



4/23/2025 | 6:00 PM

**Municipal Services Center, Council Chamber
3600 Tremont Road**

1. Call to Order/Roll Call

2. Consent Agenda

- a. Review of the BZAP meeting minutes from: ~~January 22, 2025~~, March 26, 2025 and April 9, 2025.
- b. 3910 Lyon Drive (VAR-15-25) - To grant an extension of Variance 19-23, granted May 17, 2023, which permitted a hot tub and retractable awning to encroach up to 15'-8" into the 100-foot rear yard setback.
- c. 2020 Beverly Road (VAR-16-25) - To allow a detached garage to encroach two feet into the three-foot minimum side yard setback (existing) and to increase the maximum height from 17 feet to 19'-4" to allow for a second floor home office.

3. Variance/Conditional Uses

- a. 1771 Tremont Road (VAR-17-25) - To request a renewal of expired Variance 43-21, granted September 15, 2021, which permitted a two-story garage addition that encroaches up to 5'-3" into the 15'-11" side yard longwall setback and up to 8'-6" into the rear yard profile.

4. City Updates

- a. Recap from the 2025 American Planning Association's National Planning Conference.

5. Adjournment

4/9/2025

**MUNICIPAL SERVICES CENTER, 3600 TREMONT ROAD
CITY COUNCIL CHAMBERS**

Members Present: Daniel Barringer, Todd Boyer, Kevin Carpenter, Matt McGrath,
and Shannon Tolliver

Members Absent: Marianne Mitchell and Bill Westbrook

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

1. Call to Order

Chair Tolliver called the meeting to order at 6:01 p.m.

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

2. Unfinished Business

- a. 2248 Club Road (VAR-63-24) - To allow an open breezeway that connects the house with the existing detached garage, but encroaches one-foot into the 32.5-foot rear yard setback and increases building cover from 29.1 percent (per BZ-03-97) to 30.8 percent. [Postponed from November 2024 BZAP; application recently amended.]

The Assistant City Attorney 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.

The board discussed a variance application for 2248 Club Road, which had been postponed from the November 2024 BZAP meeting. The revised application sought to allow an open breezeway connecting the house to an existing detached garage, encroaching 1 foot into the 32.5-foot rear yard setback and increasing building coverage from 29.1% to 29.7%.



The Senior Planner provided an update on the changes made to the application since the previous meeting. He explained that the proposal had been amended from an enclosed breezeway to an open breezeway, measuring 6 feet wide and 11 feet 6 inches deep. This change resulted in two variances being needed: a 1-foot rear yard encroachment and an increase in building coverage from 29.1% to 29.7%. The recently added shed is no longer proposed, and that permit submission will be withdrawn.

The applicant's attorney, Mr. Scott Schaeffer, KSR Law, addressed the board. He emphasized that the proposal had been reduced to the minimum necessary to address the need. Mr. Schaeffer noted that the breezeway would be built over an existing paver patio and would not affect development coverage. He also mentioned that the structure would not be visible from the street and was in keeping with the character of the neighborhood.

Ms. Sara Rau, 2238 Club Road, expressed concerns about the aesthetic impact of the structure on her property, potential changes to wind and sun patterns, and infrastructure issues related to stormwater runoff.

Board members discussed the proposal, noting that since it would be built over concrete, water runoff should not be an issue. They also confirmed that gutters would be required on the structure.

Chair Tolliver called for a motion to approve Variance VAR-63-25 to allow an open breezeway that connects the house with the existing detached garage but encroaches 1 foot into the 32.5-foot rear yard setback and increases building coverage from 29.1% to 29.7%, with findings number 3 and 4, with the following conditions: 1) that the open breezeway does not become enclosed unless approved by BZAP; 2) that the existing detached garage not be used for sleeping quarters or habitation.

Mr. Carpenter, seconded by Mr. Boyer, to approve VAR-63-25.

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

The motion carried (5-0).



3. Informal Review

- a. 2548 W. Lane Avenue - Informal review of a proposed four-car detached garage with a home office that does not meet neighborhood compatibility requirements

Mr. Milam provided an overview of the application and code requirements, explaining that the proposed structure would be over 2,000 square feet, including a home office and unfinished garage space. The overall height had been reduced from over 25 feet to about 23.5 feet. Staff expressed concerns about the overall height, scale, and massing of the structure, as well as its size in comparison to the main house and other detached garages in the neighborhood/street segment. He noted that if the height were under 23 feet and 200-300 square feet less, a variance would probably not be needed.

The applicants, Russell and Leah Rogers, presented their plans and explained the need for the structure, including a home office space and storage for vehicles/future collector cars. They emphasized that they had socialized the plan with immediate neighbors who were supportive.

Board Members discussed various aspects of the proposal, including its architectural style, massing, and compatibility with the neighborhood. They suggested potential modifications to reduce the visual impact of the structure, such as adjusting the roofline, adding architectural elements, or incorporating vegetation to break up the massing.

The board advised the applicants that they would need to apply for a variance for neighborhood compatibility unless the height and size were reduced per Staff's recommendations. They encouraged the applicants to work with their designers to address the board's feedback and potentially reduce the size or adjust the design of the structure before submitting a formal application.

4. Adjournment

A motion was made by Mr. Carpenter to adjourn, seconded by Mr. Boyer. The meeting was adjourned at 6:55 p.m.

Justin A. Milam

ATTEST:

Shannon Bellier

CHAIR:



City of Upper Arlington

March 26, 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: Daniel Barringer, Todd Boyer, Kevin Carpenter, Matt McGrath, Marianne Mitchell, Shannon Tolliver, and Bill Westbrook

Members Absent: None

Staff Present: Senior Planner Justin Milam, Assistant City Attorney Darlene Pettit, Development Intern Madison Strauss

Consent Agenda

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

- a. Review of the BZAP meeting minutes from February 5, 2025 and February 19, 2025.
- b. 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.

With conditions and finding #1, #4 and #5 noted.

- c. 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.

With findings #4 and #8 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: Daniel Barringer, Todd Boyer, Kevin Carpenter, Matt McGrath, Marianne Mitchell, Shannon Tolliver, and Bill Westbrook
VOTING NAY: None
ABSENT: None
ABSTAIN: None

The motion carried (7-0).

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

Ms. Strauss provided a brief overview of the application and noted Staff's support. Architect Mr. J. Carter Bean felt the plan was tasteful as it kept the highest part of the addition away from the rear yard neighbor along Reed Road. The design matches the house and a fireplace will be utilized between the home and addition. A hot tub and deck is also proposed.

Mr. Barringer felt the high windows were a good design, especially in the rear yard, and a rear profile variance is not needed. Ms. Mitchell agreed that the design was tasteful for the property and surroundings.

Chair Tolliver called for a motion to approve VAR-13-25, with finding #4 and #8 noted. Mr. Carpenter moved, seconded by Ms. Mitchell, to approve VAR-13-25.

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

The motion carried (7-0).

- 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.



Mr. Milam provided an overview of the variance application, mainly noting that there are a cluster of nonconforming swimming pools in this neighborhood. He stated that the swimming pool and decking were originally located within a utility easement, but were shifted to be closer to the house.

Mr. Brian Lawhorn, Outdoor Living Pool and Patio, stated that they have moved the pool, shrunk it and are as close to the home as he feels comfortable. Any further reduction would make it more of a “plunge pool.” The swimming pool is a fiberglass insert.

The Board agreed all the nearby swimming pools are close together, but cannot be seen due to existing fencing and landscaping. There was some discussion about requiring evergreen trees in the easement, but felt that would create other issues in the future.

Mr. Carpenter moved, seconded by Ms. Mitchell, to approve VAR-11-25.

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

The motion carried (7-0).

Adjournment

A motion was made by Mr. Carpenter to adjourn, seconded by Mr. Boyer The meeting was adjourned at 6:45 p.m.

ATTEST:

Justin G. Milam

CHAIR:

Shannon Tolliver



City of Upper Arlington

BZAP Minutes | Page 3 of 3 | 3/26/2025

Authors: Madison Strauss, Intern

BZAP Meeting Date: April 23, 2025

Subject: 3910 Lyon Drive (VAR-15-25) - To grant an extension of Variance 19-23, granted May 17, 2023, which permitted a hot tub and retractable awning to encroach up to 15'-8" into the 100-foot rear yard setback.

Site Description/History

This application requests an extension of variances granted by the Board on May 17, 2023 (see attached request); it would allow the applicant another year to submit a Building Permit and move forward with the project. Additional notification of nearby property owners within 100 feet was sent by the architect applicant on behalf of the property owner due to the expiration of the past application.

Proposal

The previously approved variance allowed for a below-grade and screened hot tub with a retractable awning above that encroached up to 15'-8" into the 100-foot rear yard setback. The subject property is located adjacent to The Ohio State University Golf Course, which has a platted 100-foot setback to preserve golf course vistas.

Zoning Code Requirements

- To UDO Article 5.02(C) to permit attached patio structures to encroach up to 15'-8" into the 100-foot rear yard setback (Article 5.02); and
- To UDO Article 6.09 to permit an accessory structure to be located forward of a platted building line, which is prohibited (Article 6.09).

UDO Article 4.09(C) states, *"Variances shall expire one (1) year from the date of enactment, unless prior thereto the applicant applies for a building permit in accordance with the granted variance. There shall be no modification of variances except by further consideration of BZAP. Extension of variances, without modification, may be applied for prior to the date of expiration, if the variance does not carry a prohibition against the extension. Extensions may be granted by BZAP if it finds that the requested extension is consistent with the purpose, policies, and intent of the master plan, and the specifications of the UDO. Requests for renewal of expired variances shall be considered to be the same as an application for a variance and shall meet all requirements for application and review pursuant to Section 4.09."*

Alternatives

No changes are proposed to the application from May 2023. Due to the deep rear yard setback adjacent to the golf course, variances would be needed for any addition to the rear of the home.

Requested Action and Findings

From the 2023 Staff Report:

Staff has reviewed the application, discussed with the applicant, and visited the site. In this case, Staff has found the 100-foot setback does not offer options for a compliant location for a hot tub and attached awnings. The proposed location will still leave ample open space from the rear property line, and burying the hot tub will reduce any potential noise or visual impacts. Therefore, Staff recommends approval of the application as submitted and notes Finding #4 for consideration.

Attachments

1.	Variance Application - 3910 Lyon Drive
2.	VAR-19-23 approval
3.	BZAP Staff Report - 3910 Lyon Dr (May 2023)
4.	BZAP Staff Report Pics - 3910 Lyon Drive (May 2023)





25-1103

Variance Application

Status: Active

Submitted On: 3/17/2025

Primary Location

3910 LYON DR

UPPER ARLINGTON, OH 43220

Owner

ROWAN DANIEL L TR

BERWYN 2693 UPPER

ARLINGTON, OH 43221

Applicant



Gerald Schultz



614-554-8072



gschultz@bsdarchitects.com



990 W. Third Ave

Suite 100

Columbus, OH 43212

BZAP Information

BZAP Case

VAR-15-25

Status

Pending

BZAP Determination Date

04/23/2025

Vote Tally

Primary Variance

Extension

Findings of Fact for Approval/Denial

Variance Request

To grant an extension of Variance 19-23, granted May 17, 2023, which permitted a hot tub and retractable awning to encroach up to 15'-8" into the 100-foot rear yard setback.

BZAP conditions

Variance Information

Describe Variance Request ?

The owners are requesting a two year extension to variances approved in 2023. Constuction has been postponed due to other commitments. Variance Application #VAR-19-23 issued May 17th 2023 allowed modest construction within the 100' golf course set back: 1.) Allow an inground spa extending 12'-8" into the setback. 2) Allow a 2' stone wall at east face of the spa extending 1'-6" furttther into the setback. 3) Allow retractable awning extending over the spa and new patio area, and 4) allow retractable awning over part of the existing patio.

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?

Other commitments made it necessary for the owners to postpone the project after the variances were approved in May 2023. The footprint of the house and the golf course setback leave little space for even modest amenities like a small spa. The openness of the golf course exposes the patio and the interior of the house to severe low angle glare from the east,

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 extension process is available to all who obtain approved variances. Small inground pools and spas have been allowed along the golf course, and low landscape elements and awnings are not uncommon.

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 Board of Zoning Appeals had no concern in these areas when it approved the variance in 2023. The stone wall is similar to existing ones at the other side of the patio and elsewhere in the neighborhood. The proposed awnings project out at a low angle, and even when fully extended trees and tall plantings on the side property lines block them from view.

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?

The proposed spa is not large, and it along with the low wall and patio extension fit tightly behind existing walks and landscaping.

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

Extending the variance approved in 2023 allows the owners to add value to the property by enhancing the patio with shading and the spa. Shading will also improve the liveability of the kitchen and great room opening onto the patio.

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





BEHAL || SAMPSON || DIETZ
ARCHITECTURE & CONSTRUCTION

March 14, 2025

NAME

ADDRESS

ADDRESS

RE: 3910 Lyon Drive

Dear *NAME*:

Two years ago, the owners of 3910 Lyon Drive were granted variances allowing the construction of an in-ground spa and a patio extension within the 100' setback from the golf course. A site plan showing the project is enclosed.

Due to other commitments, construction was postponed. The term of the 2023 variances will expire this year, so the owners are requesting an extension as permitted by Upper Arlington Zoning regulations.

The Board of Zoning Appeals will hear the request on April 23, 2025 at 6:00 p.m. The hearing is held at the Upper Arlington Municipal Services Center, 3600 Tremont Road and is open to the public. More meeting information is available on the Upper Arlington website at <https://upperarlingtonoh.gov>.

Please feel free to contact me with any questions or concerns.

Sincerely,

Gerald Schultz, Architect

Encl.

Revised: May 2023

Certification of Notice

Applicant Name: _____

Location of property subject to BZAP request: _____

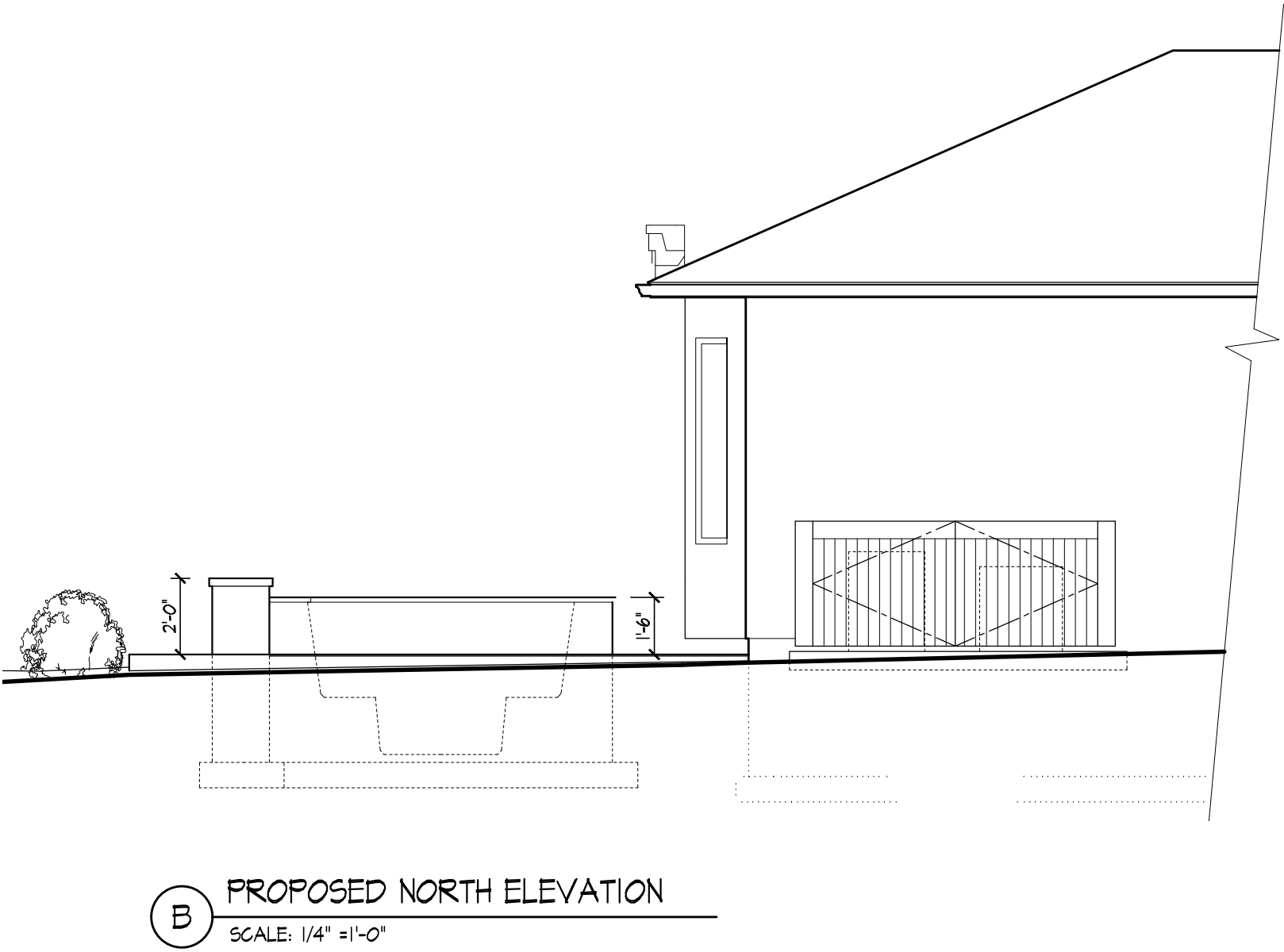
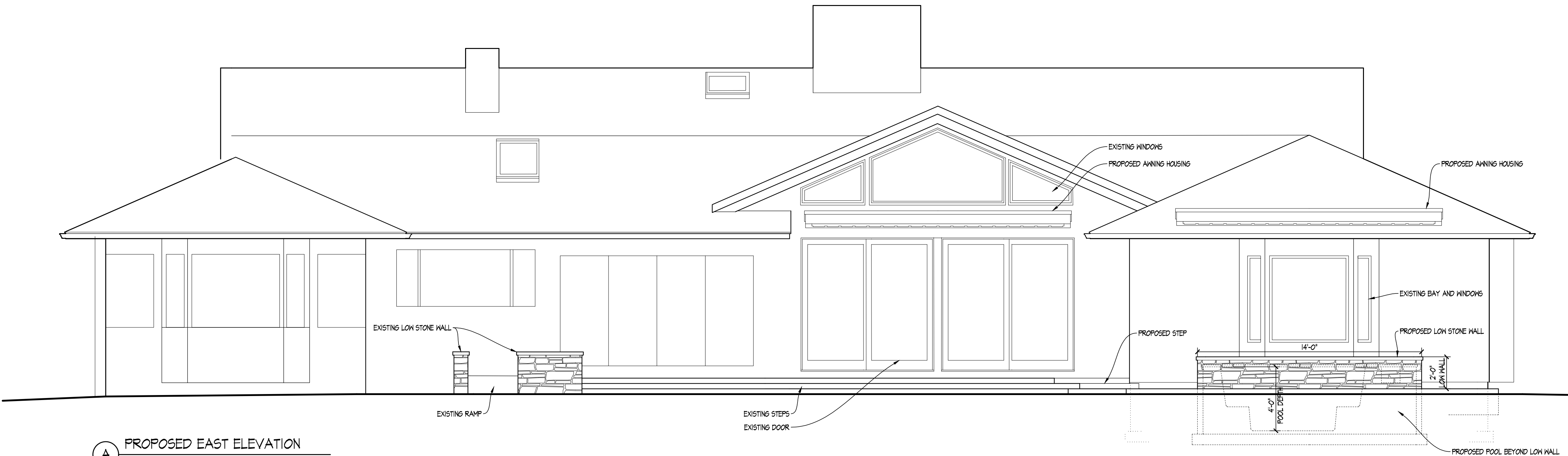
This application will be heard by the Board of Zoning and Planning on: _____

Describe activity which requires Board of Zoning and Planning review:

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:
<u>Applicant Signature:</u>			<u>Date:</u>





BEHAL SAMPSON DIETZ
 990 WEST THIRD AVE.
 COLUMBUS, OHIO 43212

A PROPOSED EXTERIOR ELEVATION RENDER
 SCALE: NTS



B PROPOSED AWNING - OVER PROPOSED POOL
 SCALE: NTS

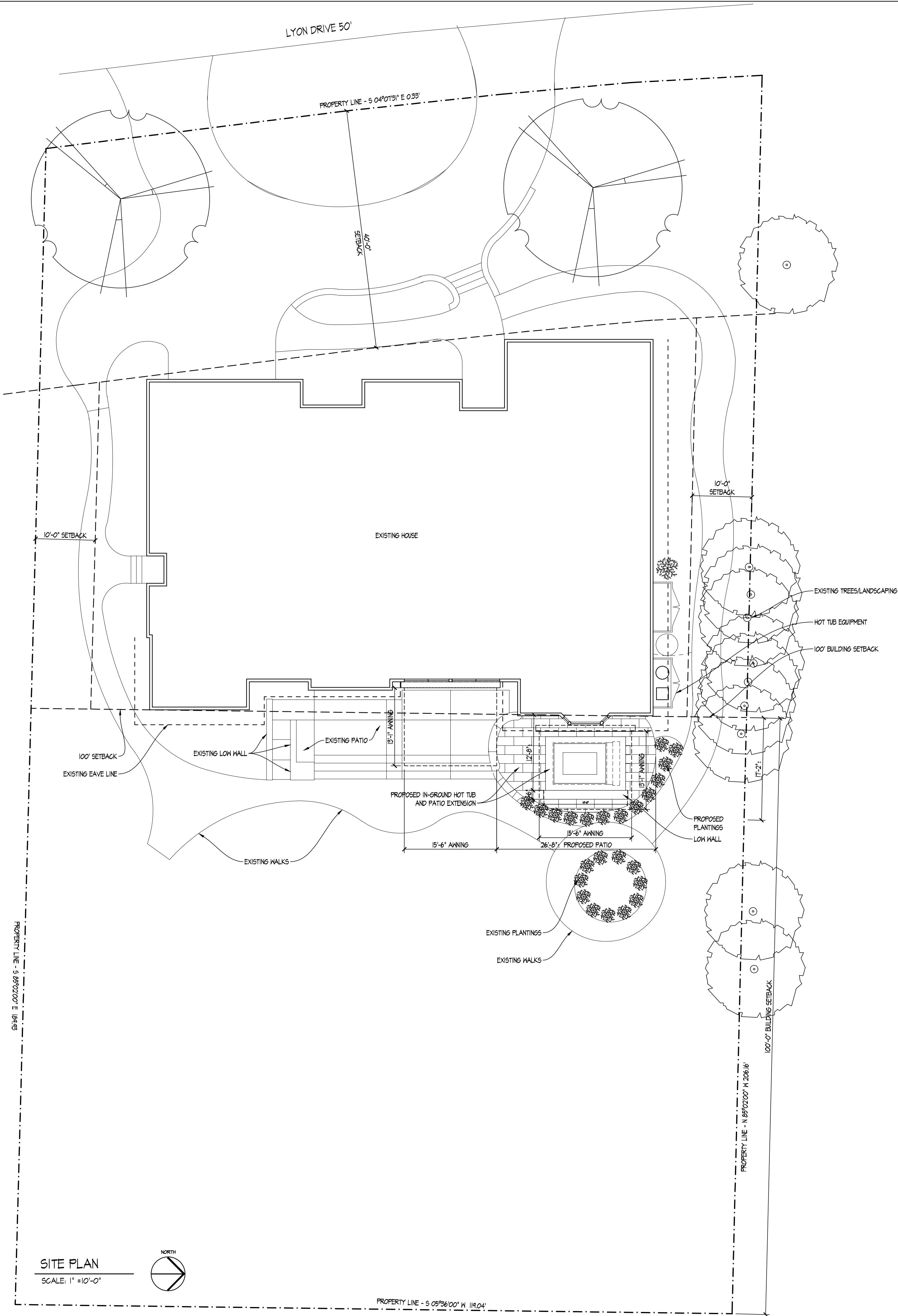


C PROPOSED AWNING - OVER EXISTING PATIO
 SCALE: NTS

SCHEMATIC DRAWINGS FOR THE
 LACH-ROWAN RESIDENCE

3910 LYON DRIVE
 UPPER ARLINGTON, OH 43220
 04.20.2023

BEHAL SAMPSON DIETZ
990 WEST THIRD AVE.
COLUMBUS, OHIO 43212



BUILDING ZONING INFORMATION

PROPERTY ADDRESS:	3910 LYON DRIVE
ZONING:	R18
LOT AREA:	23,958 SQ. FT. (.55 ACRE)
ALLOWABLE DEV. COVERAGE (40%):	9,583 SQ. FT.
EXISTING DEV. COVERAGE:	8,844 SQ. FT.
PROPOSED DEV. COVERAGE (40%):	9,583 SQ. FT.

SITE PLAN
SCALE: 1" = 10'-0"



SCHEMATIC DRAWINGS FOR THE
LACH-ROWAN RESIDENCE

3910 LYON DRIVE
UPPER ARLINGTON, OH 43220

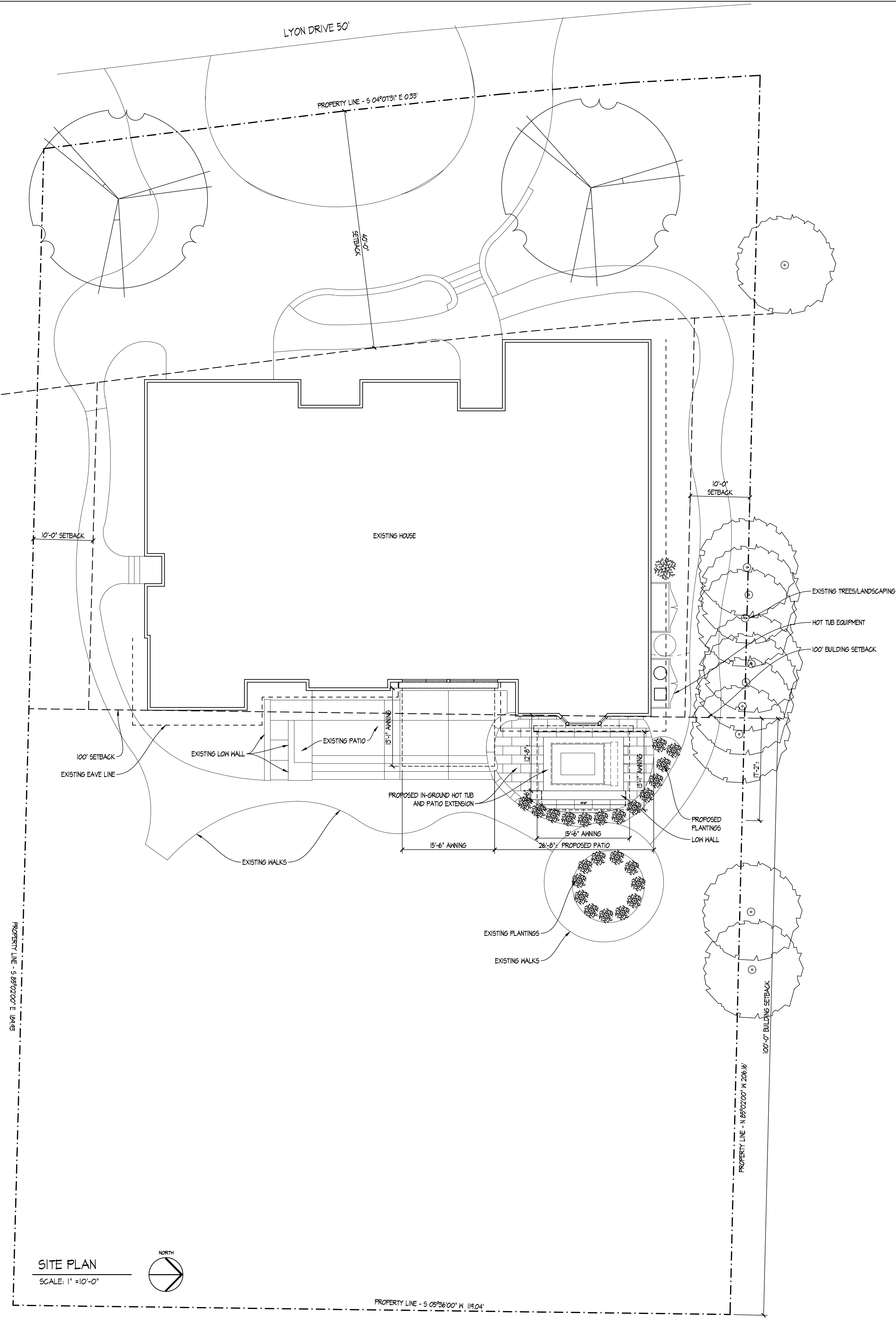
04.20.2023

990 WEST THIRD AVE.
COLUMBUS, OHIO 43212



3910 LYON DRIVE
UPPER ARLINGTON, OH 43220

04.20.2023



BUILDING ZONING INFORMATION

PROPERTY ADDRESS:	3410 LYON DRIVE
ZONING:	R18
LOT AREA:	23,458 SQ. FT. (.55 ACRE)
ALLOWABLE DEV. COVERAGE (40%):	9,383 SQ. FT.
EXISTING DEV. COVERAGE:	8,844 SQ. FT.
PROPOSED DEV. COVERAGE (40%):	9,383 SQ. FT.

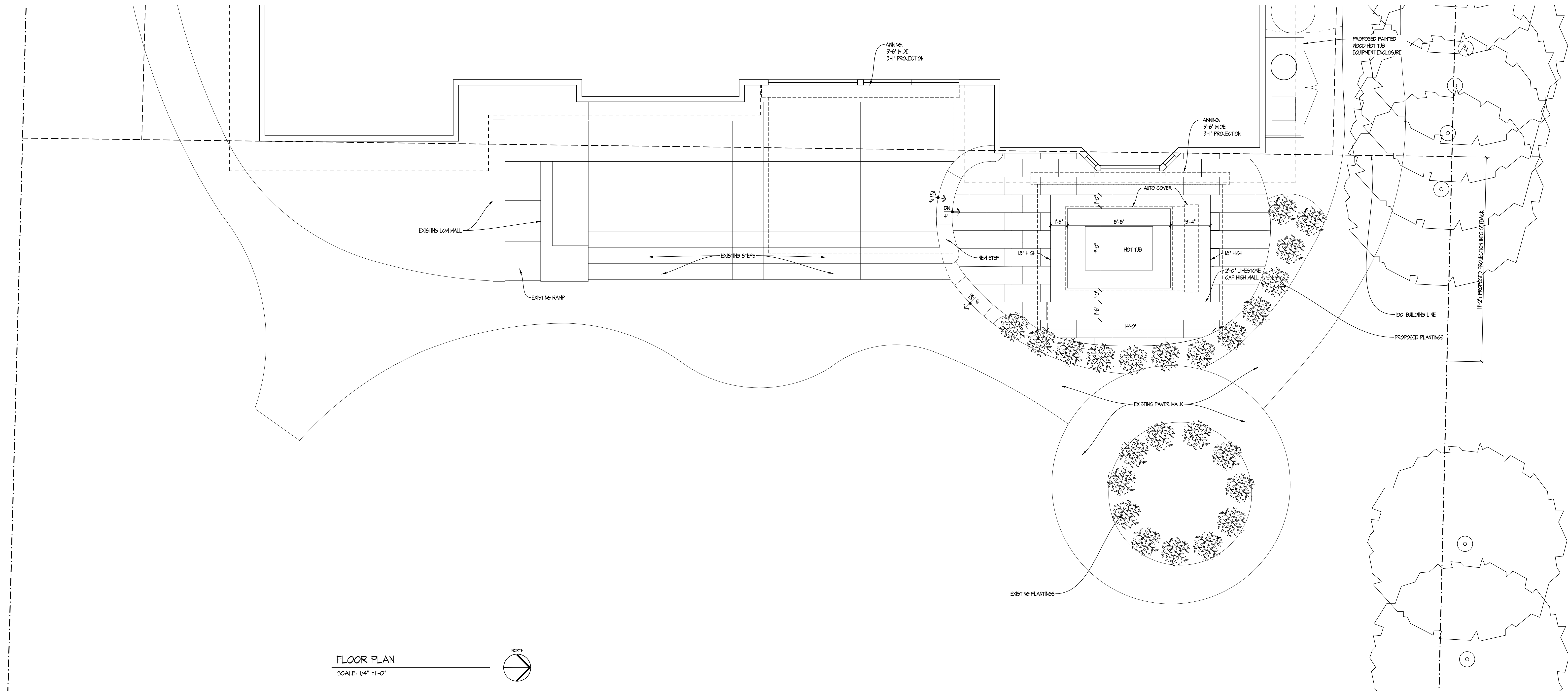
SITE PLAN
SCALE: 1" = 10'-0"



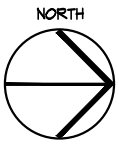
SCHEMATIC DRAWINGS FOR THE
LACH-ROWAN RESIDENCE

3410 LYON DRIVE
UPPER ARLINGTON, OH 43220

04.20.2023



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



Variance Application 23-1555

This is an e-permit. To learn more, scan this barcode or visit

Issued to: Gerald Schultz for Application #VAR-19-23 on May 17, 2023

Location: 3910 LYON DR in Upper Arlington, OH

BZAP Review: Approved | **Vote Tally:** 6-0 | **Findings:** #4

Variance(s) granted: To allow a hot tub and retractable awning to encroach up to 15'-8" into the 100-foot rear yard setback.

Conditions: None.

**A permit must be secured (or resubmitted) within two years or the variance becomes void.*

***Please be aware that: Any person aggrieved by any order, requirement, decision, or determination made by BZAP per Table 4-A of the Unified Development Ordinance that is not eligible for legislative review, who actively participated at the hearing at which the order, requirement, decision, or determination being appealed was made, may appeal to the Franklin County Court of Common Pleas within 30 days after issuance of the Board's decision. A person actively participates where they appear at the hearing at which the order was made, either in person or through their legal counsel, and state their position on the record. The City Manager, the Director of Community Development, or a designated representative; may appeal any order, requirement, decision, or determination made by the BZAP.*

Authors: Alyssa Kelly, AICP, Planning Officer

BZAP Meeting Date: May 17, 2023

Subject: 3910 Lyon Drive (VAR-19-23) - To allow a hot tub and retractable awning to encroach up to 15'-8" into the 100-foot rear yard setback.

Site Description/History

The subject property, 3910 Lyon Drive, is located on the east side of the street, just north of Hartsook Lane in the Hartsook Golf Subdivision (Lot #4). The irregular shaped property has 120 feet of frontage and 198 (average) feet of depth; it is zoned R-1b, One-Family Residence District. A stone ranch is constructed along the front yard setback (40 feet). The home also sits along a 100-foot platted rear yard setback from the adjacent The Ohio State University Golf Course. It was built in 1973 and purchased by the applicant in 2016.

Proposal

The applicant is proposing a hot tub that would be located 11'-4" into the 100-foot platted rear yard setback. The hot tub would be below grade, and concealed with a two-foot tall stone wall. The project also includes two retractable awnings on the rear of the home; one that projects 8'-11" into the rear yard setback and over the patio. The other awning would project 15'-8" into the rear yard setback and be located over the hot tub. There are plantings proposed around the hot tub area.

Zoning Code Requirements

- To UDO Article 5.02(C) to permit attached patio structures to encroach up to 15'-8" into the 100-foot rear yard setback; and
- To UDO Article 6.09 to permit an accessory structure to be located forward of a platted building line, which is prohibited.

Note: The Board previously approved a variance for 3744 Lyon Drive, a nearby property, for a hot tub that encroached 15'-3" into the 90-foot rear yard platted setback (VAR-08-23).

Alternatives

Based on the location of the house and the 100-foot platted setback, options for outdoor improvements are limited for properties abutting the golf course. The applicant could look at reducing or eliminating the awnings, so the encroachment is less.



Requested Action and Findings

Staff has reviewed the application, discussed with the applicant, and visited the site. In this case, Staff has found the 100-foot setback does not offer options for a compliant location for a hot tub and attached awnings. The proposed location will still leave ample open space from the rear property line, and burying the hot tub will reduce any potential noise or visual impacts. Therefore, Staff recommends approval of the application as submitted and notes Finding #4 for consideration.

Attachments

1. 3910 Lyon Drive variance app
2. BZAP Staff Report Pics - 3910 Lyon Drive



3910 Lyon Drive

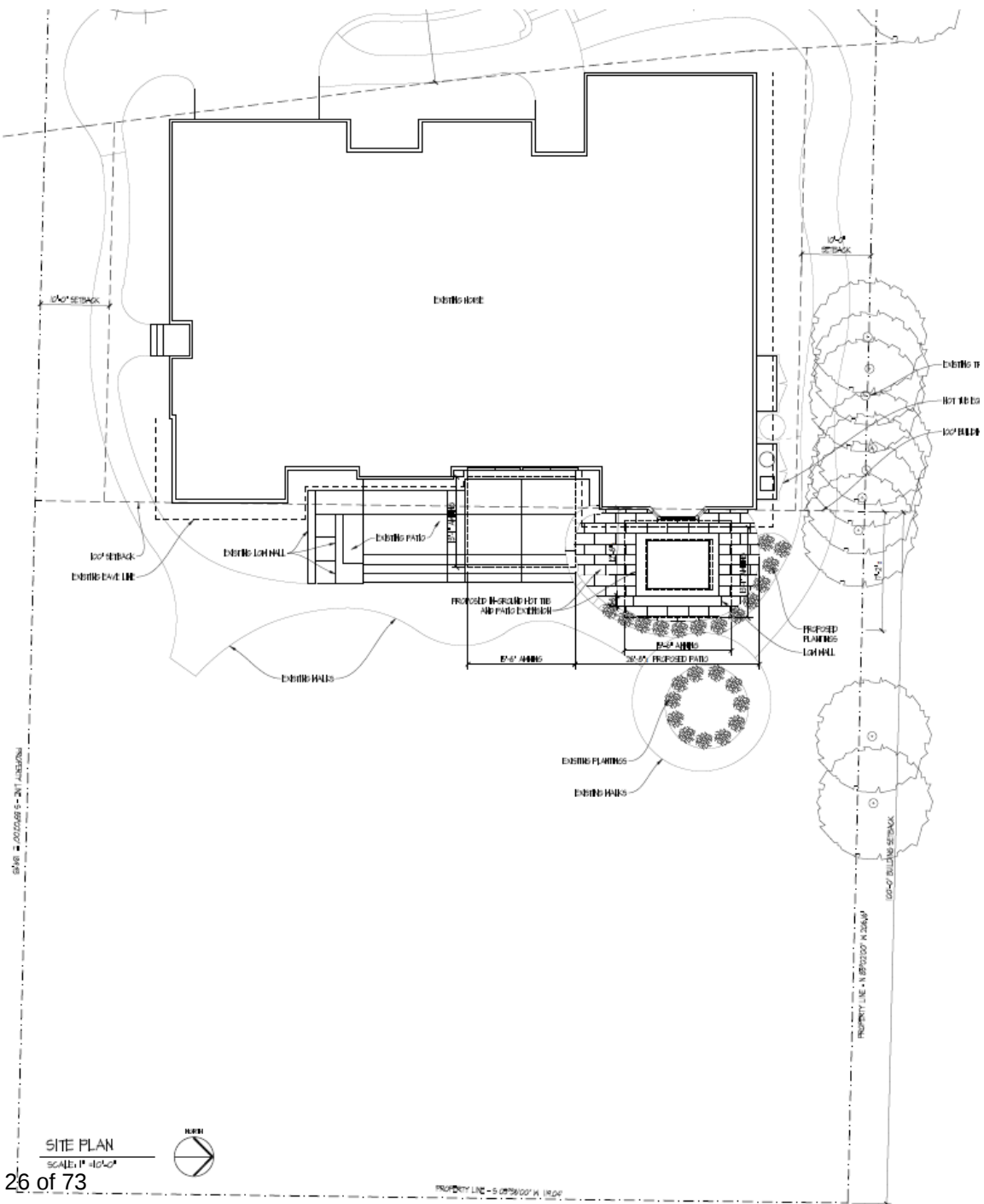
BZAP Staff Report Pictures



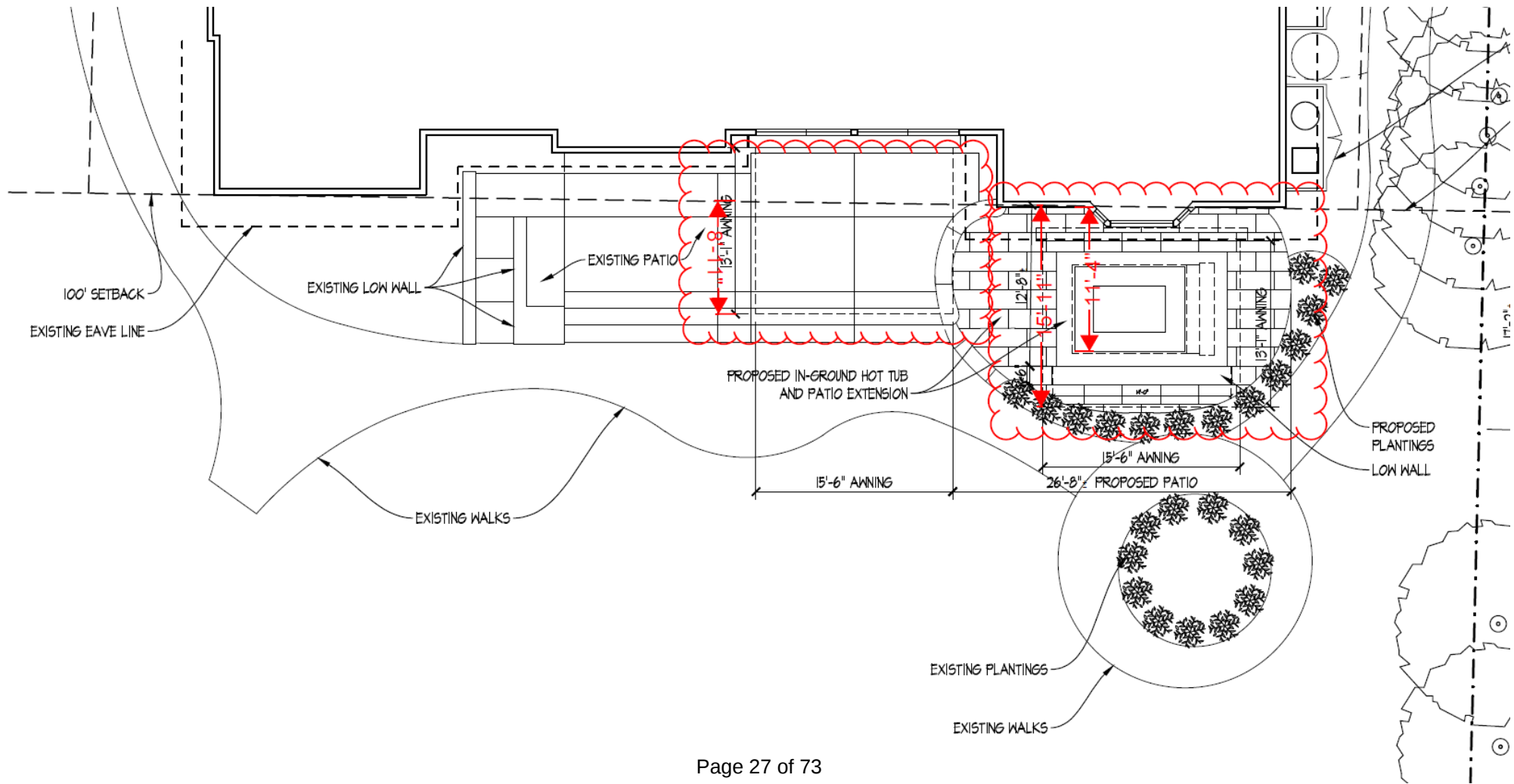
Google Maps ® Aerial – Looking North



Proposed Site Plan



Proposed First Floor Plan



Proposed Rear Elevation



Proposed Awnings



Existing Abington Road Elevation



Existing Rear Elevation



Existing Rear Yard



Authors: Madison Strauss, Intern

BZAP Meeting Date: April 23, 2025

Subject: 2020 Beverly Road (VAR-16-25) - To allow a detached garage to encroach two feet into the three-foot minimum side yard setback (existing) and to increase the maximum height from 17 feet to 19'-4" to allow for a second floor home office.

Site Description/History

The subject property, 2020 Beverly Road, is located on the northwest side of the street, midway between Arlington Avenue and Coventry Road; it is zoned R-1c, One-Family Residence District. The property is regularly shaped with 60 feet of frontage and 132 feet of depth. It was platted as Lot #15 of Block 77 from the 1921 Upper Arlington subdivision with a five-foot-wide utility easement along the rear of the property. A two-story stucco home sits two feet behind the 40-foot building setback line; a driveway on the southeast side of the property leads to a 400-square-foot, one-story, two-car detached garage. [It sits 3.9 feet from the north (rear) property line, and sits one-foot from the east (side) property line.] The home and detached garage were built in 1925, and purchased by the applicant in September 2017. The property is enclosed with a six-foot tall cedar privacy fence and mature trees; three neighboring garages are adjacent to the existing detached garage area.

Proposal

This application proposes the construction of a new 550-square foot (22' x 26') detached garage in the same location and would include a second floor home office. The plan maintains the existing two-foot encroachment into the side yard setback, but is shifted outside the rear utility easement. The detached garage is 19'-4" tall, 2'-4" above the maximum height limit, to allow for a second floor home office. The plan includes space for two vehicles plus stairs and storage on the first floor. The elevations note a wood and/or Boral exterior with four front-facing dormer windows. No window is proposed on the east (side) elevation. No changes are proposed to the existing driveway, landscaping or fencing. The increased garage size meets existing building cover and development cover requirements.

Zoning Code Requirements

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

- Encroaches two-feet into the three-foot minimum side yard setback (existing); and
- Measures 19'-4" in height, in lieu of the 17-foot height limit.

Alternatives

With this variance application, the applicant is trying to accomplish two objectives: to have a similar design to the existing detached garage and to take advantage of the space with a second floor home office to allow working from home. The side yard setback variance could be eliminated by shifting the garage over two feet, but the applicant believes it would restrict access due to the placement of the home. The proposed height is within the range of those recently approved by the Board for second floor space in detached garages (19 to 22 feet).

Requested Action and Findings

Staff has reviewed the application and plans, discussed it with the applicant, and visited the site. The proposed detached garage is at the lower end of the heights recently approved by the Board, moves it out of a utility easement, and keeps it largely in the same location. The proposed design blends well with the home, including its scale and massing (Finding #4). It will be adjacent to other detached garages, plus the additional height is also at the front of the garage, which limits its impact on adjacent property. For these reasons, Staff recommends that this application be approved, subject to the detached garage not being used for sleeping quarters.

Attachments

1.	Variance Application - 2020 Beverly Road
2.	BZAP Staff Report Pics - 2020 Beverly Road





25-1146

Variance Application

Status: Active

Submitted On: 3/19/2025

Primary Location

2020 BEVERLY RD
UPPER ARLINGTON, OH
43221

Owner

Todd and Natalie Spencer
Beverly Road 2020 Upper
Arlington, OH 43221

Applicant

 Gary Alexander
 614-487-0637
 gary@garyjalexanderarchitect.com
 1265 Neil Avenue
Columbus, Ohio 43201

BZAP Information

BZAP Case

VAR-16-25

Status

Pending

BZAP Determination Date

04/23/2025

Vote Tally

Primary Variance

Detached Garage

Findings of Fact for Approval/Denial

Variance Request

To allow a detached garage to encroach two feet into the three-foot minimum side yard setback (existing) and to increase the maximum height from 17 feet to 19'-4" to allow for a second floor home office.

BZAP conditions

Variance Information

Describe Variance Request ?

We are requesting a variance to exceed the height limit for a detached garage by 2'- 4 1/2" and to maintain the current 2'-0" encroachment in the side yard setback.

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 owners would like to build a new garage with an upper level office. The height beyond the 17' limit is needed to create adequate floor space for the office. The proximity of the northeast corner of the house limits vehicular access into a garage. Maintaining the current 2'-0" encroachment into the side setback will allow both vehicles to enter the garage.

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. Variances to exceed the height limit in similar circumstances have been granted. The setback variance is maintaining an existing condition.

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 garage will match the appearance of the house. The shed dormer is similar to a shed dormer on the front of the house. The materials of the new garage will match those on the house. The one-hour rated side wall, which is not part of the current garage, will provide greater fire protection for the neighboring property. Unlike the existing garage, the new garage does not encroach in the rear easement.

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. The roof slope over the garage is shallower than the slope of the roof over the house in order to limit the height of the garage. The plate height of the shed dormer is restricted for the same reason. The footprint of the garage, limited to the zoning requirement for this property, also minimizes the extent of this variance request.

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

It will be difficult to create a garage that two vehicles can easily access without the side yard encroachment. The value of this property is limited without a functioning two car garage. The office over the garage, that the height variance permits, does increase the value of the property and is becoming more common in the community.

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



March 15, 2025

Rick & Erin Trott
2008 Beverly Rd.
Upper Arlington, Ohio 43221

Re: Zoning variance request for a new garage at 2020 Beverly Road

Dear Rick & Erin:

I am writing to inform you that we are requesting a zoning variance for a new garage at the rear of our property. This request will be heard at 6:00 p.m. Wednesday, April 23, 2025, in the City of Upper Arlington's Municipal Service Center at 3600 Tremont Road.

If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

Todd & Natalie Spencer
2020 Beverly Rd.
Upper Arlington, OH 43221



Revised: Jan 2021

Certification of Notice

Applicant Name: Todd and Natalie Spencer

Location of property subject to BZAP request: 2020 Beverly Road

Describe activity which requires Board of Zoning and Planning review:

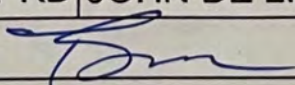
We are requesting a zoning variance to permit the construction of a new detached garage wi



This application will be heard by the Board of Zoning and Planning on: April 23, 2025

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. Due to the ongoing COVID-19 pandemic, meetings MAY be held remotely via video conference and telephone call-in. Meeting location details and additional instructions will be provided on the Agenda, which is posted on the City's website at docs.uaoh.net/AgendaOnline. 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:
2023 WICKFORD RD	LEWIS & PHYLLIS HANES	9589071052701809976579	
2029 WICKFORD RD	RICHARD COIL	9589071052701809976586	
2035 WICKFORD RD	CAROL FERGUS	9589071052701809976562	
2045 WICKFORD RD	ROBERT & DONNA TAIT	9589071052701809976463	
2055 WICKFORD RD	AMY SAUNDERS TR	9589971052701809976470	
2036 BEVERLY RD	MARCUS & SUSAN CENCI	9589071052701809976487	
2026 BEVERLY RD	ANDREW & CASANDRA IAMS	9589071052701809976494	
2014 BEVERLY RD	KATHRYN KEETHLER	9589071052701809976500	
2008 BEVERLY RD	RICHARD & ERIN TROTT	9589071052701809976517	
2003 BEVERLY RD	CHARLES PALMER & AMANDA MARTZ	9589071052701809976524	
2011 BEVERLY RD	BRANSON & MARISA NYE	9589071052701809976531	
2019 BEVERLY RD	MARY PERKINS & TIMOTHY MCNEMAR	9789971052701809976548	
2025 BEVERLY RD	JOHN DE LIBERA	9789071052701809976555	
Applicant Signature: 			Date: <u>3/17/2025</u>





Revised: Jan 2021

Certification of Notice

Applicant Name: Todd & Natalie Spencer

Location of property subject to BZAP request: 2020 Beverly Road

Describe activity which requires Board of Zoning and Planning review:

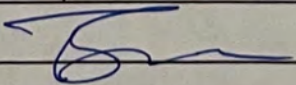
We are requesting a zoning variance to permit the construction of a new detached garage wi



This application will be heard by the Board of Zoning and Planning on: April 23rd, 2025

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. Due to the ongoing COVID-19 pandemic, meetings MAY be held remotely via video conference and telephone call-in. Meeting location details and additional instructions will be provided on the Agenda, which is posted on the City's website at docs.uaoh.net/AgendaOnline. 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:
2031 BEVERLY RD	PHILIP BINKLEY	9589071052701829976593	
Applicant Signature:			Date: <u>3/17/2025</u>

March 15, 2025

Charles Palmer & Amanda Martz
1431 Townsquare Dr
Allison, PA 15101

Re: Zoning variance request for a new garage at 2020 Beverly Road

Dear Charles & Amanda:

I am writing to inform you that we are requesting a zoning variance for a new garage at the rear of our property. This request will be heard at 6:00 p.m. Wednesday, April 23, 2025, in the City of Upper Arlington's Municipal Service Center at 3600 Tremont Road.

If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

March 15, 2025

Branson & Marisa Nye
2104 Jervis Rd.
Upper Arlington, Ohio 43221

Re: Zoning variance request for a new garage at 2020 Beverly Road

Dear Branson & Marisa:

I am writing to inform you that we are requesting a zoning variance for a new garage at the rear of our property. This request will be heard at 6:00 p.m. Wednesday, April 23, 2025, in the City of Upper Arlington's Municipal Service Center at 3600 Tremont Road.

If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

Todd & Natalie Spencer
2020 Beverly Rd.
Upper Arlington, OH 43221



quadient
FIRST-CLASS MAIL
IMI
\$000.69²
04/08/2025 ZIP 43016
043M31242668
US POSTAGE

Charles Palmer & Amanda Martz
1431 Townsquare Dr
Allison, PA 15101

LEE & ASSOCIATES
COMMERCIAL REAL ESTATE SERVICES
6175 Emerald Parkway
Dublin, OH 43016



quadient
FIRST-CLASS MAIL
IMI
\$000.69²
04/08/2025 ZIP 43016
043M31242668
US POSTAGE

Branson & Marisa Nye
2104 Jervis Rd.
Upper Arlington, OH 43221

Marcus & Susan Cenci
4809 Sandcherry Dr
Champaign, IL 61822

Re: Zoning variance request for a new garage at 2020 Beverly Road

Dear Marcus & Susan:

I am writing to inform you that we are requesting a zoning variance for a new garage at the rear of our property. This request will be heard at 6:00 p.m. Wednesday, April 23, 2025, in the City of Upper Arlington's Municipal Service Center at 3600 Tremont Road.

If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

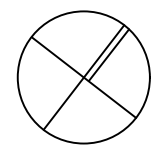
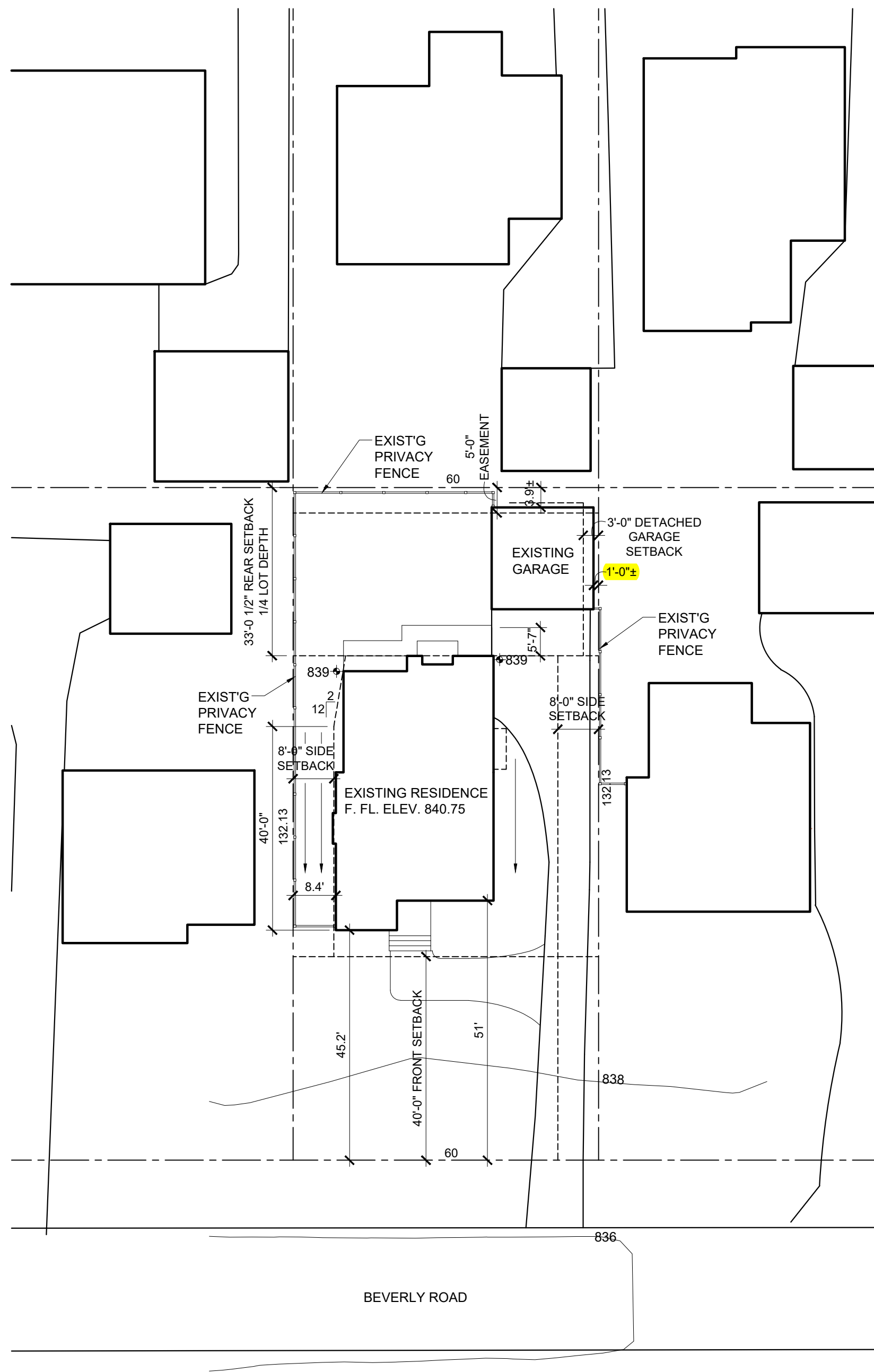
Todd & Natalie Spencer
2020 Beverly Rd.
Upper Arlington, OH 43221

LEE & ASSOCIATES
COMMERCIAL REAL ESTATE SERVICES
6175 Emerald Parkway
Dublin, OH 43016

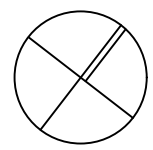
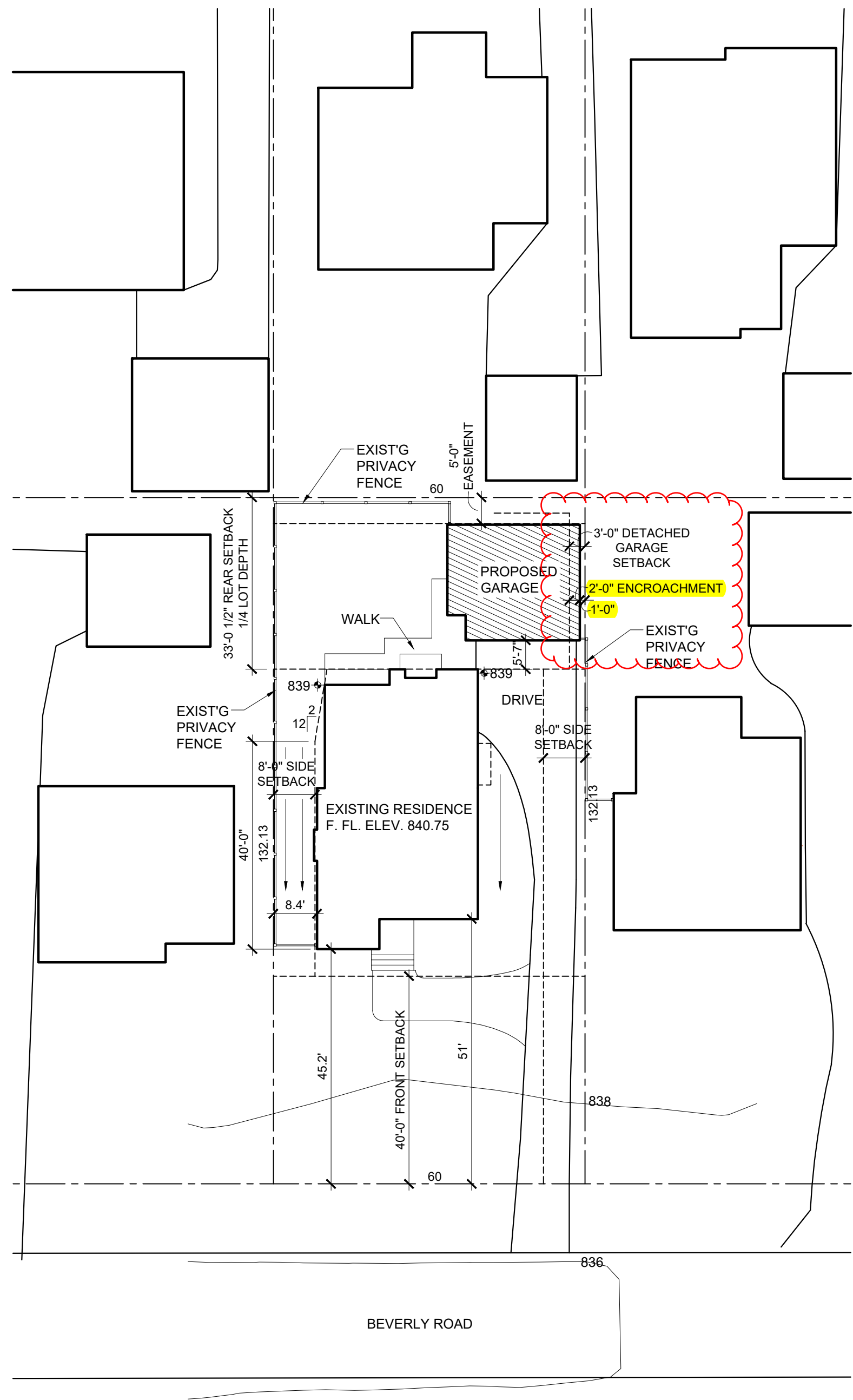


quadient
FIRST-CLASS MAIL
IMI
\$000.69²
04/08/2025 ZIP 43016
043M31242668
US POSTAGE

Marcus & Susan Cenci
4809 Sandcherry Dr
Champaign, IL 61822



SITE PLAN
EXISTING
SCALE: 1" = 20'-0"



SITE PLAN
PROPOSED
SCALE: 1" = 20'-0"

ZONING INFORMATION

PARCEL ID	070-000872-00		
ZONING DISTRICT	R-1C		
LOT AREA	7,928 SQ. FT.		
EXISTING BUILDING COVER	-	1,985 SQ. FT.	25% OF LOT AREA
PERMITTED BUILDING COVER	-	2,299 SQ. FT.	29% OF LOT AREA
PROPOSED BUILDING COVER	-	2,105 SQ. FT.	27% OF LOT AREA
EXISTING DEVELOPMENT COVER	-	3,736 SQ. FT.	47% OF LOT AREA
PERMITTED DEVELOPMENT COVER	-	3,969 SQ. FT.	50% OF LOT AREA
PROPOSED DEVELOPMENT COVER	-	3,824 SQ. FT.	48% OF LOT AREA
PERMITTED DETACHED GARAGE	-	554 SQ. FT.	7% OF LOT AREA
PROPOSED DETACHED GARAGE	-	550 SQ. FT.	7% OF LOT AREA

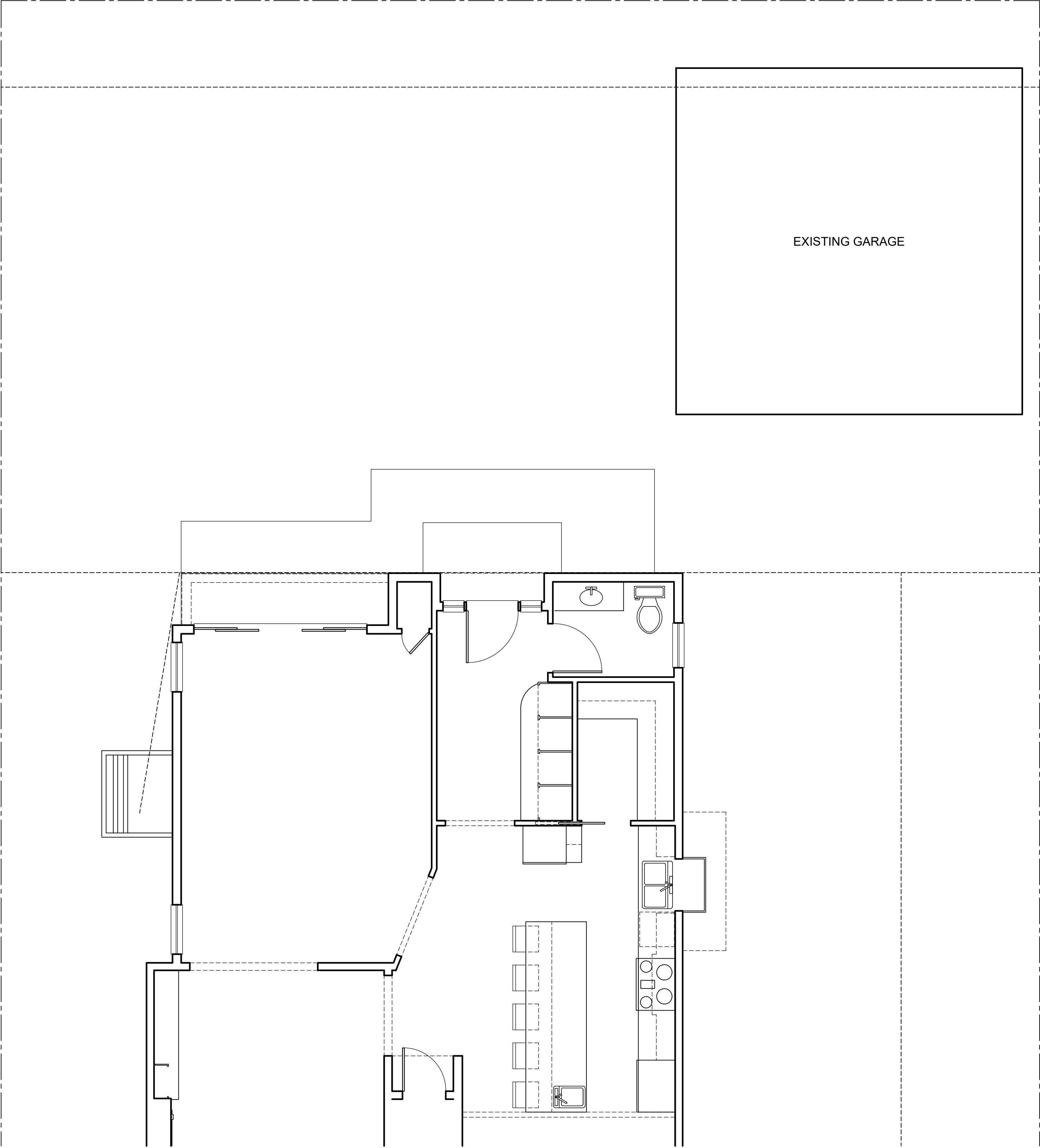
GARAGE
THE SPENCER RESIDENCE
2020 BEVERLY ROAD

Gary J. Alexander,
Architect
1265 Neil Avenue, Columbus, Ohio 43201
(614) 487-0637

ZON. VAR.: 03-19-2025

A-1

COPYRIGHT 2025
THE DRAWINGS, SPECIFICATIONS AND OTHER DOCUMENTS
GENERATED SHALL REMAIN THE PROPERTY OF GARY J.
ALEXANDER, ARCHITECT AND MAY NOT BE USED, DUPLICATED,
OR ALTERED, WITHOUT WRITTEN CONSENT OF THE ARCHITECT.



FIRST FLOOR PLAN

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

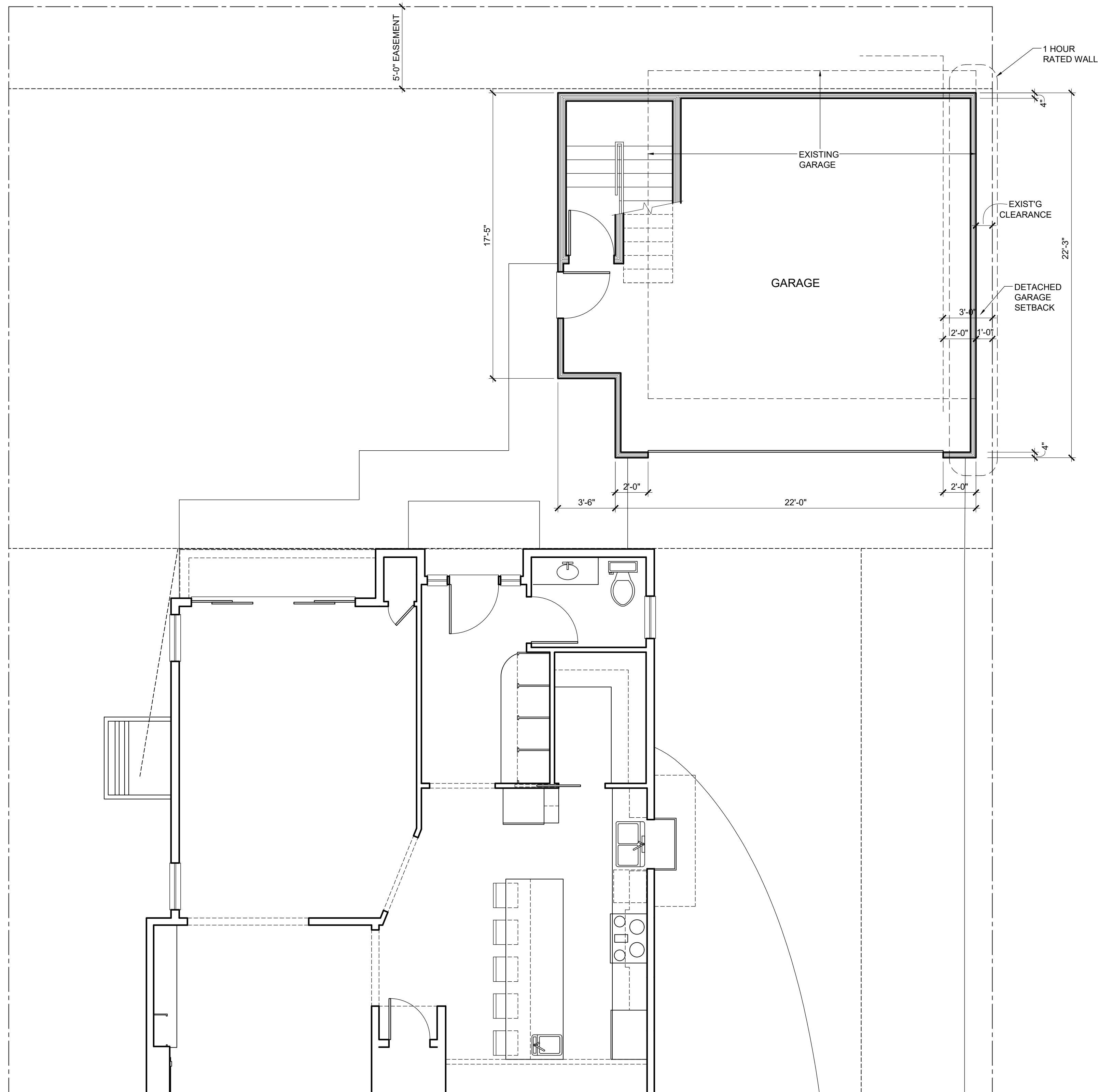
COPYRIGHT 2025
THE DRAWINGS, SPECIFICATIONS AND OTHER DOCUMENTS
GENERATED SHALL REMAIN THE PROPERTY OF GARY J.
ALEXANDER, ARCHITECT AND MAY NOT BE USED, DUPLICATED,
OR ALTERED, WITHOUT WRITTEN CONSENT OF THE ARCHITECT.

GARAGE
THE SPENCER RESIDENCE
2020 BEVERLY ROAD

Gary J. Alexander,
Architect
1265 Neil Avenue, Columbus, Ohio 43201
(614) 487-0637

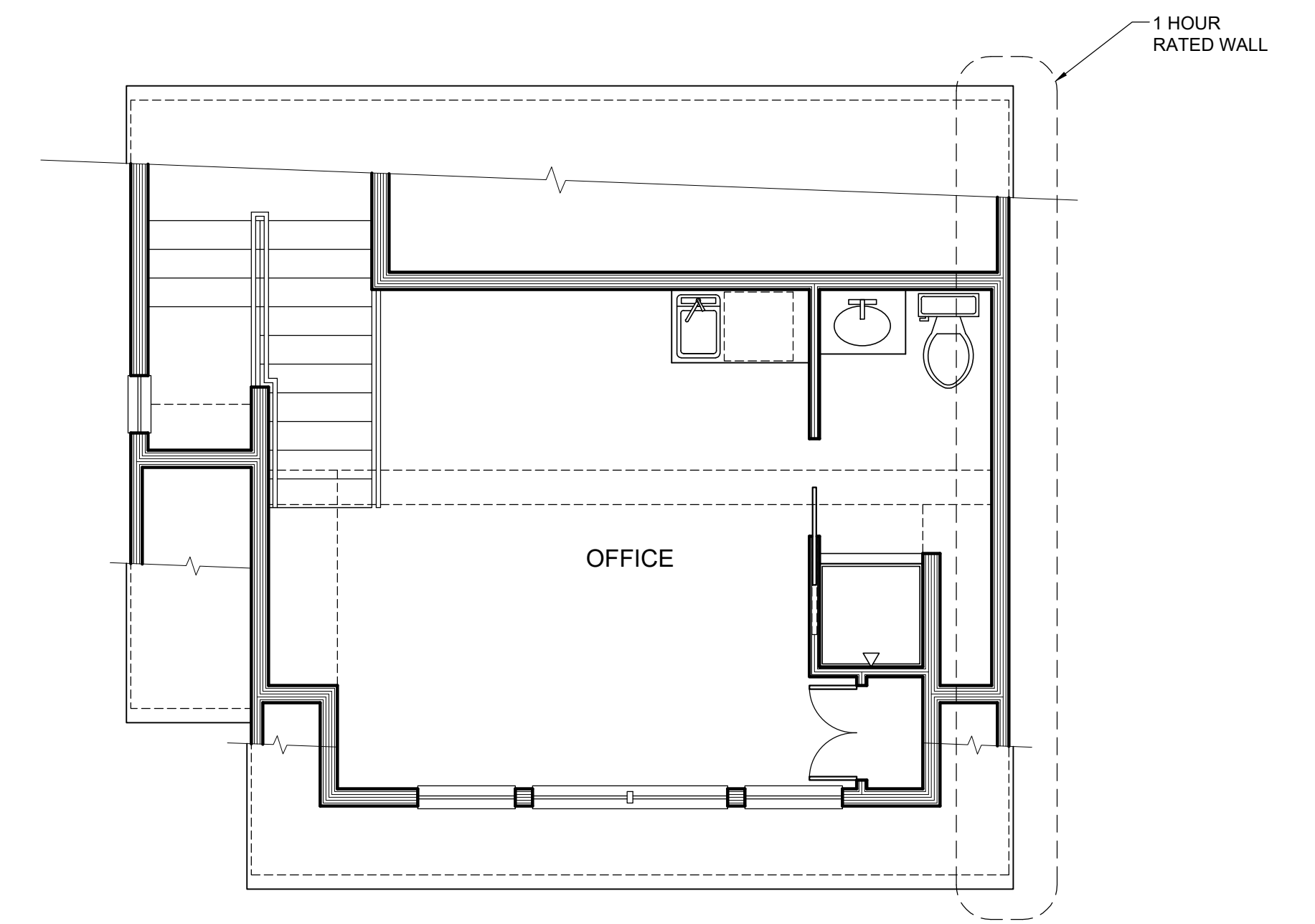
ZON. VAR.: 03-19-2025

A-2 EXIST



FIRST FLOOR PLAN

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



SECOND FLOOR PLAN

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

GARAGE
THE SPENCER RESIDENCE
2020 BEVERLY ROAD

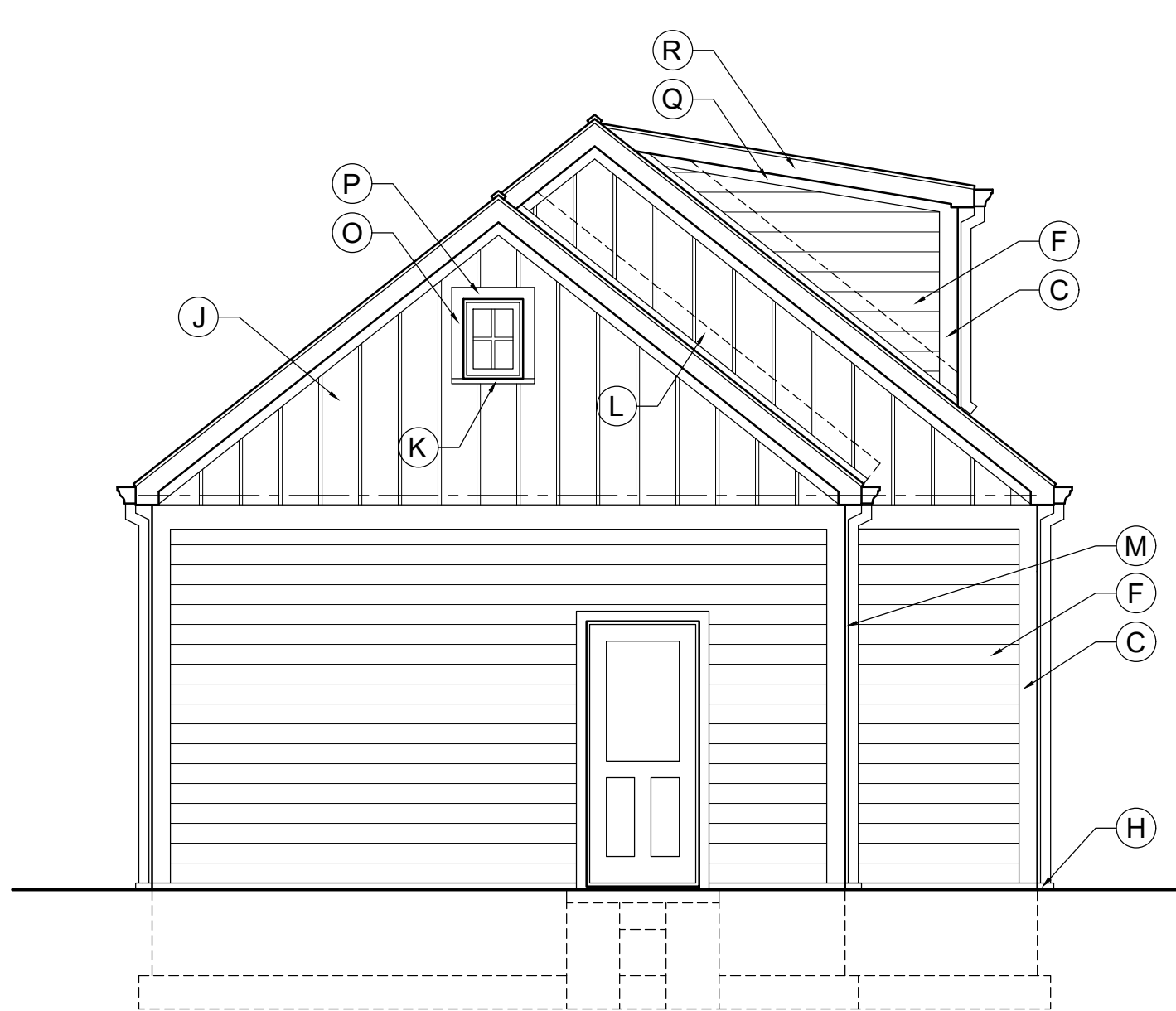
Gary J. Alexander,
 Architect
 1265 Neil Avenue, Columbus, Ohio 43201
 (614) 487-0637

ZON. VAR.: 03-19-2025

A-2

COPYRIGHT 2025

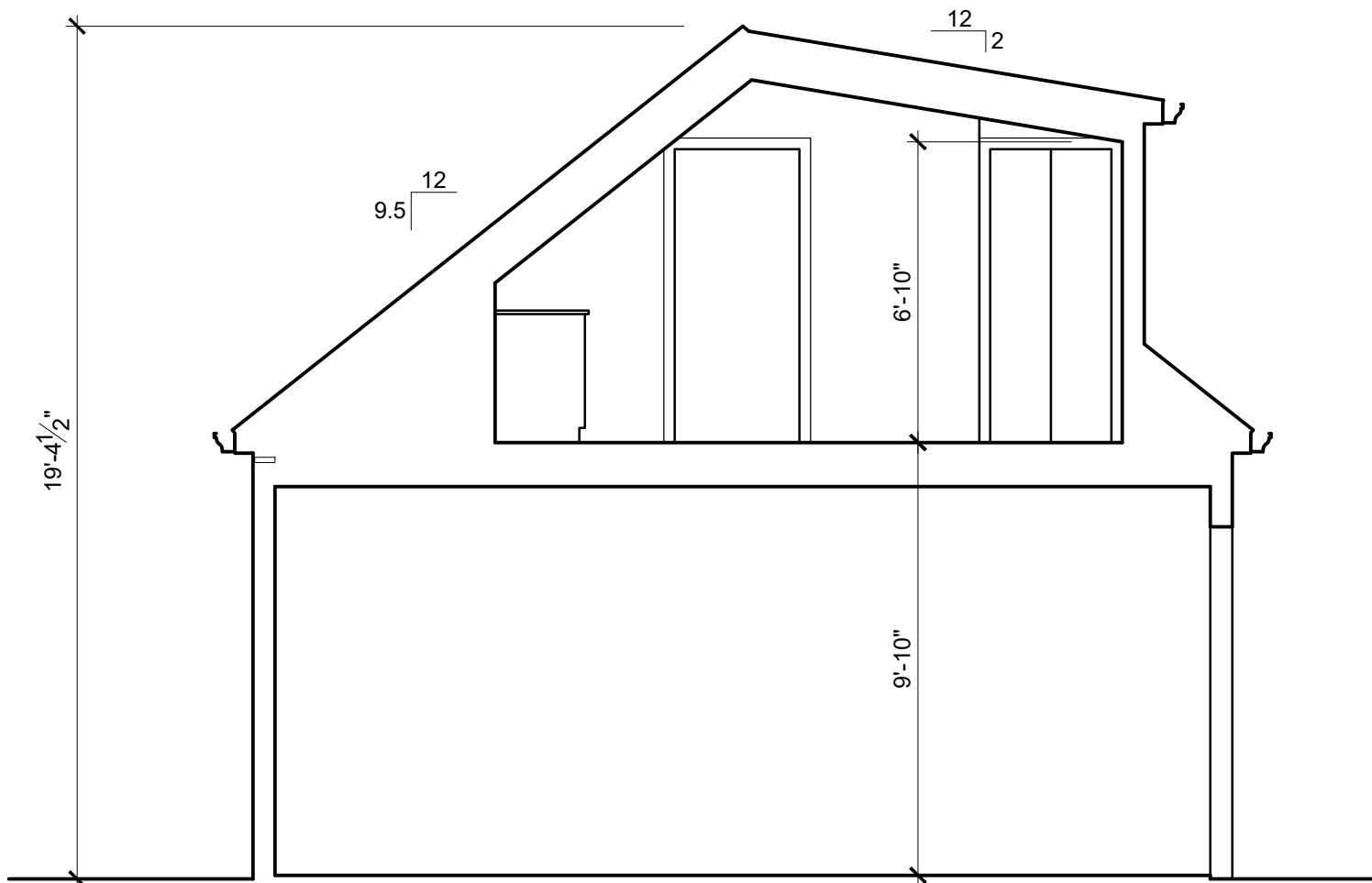
THE DRAWINGS, SPECIFICATIONS AND OTHER DOCUMENTS
 GENERATED SHALL REMAIN THE PROPERTY OF GARY J.
 ALEXANDER, ARCHITECT AND MAY NOT BE USED, DUPLICATED,
 OR ALTERED, WITHOUT WRITTEN CONSENT OF THE ARCHITECT.



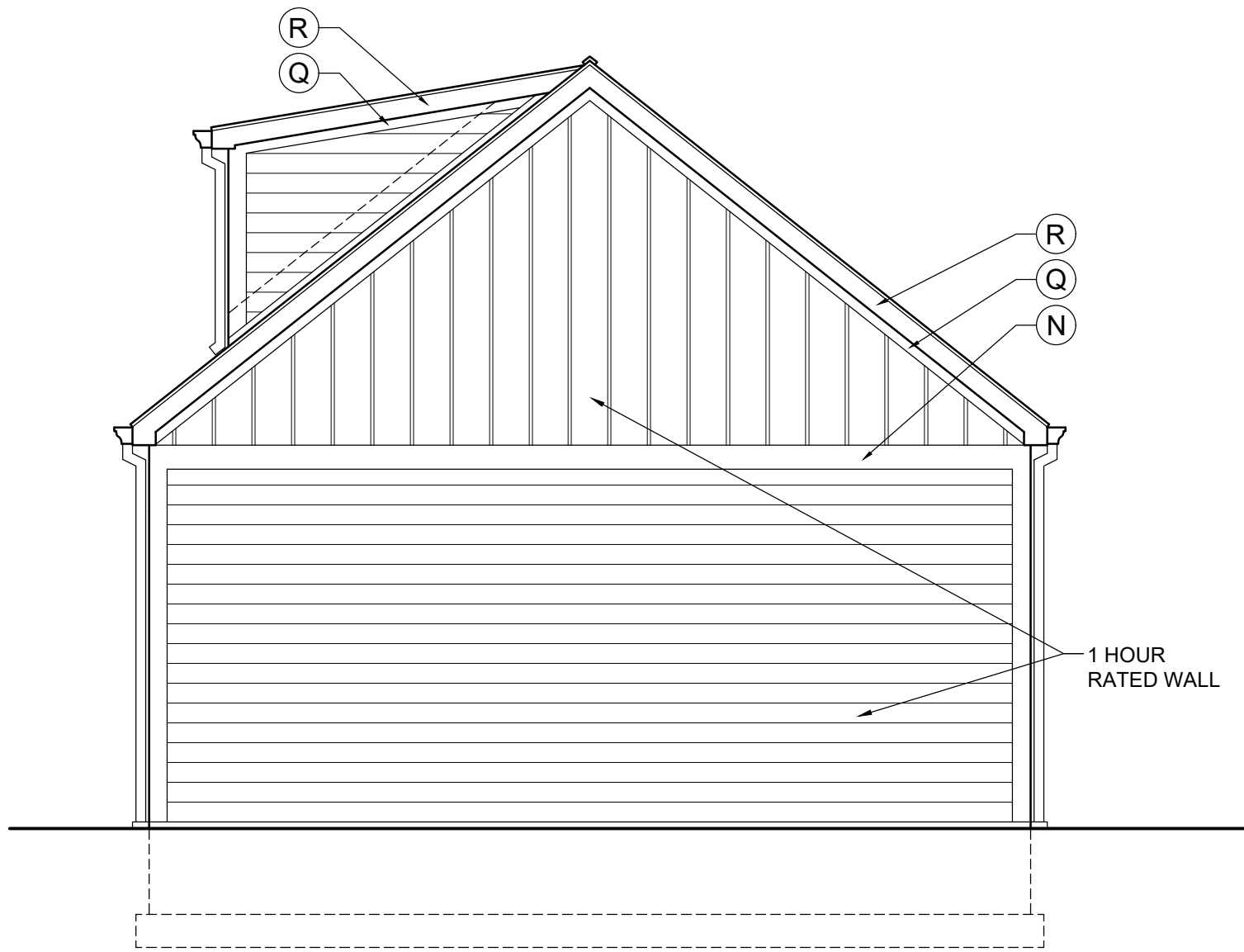
SIDE ELEVATION
SCALE: 1/4" = 1'-0"



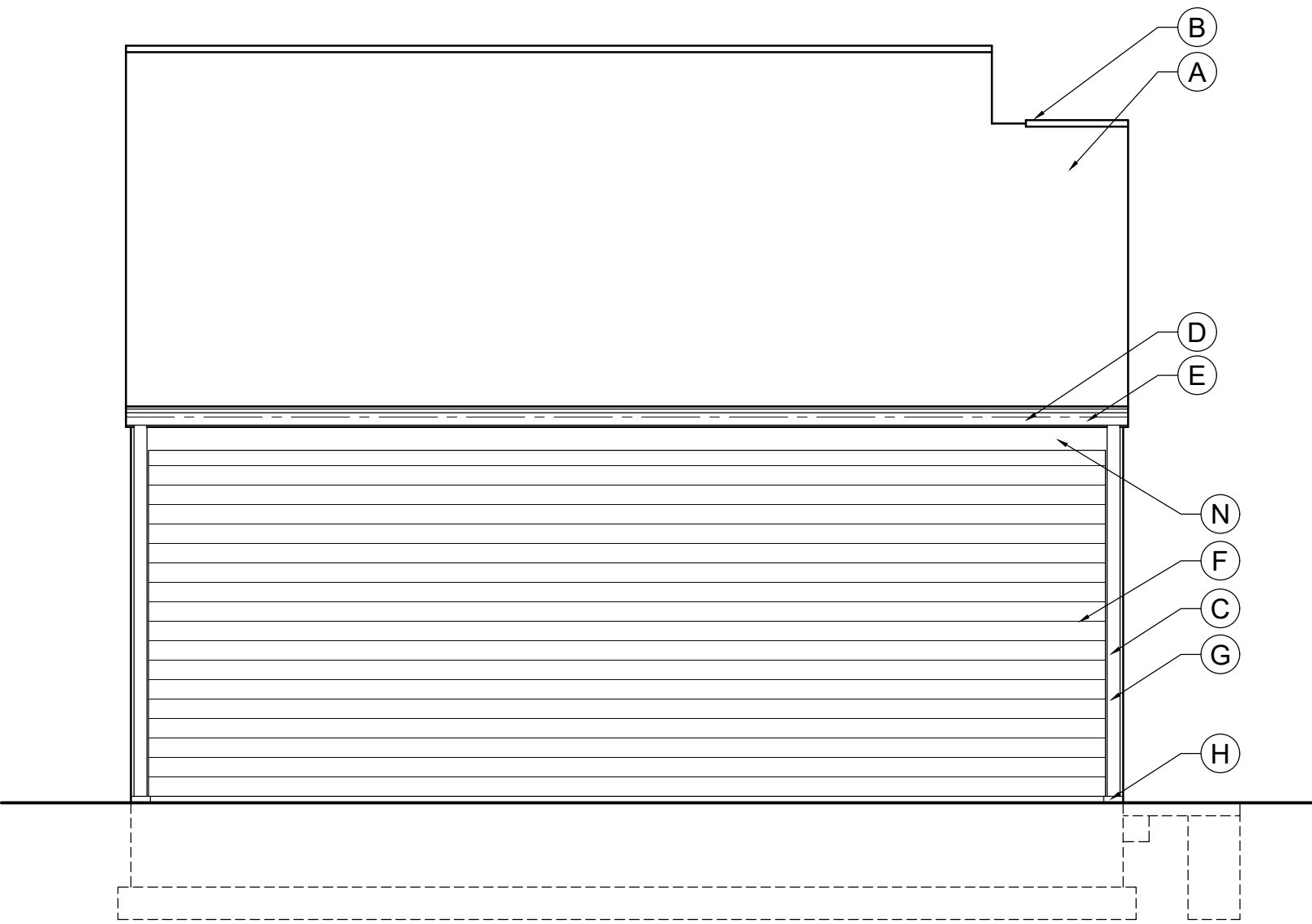
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



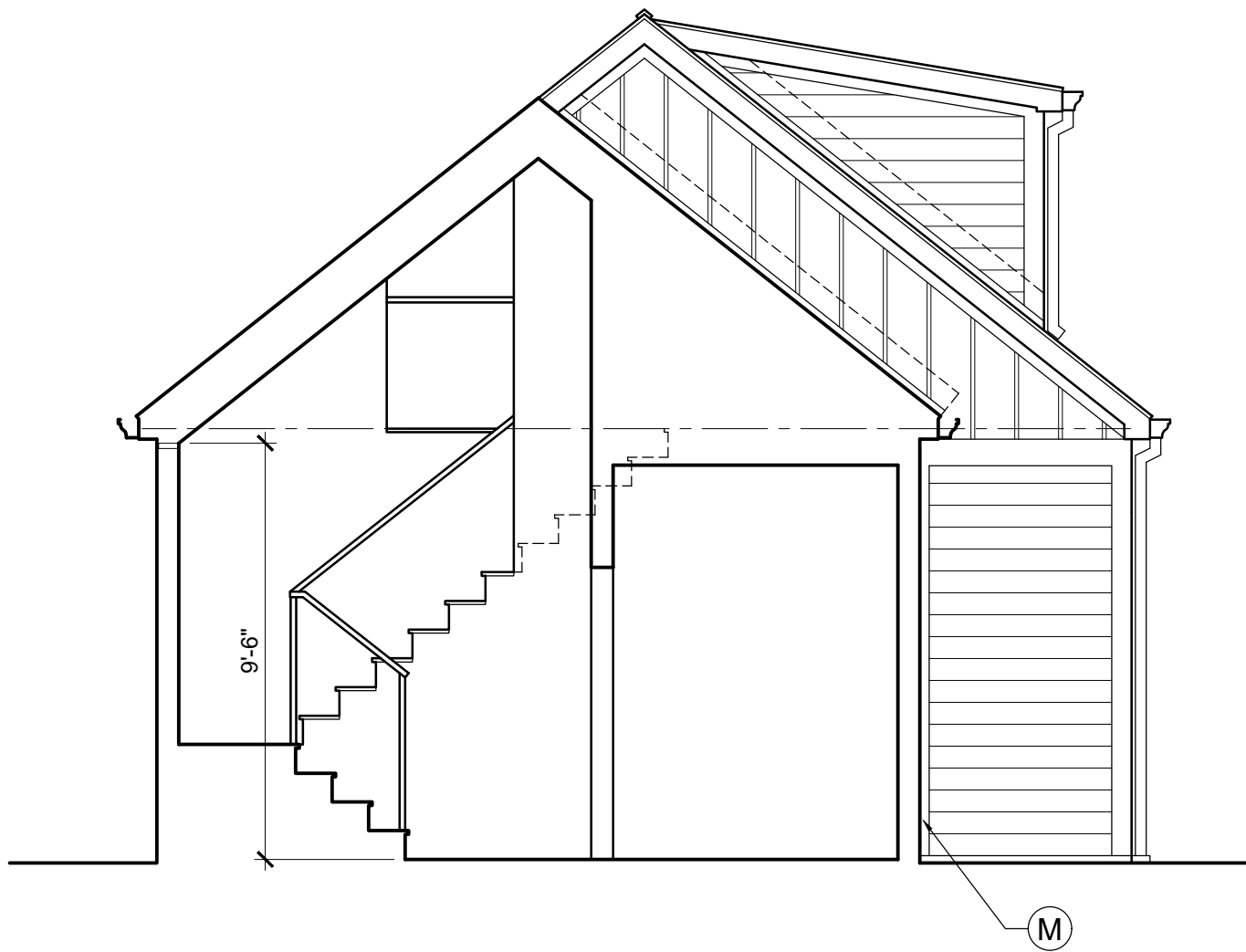
SECTION
SCALE: 1/4" = 1'-0"



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



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



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

- ELEVATION NOTES**
- ALL EXTERIOR TRIM TO BE WOOD OR BORAL. TRU EXTERIOR POLY ASH. IF WOOD TRIM IS USED, TRIM TO BE REDWOOD OR SMOOTH FINISH CEDAR. ALL SURFACES OF TRIM TO BE PRIMED PRIOR TO INSTALLATION. SAW CUTS AND NAIL HOLES TO BE PRIMED.
 - ALL GUTTERS AND DOWNSPOUTS TO CONNECT UNDERGROUND TO DRAIN TILE AND DRAIN TILE TO BE ROUTED TO CURB AT STREET. IF EXISTING DRAIN TILE ARE TO BE USED, CONTRACTOR TO VERIFY THAT EXISTING DRAIN TILE ARE OPERATING PROPERLY PRIOR TO CONNECTING NEW DOWNSPOUTS
 - A. DIMENSIONAL ROOF SHINGLES TO MATCH EXISTING AT HOUSE
 - B. RIDGE VENT BENEATH SHINGLE
 - C. 5/4 X 6 CORNER BOARD
 - D. 1X6 FASCIA
 - E. 5" OGEE PROFILE GUTTER
 - F. CEMENT FIBER SIDING, HARDI SIDING OR APPROVED EQUAL, BLIND NAILED, FINISH AND EXPOSURE TO MATCH EXISTING AT HOUSE
 - G. PREFINISHED ALUMINUM DOWNSPOUT, MATCH EXISTING
 - H. DOWNSPOUT BOOT
 - I. CARRIAGE HOUSE TYPE GARAGE DOOR, CLOPAY, COACHMAN COLLECTION, DESIGN 12, TOP 12 SOLID, INSULATED STEEL DOOR
 - J. CEMENT FIBER BOARD AND BATTEN MATCHING EXISTING AT HOUSE
 - K. WOOD SILL, COX INTERIORS, WS0021, 1 1/2" X 2 1/2", WITH DRIP EDGE AND SLOPED SURFACE
 - L. SIDE WALL FLASHING, EXTEND UP UNDER SIDING, HOLD SIDING 2" AWAY FROM ROOF SHINGLES
 - M. 5/4 X 3 INSIDE CORNER BOARD
 - N. 5/4 X 8 TRIM BOARD
 - O. 5/4 X 4 JAMB TRIM
 - P. 5/4 X 4 HEAD TRIM WITH HEAD FLASHING
 - Q. 5/4 X 4 RAKE TRIM, 3" EXPOSURE
 - R. 1X6 RAKE BOARD

GARAGE
THE SPENCER RESIDENCE
2020 BEVERLY ROAD

Gary J. Alexander,
Architect
1265 Neil Avenue, Columbus, Ohio 43201
(614) 487-0637

ZON. VAR.: 03-19-2025

A-3

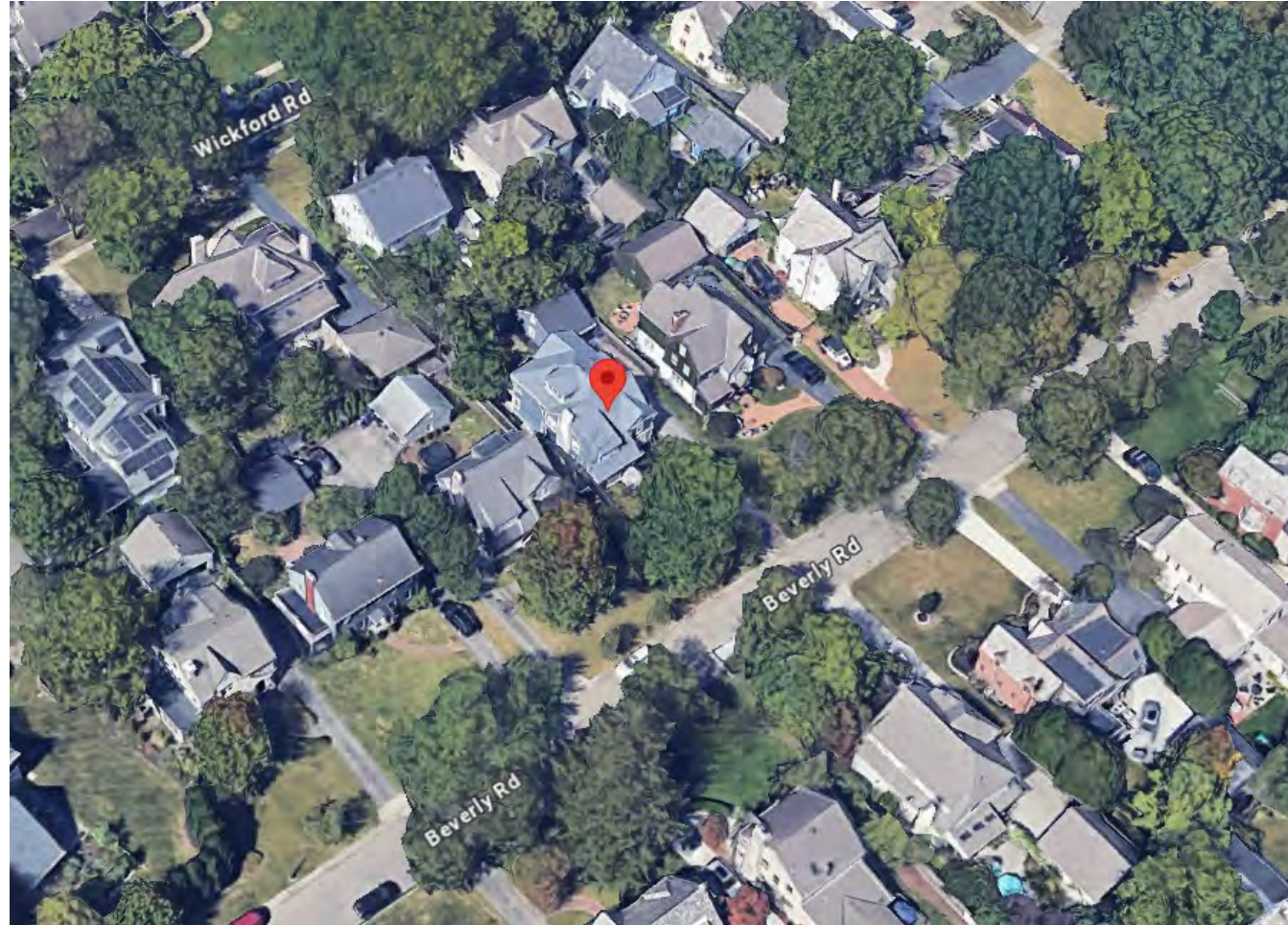
COPYRIGHT 2025
THE DRAWINGS, SPECIFICATIONS AND OTHER DOCUMENTS GENERATED SHALL REMAIN THE PROPERTY OF GARY J. ALEXANDER, ARCHITECT AND MAY NOT BE USED, DUPLICATED, OR ALTERED, WITHOUT WRITTEN CONSENT OF THE ARCHITECT.

2020 Beverly Road

BZAP Staff Report Pictures | Variance Application



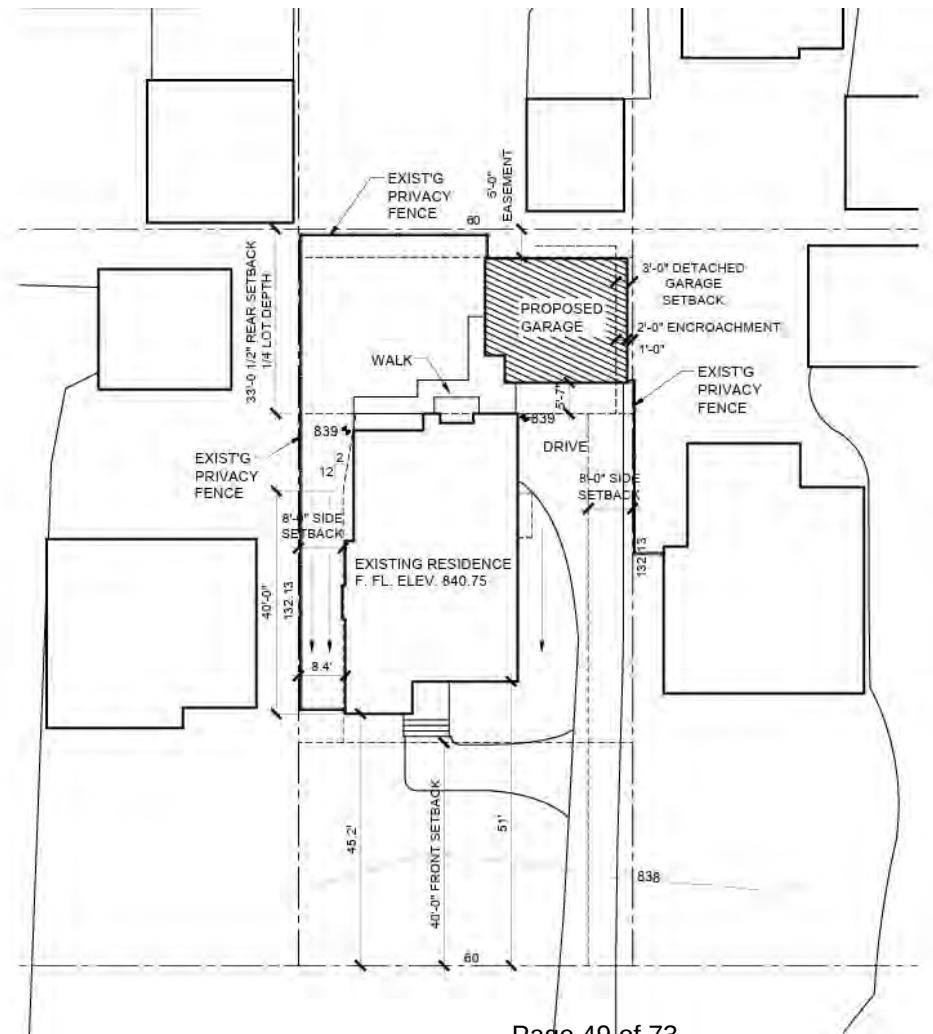
Google Maps ® Aerial – Looking North



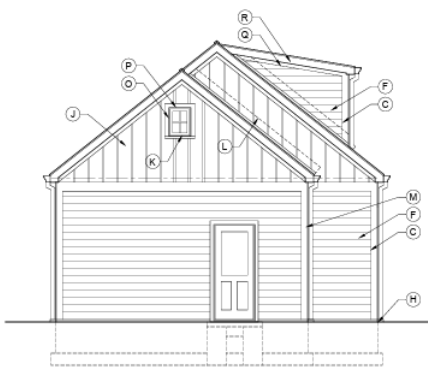
Existing Site Photos



Proposed Site Plan



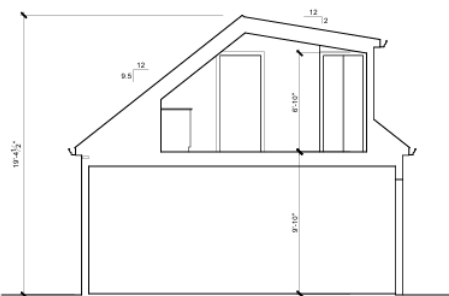
Proposed Elevations



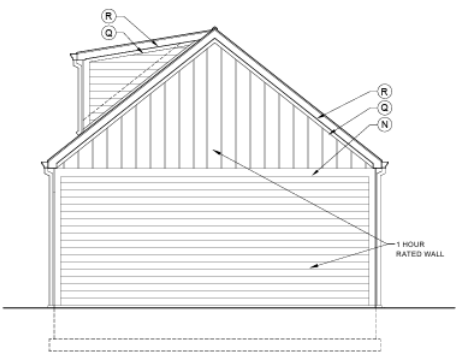
SIDE ELEVATION
SCALE: 1/4" = 1'-0"



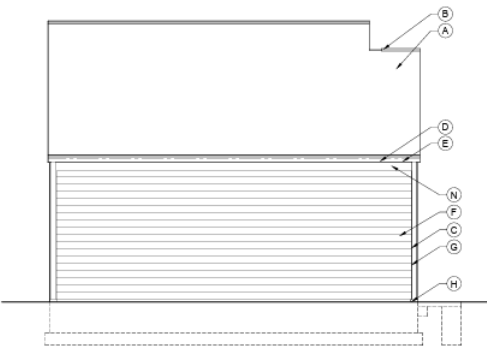
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



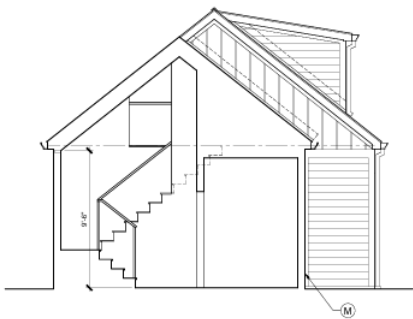
SECTION
SCALE: 1/4" = 1'-0"



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



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



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



Authors: Madison Strauss, Intern

BZAP Meeting Date: April 23, 2025

Subject: 1771 Tremont Road (VAR-17-25) - To request a renewal of expired Variance 43-21, granted September 15, 2021, which permitted a two-story garage addition that encroaches up to 5'-3" into the 15'-11" side yard longwall setback and up to 8'-6" into the rear yard profile.

Site Description/History

This application requests the renewal of variances granted by the Board on September 15, 2021 (see attached request); it would allow the applicant another year to submit a Building Permit and move forward with the project. Additional notification of nearby property owners within 100 feet was sent by the architect applicant on behalf of the property owner due to the expiration of the past application.

Proposal

The previously approved variance allowed for a two-story garage addition to encroach up to 5'-3" into the 15'-11" side yard longwall setback and up to 8'-6" into the rear yard profile. The subject property is a corner lot, with a home built in 1954 where the existing two-car, side-load attached garage has a living space above. A two-story, 510-square foot addition would add a third-car garage bay and a bonus room on the second floor. The Board unanimously approved the variance without stipulations.

Zoning Code Requirements

- To allow a two-story garage addition to encroach up to 5'-3" into the 15'-11" side yard longwall setback (Article 5.02); and
- To allow a two-story garage addition to project up to 8'-6" into the rear yard profile (Article 5.02).

UDO Article 4.09(C) states, "*Variances shall expire one (1) year from the date of enactment, unless prior thereto the applicant applies for a building permit in accordance with the granted variance. There shall be no modification of variances except by further consideration of BZAP. Extension of variances, without modification, may be applied for prior to the date of expiration, if the variance does not carry a prohibition against the extension. Extensions may be granted by BZAP if it finds that the requested extension is consistent with the purpose, policies, and*



intent of the master plan, and the specifications of the UDO. Requests for renewal of expired variances shall be considered to be the same as an application for a variance and shall meet all requirements for application and review pursuant to Section 4.09."

Alternatives

No changes are proposed to the application from September 2021. Due to the shape of the property and existing development, variances would be needed for nearly any addition to the home.

Requested Action and Findings

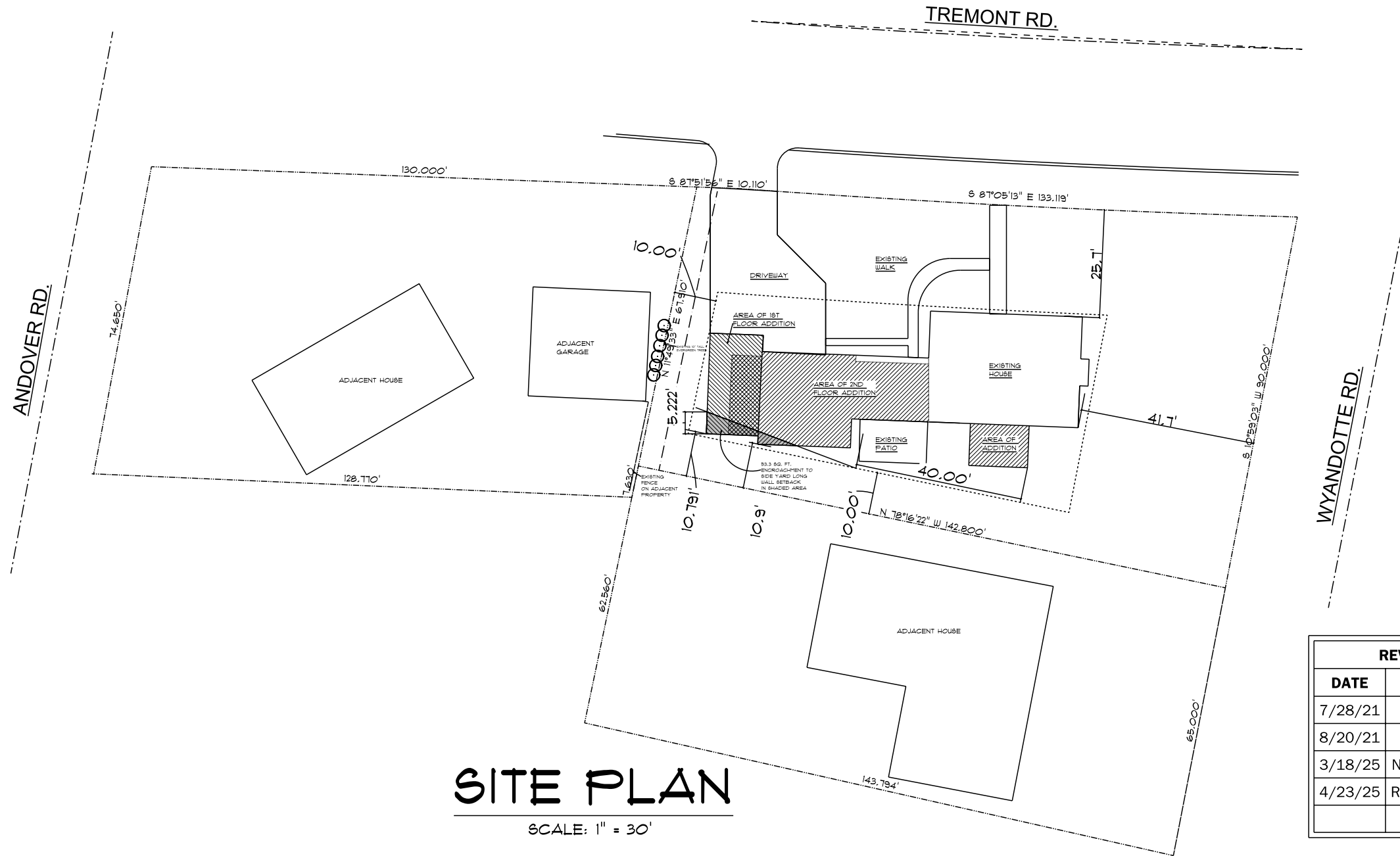
From the 2021 Staff Report:

Staff has reviewed the application and plans, visited the site, discussed it with the applicant and is supportive of the request. The proposal utilizes the existing footprint of the home for the proposed second story and includes a roof style which limits the looming impact on adjacent property. Both the second floor addition and one-story garage addition meet side and rear yard setbacks, but do project and encroach into the rear yard profile and side yard longwall setback; both of these could be identified as a result of existing site conditions. Looking around the neighborhood, it appears there are several two-story homes located on corner lots which may project into the rear yard profile, and likely into the side yard longwall setback as well. The proposal is well-thought out, improves the aesthetic of the home, and accommodates the property owner's needs. Existing fencing and landscaping, which is to be maintained per the applicant, will greatly reduce potential impacts. For these reasons, Staff recommends that this application be approved, noting Findings #4 and #8 for justification.

Attachments

1.	Revised Plans 04.23.25
2.	Opposition Letter to City of Upper Arlington Board of Zoning Planning - 1771 Tremont Road - VAR-17-25
3.	Variance Application - 1771 Tremont Road
4.	VAR-43-21 approval
5.	BZAP Staff Report - 1771 Tremont Rd (September 2021)





SITE PLAN

SCALE: 1" = 30'

AREA COVERAGE

LOT AREA 11326 SQ. FT.

EXISTING BUILD COVERAGE	1746	SQ. FT.
PROPOSED BUILD COVERAGE	2189	SQ. FT.
ALLOWED BUILD COVERAGE	3285	SQ. FT. 29%
EXISTING LOT DEVELOPMENT	3274	SQ. FT.
PROPOSED LOT DEVELOPMENT	3794	SQ. FT.
ALLOWED LOT DEVELOPMENT	5091	SQ. FT. 45%

REVISION SCHEDULE	
DATE	REVISION NOTE
7/28/21	OWNER REVISIONS
8/20/21	VARIANCE REV.
3/18/25	NEW VARIANCE APPLICATION
4/23/25	REMOVE WINDOWS ON REAR OF ADDITION

AREA SCHEDULE	
NAME	AREA
NEW GARAGE	259 sq ft.
NEW CRAWL SPACE	118 sq ft.
PROPOSED BUILDING COVERAGE	2145 sq ft.
2ND FLOOR ADDITION	907 sq ft.
EXISTING BUILDING COVERAGE	1746 sq ft.

1 OF 5

DRAWN BY: JP

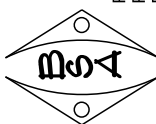
SCALE: NOTED

DATE: 3/18/25

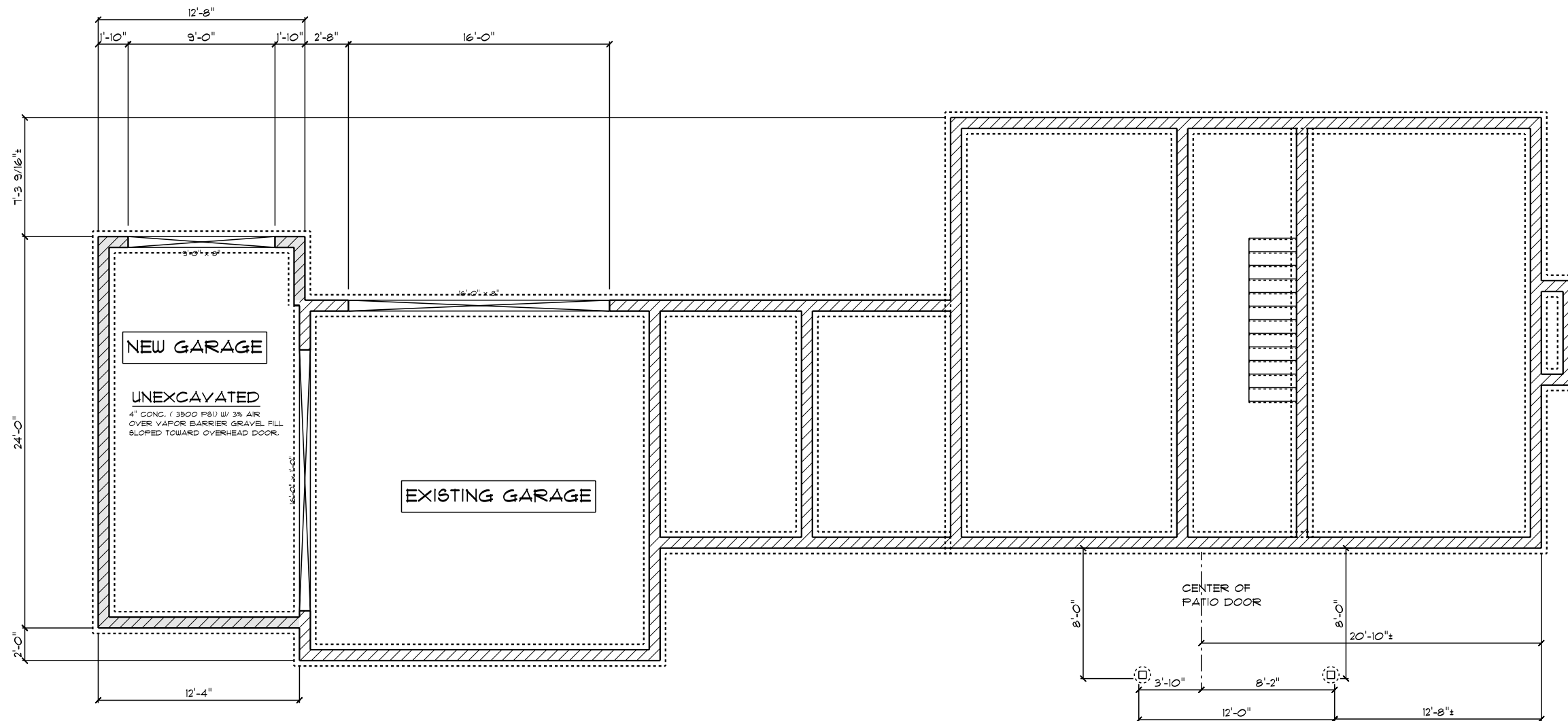
CALLAHAN ADDITION

1771 TREMONT RD.
COLUMBUS, OHIO 43212

Building
Service &
Associates



P.O. BOX 77
POWELL, OHIO 43065
PH: 614-841-9460
FAX 614-841-9415
E-MAIL RESIDENTIALDESIGN@MSN.COM



FOUNDATION PLAN

SCALE: 1/8" = 1'-0"

REVISION SCHEDULE	
DATE	REVISION NOTE
7/28/21	OWNER REVISIONS
8/20/21	VARIANCE REV.
3/18/25	NEW VARIANCE APPLICATION
4/23/25	REMOVE WINDOWS ON REAR
	OF ADDITION

DRAWN BY: JP

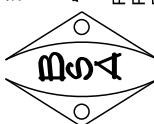
SCALE: NOTED

DATE: 3/18/25

CALLAHAN ADDITION

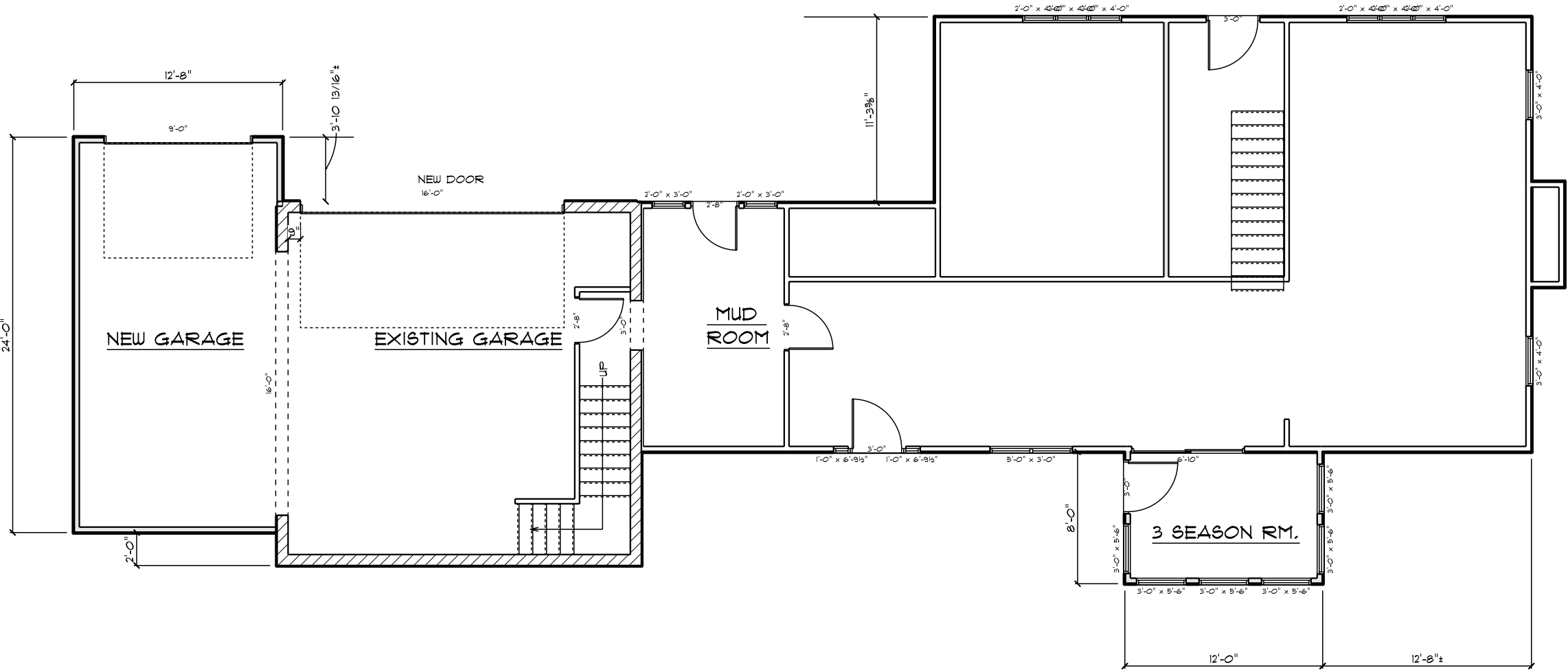
1771 TREMONT RD.
COLUMBUS, OHIO 43212

Building
Service &
Associates



P.O. BOX 77
POWELL, OHIO 43065
PH. 614-841-9460
FAX 614-841-9415
E-MAIL RESIDENTIALDESIGN@MSN.COM

REVISION SCHEDULE	
DATE	REVISION NOTE
7/28/21	OWNER REVISIONS
8/20/21	VARIANCE REV.
3/18/25	NEW VARIANCE APPLICATION
4/23/25	REMOVE WINDOWS ON REAR
	OF ADDITION



1ST FLOOR PLAN

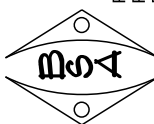
SCALE: 1/8" = 1'-0"

3 OF 5

DRAWN BY: JF
SCALE: NOTED
DATE: 3/18/25

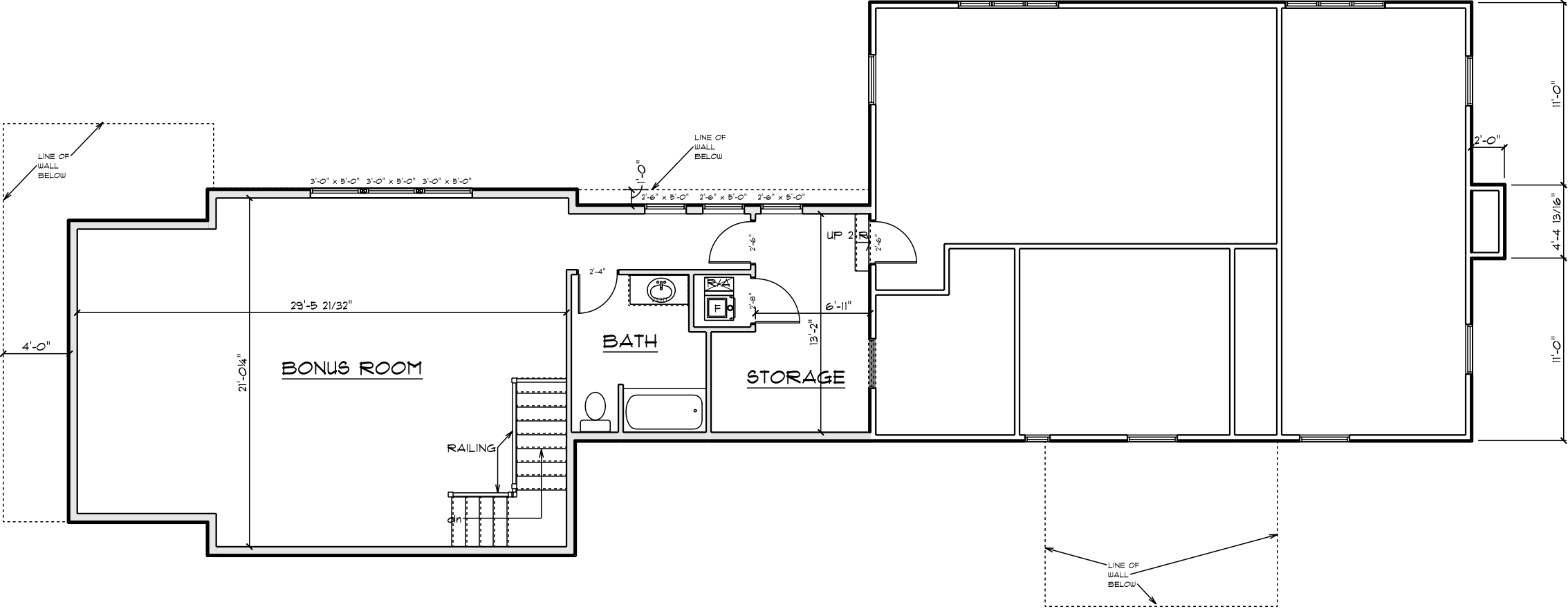
CALLAHAN ADDITION
1771 TREMONT RD.
COLUMBUS, OHIO 43212

Building
Service &
Associates



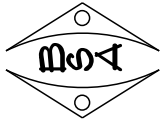
P.O. BOX 77
POWELL, OHIO 43065
PH. 614-841-9460
FAX 614-841-9415
E-MAIL RESIDENTIALDESIGN@MSN.COM

REVISION SCHEDULE	
DATE	REVISION NOTE
7/28/21	OWNER REVISIONS
8/20/21	VARIANCE REV.
3/18/25	NEW VARIANCE APPLICATION
4/23/25	REMOVE WINDOWS ON REAR
	OF ADDITION



2ND FLOOR PLAN

SCALE: 1/8" = 1'-0"

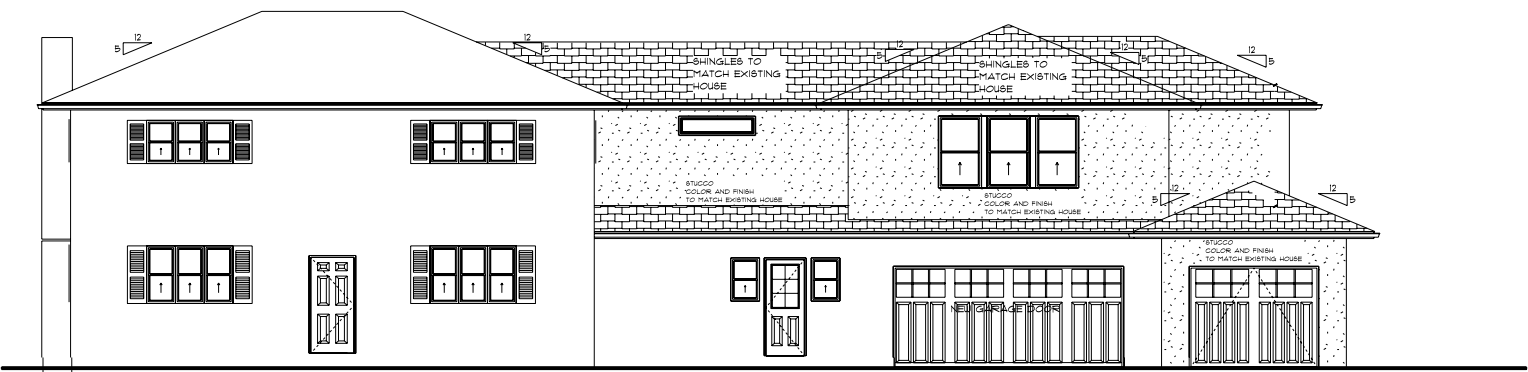


**Building
Service &
Associates**

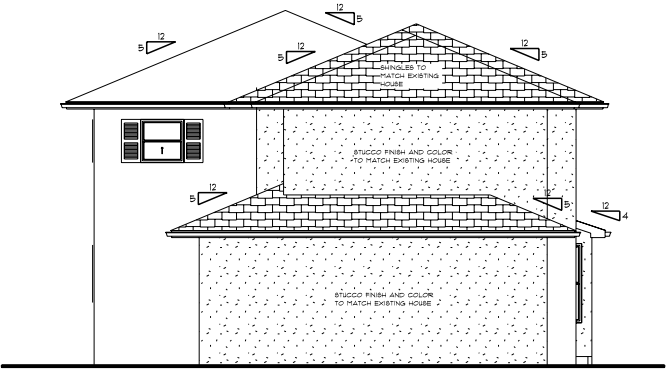
P.O. BOX 77
POWELL, OHIO 43065
PH. 614-841-9460
FAX 614-841-9415
E-MAIL RESIDENTIALDESIGN@MSN.COM

CALLAHAN ADDITION
1771 TREMONT RD.
COLUMBUS, OHIO 43212

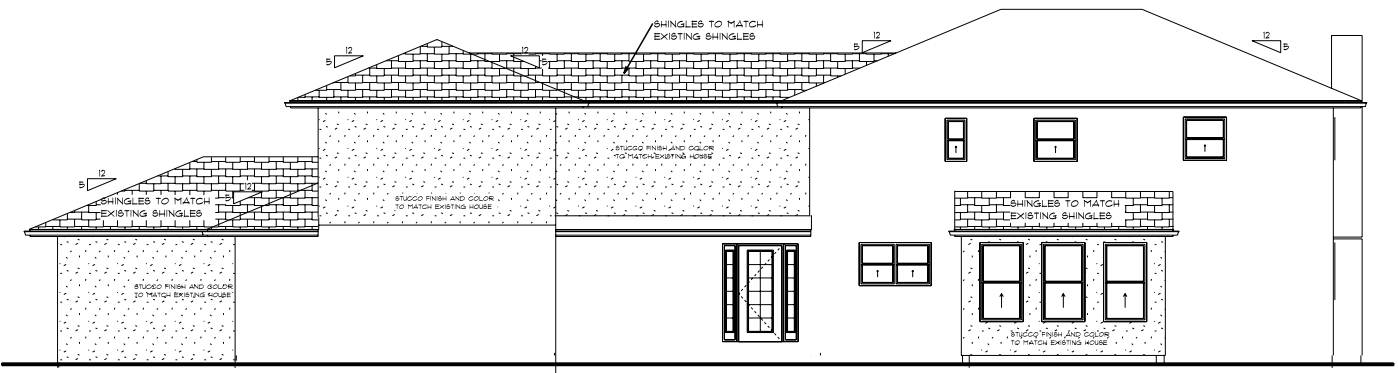
DRAWN BY: JP
SCALE: NOTED
DATE: 3/18/25



NORTH ELEVATION
NOT TO SCALE



WEST ELEVATION
NOT TO SCALE



SOUTH ELEVATION
NOT TO SCALE



NORTH ELEVATION VARIANCE STUDY
SCALE: 1/8" = 1'-0"

REVISION SCHEDULE	
DATE	REVISION NOTE
7/28/21	OWNER REVISIONS
8/20/21	VARIANCE REV.
3/18/25	NEW VARIANCE APPLICATION
4/23/25	REMOVE WINDOWS ON REAR
	OF ADDITION

Elizabeth A Seedorf
Direct Dial (614) 464-6363
Direct Fax (614) 464-6363
Email easeedorf@vorys.com

April 22, 2025

VIA E-MAIL

City of Upper Arlington
Board of Zoning & Planning
3600 Tremont Road
Upper Arlington, Ohio 43221
Email: planning@uaoh.net and cgibson@uaoh.net

With copy to:

John Patterson
c/o Paul and Jaclyn Callahan
P.O. Box 77
Powell, Ohio 43065
Email: residentialdesign@msn.com

Re: Request for Supplemental Conditions Regarding the City of Upper
Arlington Variance Application VAR-17-25 (the "Variance Application")
for 1771 Tremont Road, Upper Arlington, Ohio 43212

To Whom it May Concern:

Our firm represents Mr. Berkley Ellis in his capacity as a homeowner of 1801 Wyandotte Road, Columbus, Ohio 43212 (the "Ellis Property"). As an adjacent property owner to the south of the home located at 1771 Tremont Road, Columbus, Ohio 43212 (the "Callahan Property") owned by Paul and Jaclyn Callahan (collectively, the "Callahans"), Mr. Ellis received a notice in the mail regarding the Variance Application and the Board of Zoning and Planning's (the "Board") April 23, 2025 meeting regarding the same.

Understanding that the Variance Application is a renewal of the previously approved 2021 Variance Application VAR-43-21, Mr. Ellis would like to inform the Board of his opposition to the Variance Application as currently before the Board for consideration.

April 22, 2025

Page 2

Mr. Ellis purchased the Ellis Property on November 18, 2022 and has enjoyed the privacy of his backyard. Mr. Ellis is concerned that the approval of the Variance Application in its current state would interfere with his enjoyment of the Ellis Property. Specifically, Mr. Ellis is concerned that the windows in the proposed second story addition will be an intrusion into the privacy of his backyard and cause a diminution in the value of the Ellis Property. Mr. Ellis requests that as a condition of approving the Variance Application, the Board requires the Callahans to install and maintain at all times twenty to twenty-five (20-25) foot tall arborvitae or similar approved vegetative screening along the entire length of the proposed second story addition bordering the Ellis Property to ensure the Ellis Property maintains its privacy.

We appreciate the Board's consideration of Mr. Ellis' concerns regarding the Variance Application.

Very truly yours,



Elizabeth Seedorf

Enclosure

EAS/eas

cc: Berkley Ellis (via email)



25-1153

Variance Application

Status: Active

Submitted On: 3/19/2025

Primary Location

1771 TREMONT RD
UPPER ARLINGTON, OH 43212

Owner

Paul and Jaclyn Callahan
TREMONT 1771 COLUMBUS, OH
43212

Applicant

 John Patterson
 614-841-9460
 residentialdesign@msn.com
 P.O. Box 77
Powell, Ohio 43065

BZAP Information

BZAP Case

VAR-17-25

Status

Pending

BZAP Determination Date

04/23/2025

Vote Tally

Primary Variance

Extension

Findings of Fact for Approval/Denial

Variance Request

To grant an extension of Variance 43-21, granted September 15, 2021, which permitted a two-story garage addition that encroaches up to 5'-3" into the 15'-11" side yard longwall setback and up to 8'-6" into the rear yard profile.

BZAP conditions

Variance Information

Describe Variance Request ?

Encroachment on rear yard 32-degree profile line by a maximum of 8'-6"

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 property involved is a corner lot, with the rear yard on the west side of the lot. The existing house fronts Tremont Rd., which, by definition, is the property's side yard. The owner wishes to add another garage to the existing two-car side load garage with a living area above. The 32-degree rear profile line makes the addition of the third car garage non-compliant with the UA zoning requirements. This area for the addition is the only logical place for a third-car garage addition to be built.

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

Granting the variance will not transfer a special benefit to other properties due to the house's juxtaposition on the lot.

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

The addition to the house will not alter the community's character since the addition will be built to match the design and finish of the existing home. The adjacent property is screened from the property by a detached garage, and the house is more than 45' away from the property line. (note) The detached garage on the adjacent lot is non-compliant with the rear yard setback and rear yard profile.

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?

The area for the garage is the only logical place for the positioning of the new garage.

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

The property will still have a reasonable return without the addition, but the addition will add value to the property.

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



Variance Application 21-4285

This is an e-permit. To learn more, scan this barcode or visit

Issued to: John Patterson for Application #VAR-43-21 on September 15, 2021

Location: 1771 TREMONT RD in Upper Arlington, OH

BZAP Review: Approved | **Vote Tally:** 7-0 | **Findings:** #4 and #8

Variance(s) granted: To allow a two-story addition that encroaches 8'-6" into the rear yard profile and up to 5'-3" into the required 15'-11" side yard longwall setback.

Conditions: None.

**Results of the BZAP meeting are not completely finalized until a 21-day appeal period expires after October 6, 2021. This appeal period may be waived, at your risk, if a separate waiver is submitted to the Planning Division. Once the appeal period has passed, a permit must be secured (or resubmitted) within two years or the variance becomes void.*



Revised: Jan 2021

Certification of Notice

Applicant Name: John Patterson

Location of property subject to BZAP request: 1771 Tremont Rd.

Describe activity which requires Board of Zoning and Planning review:

Variance of up to 8'-6" of the rear yard profile line.

This application will be heard by the Board of Zoning and Planning on: April 23

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. Due to the ongoing COVID-19 pandemic, meetings MAY be held remotely via video conference and telephone call-in. Meeting location details and additional instructions will be provided on the Agenda, which is posted on the City's website at docs.uaoh.net/AgendaOnline. 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:
1780 TREMONT RD COLUMBUS OH 43212	COLLETT BRIAN R COLLETT JILL M	9589071052702248761191	3-21-25
1814 ANDOVER RD COLUMBUS OH 43212	DALLAS ADAM S DALLAS JOCELYN	9589071052702248761160	3-21-25
1806 ANDOVER RD COLUMBUS OH 43212	INGRAM CHRISTOPHER I INGRAM MELINDA R	9589071052702248761177	3-21-25
1798 ANDOVER RD COLUMBUS OH 43212-2062	SVOSODA LEO ROBERT SVOSODA JILL MARIE	9589071052702248761184	3-21-25
1783 WYANDOTTE RD UPPER ARLINGTON OH 43212	CARTLIDGE JONATHAN CARPENTER KRISTEN	9589071052702248761139	3-21-25
1801 WYANDOTTE RD COLUMBUS OH 43212	Berkley Ellis	9589071052702248761146	3-21-25
1764 TREMONT RD COLUMBUS OH 43212	Michael Williams & Wei Ou	9589071052702248761153	3-21-25
1740 TREMONT Rd COLUMBUS OH 43212-1105	CONWAY DANIEL R & ROBIN W	70203160000211967968	3-21-25
1751 TREMONT RD COLUMBUS OH 43212	JOE BRANDEN E JOE KELLY L MITCHELL ALMA VIRGINA	9589071052702248761115	3-21-25
1798 WYANDOTTE RD COLUMBUS OH 43212	LEE DEANNA LEE AARON	9589071052702248761122	3-21-25
1790 WYANDOTTE RD COLUMBUS OH 43212	HEYDLAUFF SETH M HEYDLAUFF MEGAN M	9589071052702248761108	3-21-25
Applicant Signature: 			Date: <u>3/19/25</u>

Variance Request

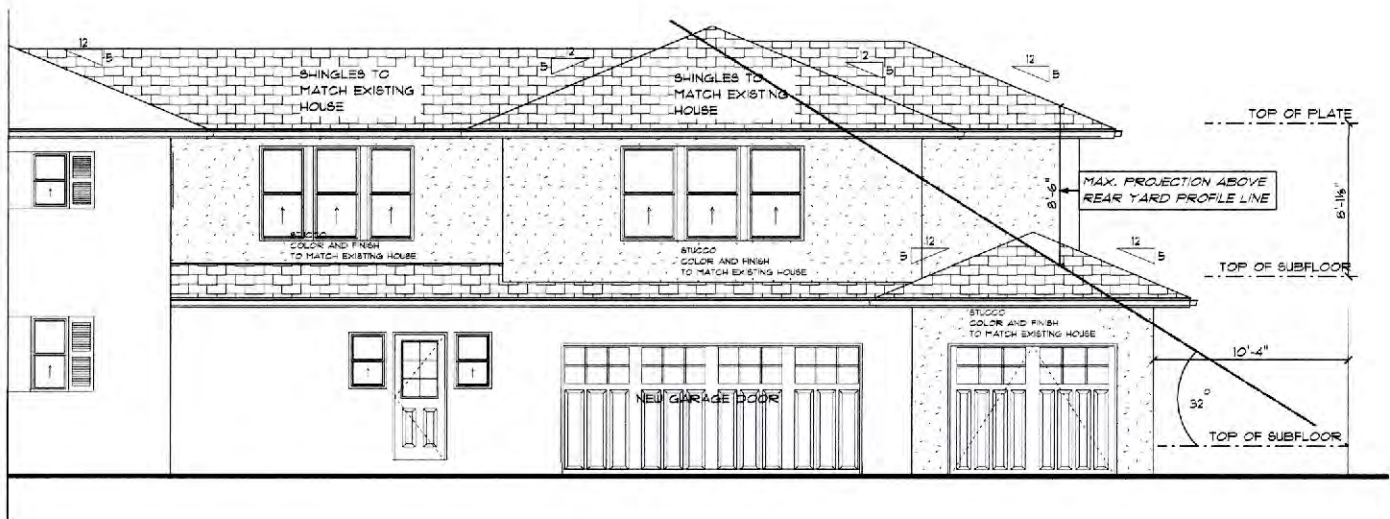
Property: 1771 Tremont Rd.
Columbus, Ohio 43212

March 19 2025

Variance Application: A zoning variance of up to 8'-6" from rear yard profile line.

The owners of the above referenced property are seeking a zoning variance of the rear yard profile line in order to build an addition to the West side of their home consisting of a one car garage and a second floor over a portion of the garage addition and the existing garage.

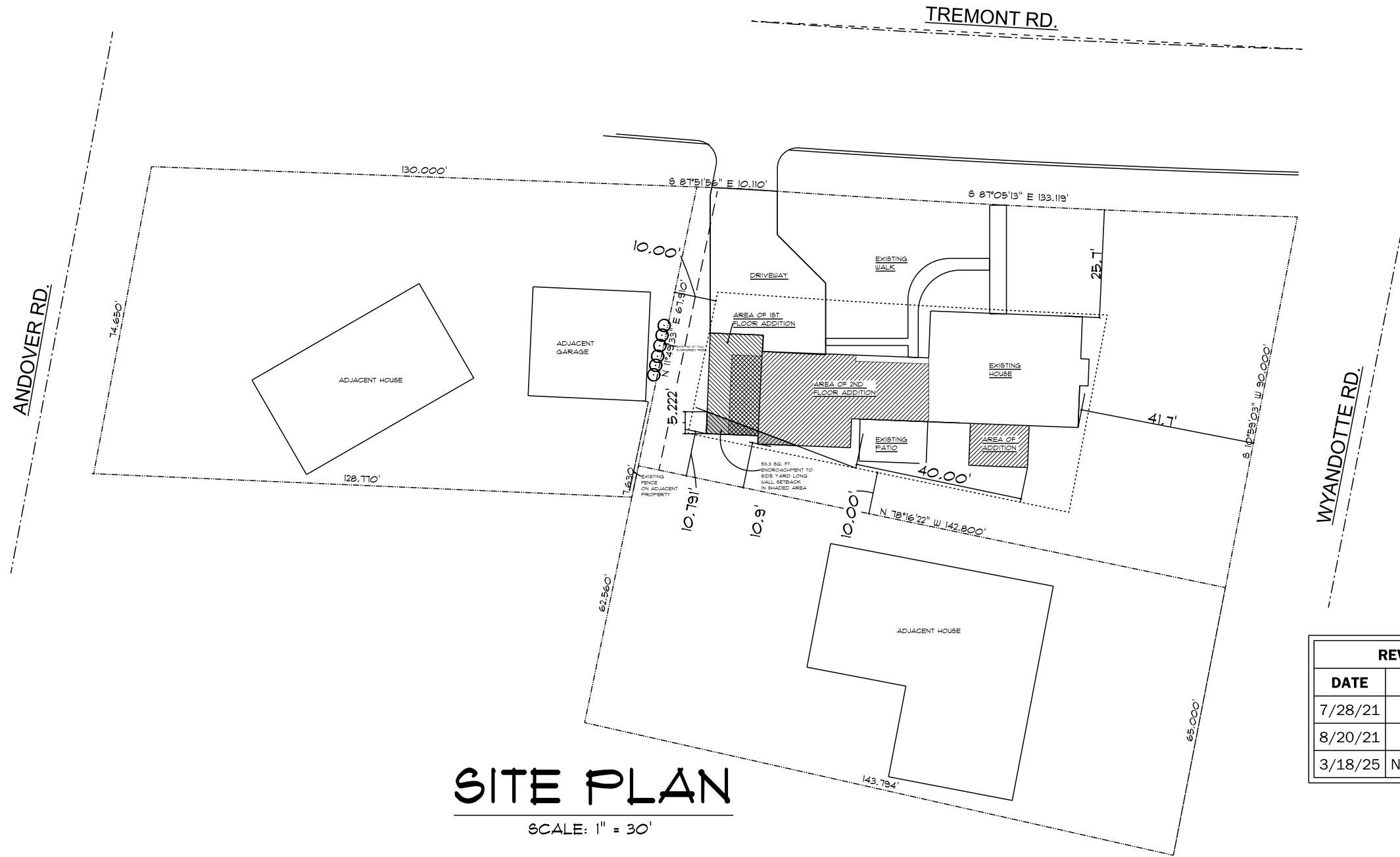
To achieve the homeowners needs, the addition will encroach on the rear yard profile by up to 8'-6".
(see below)



This letter is to notify you of the variance meeting scheduled April 23 at 6:00 PM at 3600 Tremont Rd.
Upper Arlington, Ohio 43221.

Best Regards,

John Patterson



SITE PLAN

SCALE: 1" = 30'

AREA COVERAGE

LOT AREA 11326 SQ. FT.		
EXISTING BUILD COVERAGE	1746	SQ. FT.
PROPOSED BUILD COVERAGE	2189	SQ. FT.
ALLOWED BUILD COVERAGE	3285	SQ. FT. 29%
EXISTING LOT DEVELOPMENT	3214	SQ. FT.
PROPOSED LOT DEVELOPMENT	3794	SQ. FT.
ALLOWED LOT DEVELOPMENT	5091	SQ. FT. 45%

REVISION SCHEDULE	
DATE	REVISION NOTE
7/28/21	OWNER REVISIONS
8/20/21	VARIANCE REV.
3/18/25	NEW VARIANCE APPLICATION

AREA SCHEDULE	
NAME	AREA
NEW GARAGE	259 sq ft.
NEW CRAWL SPACE	118 sq ft.
PROPOSED BUILDING COVERAGE	2145 sq ft.
2ND FLOOR ADDITION	907 sq ft.
EXISTING BUILDING COVERAGE	1746 sq ft.

1 OF 5

DRAWN BY: JP

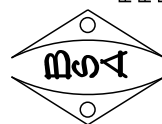
SCALE: NOTED

DATE: 3/18/25

CALLAHAN ADDITION

1771 TREMONT RD.
COLUMBUS, OHIO 43212

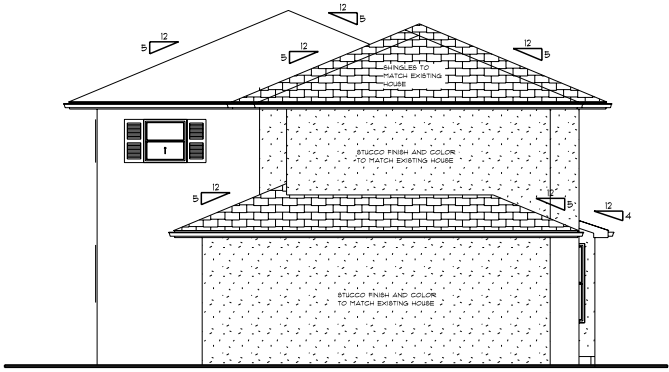
Building
Service &
Associates



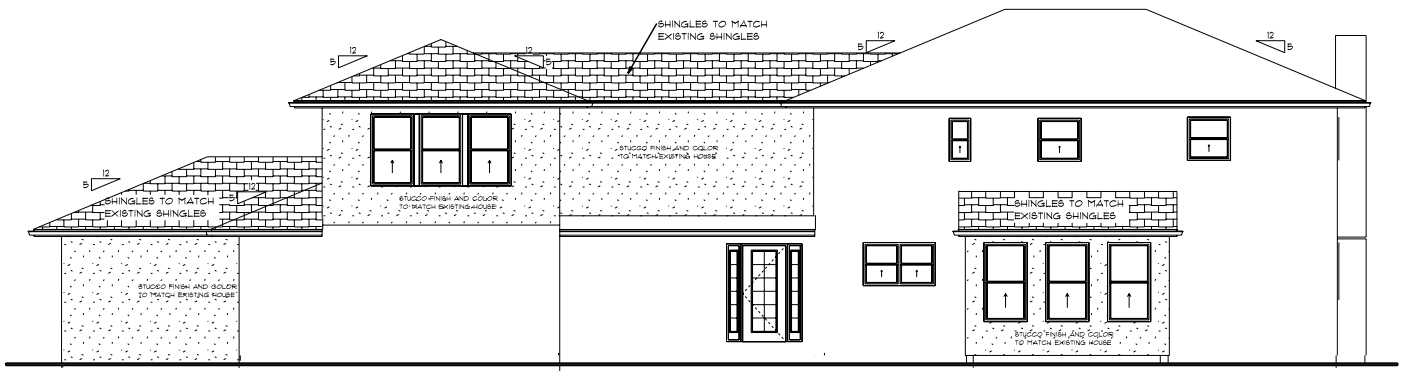
P.O. BOX 77
POWELL, OHIO 43065
PH: 614-841-9460
FAX 614-841-9415
E-MAIL RESIDENTIALDESIGN@MSN.COM



NORTH ELEVATION
NOT TO SCALE



WEST ELEVATION
NOT TO SCALE



SOUTH ELEVATION
NOT TO SCALE



NORTH ELEVATION VARIANCE STUDY
SCALE: 1/8" = 1'-0"

REVISION SCHEDULE	
DATE	REVISION NOTE
7/28/21	OWNER REVISIONS
8/20/21	VARIANCE REV.
3/18/25	NEW VARIANCE APPLICATION

5 OF 5

DRAWN BY: JP

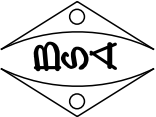
SCALE: NOTED

DATE: 3/18/25

CALLAHAN ADDITION

1771 TREMONT RD.
COLUMBUS, OHIO 43212

Building
Service &
Associates



P.O. BOX 77
POWELL, OHIO 43065
PH. 614-841-9460
FAX 614-841-9415
E-MAIL RESIDENTIALDESIGN@MSN.COM

Variance Application 21-4285

This is an e-permit. To learn more, scan this barcode or visit

Issued to: John Patterson for Application #VAR-43-21 on September 15, 2021

Location: 1771 TREMONT RD in Upper Arlington, OH

BZAP Review: Approved | **Vote Tally:** 7-0 | **Findings:** #4 and #8

Variance(s) granted: To allow a two-story addition that encroaches 8'-6" into the rear yard profile and up to 5'-3" into the required 15'-11" side yard longwall setback.

Conditions: None.

**Results of the BZAP meeting are not completely finalized until a 21-day appeal period expires after October 6, 2021. This appeal period may be waived, at your risk, if a separate waiver is submitted to the Planning Division. Once the appeal period has passed, a permit must be secured (or resubmitted) within two years or the variance becomes void.*



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

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

Prepared for Meeting Dated: Wednesday, September 15, 2021

Variances Requested: To allow a two-story garage addition that encroaches up to 5'-3" into the 15'-11" side yard longwall setback and up to 8'-6" into the rear yard profile. *Application VAR-43-21*

Property Owner/Address: Callahan, 1771 Tremont Road (zoned R-1c)

Staff Recommendation: Approval

I. Request/Code Requirements:

This variance application requests permission to construct a second story addition atop the existing attached garage with a one-story garage addition to the west. The second story addition would project up to 8'-6" into the rear yard profile, while the one-story addition and a portion of the existing house would encroach up to 5'-3" into the 15'-11" side yard longwall setback. Article 5.02 of the City's Unified Development Ordinance (UDO) requires residences to be located underneath a rear yard profile coefficient that is meant to limit looming impacts on adjacent property, while the side yard longwall applies for side yard elevations greater than 40 feet in length. The longwall is meant to limit a "tunnel effect" on deeper homes. For these reasons, two variances have been requested.



Figure 1: Existing view from Tremont Road



The subject property, 1771 Tremont Road, is located at the southwest corner of Tremont and Wyandotte Roads, and is zoned R-1c, One-Family Residence District. The irregular-shaped property includes 143 feet of frontage on Tremont Road and 90 feet along Wyandotte Road; the lot narrows to 68 feet on the west side. This corner lot is roughly the same size as other lots in the neighborhood at 0.25-acres. A two-story stucco home with a one-story, side-loading attached garage faces Tremont Road, while the side with a chimney faces Wyandotte Road. It sits nearly parallel to the roadway, along 25-foot (Tremont Road) and 40-foot (Wyandotte Road) front yard setbacks. The property is enclosed with a wood privacy fencing and mature landscaping is located along the rear property line. The home was built in 1954 and purchased by the applicant in February 2019.

[illegible]



Figure 3: Proposed front elevation

The application states, “The property involved is a corner lot with the rear yard being on the west side of the lot. The existing house fronts on Tremont Rd. which by definition is the side yard of the property. The owner wishes to add another garage to the existing two-car side load garage with a living area above. The 32-degree rear profile line makes the addition of the third car non-compliant with the UA zoning requirements. This area for the addition is the only logical place that a third car addition could be built. The addition to the house will not alter the character of the community since the addition will be built to match the same design and finish of the existing house. The adjacent property is screened from the property by a detached garage with the house being more than 45' away from the property line. (note) The detached garage on the adjacent lot is non-compliant for the rear yard setback and rear yard profile line.”

III. Summary/Staff Recommendation:

- To UDO Article 5.02 to allow a two-story garage addition to encroach up to 5’-3” into the 15’-11” side yard longwall setback; and
- To UDO Article 5.02 to allow a two-story garage addition to project up to 8’-6” into the rear yard profile.

Staff has reviewed the application and plans, visited the site, discussed it with the applicant and is supportive of the request. The proposal utilizes the existing footprint of the home for the proposed second story and includes a roof style which limits the looming impact on adjacent property. Both the second floor addition and one-story garage addition meet side and rear yard setbacks, but do project and encroach into the rear yard profile and side yard longwall setback; both of these could be identified as a result of existing site conditions. Looking around the neighborhood, it appears there are several two-story homes located on corner lots which may project into the rear yard profile, and likely into the side yard longwall setback as well. The proposal is well-thought out, improves the aesthetic of the home, and accommodates the property owner’s needs. Existing fencing and landscaping, which is to be maintained per the applicant, will greatly reduce potential impacts. For these reasons, Staff recommends that this application be approved, noting Findings #4 and #8 for justification.



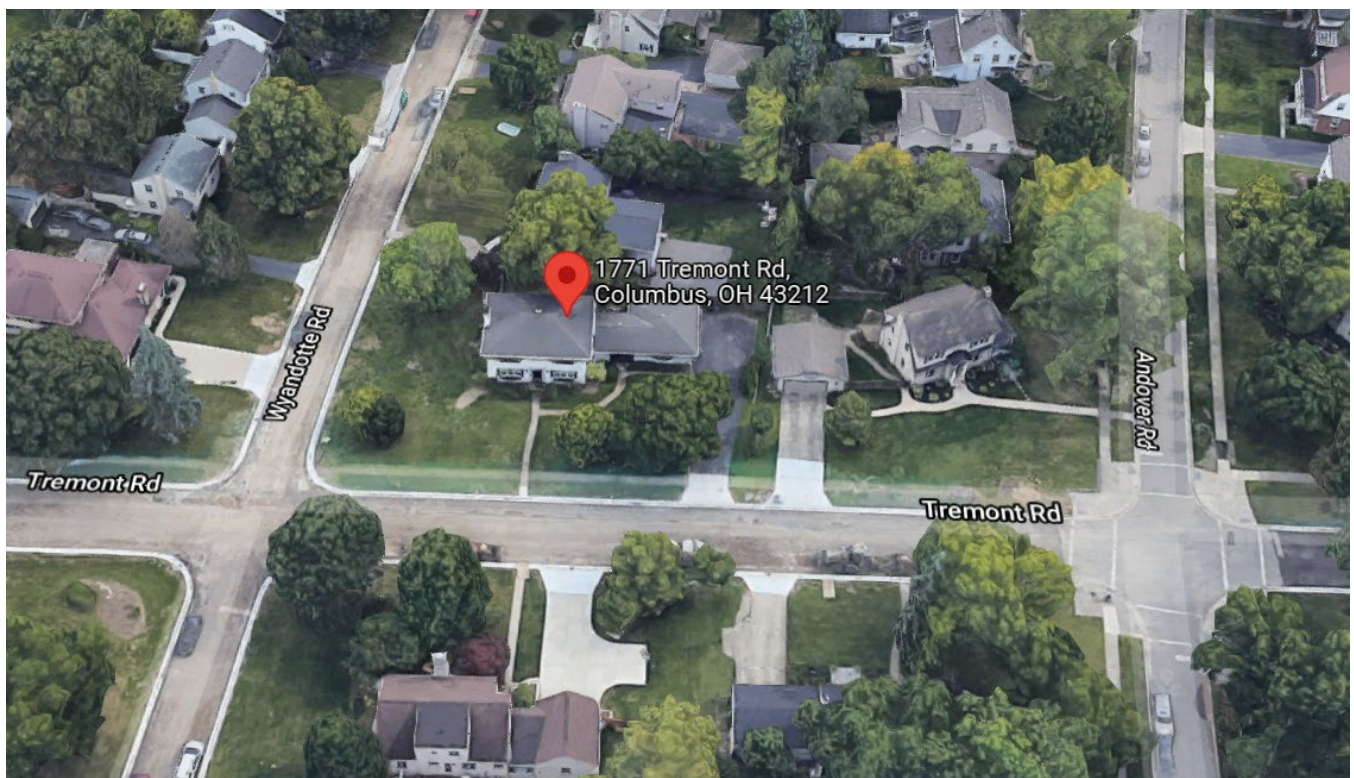


Figure 4: Google Maps ® 3D aerial of the neighborhood, looking south



Figure 5: Proposed front elevation with rear yard profile



City of Upper Arlington

VAR-43-21 | Page 4 of 5 | September 15, 2021



Figure 6: Existing view along Tremont Road, showing adjacent homes



Figure 7: Existing view along Wyandotte Road

Attachments:

Variance Application VAR-43-21

[Upper Arlington subdivision plat map \(Lot #12\)](#)



City of Upper Arlington

VAR-43-21 | Page 5 of 5 | September 15, 2021