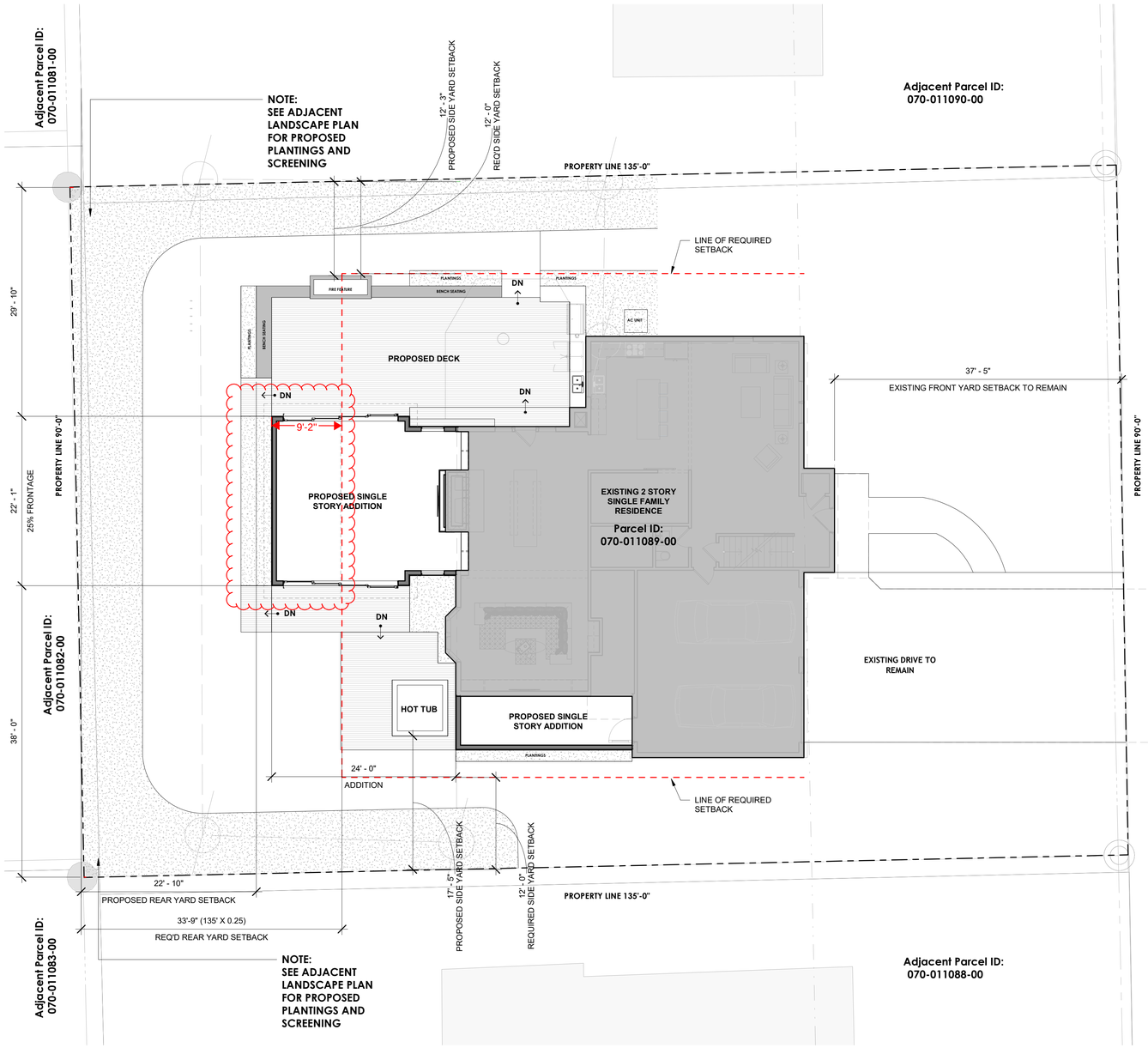
ALLOWABLE DEVELOPMENT COVERAGE %: 40%
PROPOSED DEVELOPMENT COVERAGE %: 4,805 SF / 12,197 SF = 39.4 %

BUILDING INFORMATION

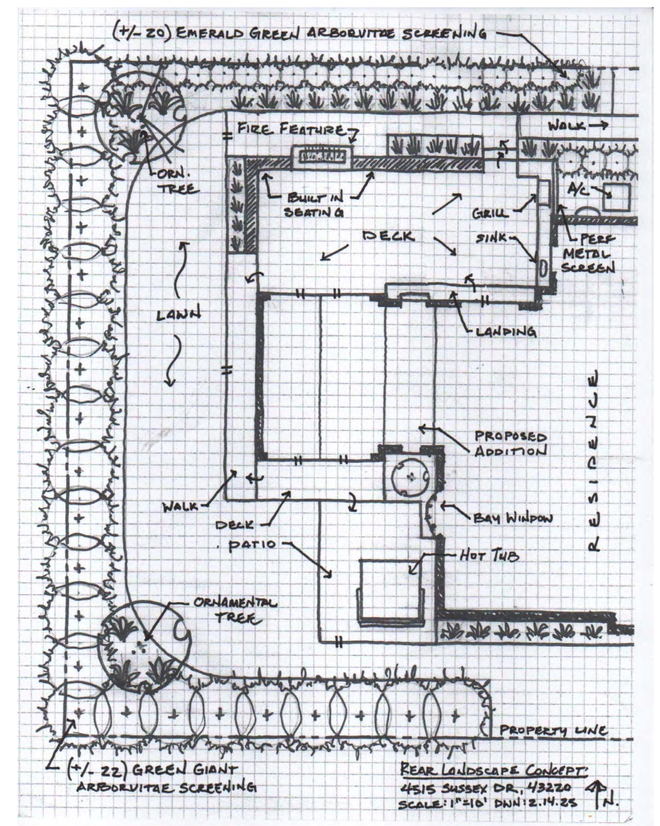
EXISTING BUILDING GSF: 2,962 (not including basement)

PROPOSED BUILDING GSF: 3,637(not including basement)

ALLOWABLE BUILDING HEIGHT: 35'-0"
PROPOSED BUILDING HEIGHT: 17'-0" (PROPOSED ADDITION)



1 PROPOSED SITE PLAN
1/8" = 1'-0"



2 PROPOSED LANDSCAPE PLAN
1" = 10'-0"

BEAN
1 CENTER POINT DR. SUITED
#200 DOWNTOWN NORTH
SUITE 240 • COLUMBUS
OHIO • 43214
TEL 614 262 5141
FAX 614 262 2329

FITE RESIDENCE ADDITION
4515 SUSSEX DRIVE, COLUMBUS OH 43220

FOR

SARAH AND KIRK FITE
4515 SUSSEX DRIVE, COLUMBUS OH 43220

No.	Date	Description
	02.19.25	PLANNING & ZONING

DRAWING TITLE
PROPOSED SITE PLAN & LANDSCAPE

DRAWING NUMBER
SD-1.2

BEAN Project Number

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3600 Tremont Road | Upper Arlington, OH 43221
614-583-5070 | upperarlingtonoh.gov | planning@uaoh.net

Authors: Justin Milam, AICP, Senior Planner

BZAP Meeting Date: March 26, 2025

Subject: 4263 Greensview Drive (VAR-11-25) - To allow a swimming pool five feet from the property line, in lieu of the 10-foot minimum setback required.

Site Description/History

The subject property, 4263 Greensview Drive, is located at the southwest corner of Greensview and Langston Drives, directly south of Greensview Elementary School, and is zoned R-1b, One-Family Residence District. The property has 140 feet of frontage along Greensview Drive, 100 feet along Langston Drive, and a depth of 100 feet, similar to others in the neighborhood. It is platted as Lot #29 of the Reedbury Addition Extension #2 from 1965. A two-story wood and vinyl-siding home sits along the platted 40-foot and 30-foot front yard setbacks. The property includes a driveway on the north side that leads to an attached two-car garage. There are mature trees surrounding the property's north and east sides and a wooden fence (built in 2022) enclosing the backyard. A storage shed with concrete walkways is located at the southwest corner. The applicant purchased the property in May 2022; the home was built in 1970.

Proposal

This application proposes the installation of a new swimming pool and associated hardscape on the south side of the property. The swimming pool would measure 14' x 30' and be in an west-east orientation. A six-foot wide concrete walkway is proposed on the north side of the swimming pool, close to an existing screen porch and patio, while a three-foot wide walkway is proposed on the south side, adjacent to a utility easement. The existing six-foot tall wood privacy fence, shed and mature landscaping would remain. The proposed development cover is within City standards.

Zoning Code Requirements

- To allow a swimming pool five feet from the property line, in lieu of the 10-foot minimum setback required.

This block has a cluster of four existing swimming pools which are all nonconforming with the current ordinance:

Location:	Approx. Side and/or Rear Setback (to hardscape):	Approx. Side and/or Rear Setback (to pool):
4245 Greensview Drive (immediate south neighbor)	5' and 5'	15'
1441 Langston Drive (immediate west neighbor)	0' (adjusted to 3' in spots post-2024 variance)	6'
1451 Langston Drive	8'	15'
1474 Bridgeton Drive	8'	15'
Proposal	5'	8'

Alternatives

The applicant has explored alternate locations for the swimming pool. However, space is limited in the western yard and an existing shed with walkways are present at the southwest corner. In the south yard, the existing screened porch and five-foot wide utility easement create a workable area to a depth of 23 feet. The applicant has looked at a variety of sizes and configurations and felt that what is proposed, not only best fits this area, but is also the narrowest design.

Requested Action and Findings

Staff has reviewed the application and plans, visited the site and discussed it with the applicant. When the application was initially submitted, the proposed hardscape was located entirely in the utility easement, where there are active electric and sanitary sewer lines; the swimming pool edge was immediately adjacent to it. This plan would have required a plat amendment, as this is specifically prohibited by the code and would not have been supported by the City Engineer. A revised plan was submitted, which reduced the width of the proposed walkways and shifted the swimming pool closer to the house. As the Board is well aware, swimming pool requests are rarely supported by Staff due to their potential impacts on adjacent property and multiple design options that may be available. In this case, Staff would point to the cluster of swimming pools in the area that are nonconforming, two of which are directly adjacent. The new swimming pool and hardscape will not be visible from the street or off-site, and is in line with those other swimming pools in the cluster. Should the Board choose to support this application, Staff would recommend that Findings #1 (special conditions), #4 (character of the area) and #8 (spirit and intent of the zoning code) be considered. If approved, Staff believes this would not be precedent-setting due to the cluster of swimming pools in the block.

Attachments

1.	BZAP Staff Report Pics - 4263 Greensview Drive
2.	Variance Application - 4263 Greensview Drive

4263 Greensview Drive

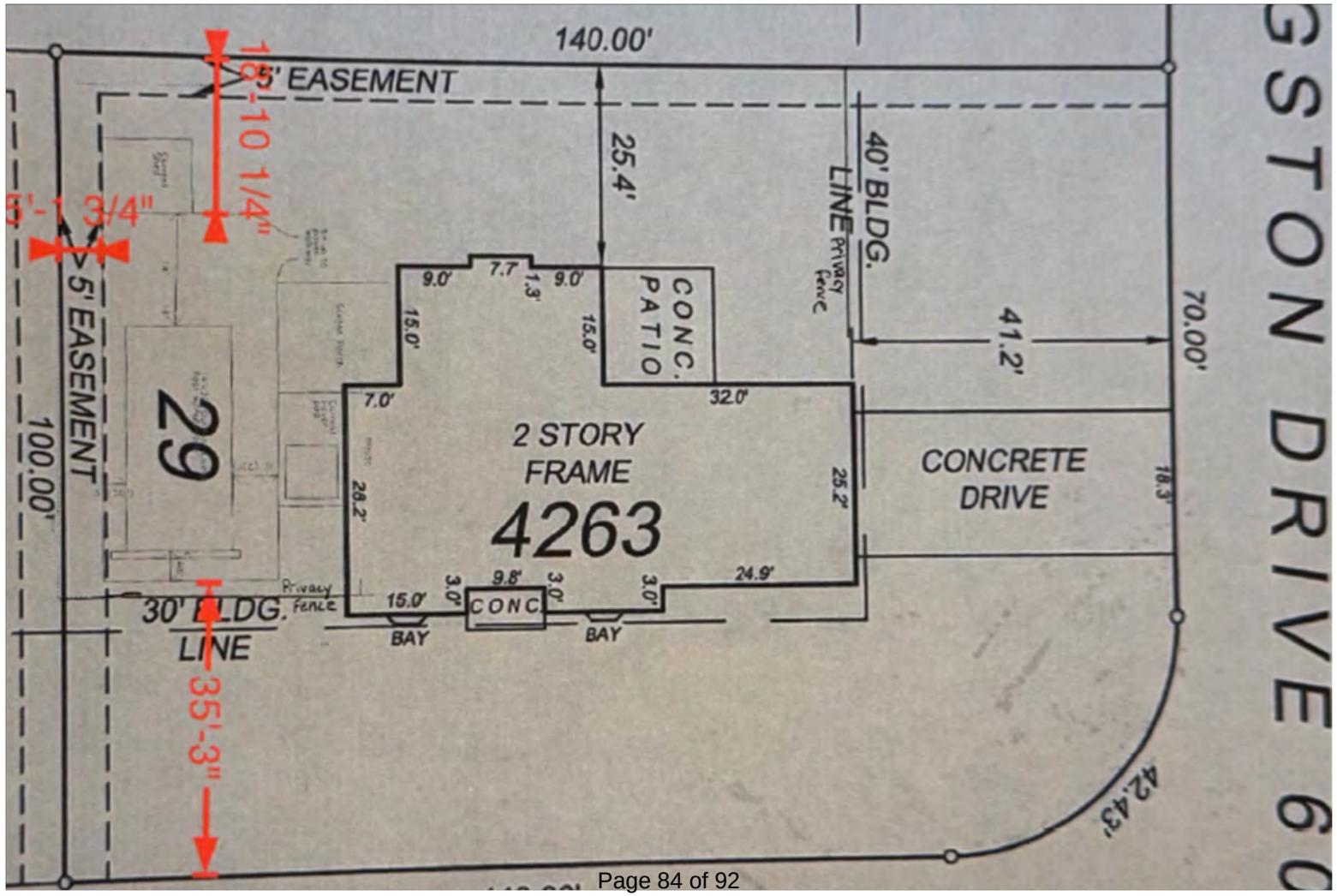
BZAP Staff Report Pictures | Variance Application

Google Maps ® Aerial – Looking North

Existing Site Photos (Greensview side)

Existing Site Photos (Langston side)

Proposed Pool Plan



25-539

Variance Application

Status: Active

Submitted On: 2/10/2025

Primary Location

4263 GREENSVIEW DR
UPPER ARLINGTON, OH 43220

Owner

Brian and Michele Bell
GREENVIEW 4263 COLUMBUS, OH 43220

Applicant

Michele Bell
720-253-3231
bobcatbells@gmail.com
4263 Greensview Dr
Columbus, OH 43220

Variance Information

Describe Variance Request

Due to the property being on a corner lot, there are two "no build" lines affecting the
majority of the green space on the plot. The only functional area to place a pool is in the
side yard. The pool and the pool deck would encroach on the 10' "No build" line in the
side yard. There is a privacy fence already in the back and side yard and the pool would not be
visible to neighbors on any side of the house.

What practical difficulty, special conditions and/or circumstances exist that are peculiar to the land or structure involved and which are not generally applicable to other lands or structures in the same zoning districts?

None that we are aware of.

Will granting the variance confer a special privilege that is denied by this regulation to other lands, structures, or buildings in the same district?

No

Will the essential character of the neighborhood area be substantially altered or will adjoining properties suffer substantial detriment as a result of the variance?

There will be no impact on the character of the neighborhood as the pool would not be
visible.

Have all reasonable alternatives been investigated or exhausted to find that this variance request is the minimum necessary to make reasonable use of land and structures?

Due to the nature of the plot and 'no build' lines, there is no alternative to placing a pool
on the property.

Can this property yield a reasonable return or can there be any beneficial use of the property without the variance?

The addition of a pool would positively affect the home's value and therefore the neighborhood's value.

Acknowledgement: I or a representative will be present at the BZAP hearing.*

☑

Brian and Michele Bell
4263 Greensview Dr
Upper Arlington, OH 43220
720-253-3231
michelebellhomes@gmail.com

February 10, 2025

Upper Arlington Board of Education
1619 Zollinger Road
Upper Arlington, OH 43221

Dear Neighbor,

We are writing to inform you that we are currently applying for a variance with the Upper Arlington Board of Zoning and Planning (BZAP) regarding our property located at 4263 Greensview Dr. Upper Arlington, OH 43220.

The proposed changes are to allow an inground pool placement within 10 feet of our property lines.

A public hearing regarding this variance application will be held on March 26, 2025 at 6:00 p.m. at 3600 Tremont Rd, Upper Arlington OH 43221. This is an opportunity for you to voice any concerns or questions you may have about my request. If you have any questions or would like to discuss this matter further, please do not hesitate to contact us at 720-253-3231 or michelebellhomes@gmail.com

Sincerely,

Brian and Michele Bell

Outlook

Message received about 4263 GREENSVIEW DR

From City of Upper Arlington, Ohio <noreply@opengov.com>
Date Thu 03/06/2025 4:17 PM
To Justin Milam <jmilam@uaoh.net>

City of Upper Arlington, Ohio

Michele Bell commented on Application Complete & Scheduled for BZAP Review:

Message:	"Hello Justin. Please see the letter below from the pool builder explaining why the pool needs to be where we are proposing. To whom it may concern: In regard to property 4263 Greensview Dr , Upper Arlington Oh 43220 pool project. The reasoning we can not move pool location any closer to home is due to not wanting to risk damaging home and patio structure. Being 6ft away from any structure allows us to confidently dig down for pool exaction and not damage any of the structures supporting home and patio . Digging any closer than 6ft we are risking severe damage to home and patio. We are also compromising the structure of the pool if we are too close to the home especially having to dig down several feet to accommodate in ground swimming pool. Pool already has an 12-18 inch over dig to accommodate pool plumbing and electric for pool lights. So as pool company who has been in pool construction for over 10 years we highly recommend to all our clients to stay at a minimum of 6ft away from all structures. Thank you Brian Lawhorn Outdoor Living Pools & Patio 614-205-3109 www.odlpools.com "
Where:	4263 GREENSVIEW DR
Type:	Variance Application
Number:	25-539

View Details

Powered by OpenGov

City of Upper Arlington

COMMUNITY DEVELOPMENT DEPARTMENT

3600 Tremont Road | Upper Arlington, OH 43221
614-583-5070 | upperarlingtonoh.gov

Revised: May 2023

Certification of Notice

Applicant Name: Brian and Michele Bell

Location of property subject to BZAP request: 4263 Greensview Dr. Upper Arlington, OH 43220

This application will be heard by the Board of Zoning and Planning on: March 26, 2025

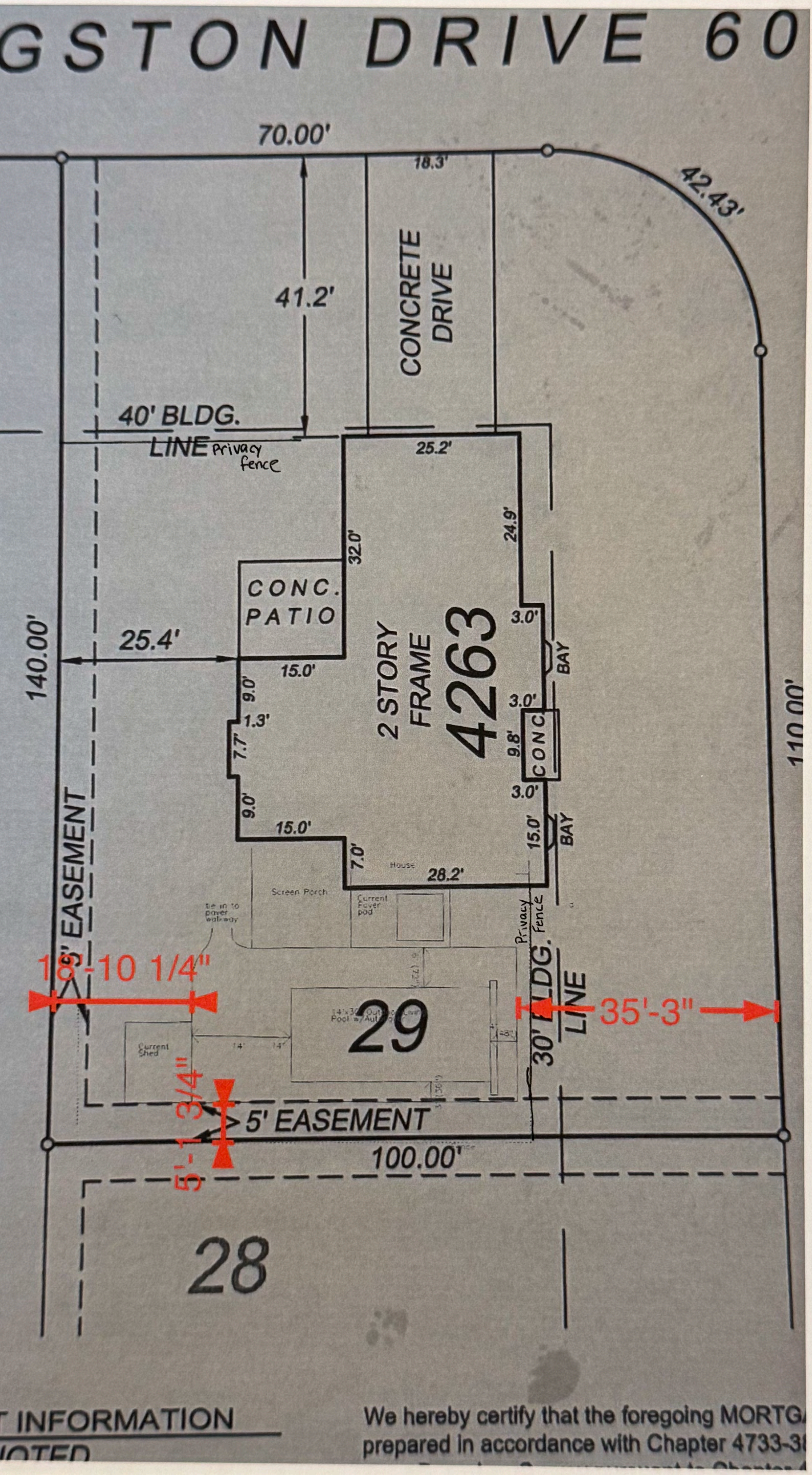
Describe activity which requires Board of Zoning and Planning review:

Allow pool placement in side yard within 10 feet of property line

Board of Zoning and Planning (BZAP) meetings begin at 6 PM on Wednesdays and are held at the Upper Arlington Municipal Services Center, 3600 Tremont Road, Upper Arlington, Ohio, 43221. Meeting location details and additional instructions will be provided on the Agenda, which is posted on the City's website at upperarlingtonoh.portal.civicclerk.com. For further information, please contact the Planning Division at planning@uaoh.net.

Your signature below DOES NOT constitute approval or disapproval of the request. Your signature only represents that you have been properly notified of the request. You are encouraged to attend any and all meetings regarding this matter.

Address of Property to be notified:	Property Owner Name:	Property Owner Signature or Certified Mail No.:	Date obtained or Mail sent:
1619 Zollinger Road	Upper Arlington Board of Ed	9589071052702301943960	2/10/25
1440 BRIDGETON DR	Matthew Photides	9589071052702301944042	2/10/25
4245 GREENSVIEW DR	MARIA HABERMAN	9589071052702301944028	2/10/25
1441 LANGSTON DR	ASHLEY E SMITH	9589071052702301944011	2/10/25
1451 LANGSTON DR	BRETT SOUTHWORTH	9589071052702301944004	2/10/25
4260 GREENSVIEW DR	KEVIN P DIDAY	9589071052702301943991	2/10/25
4248 GREENVIEW D	SARAH A BERTRAM	9589071052702301943984	2/10/25
4240 GREENSVIEW DR	PHILLIP H DAVIS	9589071052702301943977	2/10/25
1450 BRIDGETON DR	MICHAEL W OCHA	9589071052702301944035	2/10/25
Applicant Signature: Michele Bell		Brian Bell	**Date:** 2-10-25


GSTON DRIVE 60
70.00'
18.3'
42.43'
41.2'
CONCRETE DRIVE
40' BLDG.
LINE Privacy fence
25.2'
24.9'
32.0'
CONC. PATIO
25.4'
140.00'
15.0'
9.0'
1.3'
7.7'
9.0'
15.0'
2 STORY FRAME
4263
3.0'
BAY
3.0'
9.8'
CONC
3.0'
15.0'
BAY
7.0'
House
28.2'
Screen Porch
Current Foyer pad
tie in to power walkway
Privacy Fence
30' BLDG. LINE
35'-3"
18'-10 1/4"
29
Current Shed
14'
14'
5'-1 3/4"
5' EASEMENT
100.00'
28
INFORMATION
We hereby certify that the foregoing MORTG
prepared in accordance with Chapter 4733-3