



5/3/2023 | 6:00 PM

**MUNICIPAL SERVICES CENTER, COUNCIL CHAMBER
3600 TREMONT ROAD**

If you are joining through Zoom, please click the link below to join the meeting:

<https://zoom.us/j/98181639938>

Meeting ID: 981 8163 99384

1. Old Business

- a. 2231 Inchcliff Drive (VAR-17-23) - To allow a two-story addition encroach up to five feet into the 10-foot minimum rear yard setback and up to 7'-5" into the rear yard profile limit.
- b. 2241 Abington Road (VAR-16-23) - To allow a two-story addition to encroach up to 10'-5" into the 33'-9" minimum rear yard setback, 3'-4" into the 10-foot minimum side yard setback, 4'-9" into the 11'-5" minimum side yard longwall setback, and results in a side yard sum of 17'-10", when 20 feet is the minimum. The addition also projects up to 3 feet into the rear yard profile.
- c. OR-28-2023: Review and recommendation to City Council of proposed amendments to the Unified Development Ordinance (UDO) relating to minor subdivisions/lot splits.

2. Informal Review

- a. OR-30-2023: Informal review of proposed amendments to the Unified Development Ordinance (UDO). *[These are additions from those recommended to City Council by the Board in August 2022.]*

Authors: Alyssa Kelly, AICP, Planning Officer

BZAP Meeting Date: May 3, 2023

Subject: 2231 Inchcliff Drive (VAR-17-23) - To allow a two-story addition encroach up to five feet into the 10-foot minimum rear yard setback and up to 7'-5" into the rear yard profile limit.

Site Description/History

- UDO Article 5.02(C) to allow an attached garage addition that encroaches five feet into the 10-foot rear yard setback; and
- UDO Article 5.02(C) to allow an attached garage addition that projects up to 7'-2" into the rear yard profile.

Proposal

The applicant is proposing an eight-foot addition to the east side of the existing attached garage, which encroaches five feet into the 10-foot minimum rear yard setback. A second-story addition is shown atop the garage, which results in a projection into the rear yard profile. The resulting garage would be 20 feet in width and 32 feet in depth (640 square feet), while the resulting second-story bonus room would be approximately 560 square feet in size and include an entry stairway from the garage. The addition would be a maximum of 22'-7" tall, approximately two feet taller than the existing 1.5-story home, and 7'-9" taller than the existing garage. The addition would include a front-facing gable roof with two side-facing gable roofs inset from the front facade. It would be finished with a mix of horizontal siding, shake siding, and asphalt shingle roofing. The second-story addition includes windows on the front, rear, and side, while the garage would have a new east-facing window and door onto the yard.

Zoning Code Requirements

- To UDO Article 5.02(C) to permit a two-story addition to encroach up to five feet into the 10-foot minimum rear yard setback; and
- To UDO Article 5.02(C) to permit a two-story addition to encroach up to 17'-11" into the rear yard profile limit.

In reviewing variance history, the property directly to the south, 3030 Mountview Road, received a variance (BZ-19-15) to construct a one-story attached garage that projected 3'-5"



into the rear yard profile. In this case, the garage was 11.3 feet from the rear property line and did not include living space above the garage.

Alternatives

Alternatives to the proposal include reducing the size and height of the addition, relocating the second-story addition away from the rear property line to better align with code requirements, and removing the second-story portion of the addition. However, the applicant desires this proposal to expand the garage and create additional living space.

Requested Action and Findings

Staff has reviewed the application, discussed with the applicant, and visited the site. Although Staff understands the desire for additional storage and living space, the proposed plan would place a two-story addition just five feet from the rear property line, which would result in looming impacts on neighboring properties. While there have been variances granted for rear yard setbacks and rear yard profile requirements in the neighborhood, including directly south of this property, the resulting encroachments were not as extensive. Staff has also received concerns from a neighbor who was notified.

Therefore, Staff cannot recommend approval of this application at this time and would recommend the applicant consider alternative options including re-orienting the second-story addition away from the rear property line, reducing the height and massing of the addition, and eliminating the two side-facing portions of the addition. The Board may consider Finding #4 during deliberations.

Attachments

1. BZAP Staff Report Pics - 2231 Inchcliff Drive
2. 2231 Inchcliff Rd Variance App
3. 2231 Inchcliff Rd Revised Plans 4.27.23

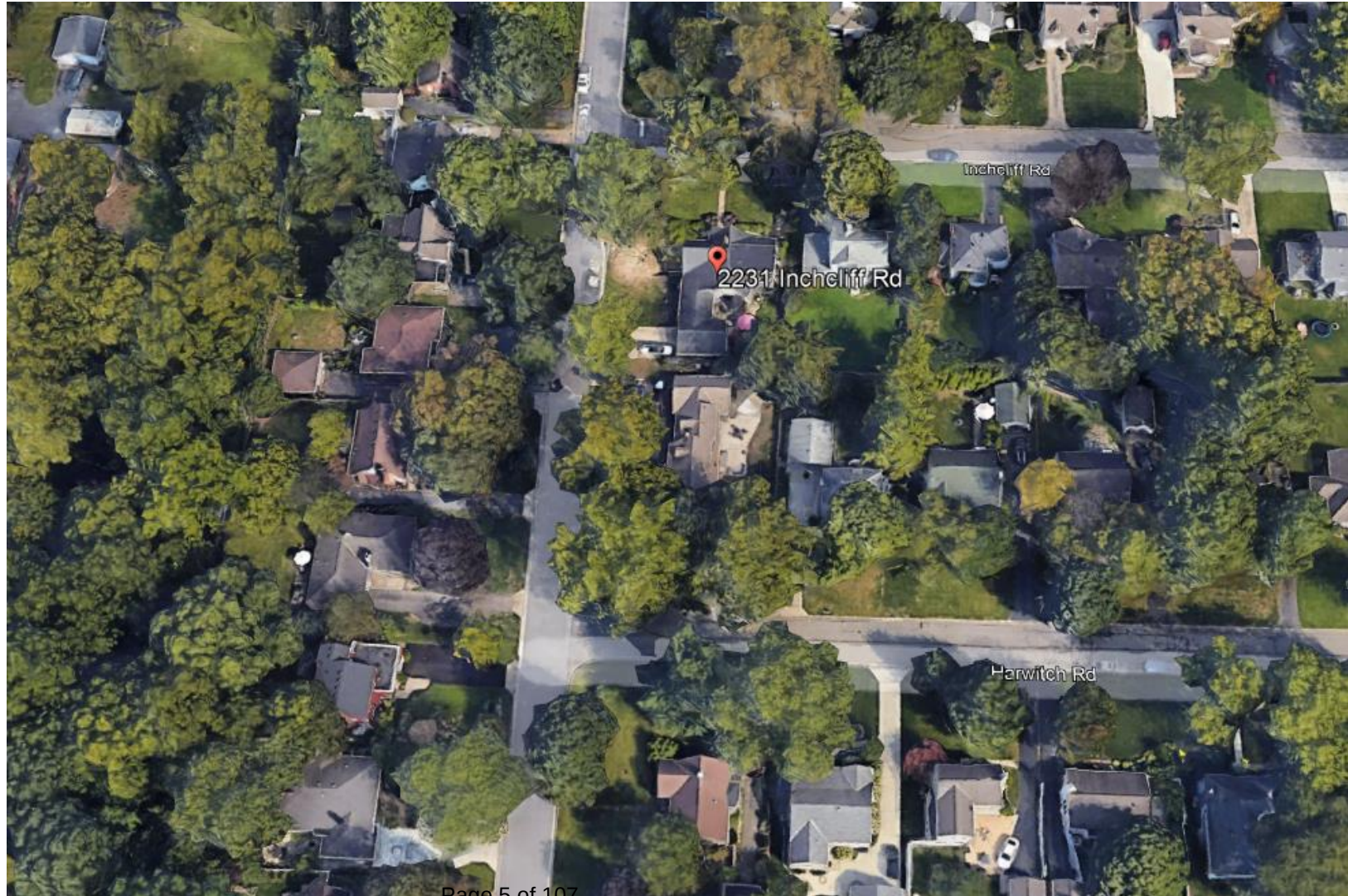


2231 Inchcliff Drive

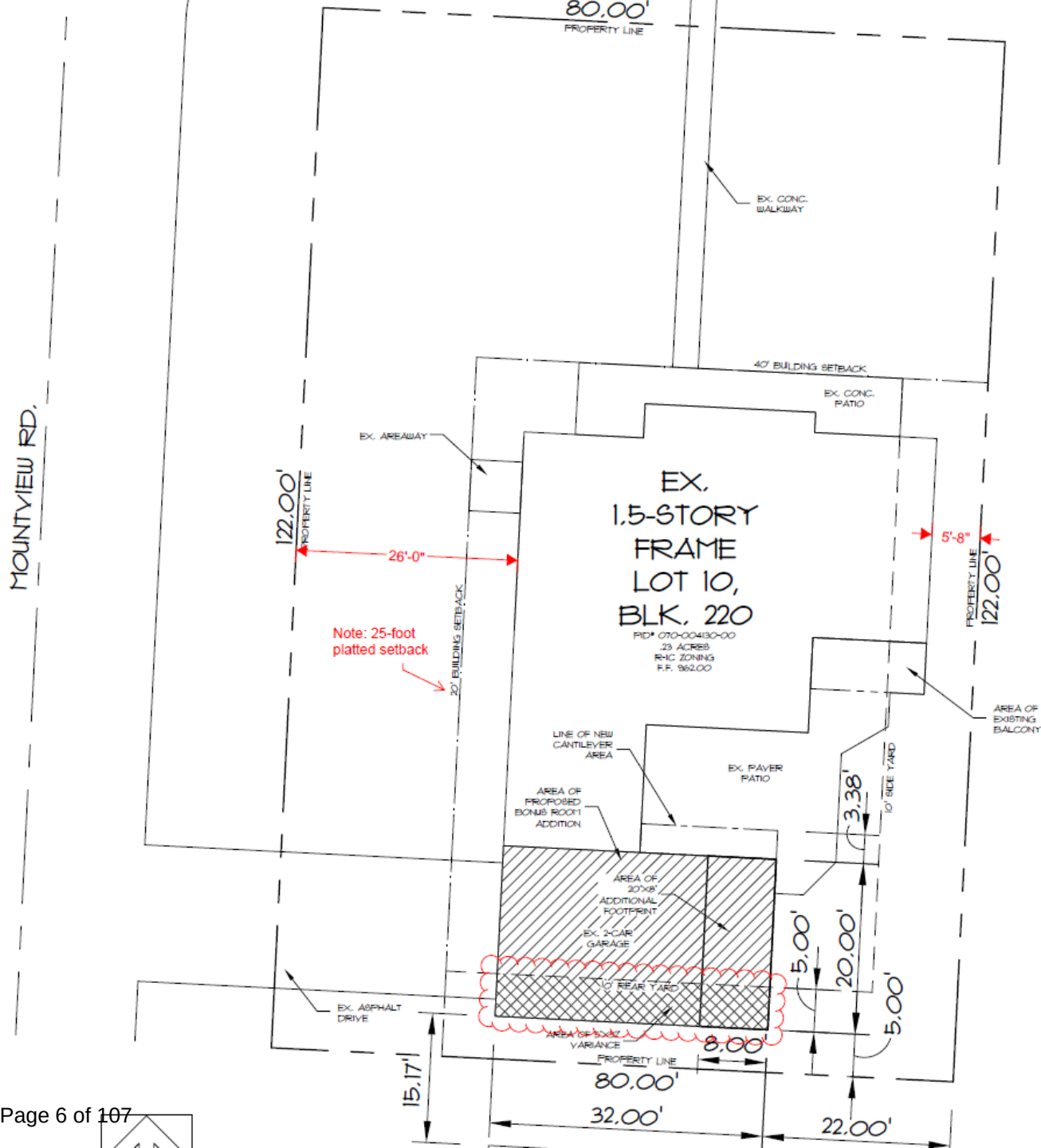
BZAP Staff Report Pictures

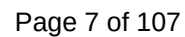


Google Maps ® Aerial – Looking North



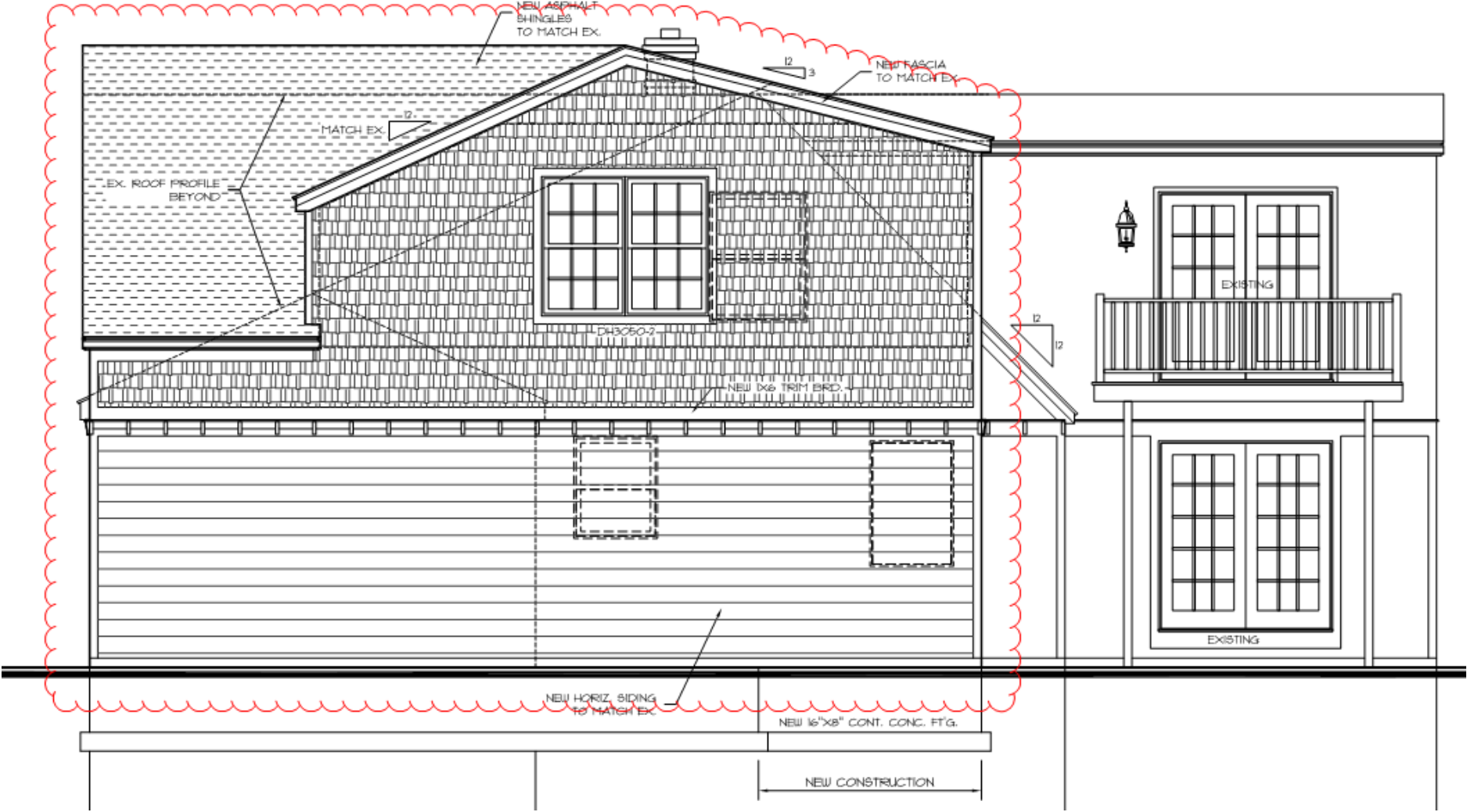
Proposed Site Plan



[illegible]



Proposed Side Elevation



Existing Inchcliff/Mountview Elevations



Existing Rear Yard





23-1106

Variance Application

Status: Active

Date Created: Mar 20, 2023

Applicant

Eric Carine
ecarine1@gmail.com
2231 Inchcliff Road
Upper Arlington , Ohio 43221
6143064900

Primary Location

2231 INCHCLIFF WY
UPPER ARLINGTON, OH 43221

Owner:

CARINE ERIC M
2231 INCHCLIFF COLUMBUS, OH 43221

BZAP Information

BZAP Case

VAR-17-23

Status

Pending

BZAP Determination Date

04/19/2023

Vote Tally

--

Primary Variance

Rear yard setback

Findings of Fact for Approval/Denial

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Variance Request

To allow a two-story addition to encroach up to five feet into the 10-foot minimum rear yard setback and up to 17'-11" into the rear yard profile.

BZAP conditions

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Variance Information

Describe Variance Request

Current garage is 5ft from property line to the south of property. We are asking to extend the East side of garage by 8ft and continue at the same distance from the property line which would require

a variance. We would additionally be adding a living space above the garage that would mimick our neighbors garage and our living quarters to the south.

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?

Because we are a corner lot the house is very limited on space in the backyard. Because of this it is a challenge to construct without asking for a variance. There are many homes like ours in the neighborhood that are corner lots that are constructed closer than the allowed 10ft. I will be submitting examples of this before hearing. Our home with the addition is well below the build percentage and the size of the home is in line with our neighbors that have newly constructed their homes.

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?

It is our opinion that there would be no impact to the neighbors because we are just continuing the same line as the original garage. Plus the height of our garage is in line with our neighbors garage that also has was addition that was recently added with a living space above. Our garage looks to be about 3ft deeper than theirs.

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. This is the only way we can go with our addition. Given that our house is not very big this allows for us to have storage for bikes, a couple of vespas, and lawn equiptment which we don't have room for with two cars in the garage.

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

We would not be able to add on to the garage in any meaningful fashion without this variance. It would make the addition just a sliver from a garage perspective since we are only going back 8ft. . Being granted the variance by continuing the already existing line of site of the original garage on the south side would allow us to have meaninful room. Plus with having to construct the south roof at such a steep slope, there is not enough room to put a room that makes sense. Being able to go back 8ft allows us to have a room that is usable as an additinal bedroom/living space. We have a huge need to allow Grandma a place to stay when she visits for extended periods of time.

GENERAL NOTES	
1.	These plans have been developed and designed in accordance with the 2019 Residential Code of Ohio (2019 RCO) All federal, state, and local codes, ordinances, and regulations, etc., shall be considered as part of the specifications of this building, and are to be adhered to, even if they are in conflict with these plans.
2.	All HVAC work shall be installed in accordance with the Building code in effect in this jurisdiction.
3.	All electrical shall be installed in accordance with the 2017 N.E.C.
4.	Dimensional lumber used for all framing, except trusses, studs, sole plates, and cap plates shall be SPRUCE PINE FIR No. 2 or better. (North)
5.	Areas to receive tile or marble floors may need to be stiffened beyond minimum code requirements to prevent cracking - builder and installer shall determine same.
6.	Dimensional lumber used for wall studs, sole plates, and cap plates shall be Spruce Pine Fir No.2 or better. (North)

PLANNING	
1.	All interior and exterior stairways shall be provided with a means to illuminate the stair, including the landing and the treads.
2.	Ceiling heights in basements without habitable spaces shall not be less than 6 feet 8 inches clear except for under beams, girders, ducts or other obstructions where the clear height shall be 6 feet 4 inches.
3.	Garage floor surfaces shall be sloped to facilitate the movement of liquids toward the main vehicle entry.
4.	Enclosed accessible space under stairs shall have walls, under stair surfaces and any soffits protected with 1/2" gypsum board.
5.	Handrails shall be provided at all stairs with (3) or more risers. Handrails shall have a minimum hgt. Of 34" and a maximum hgt. Of 38" from the nosing of the treads.
6.	Handrails shall have a circular cross section with a diameter of 1 1/4" to 2". Or a non-circular cross section with a perimeter dimension of at least 4" but not more than 6 1/4" and a largest cross-section dimension not exceeding 2 1/4".
7.	Porches, balconies or raised floor surfaces located more than 30" above the floor or grade shall have handrails not less than 36" in hgt. Open sides of stairs with a total rise of more than 30" above the floor shall have handrails not less than 34" in hgt. from the nosing of the stair.
8.	Required handrails shall have intermediate rails or ornamental closures which do not allow the passage of a 4" sphere. The triangular opening formed by the riser, tread, and bottom rail shall not allow the passage of a 6" sphere.
9.	Required smoke detectors shall be hardwired and interconnected with a battery back- up. In rooms with cathedral or sloped ceilings the location of the smoke detector shall be 5' horizontally from the highest point or per the manufacturers recommendations.
10.	Wood columns shall be approved wood of natural decay resistance or approved pressure preservative treated wood.

FOUNDATIONS & CONCRETE	
1.	The assumed soil bearing capacity shall be 1,500 psf U.N.O.
2.	All concrete shall have a minimum 28 day compressive strength of 3000 psi except as noted. Garage slabs and concrete exposed to the weather and in a sloped or horizontal position in the final structure shall have a minimum 28 day compressive strength of 4500 psi and shall contain 5% -7% entrained air. Concrete shall not contain calcium chloride. Basement slabs shall be a minimum 3 1/2". Porches, steps and garage floor slabs shall be a minimum 4".
3.	All footings shall be as follows: (based on 1500 psf soil bearing) nominal wall thickness - footing depth - footing width 8" 8" 16" 10" 8" 18" 12" 8" 20"
4.	Foundation anchorage shall be min. 1/2" diameter bolts, hot dipped galvanized or stainless steel and shall extend a minimum 7" into poured concrete or masonry. Bolts shall be spaced 6'-0" on center max., 12" from corners max. and shall be compatible with adjacent materials.
5.	Crawl space shall be provided with continuously operated mechanical ventilation at a rate of 1.0 cfm per 50 sq. Ft. of crawl space minimum with approved vapor barrier over base course.

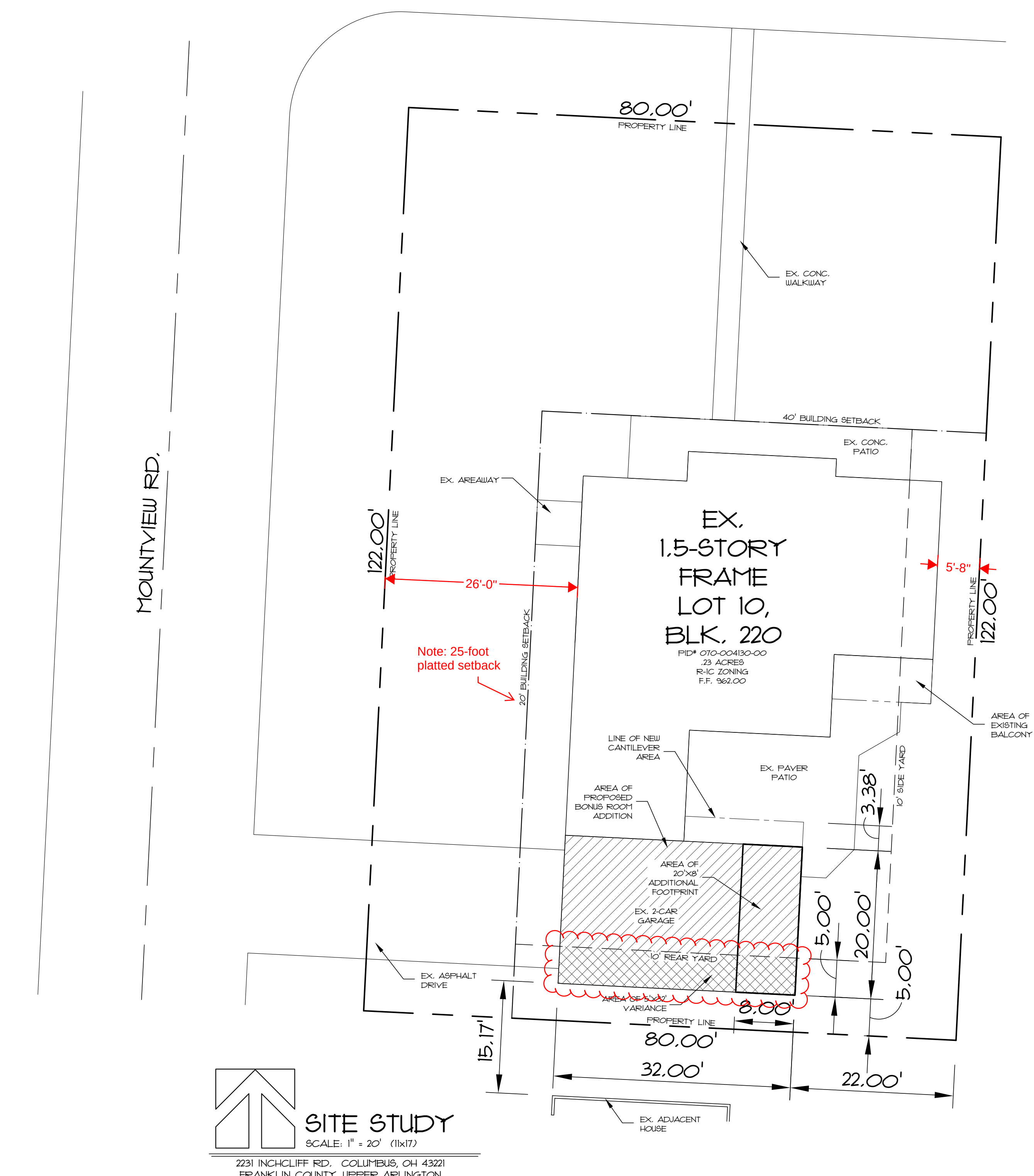
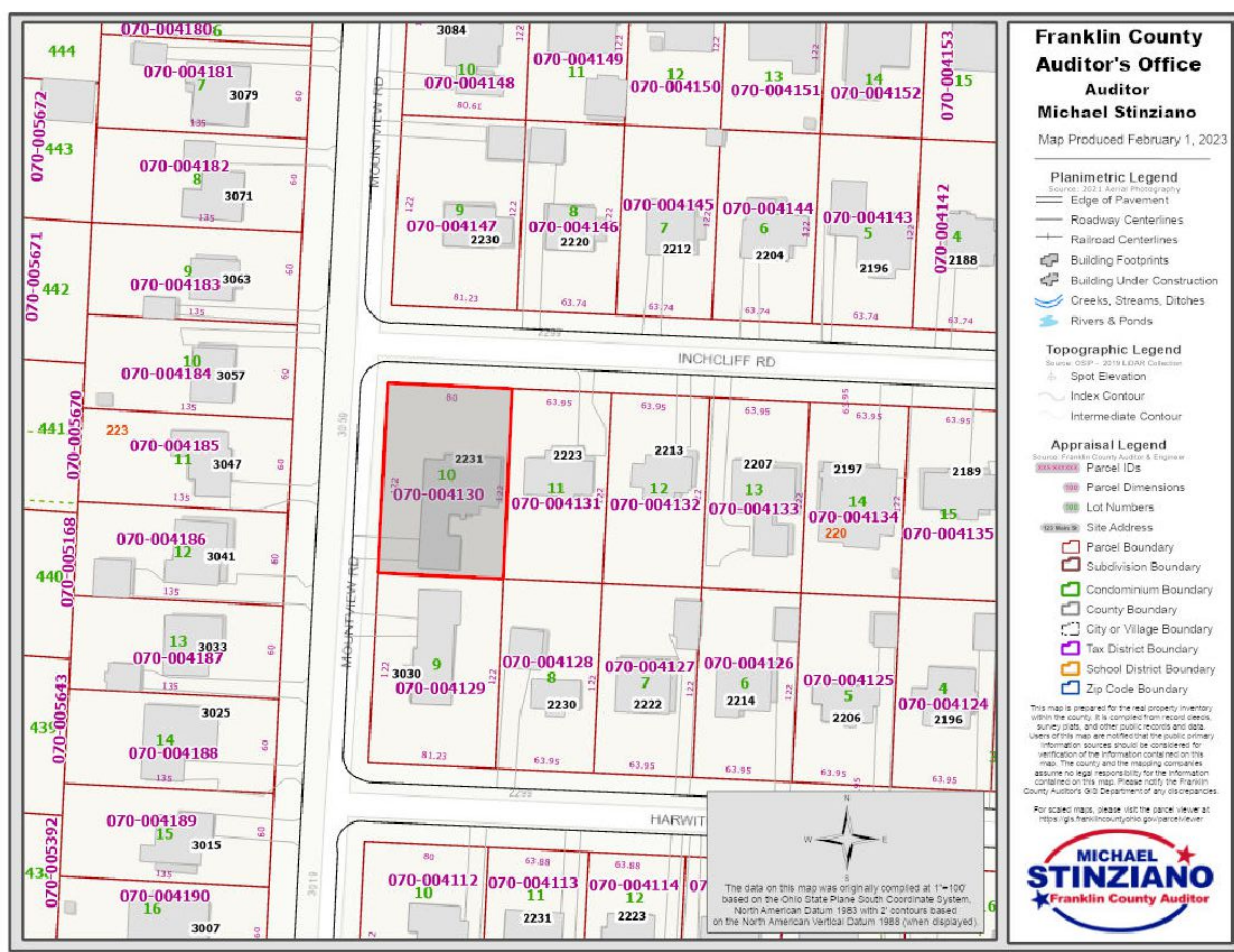
2019 RCO PLAN

FLOOR CONSTRUCTION	
1.	Joists under parallel load bearing partitions shall be doubled or a beam of adequate size to support the load shall be provided.
2.	The ends of each joist, beam, or girder shall have a minimum of 1 1/2" of load bearing on wood or metal and a minimum of 3" on masonry or concrete.
3.	Pre-engineered floor joists, and or trusses shall be engineered by the manufacturer. engineered data sheets shall be provided prior to framing inspection.
4.	Drilling and notching of pre-engineered floors shall be done per manufacturers recommendations.
5.	Sub flooring shall be 3/4" tongue and groove (T & G) exterior grade.
6.	Draft-stopping shall be provided as required when there is a usable space above and below the concealed space of a floor / ceiling assembly.

WALL CONSTRUCTION	
1.	Fire blocking shall be provided to cut off all concealed draft openings (both vertical and horizontal) to form an effective fire barrier between stories, and between a top story and the roof space. Fireblocking shall consist of 2-inch nominal lumber, or two thicknesses of 1-inch nominal lumber with broken lap joints, or one thickness of 25/32-inch wood structural panel with joints backed by 25/32-inch wood structural panels or one thickness of 5/4-inch particle board with joints backed by 5/4" particle board, 1/2-inch gypsum board, or 1/4" cement-based mill board. Unfaced fiberglass batt insulation used as fireblocking shall fill the entire cross section of the wall cavity to a minimum height of 16 inches measured vertically. When piping, conduit or similar obstructions are encountered, the insulation shall be packed tightly around the obstruction.
2.	All exterior bracing shall be provided by the use of 1/2" plywood or 7/16" o.s.b. structural sheathing full height, on the entire perimeter of this structure. All interior walls shall be braced by attaching 1/2" (min.) gypsum board to wall studs, spaced no more than 24" o.c., with 5d cooler nails @ 7" o.c. (max.) , or 1-5/8" long, 9/32" head, .086 diam. gypsum board nails @ 7" o.c. (max.) , or Tupe 'S' or 'W' screws per ASTM C 1002. Screws shall be sufficiently long to penetrate wood framing not less than 5/8".
3.	Wall studs shall be 2x4's @ 16" c/c or 2x6's @ 16" c/c and shall be one piece full height. Provide a minimum of 2 studs at each side of all openings through bearing walls (provide (3) studs when opening is equal to or greater than 7'-0" wide) unless noted otherwise on plans.

ROOF CONSTRUCTION	
1.	Trusses shall be pre-engineered by the manufacturer, all truss data and layout sheets shall be provided prior to framing inspection.
2.	Rafters shall be nailed to ceiling joists to form a continuous tie between exterior walls where joists are parallel to the rafters. Where not parallel, rafters shall be tied with a rafter tie, located as near the plate as practical. Rafter ties shall be spaced not more than 4 feet on center. Rafters shall be framed to ridge board or to each other with a gusset plate as a tie.
3.	Ridge board shall be at least 1" nominal thickness and not less in depth than the cut end of the rafter. At all valleys and hips there shall be a valley or hip rafter not less than 2" nominal thickness and not less in depth than the cut end of the rafter. Hip and valley rafters shall be supported at the ridge by a brace to a load bearing partition or be designed to carry and distribute the specific load at that point. When the cut end of the rafter exceeds 11 1/2" the ridge board shall be constructed of a solid 2x12 with an additional 2x (as required) furred to the bottom edge of the 2x12.
4.	Roof assemblies shall have rafter or truss ties provided at load bearing locations.
5.	Roof sheathing shall be supported with blocking or edge clips when rafters or trusses are 24" on center or greater.
6.	Roof sheathing shall be 1/2" plywood or 7/16" OSB exterior grade. Provide plywood clips at unsupported edges midway between members.

HEATING & COOLING	
1.	When heating and cooling equipment is located in an equipment room, an unobstructed working space not less than 30 inches wide and not less than 30 inches high shall be provided along the control side of the equipment when the door of the equipment room is open.
2.	Fuel burning heating and cooling equipment shall be provided with a volume of 50 cubic ft. per 1000 Btu/ h. or an air supply shall be provided to assure proper fuel combustion.
3.	An approved drain shall be provided to dispose of condensate from the cooling coil. condensate drains shall terminate outside of the building, or to a floor drain, plumbing fixture, sump or approved location.



SHEET INDEX	
SHEET #	TITLE
1 OF 10	COVER SHEET & SITE STUDY
2 OF 10	FOUNDATION, FIRST & SECOND FLOOR AS BUILT/DEMO PLANS
3 OF 10	EXISTING PHOTOS
4 OF 10	FOUNDATION PLAN
5 OF 10	FIRST FLOOR PLAN
6 OF 10	BONUS ROOM PLAN
7 OF 10	ROOF PLAN
8 OF 10	EXTERIOR ELEVATIONS
9 OF 10	EXTERIOR ELEVATIONS & BUILDING SECTIONS
10 OF 10	ELECTRICAL LAYOUTS

AREA CALCULATION	
EX. FIRST FLOOR AREA:	1815 SF
EX. SECOND FLOOR AREA:	1137 SF
NEW BONUS ROOM AREA:	619 SF
EX. TOTAL LIVING SPACE:	3571 SF
EX. 2 CAR GARAGE AREA:	480 SF
NEW 2 CAR GARAGE EXTENSION:	160 SF
EX. BASEMENT AREA:	1383 SF
REAR BALCONY AREA:	80 SF
REAR PAVEMENT AREA:	436 SF
FRONT PORCH AREA:	224 SF
EX. DRIVE AREA:	416 SF
EX. WALKWAY AREA:	120 SF
EX. AREAWAY AREA:	36 SF

LOT AREA CALCULATION	
LOT AREA:	9760 SF
BUILDING COVERAGE:	2590 SF (27%)
DEVELOPMENT COVERAGE:	3962 SF (40%)
PERMITTED BUILDING COVERAGE (29%):	2,830 SF
PROPOSED BUILDING COVERAGE:	2,759 SF
PERMITTED DEVELOPMENT COVERAGE (45%):	4,392 SF
PROPOSED DEVELOPMENT COVERAGE:	5,227 SF

ROOF LIVE LOAD	20 PSF
GROUND SNOW LOAD	25 PSF
ROOF DEAD LOAD	10 PSF
FLOOR LIVE LOAD	40 PSF
FLOOR DEAD LOAD	10 PSF
FLOOR BDRM. LOAD	30 PSF
WIND SPEED	115 MPH
SEISMIC CATEGORY	C
SOIL BEARING	1500 PSF
FRAMING LUMBER	SPF #2 OR BETTER
STEEL	ASTM A36
MIN. FROST DEPTH	36"

PLANS PREPARED BY:

CONDESGO

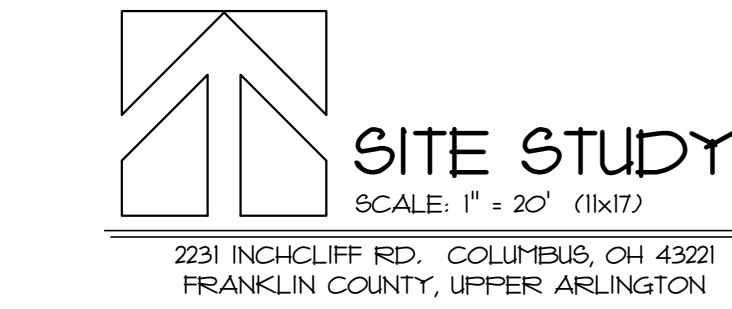
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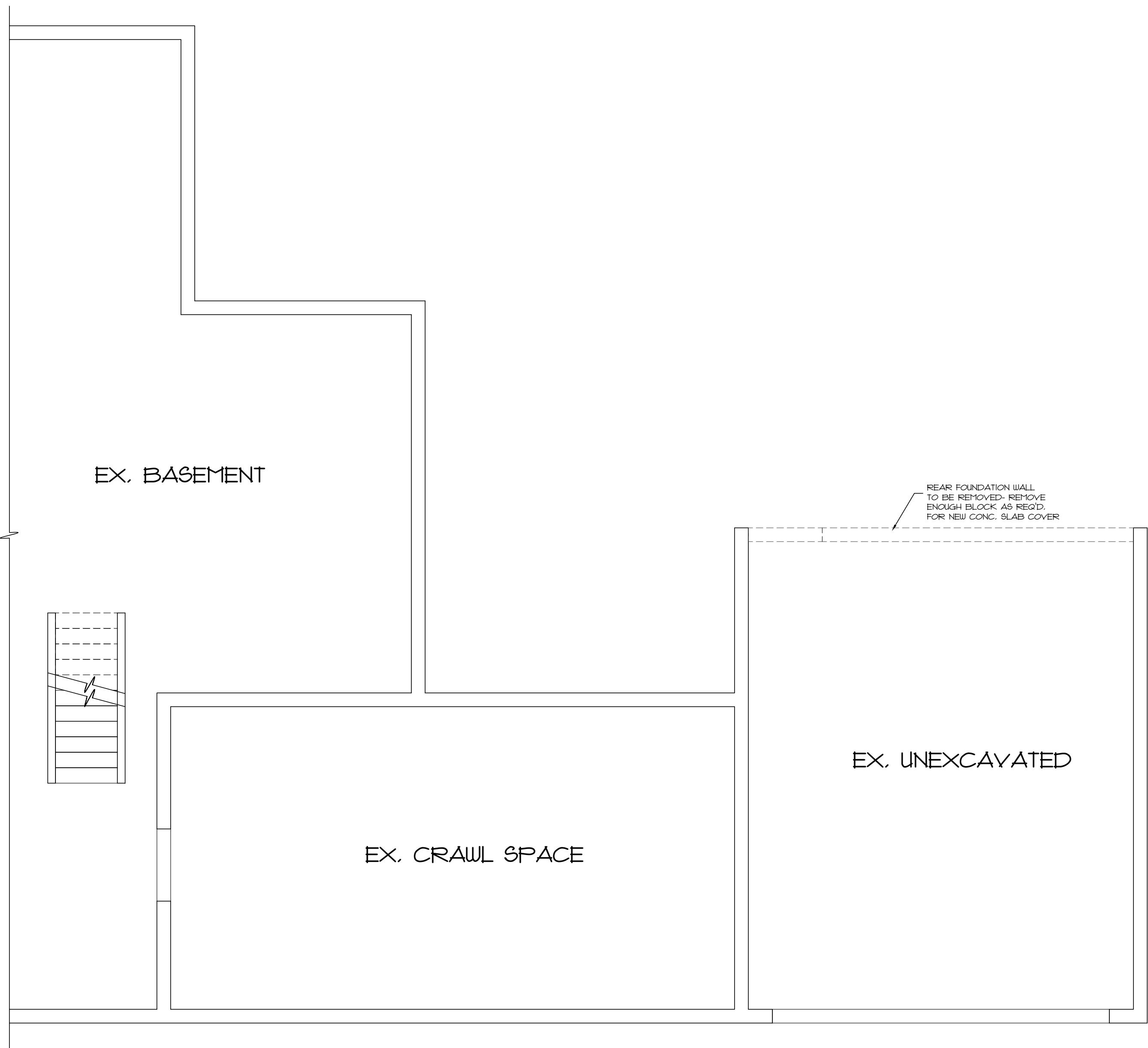
CARINE RESIDENCE
2231 INCHCLIFF RD.
UPPER ARLINGTON, OH 43221

PRELIMINARY LAYOUT

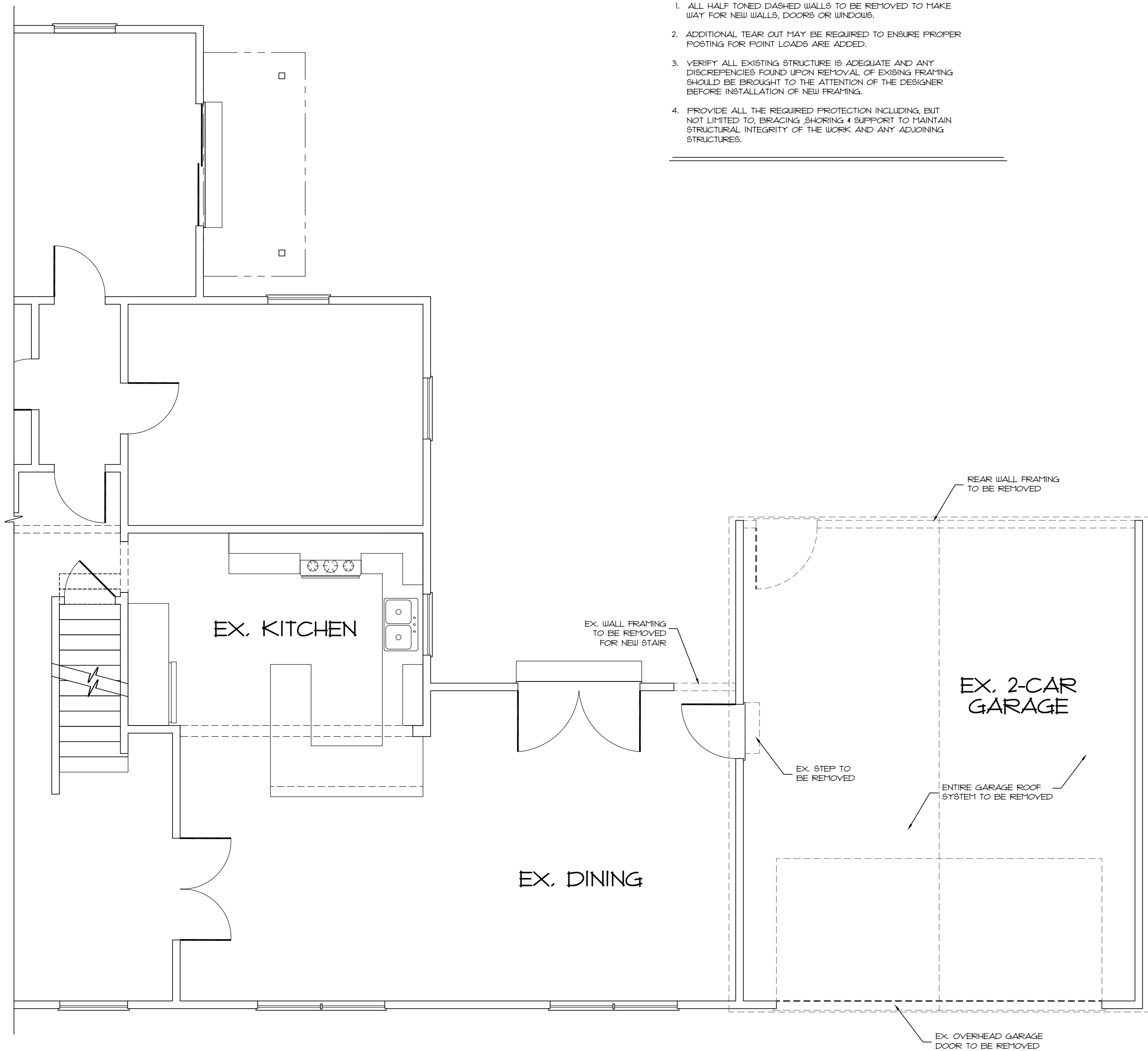
03-20-23 PAGE 1 OF 10

NOT FOR CONSTRUCTION





FOUNDATION AS-BUILT/DEMO PLAN
 SCALE: 1/4" = 1'-0" (22x34)
 1/8" = 1'-0" (11x17)



FIRST FLOOR/ROOF AS-BUILT/DEMO PLAN
 SCALE: 1/4" = 1'-0" (22x34)
 1/8" = 1'-0" (11x17)

WALL FRAMING LEGEND	
	EXISTING WALLS
	TO BE REMOVED

DEMOLITION NOTES

1. ALL HALF-TONED DASHED WALLS TO BE REMOVED TO MAKE WAY FOR NEW WALLS, DOORS OR WINDOWS.
2. ADDITIONAL TEAR-OUT MAY BE REQUIRED TO ENSURE PROPER POSTING FOR POINT LOADS ARE ADDED.
3. VERIFY ALL EXISTING STRUCTURE IS ADEQUATE AND ANY DISCREPANCIES FOUND UPON REMOVAL OF EXISTING FRAMING SHOULD BE BROUGHT TO THE ATTENTION OF THE DESIGNER BEFORE INSTALLATION OF NEW FRAMING.
4. PROVIDE ALL THE REQUIRED PROTECTION INCLUDING, BUT NOT LIMITED TO, BRACING, SHORING & SUPPORT TO MAINTAIN STRUCTURAL INTEGRITY OF THE WORK AND ANY ADJOINING STRUCTURES.

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CARINE RESIDENCE
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PRELIMINARY LAYOUT

03-20-23

PAGE 2 OF 10

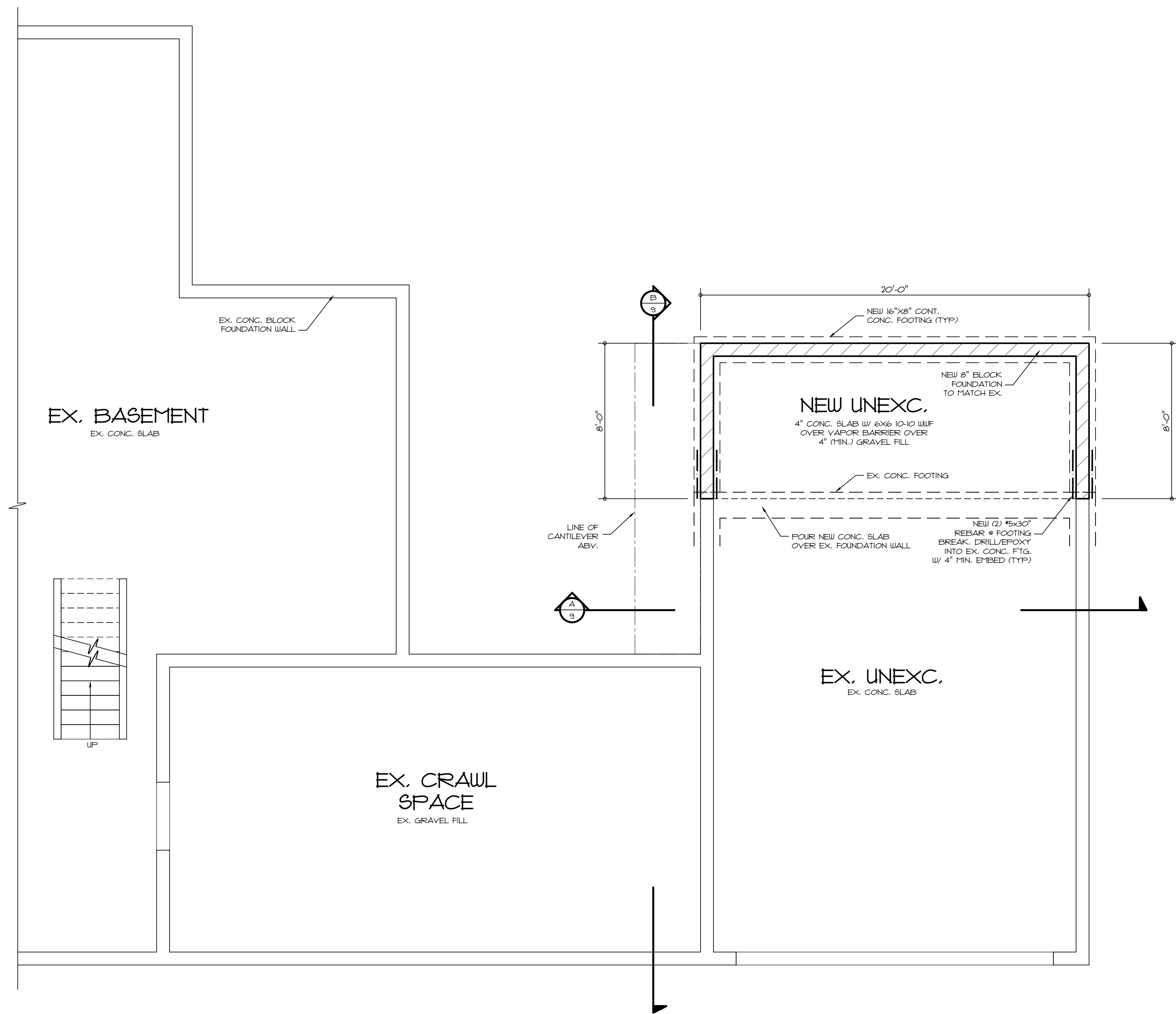
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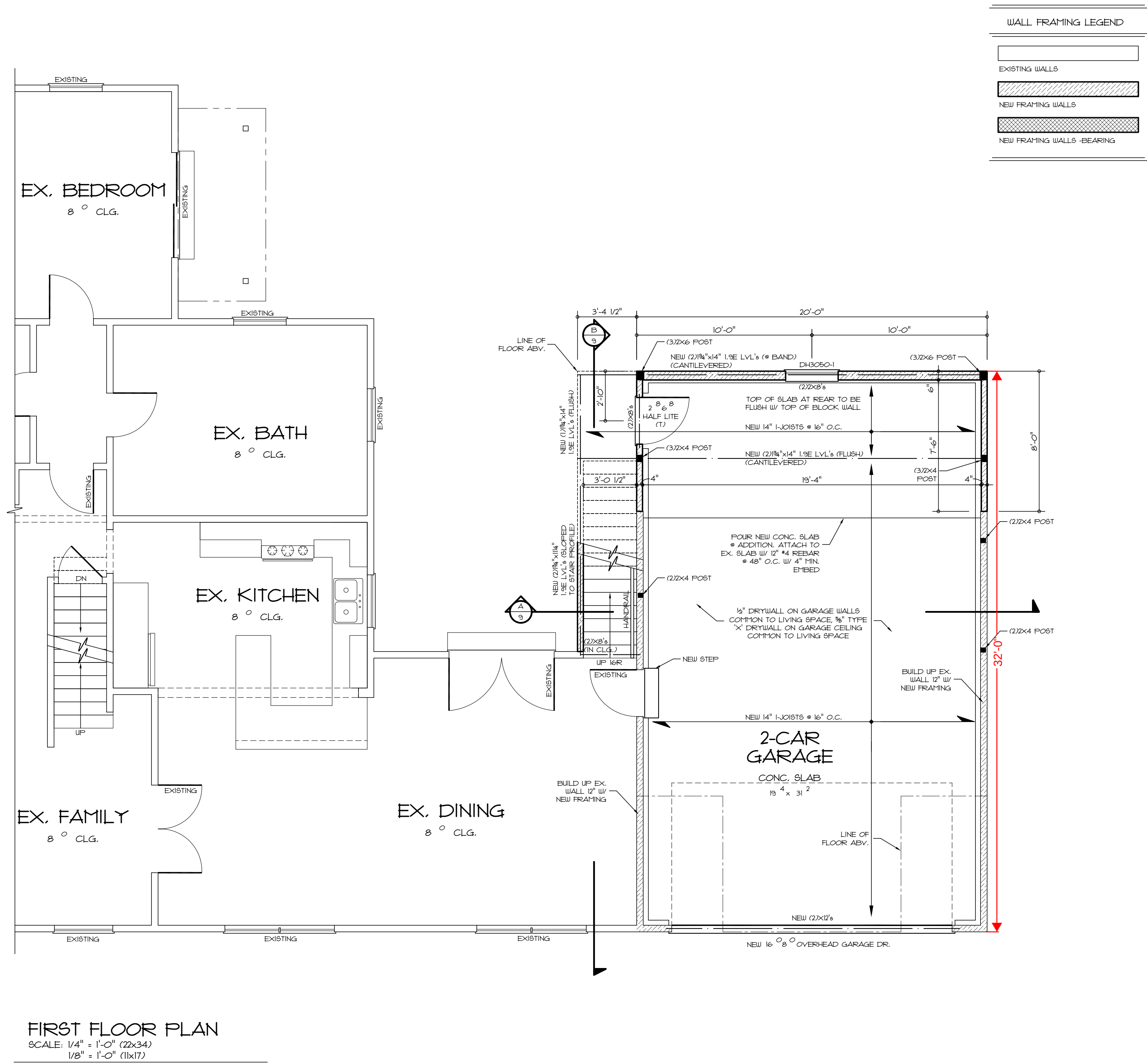
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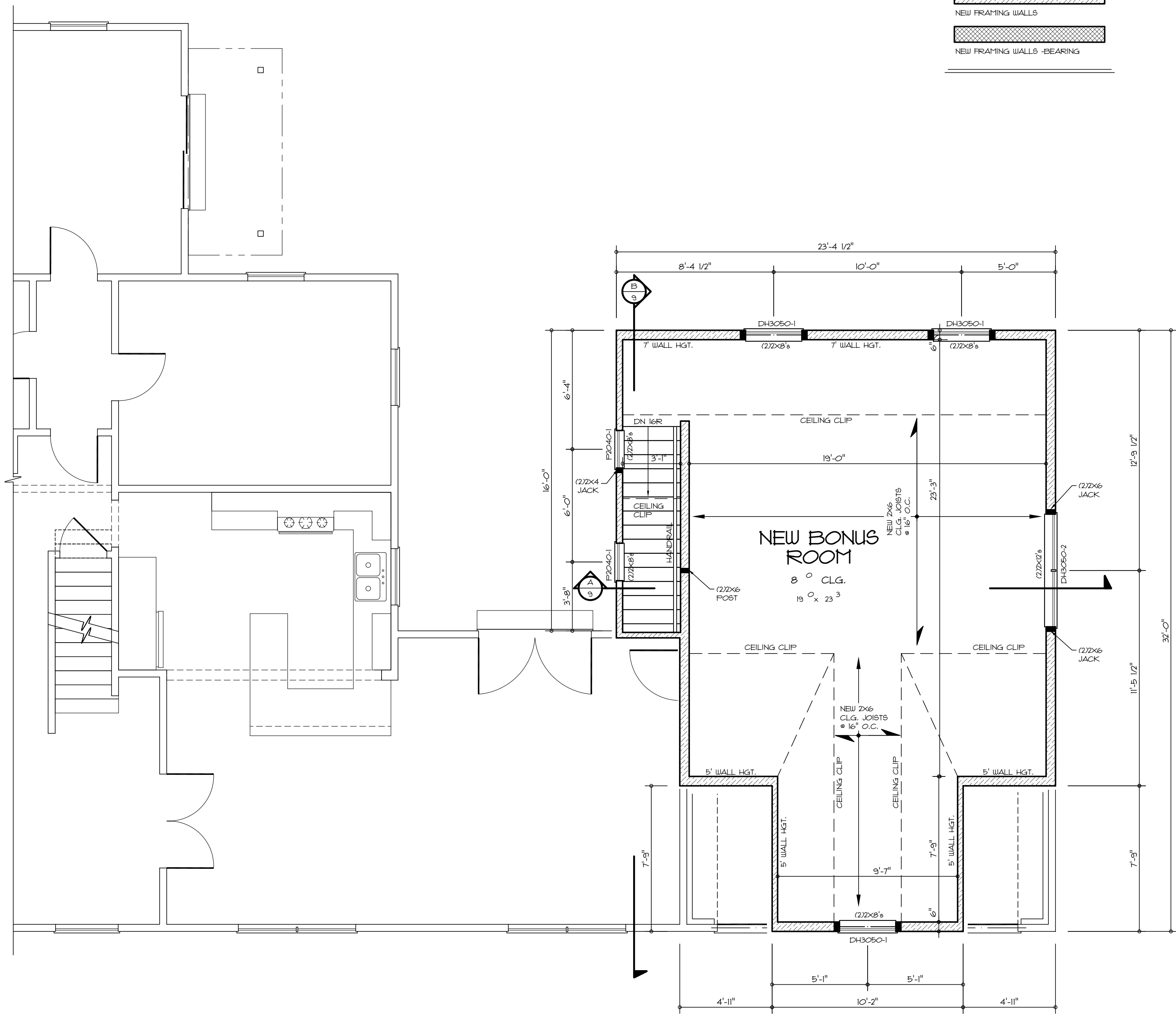
CARINE RESIDENCE
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PRELIMINARY LAYOUT
03-20-23 PAGE 3 OF 10

NOT FOR CONSTRUCTION



FOUNDATION PLAN
SCALE: 1/4" = 1'-0" (22x34)
1/8" = 1'-0" (11x17)





WALL FRAMING LEGEND

- EXISTING WALLS
- NEW FRAMING WALLS
- NEW FRAMING WALLS - BEARING

BONUS ROOM PLAN
SCALE: 1/4" = 1'-0" (22x34)
1/8" = 1'-0" (11x17)

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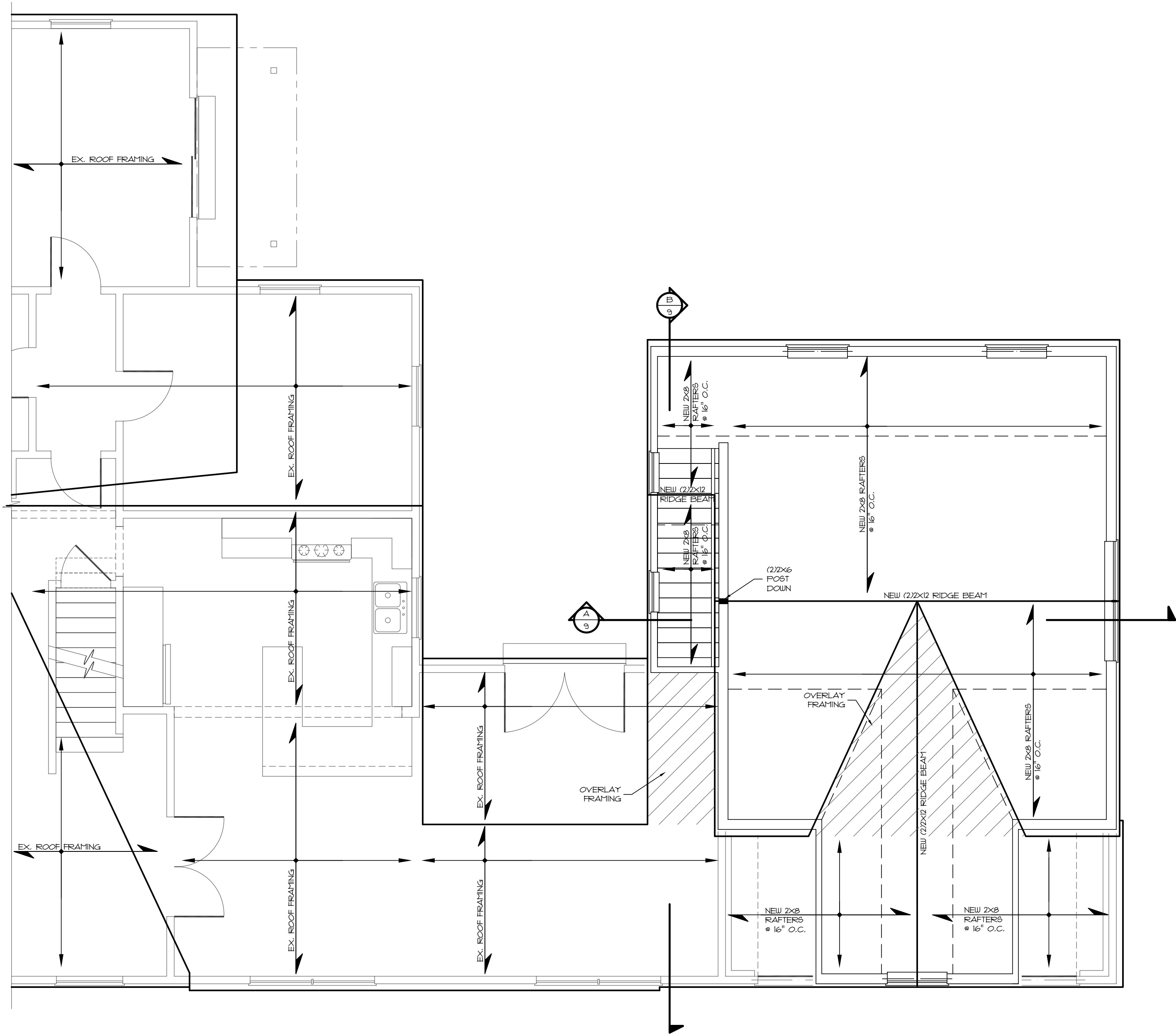
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03-20-23

PAGE 6 OF 10

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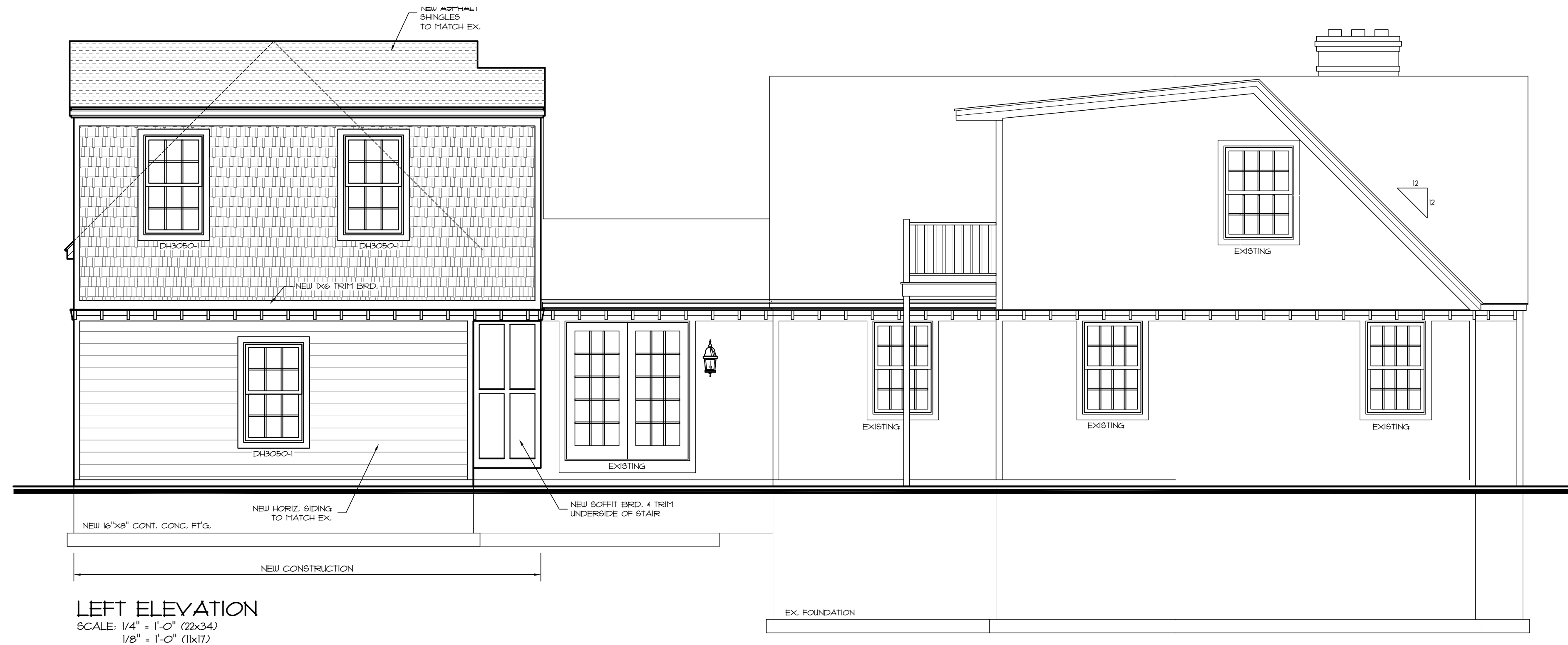


ROOF PLAN
 SCALE: 1/4" = 1'-0" (22x34)
 1/8" = 1'-0" (11x17)

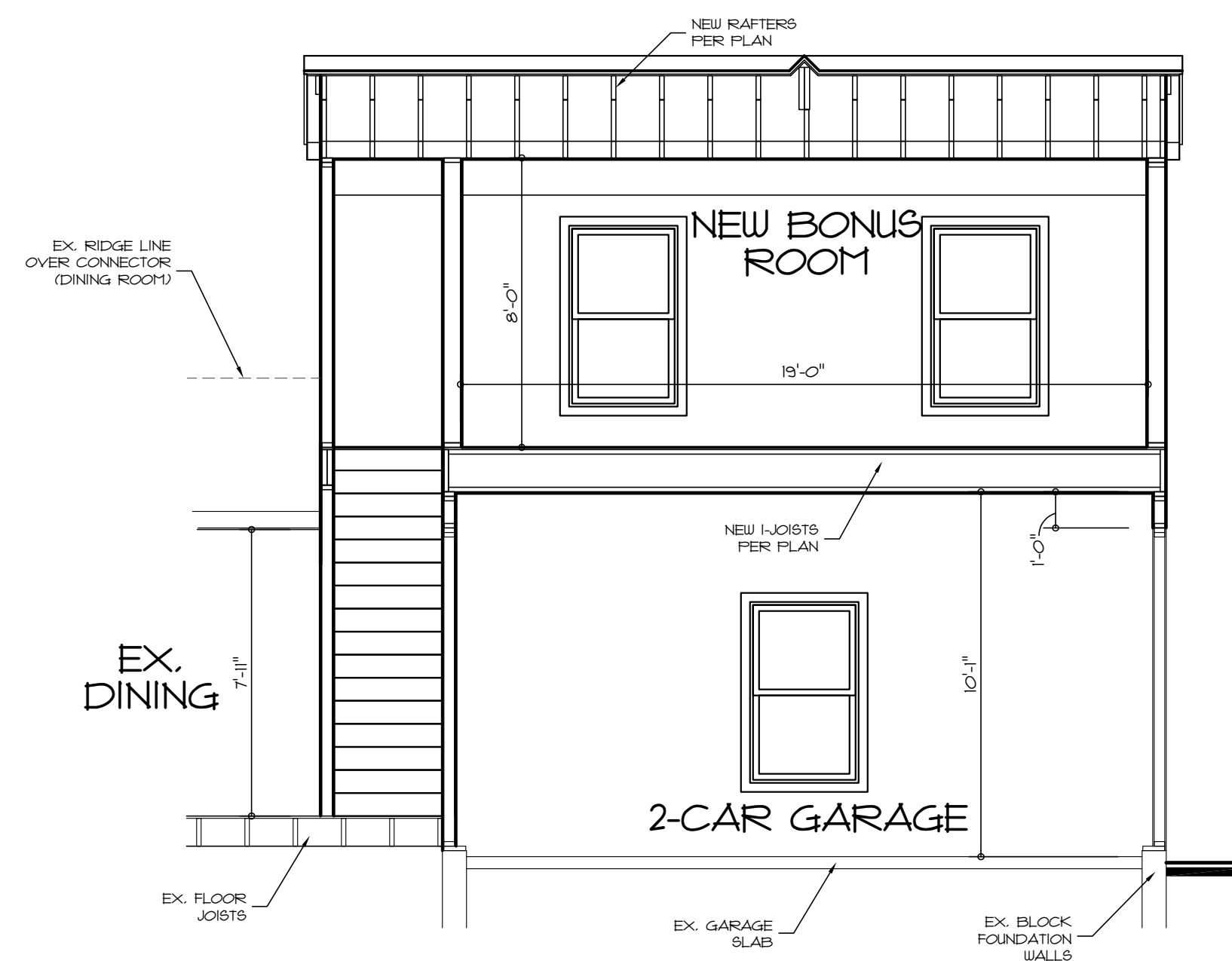
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CARINE RESIDENCE
 2231 INCHCLIFF RD.
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PRELIMINARY LAYOUT
 03-20-23 PAGE 7 OF 10

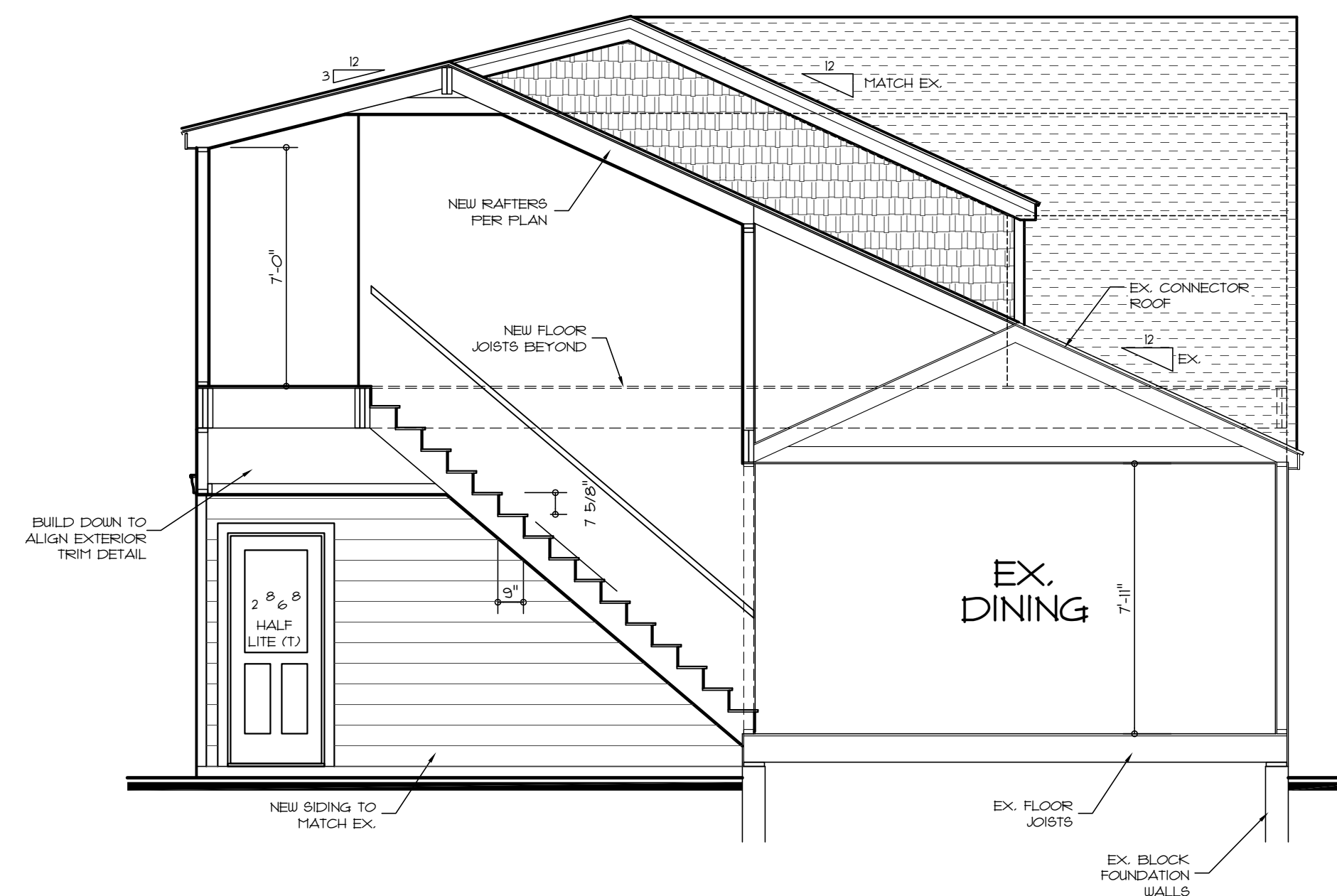
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LEFT ELEVATION
 SCALE: 1/4" = 1'-0" (22x34)
 1/8" = 1'-0" (11x17)



A BUILDING SECTION
 SCALE: 1/4" = 1'-0" (22x34)
 1/8" = 1'-0" (11x17)



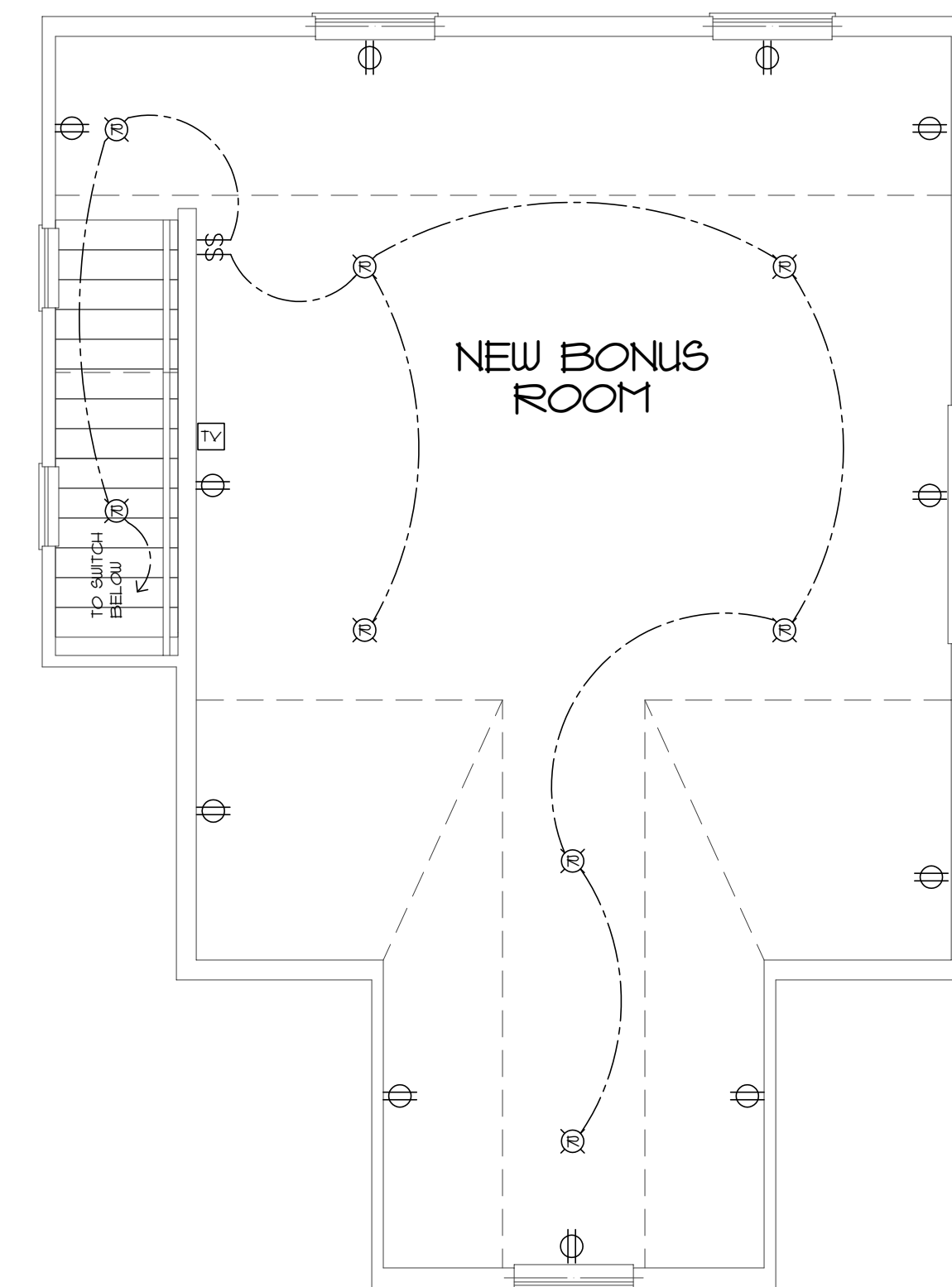
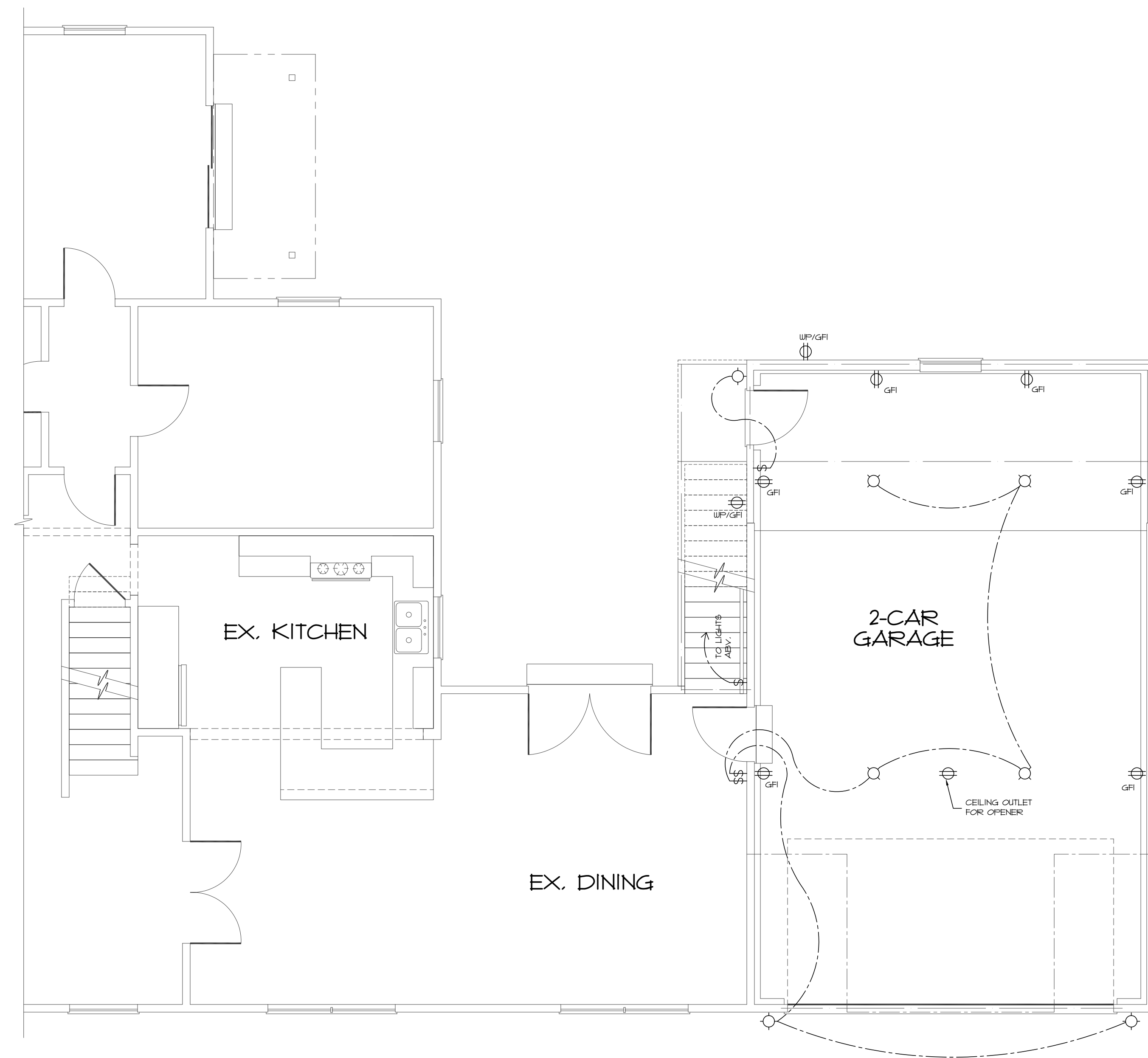
B STAIR/BUILDING SECTION
 SCALE: 1/4" = 1'-0" (22x34)
 1/8" = 1'-0" (11x17)

PLANS PREPARED BY:
CONDESGO
 POWELL, OHIO 614.271.0393

CARINE RESIDENCE
 2231 INCHLIFF RD.
 UPPER ARLINGTON, OH 43221
 PRELIMINARY LAYOUT

03-20-23 PAGE 9 OF 10

NOT FOR CONSTRUCTION



	SINGLE POLE SWITCH
	THREE WAY SWITCH
	FOUR WAY SWITCH
	DUPLEX RECEPTICAL
	DUPLEX RECEPTICAL -BOTTOM HALF SWITCHED
	DUPLEX RECEPTICAL -FLOOR MOUNTED
	DUPLEX RECEPTICAL -220V
	DUPLEX RECEPTICAL -USB
	DUPLEX RECEPTICAL -GROUND FAULT INTERRUPTER
	DUPLEX RECEPTICAL -WEATHERPROOF 4 GROUND FAULT INTERRUPT
	DUPLEX RECEPTICAL -MICROWAVE
	SMOKE DETECTOR
	CARBON MONOXIDE DETECTOR
	EXHAUST FAN MOTOR
	EXHAUST FAN MOTOR W/ LIGHT
	TELEVISION RECEPTACLE
	TELEPHONE RECEPTACLE
	DOOR CHIME
	LIGHT FIXTURE -WALL MOUNTED
	LIGHT FIXTURE -CEILING MOUNTED
	LIGHT FIXTURE -RECESSED
	LIGHT FIXTURE -RECESSED/ WEATHERPROOF
	LIGHT FIXTURE -CEILING MOUNTED LED
	LIGHT FIXTURE -HANGING
	LIGHT FIXTURE -PENDANT
	LIGHT FIXTURE -FLUORESCENT
	LIGHT FIXTURE -FLUORESCENT -BALLAST -TRIAC -LARGE
	PULLCHAIN LAMPHOLDER
	KEYLESS LAMPHOLDER
	CEILING FAN

FINAL ELECTRICAL LAYOUT TO BE
FIELD VERIFIED BY HOMEOWNER
Ⓢ WALK-THRU W/ CONTRACTOR



Eric and Ali Carine
2231 Inchcliff Road
Upper Arlington, Ohio 43221

March 29, 2023

Hey Neighbors,

We have lived here on Inchcliff since 2004 and we absolutely love living here. We have raised our kids here and have met so many nice friends we have been truly blessed. We have enjoyed so many of you making amazing improvements to their home and it has only enhanced our neighborhood but also the values of all our homes. Ali and I have struggled with not enough room in our garage for all of our lawn equipment and scooters as well as room for our cars. We are applying for a variance to extend our garage on the same line that it is on going back 8ft from its current location. This will allow us to have room for our stuff and our cars. Additionally, we would like to add a small room on top of the garage to allow for a place guests to stay since most of Ali's family is from Indiana. Because the garage set back to the South is inside the 10ft allowance in order for us to extend the garage on its current trajectory we would need to apply for a variance. Back in the 70's a variance was granted and we are asking the city of arlington to allow this variance again. It is very challenging to build on a corner lot because these kinds of houses have large front yards and small back yards because of the required set backs. The room addition would fall in line with the homes around it and won't be tall like some of the new builds in the area. The peak of the addition should be similar in height to our other side of the house. Ali and I would love to share any details and of course be happy to discuss it with you if you have any concerns at all.

My phone number is 614-306-4900 if you would like to talk. If email is better for you Ecarine1@gmail.com The formal variance meeting is April 19th and you are welcome to attend. We have hired an architect and are very happy with how it looks. We would be happy to share the plans with you and discuss any concerns that you may have.

Board meetings begin at 6pm April 19th, and are held at the:

Upper Arlington Civic Center
3600 Tremont Road
Upper Arlington, Ohio 43221

Sincerely,

Eric and Ali Carine

City of Upper Arlington



COMMUNITY DEVELOPMENT DEPARTMENT

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

Revised: Jan 2021

Certification of Notice

Applicant Name: Eric & Ali CARANT

Location of property subject to BZAP request: 2231 INCHCLIFF RD

Describe activity which requires Board of Zoning and Planning review:

ASKING FOR VARIATION OF GARAGE AND ROOM ABOVE GARAGE. CURRENT GARAGE TO THE SOUTH WAS BUILT WITH A SET BACK FROM THE LOT LINE. A VARIATION WAS GRANTED IN THE 70'S. WANTS

This application will be heard by the Board of Zoning and Planning on: 4/19/23

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:
2520 WILBREDON RD	DAVID ACTIENO	7022 1670 0003 2700 7424	4/29/23
3057 MOUNTVIEW RD	MELISSA KOON	7022 1670 0003 2700 7431	4/27/23
3063 MOUNTVIEW RD	SCOTT HULLY	7022 1670 0003 2700 7448	4/29/23
2222 HANWICH	KEVIN STOTTS	7022 1670 0003 2700 7455	4/29/23
2212 INCHCLIFF RD	PING YIN	7022 1670 0003 2700 7462	4/29/23
2230 INCHCLIFF RD	RACHELLE BLUMHART	7022 1670 0003 2700 7394	4/29/23
3030 MOUNTVIEW RD	ANDREW/DREW BOWEN	7022 1670 0003 2700 7400	4/29/23
2220 INCHCLIFF RD	2220 INCHCLIFF RD LLC	7022 1670 0003 2700 7417	4/29/23
2047 MOUNTVIEW RD	PAIGE FUGLESON	7022 1670 0003 2700 7479	4/29/23
230 HANWICH RD	JOLIE VOSS	7022 1670 0003 2700 7486	4/29/23
213 INCHCLIFF RD	JEFF LINGG SR	7022 1670 0003 2700 7493	4/29/23
223 INCHCLIFF RD	CHARLES PHILLIPS III	7022 1670 0003 2700 7509	4/29/23
303 MOUNTVIEW RD	DARRYL HARRIS	7022 1670 0003 2700 7042	4/29/23
Applicant Signature:			Date: 4/29/23





1. These plans have been developed and designed in accordance with the 2019 Residential Code of Ohio (2019 RCO)
All Federal, state, and local codes, ordinances, and regulations, etc., shall be considered as part of the specifications of this building, and are to be adhered to, even if they are in conflict with these plans.
2. All HVAC work shall be installed in accordance with the Building code in effect in this jurisdiction.
3. All electrical shall be installed in accordance with the 2017 N.E.C.
4. Dimensional lumber used for all framing, except trusses, studs, sole plates, and cap plates shall be SPRUCE PINE FIR No. 2 or better. (North)
5. Areas to receive tile or marble floors may need to be stiffened beyond minimum code requirements to prevent cracking - builder and installer shall determine same.
6. Dimensional lumber used for wall studs, sole plates, and cap plates shall be Spruce Pine Fir No.2 or better. (North)

1. All interior and exterior stairways shall be provided with a means to illuminate the stair, including the landing and the treads.
2. Ceiling heights in basements without habitable spaces shall not be less than 6 feet 8 inches clear except for under beams, girders, ducts or other obstructions where the clear height shall be 6 feet 4 inches.
3. Garage floor surfaces shall be sloped to facilitate the movement of liquids toward the main vehicle entry.
4. Enclosed accessible space under stairs shall have walls, under stair surfaces and any soffits protected with 1/2" gypsum board.
5. Handrails shall be provided at all stairs with (5) or more risers. Handrails shall have a minimum hgt. Of 34" and a maximum hgt. Of 38" from the nosing of the treads.
6. Handrails shall have a circular cross section with a diameter of 1 1/4" to 2".
Or a non-circular cross section with a perimeter dimension of at least 4" but not more than 6 1/4" and a largest cross-section dimension not exceeding 2 1/4".
7. Porches, balconies or raised floor surfaces located more than 30" above the floor or grade shall have quadrails not less than 36" in hgt. Open sides of stairs with a total rise of more than 30" above the floor shall have quadrails not less than 34" in hgt. from the nosing of the stair.
8. Required quadrails shall have intermediate rails or ornamental closures which do not allow the passage of a 4" sphere. The triangular opening formed by the riser, tread, and bottom rail shall not allow the passage of a 6" sphere.
9. Required smoke detectors shall be hardwired and interconnected with a battery back-up. In rooms with cathedral or sloped ceilings the location of the smoke detector shall be 3' horizontally from the highest point or per the manufacturers recommendations.
10. Wood columns shall be approved wood of natural decay resistance or approved pressure preservative treated wood.

1. The assumed soil bearing capacity shall be 1,500 psf U.N.O.
2. All concrete shall have a minimum 28 day compressive strength of 5000 psi except as noted. Garage slabs and concrete exposed to the weather and in a sloped or horizontal position in the final structure shall have a minimum 28 day compressive strength of 4500 psi and shall contain 5% -7% entrained air. Concrete shall not contain calcium chloride. Basement slabs shall be a minimum 5 1/2". Porches, steps and garage floor slabs shall be a minimum 4".
3. All footings will be as follows: (based on 1500 psf soil bearing)

nominal wall thickness	footing depth	footing width
8"	8"	16"
10"	8"	18"
12"	8"	20"
4. Foundation anchorage shall be min. 1/2" diameter bolts, hot dipped galvanized or stainless steel and shall extend a minimum 7' into poured concrete or masonry. Bolts shall be spaced 6'-0" on center max., 12" from corners max. and shall be compatible with adjacent materials.
5. Crawl space shall be provided with continuously operated mechanical ventilation at a rate of 1.0 cfm per 50 sq. Ft. of crawl space minimum with approved vapor barrier over base course.

1. Joists under parallel load bearing partitions shall be doubled or a beam of adequate size to support the load shall be provided.
2. The ends of each joist, beam, or girder shall have a minimum of $1\frac{1}{2}$ " of load bearing on wood or metal and a minimum of 3" on masonry or concrete.
3. Pre-engineered floor joists, and/or trusses shall be engineered by the manufacturer. engineered data sheets shall be provided prior to framing inspection.
4. Drilling and notching of pre-engineered floors shall be done per manufacturers recommendations.
5. Sub flooring shall be $3/4$ " tongue and groove (T & G) exterior grade.
6. Draft-stopping shall be provided as required when there is a usable space above and below the concealed space of a floor / ceiling assembly.

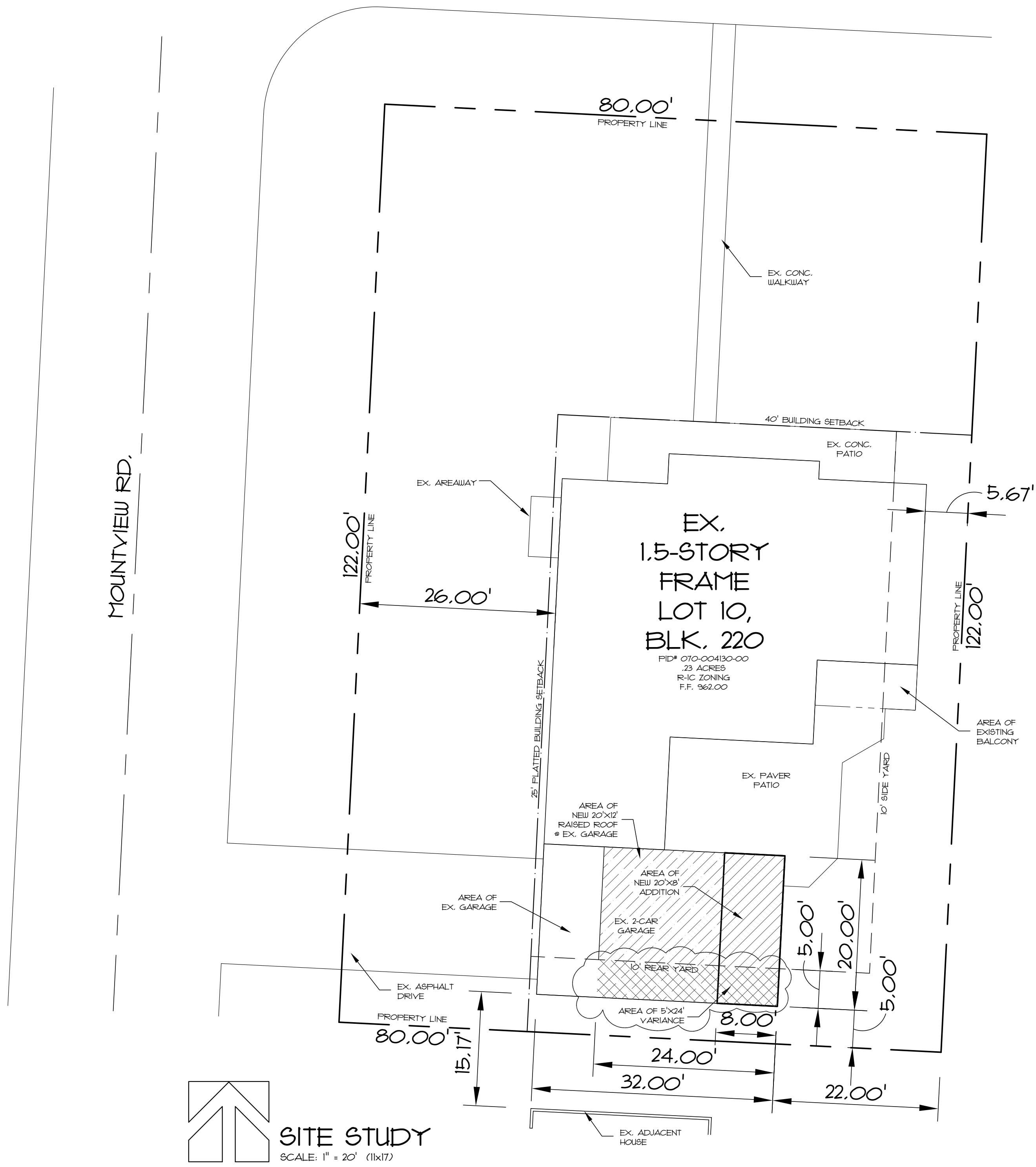
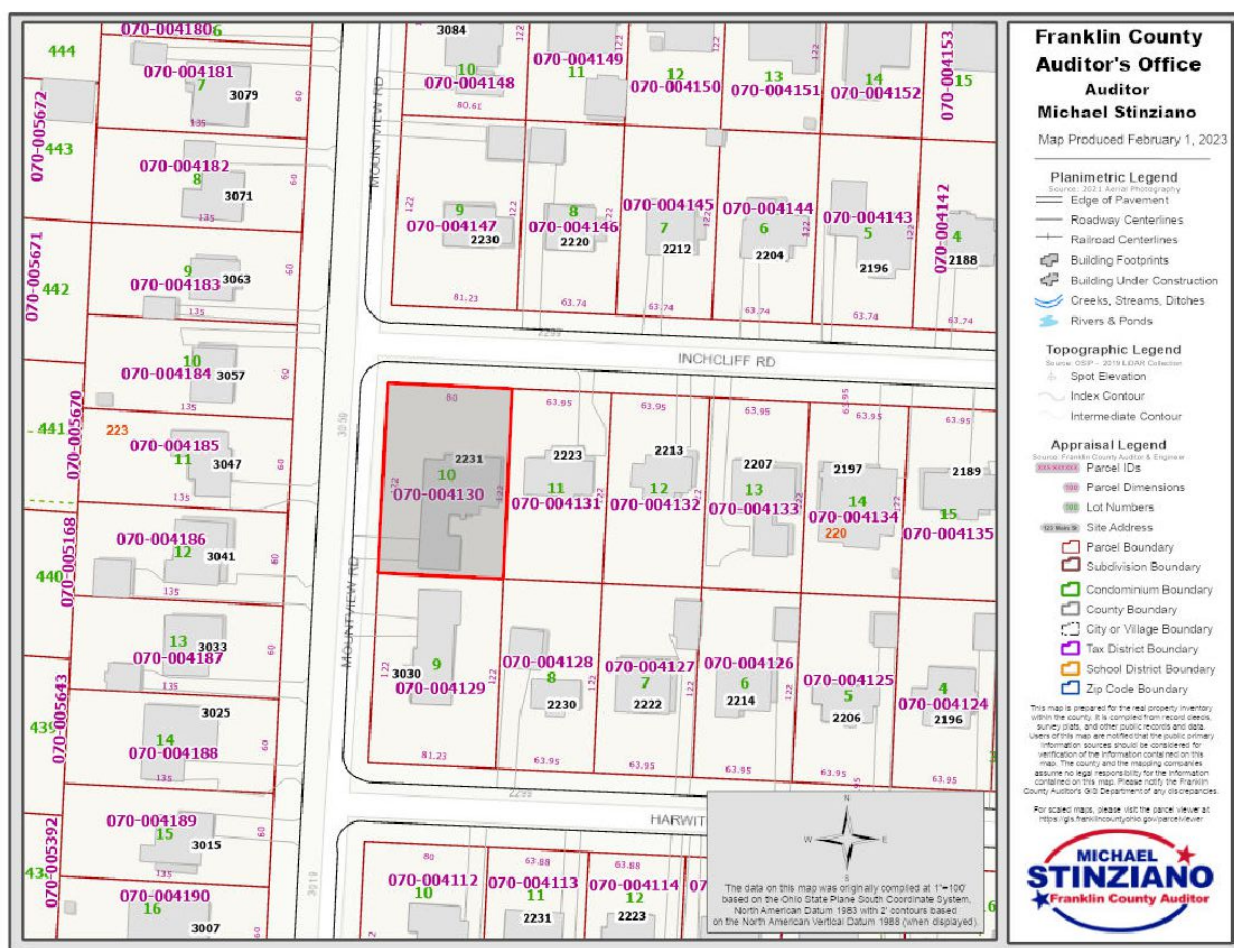
Fire blocking shall be provided to cut off all concealed draft openings (both vertical and horizontal) to form an effective fire barrier between stories, and between a top story and the roof space. Fireblocking shall consist of 2-inch nominal lumber, or two thicknesses of 1-inch nominal lumber with broken lap joints, or one thickness of 25/52-inch wood structural panel with joints backed by 25/52-inch wood structural panels or one thickness of 3/4-inch particle board with joints backed by 3/4-inch particle board, 1/2-inch gypsum board, or 1/4-inch cement-based mill board. Unfaced fiberglass batt insulation used as fireblocking shall fill the entire cross section of the wall cavity to a minimum height of 16 inches measured vertically. When piping, conduit or similar obstructions are encountered, the insulation shall be packed tightly around the obstruction.

2. All exterior bracing shall be provided by the use of 1/2" plywood or 7/16" o.s.b. structural sheathing full height, on the entire perimeter of this structure. All interior walls shall be braced by attaching 1/2" (min.) gypsum board to wall studs, spaced no more than 24" o.c., with 5d cooler nails @ 7" o.c. (max.), or 1-5/8" long, 9/32" head, .086 diam. gypsum board nails @ 7" o.c. (max.), or Type '5' or 'W' screws per ASTM C1002. Screws shall be sufficiently long to penetrate wood framing not less than 5/8".

3. Wall studs shall be 2x4's @ 16" c/c or 2x6's @ 16" c/c and shall be one piece full height. Provide a minimum of 2 studs at each side of all openings through bearing walls (provide (3) studs when opening is equal to or greater than 7'-0" wide) unless noted otherwise on plans.

1. Trusses shall be pre-engineered by the manufacturer, all truss data and layout sheets shall be provided prior to framing inspection.
2. Rafters shall be nailed to ceiling joists to form a continuous tie between exterior walls where joists are parallel to the rafters. Where not parallel, rafters shall be tied with a rafter tie, located as near the plate as practical. Rafter ties shall be spaced not more than 4 feet on center. Rafters shall be framed to ridge board or to each other with a gusset plate as a tie.
3. Ridge board shall be at least 1" nominal thickness and not less in depth than the cut end of the rafter. At all valleys and hips there shall be a valley or hip rafter not less than 2" nominal thickness and not less in depth than the cut end of the rafter. Hip and valley rafters shall be supported at the ridge by a brace to a load bearing partition or be designed to carry and distribute the specific load at that point. When the cut end of the rafter exceeds 11e1 the ridge board shall be constructed of a solid 2x12 with an additional 2x (as required) furred to the bottom edge of the 2x12.

1. When heating and cooling equipment is located in an equipment room, an unobstructed working space not less than 30 inches wide and not less than 30 inches high shall be provided along the control side of the equipment when the door of the equipment room is open.
2. Fuel burning heating and cooling equipment shall be provided with a volume of 50 cubic ft. per 1000 Btu/h, or an air supply shall be provided to assure proper fuel combustion.
3. An approved drain shall be provided to dispose of condensate from the cooling coil. condensate drains shall terminate outside of the building, or to a floor drain, plumbing fixture, sump or approved location.



SHEET INDEX	
SHEET #	TITLE
1 OF 7	COVER SHEET & SITE STUDY
2 OF 7	FOUNDATION, FIRST & SECOND FLOOR AS BUILT/DEMO PLANS
3 OF 7	FOUNDATION PLAN
4 OF 7	FIRST FLOOR PLAN
5 OF 7	ROOF PLAN
6 OF 7	EXTERIOR ELEVATIONS & BUILDING SECTIONS
7 OF 7	ELECTRICAL LAYOUT

AREA CALCULATION	
EX. FIRST FLOOR AREA:	1815 SF
EX. SECOND FLOOR AREA:	1137 SF
EX. TOTAL LIVING SPACE:	2952 SF

EX. 2 CAR GARAGE AREA:	480 SF
NEW 2 CAR GARAGE EXTENSION:	160 SF
EX. BASEMENT AREA:	1383 SF

REAR BALCONY AREA:	80 SF
REAR PAVED PATIO AREA:	496 SF
FRONT PORCH AREA:	224 SF
EX. DRIVE AREA:	416 SF
EX. WALKWAY AREA:	120 SF
EX. AREAWAY AREA:	36 SF

LOT AREA CALCULATION	
LOT AREA:	9760 SF
BUILDING COVERAGE:	2590 SF (27%)
DEVELOPMENT COVERAGE:	3962 SF (40%)

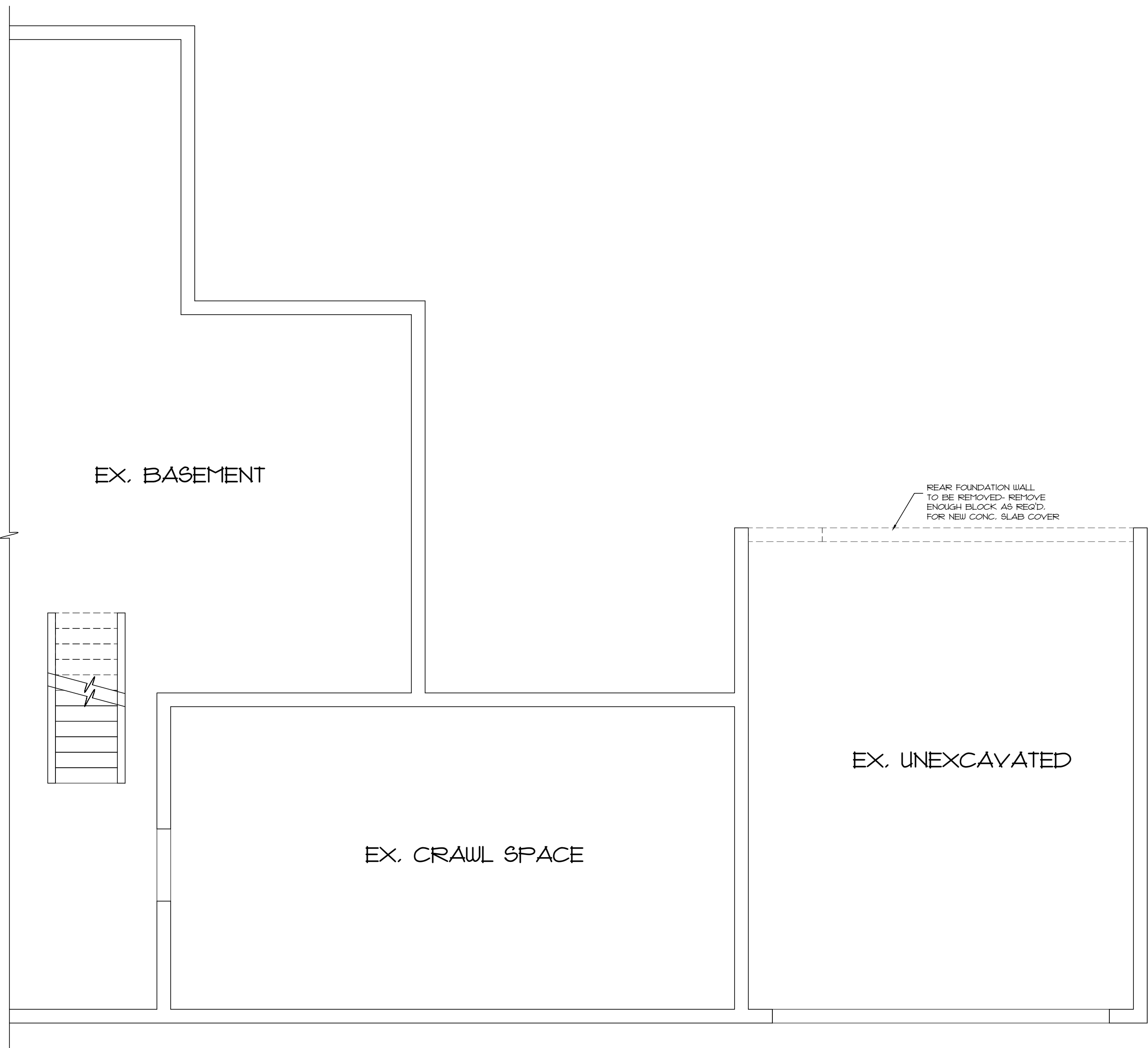
DESIGN CRITERIA	
ROOF LIVE LOAD	20 PSF
GROUND SNOW LOAD	25 PSF
ROOF DEAD LOAD	10 PSF
FLOOR LIVE LOAD	40 PSF
FLOOR DEAD LOAD	10 PSF
FLOOR BDRM. LOAD	30 PSF
WIND SPEED	115 MPH
SEISMIC CATEGORY	C
SOIL BEARING	1500 PSF
FRAMING LUMBER	SF# 2 OR BETTER
STEEL	A36
MIN. FROST DEPTH	36"

CONDESGO
POWELL, OHIO 614.271.0393

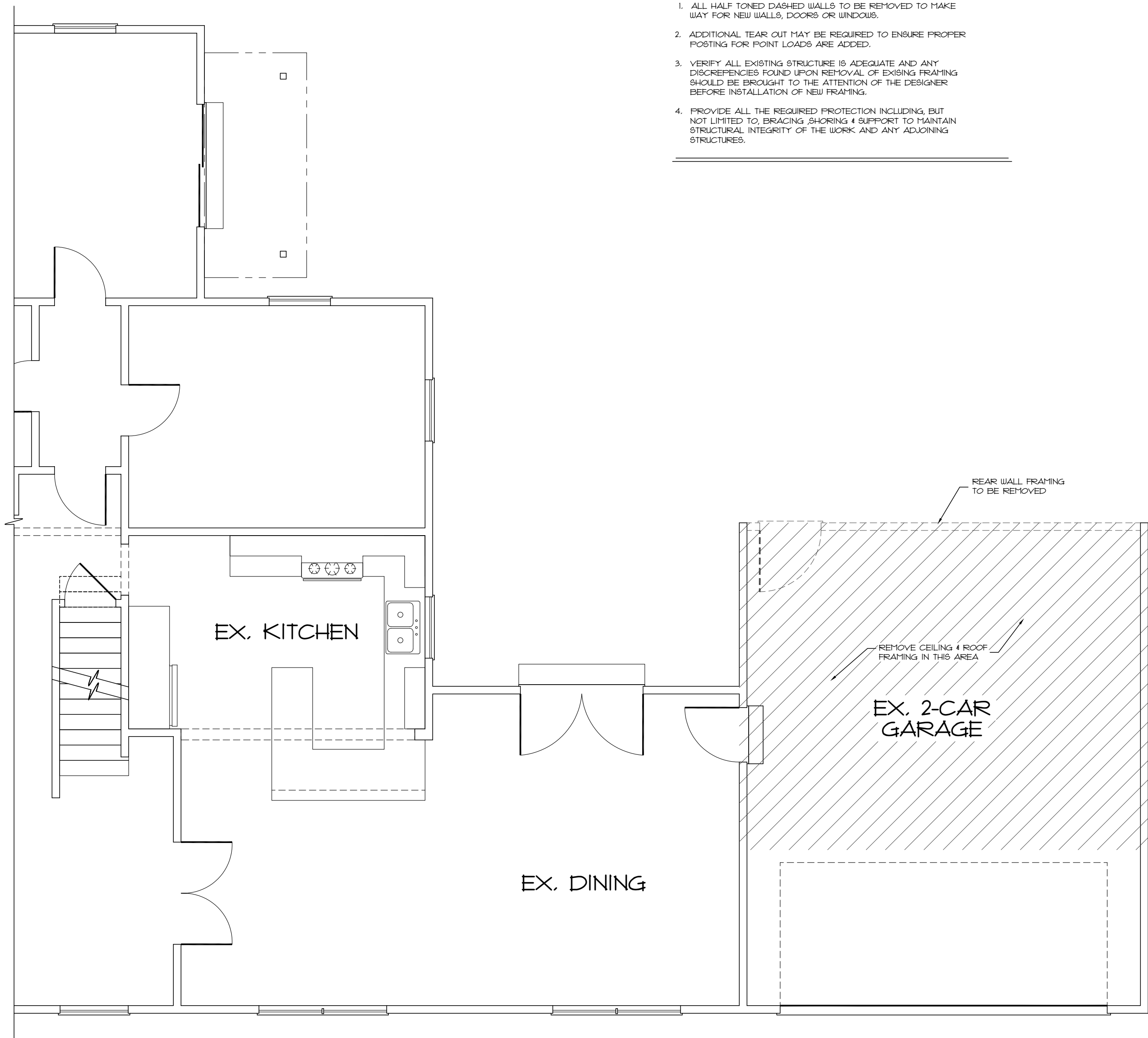
PRELIMINARY LAYOUT

04-24-23

PAGE 1 OF 1



FOUNDATION AS-BUILT/DEMO PLAN
 SCALE: 1/4" = 1'-0" (22x34)
 1/8" = 1'-0" (11x17)



FIRST FLOOR/ROOF AS-BUILT/DEMO PLAN
 SCALE: 1/4" = 1'-0" (22x34)
 1/8" = 1'-0" (11x17)

WALL FRAMING LEGEND	
	EXISTING WALLS
	TO BE REMOVED

DEMOLITION NOTES

1. ALL HALF-TONED DASHED WALLS TO BE REMOVED TO MAKE WAY FOR NEW WALLS, DOORS OR WINDOWS.
2. ADDITIONAL TEAR-OUT MAY BE REQUIRED TO ENSURE PROPER POSTING FOR POINT LOADS ARE ADDED.
3. VERIFY ALL EXISTING STRUCTURE IS ADEQUATE AND ANY DISCREPANCIES FOUND UPON REMOVAL OF EXISTING FRAMING SHOULD BE BROUGHT TO THE ATTENTION OF THE DESIGNER BEFORE INSTALLATION OF NEW FRAMING.
4. PROVIDE ALL THE REQUIRED PROTECTION INCLUDING, BUT NOT LIMITED TO, BRACING, SHORING & SUPPORT TO MAINTAIN STRUCTURAL INTEGRITY OF THE WORK AND ANY ADJOINING STRUCTURES.

PLANS PREPARED BY:

CONDESGO
 POWELL, OHIO 614.271.0393

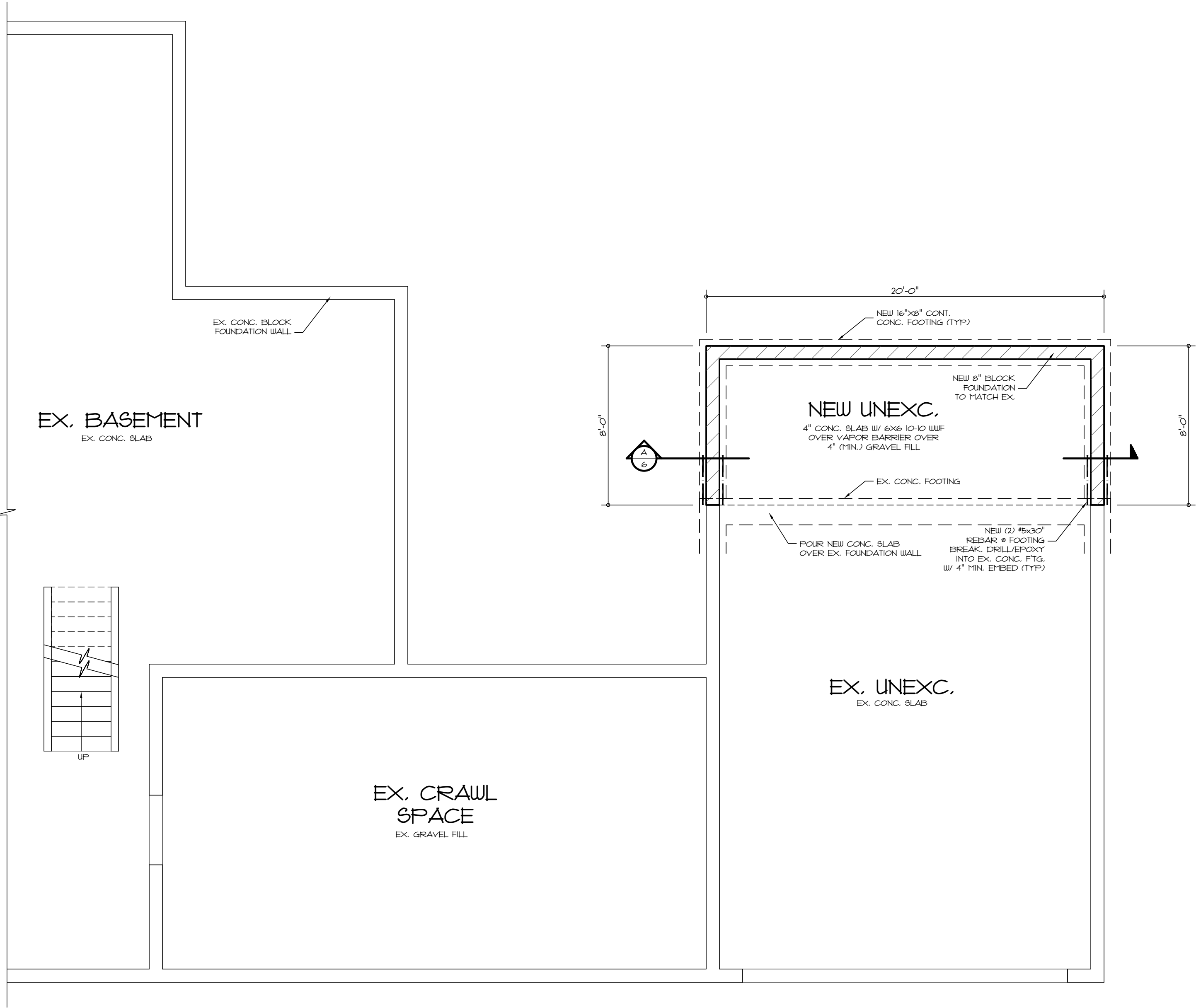
CARINE RESIDENCE
 2231 INCHCLIFF RD.
 UPPER ARLINGTON, OH 43221

PRELIMINARY LAYOUT

04-24-23

PAGE 2 OF 7

NOT FOR CONSTRUCTION-ZONING REVIEW

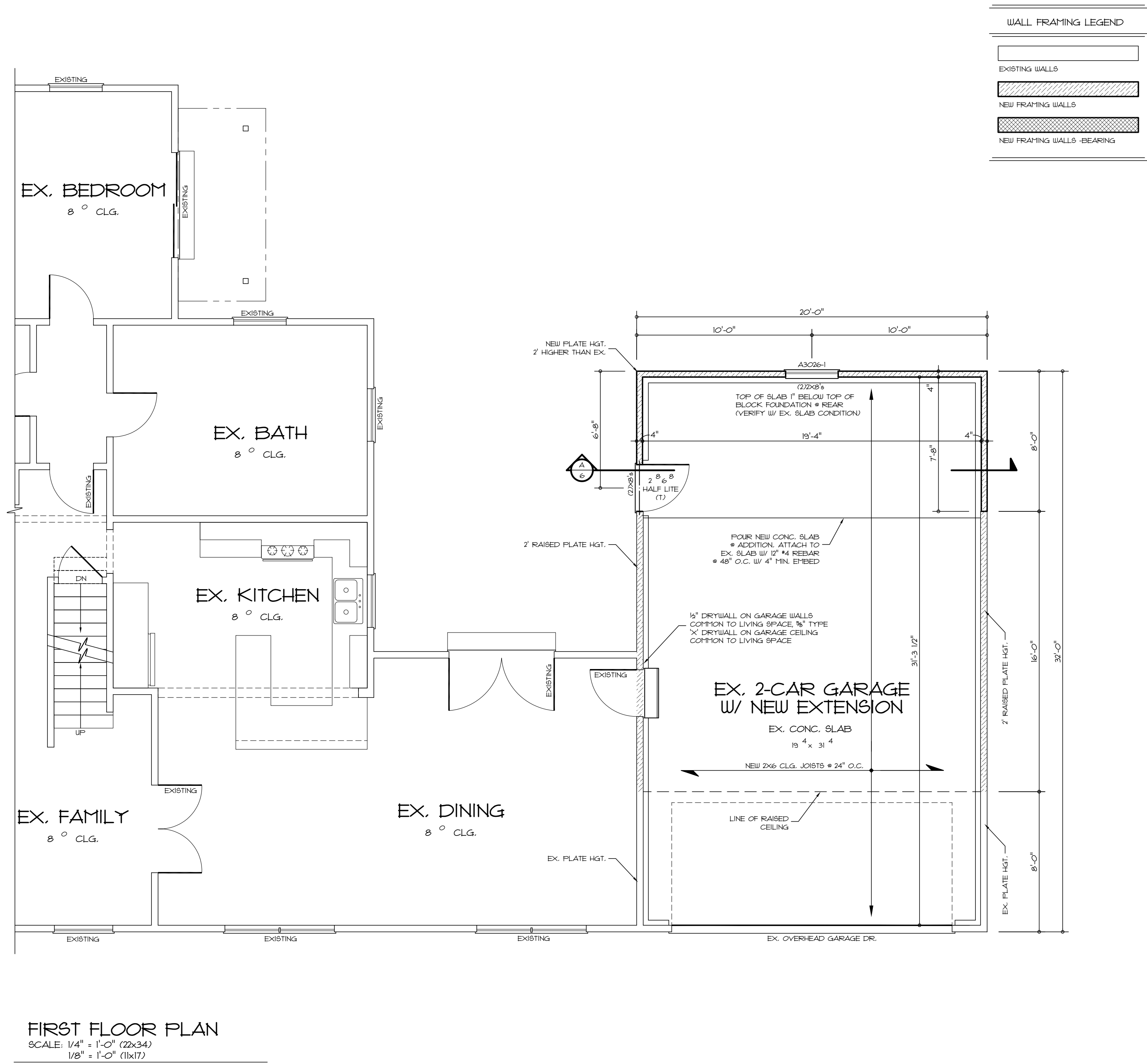


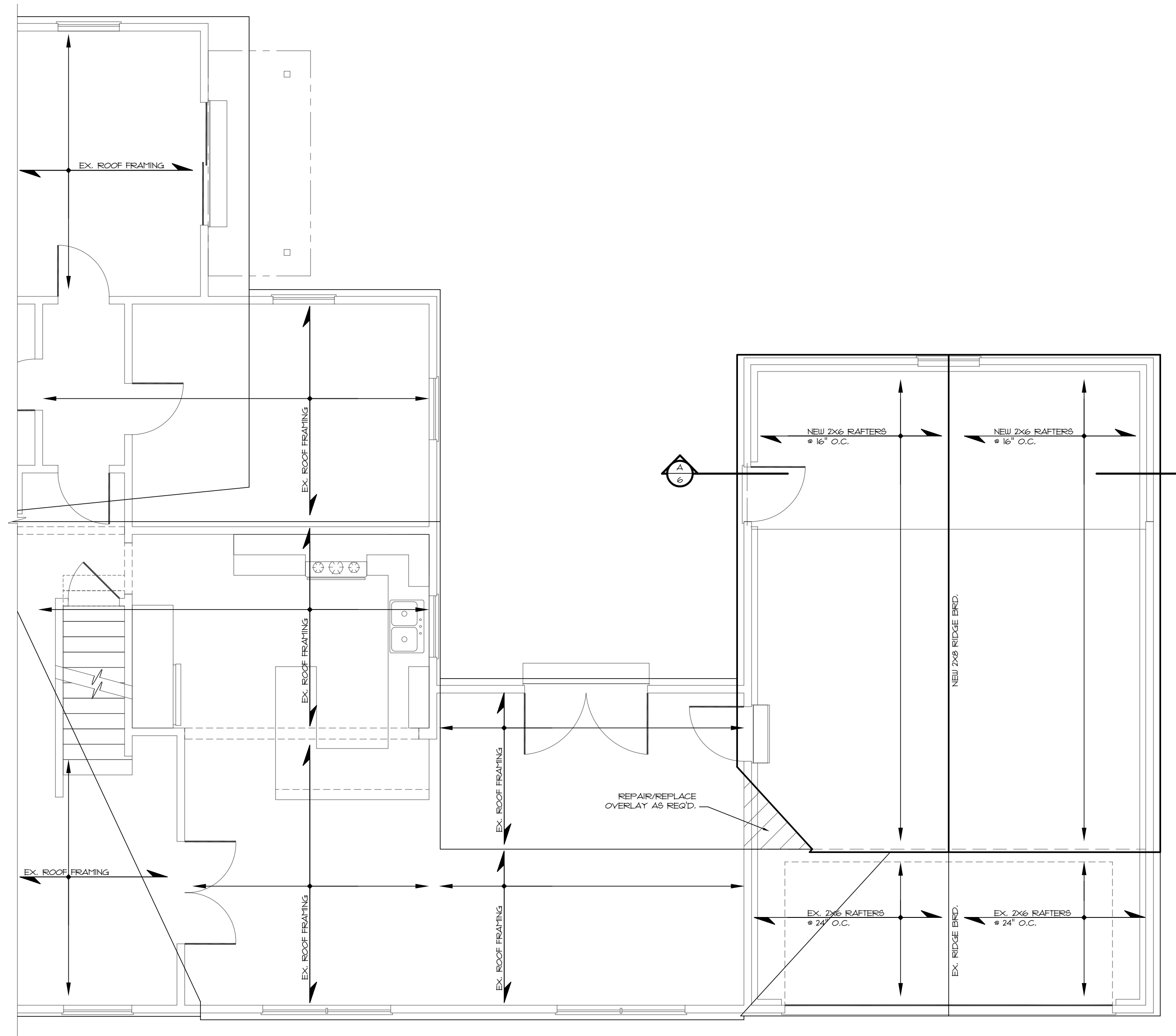
FOUNDATION PLAN
SCALE: 1/4" = 1'-0" (22x34)
1/8" = 1'-0" (11x17)

PLANS PREPARED BY:
CONDESGO
POWELL, OHIO 614.271.0393

CARINE RESIDENCE
2231 INCHCLIFF RD.
UPPER ARLINGTON, OH 43221
PRELIMINARY LAYOUT
04-24-23 PAGE 3 OF 7

NOT FOR CONSTRUCTION- ZONING REVIEW



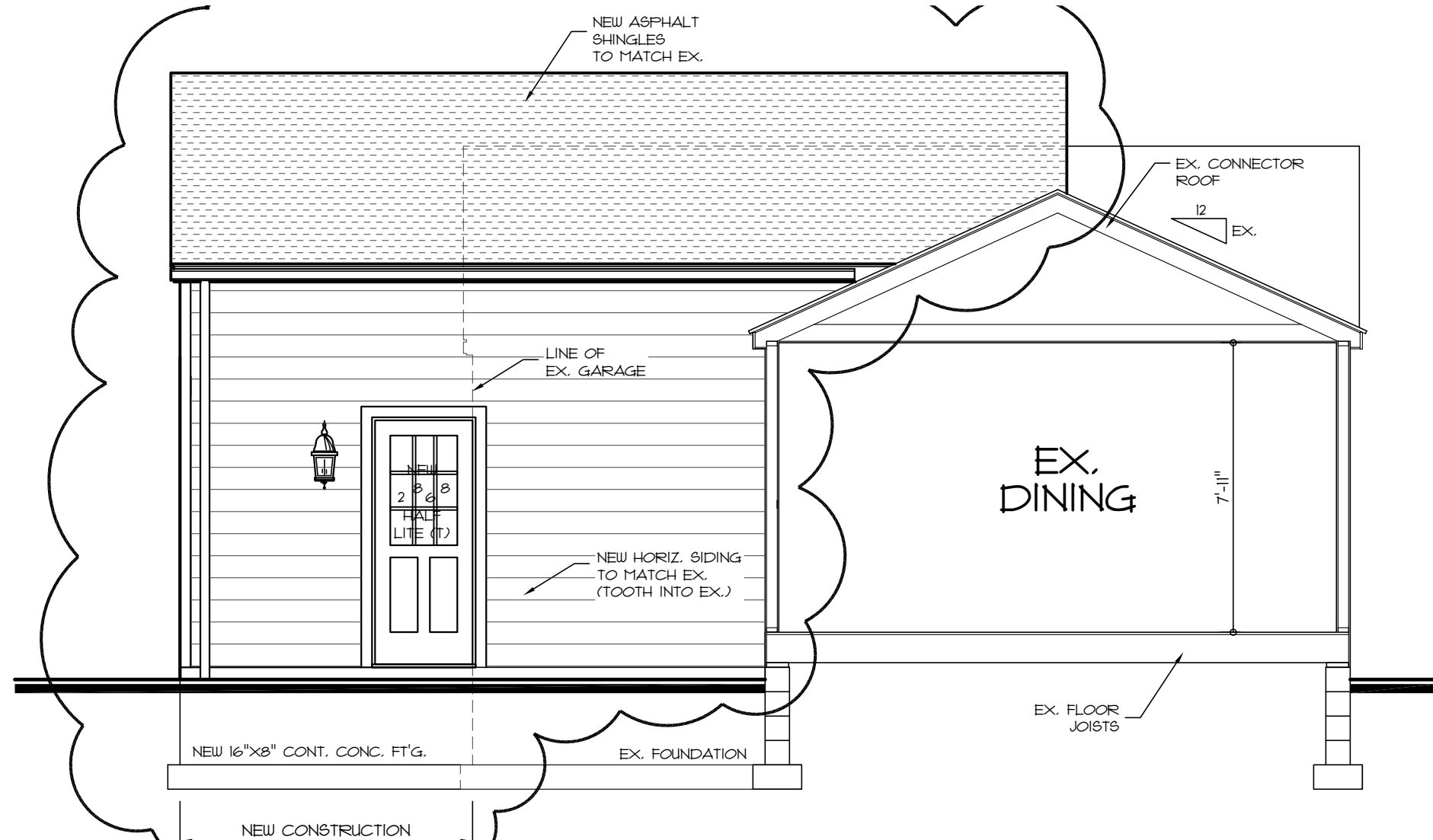


ROOF PLAN
 SCALE: 1/4" = 1'-0" (22x34)
 1/8" = 1'-0" (11x17)

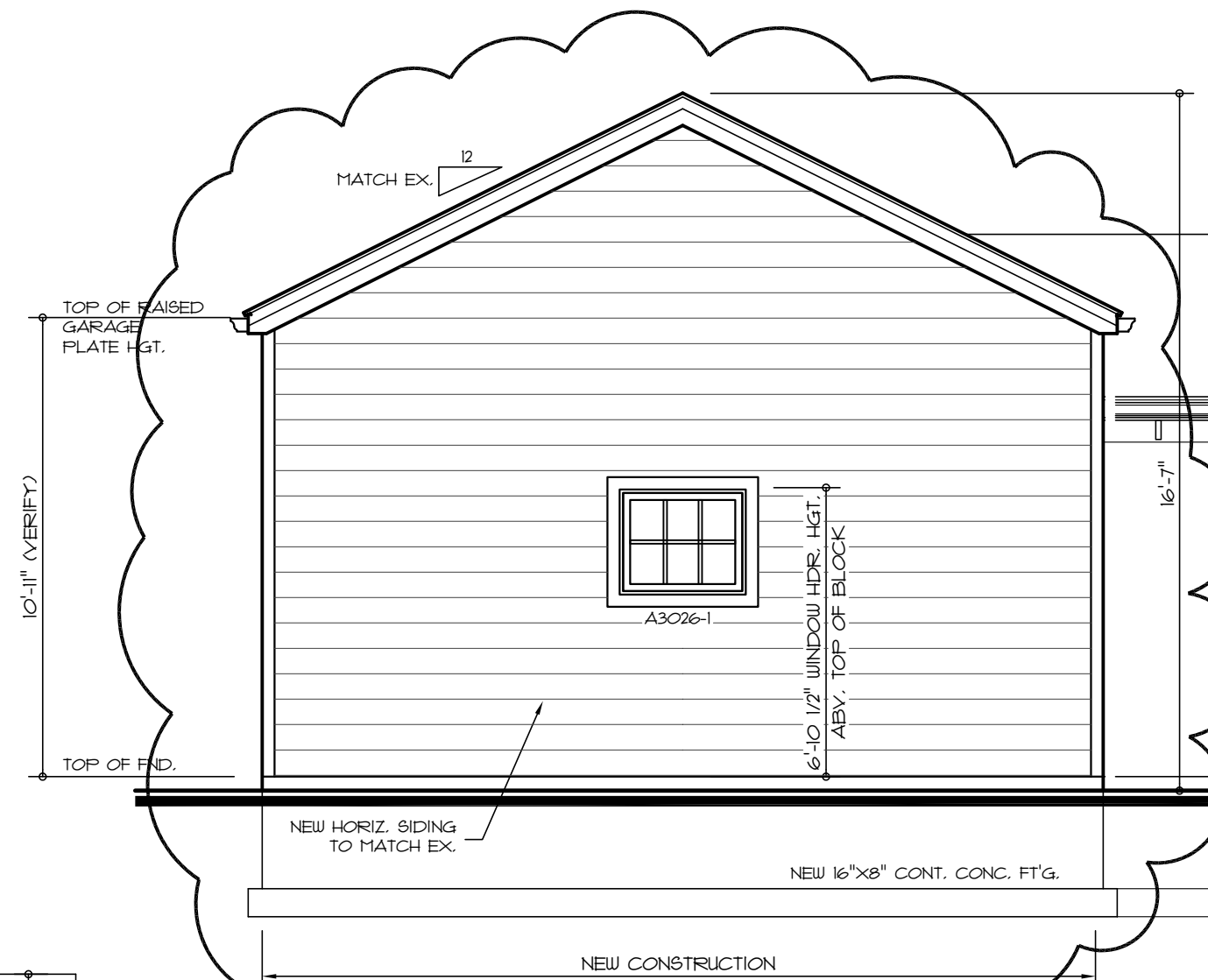
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CARINE RESIDENCE
 2231 INCHCLIFF RD.
 UPPER ARLINGTON, OH 43221
PRELIMINARY LAYOUT
 04-24-23 PAGE 5 OF 7

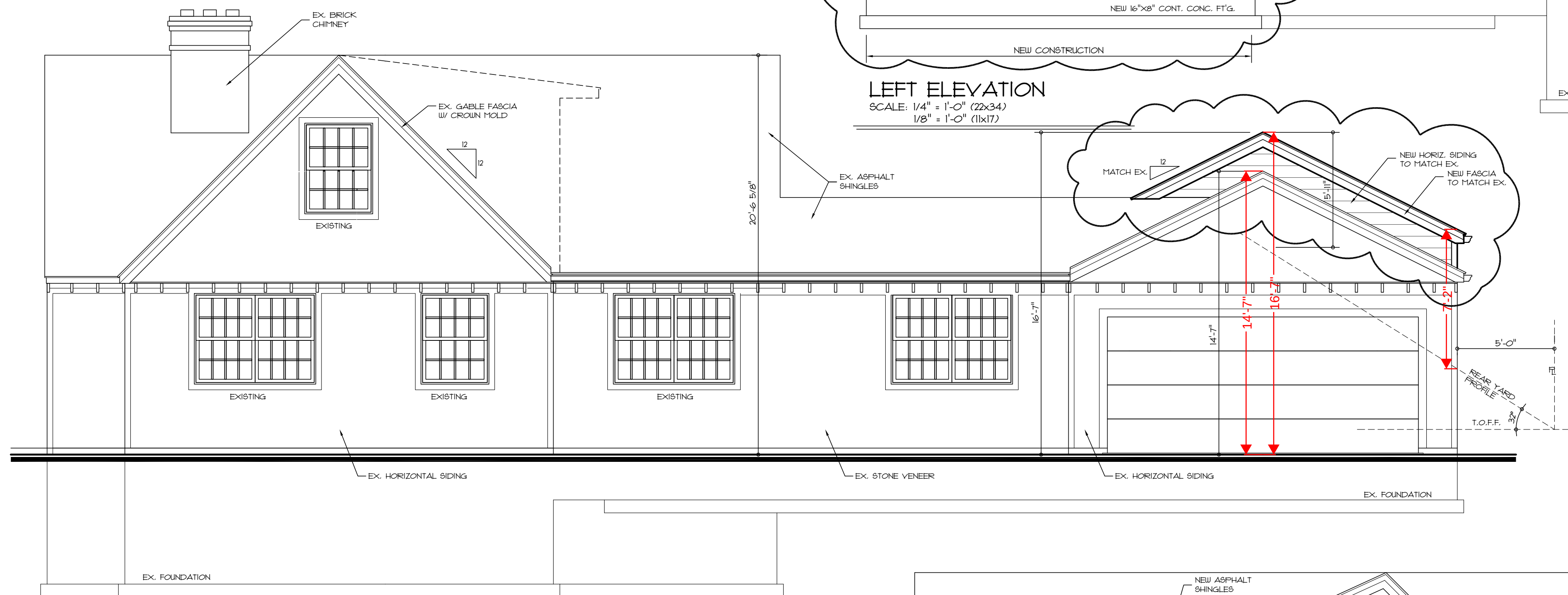
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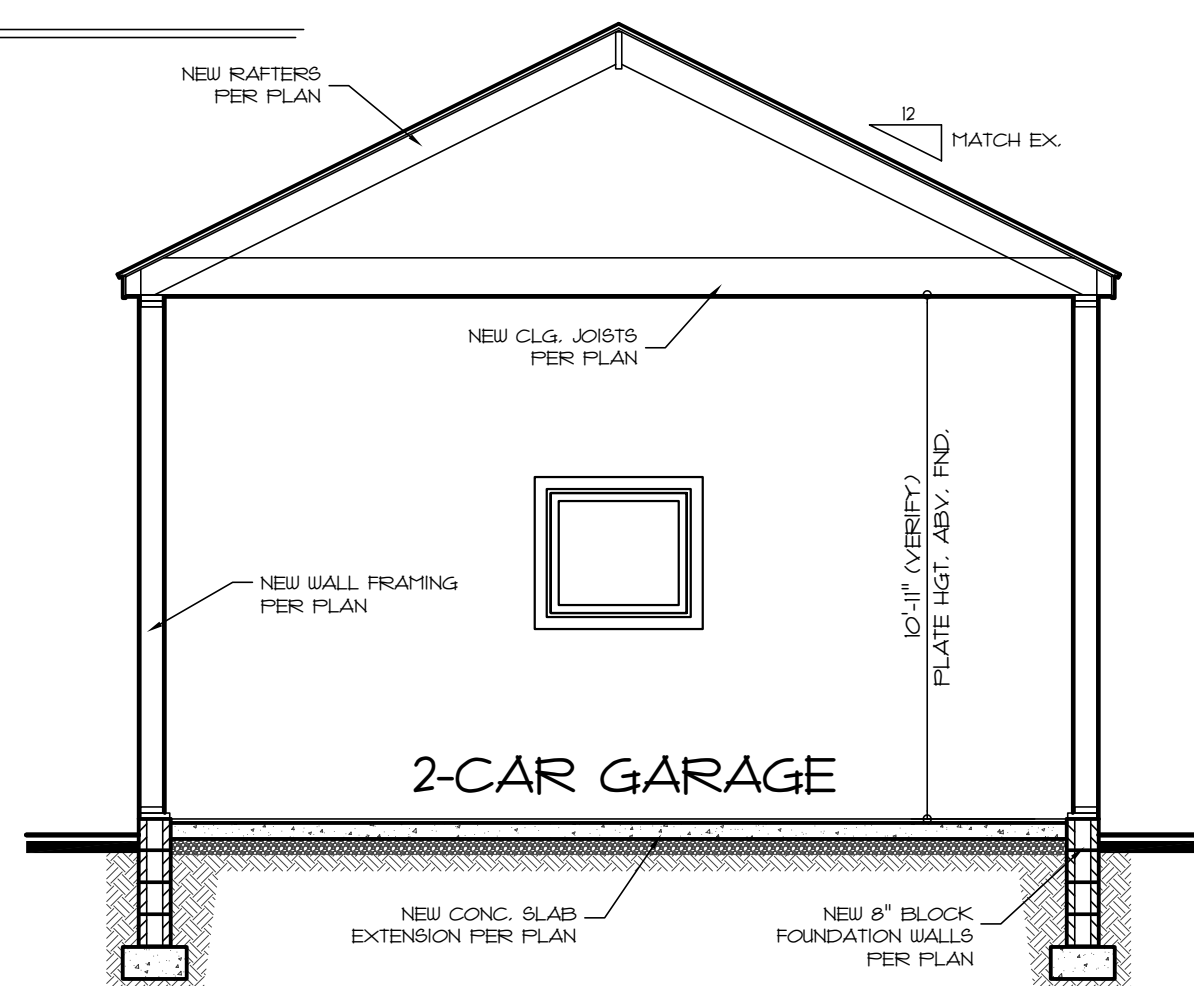
FRONT ELEVATION @ ADDITION
SCALE: 1/4" = 1'-0" (22x34)
1/8" = 1'-0" (11x17)



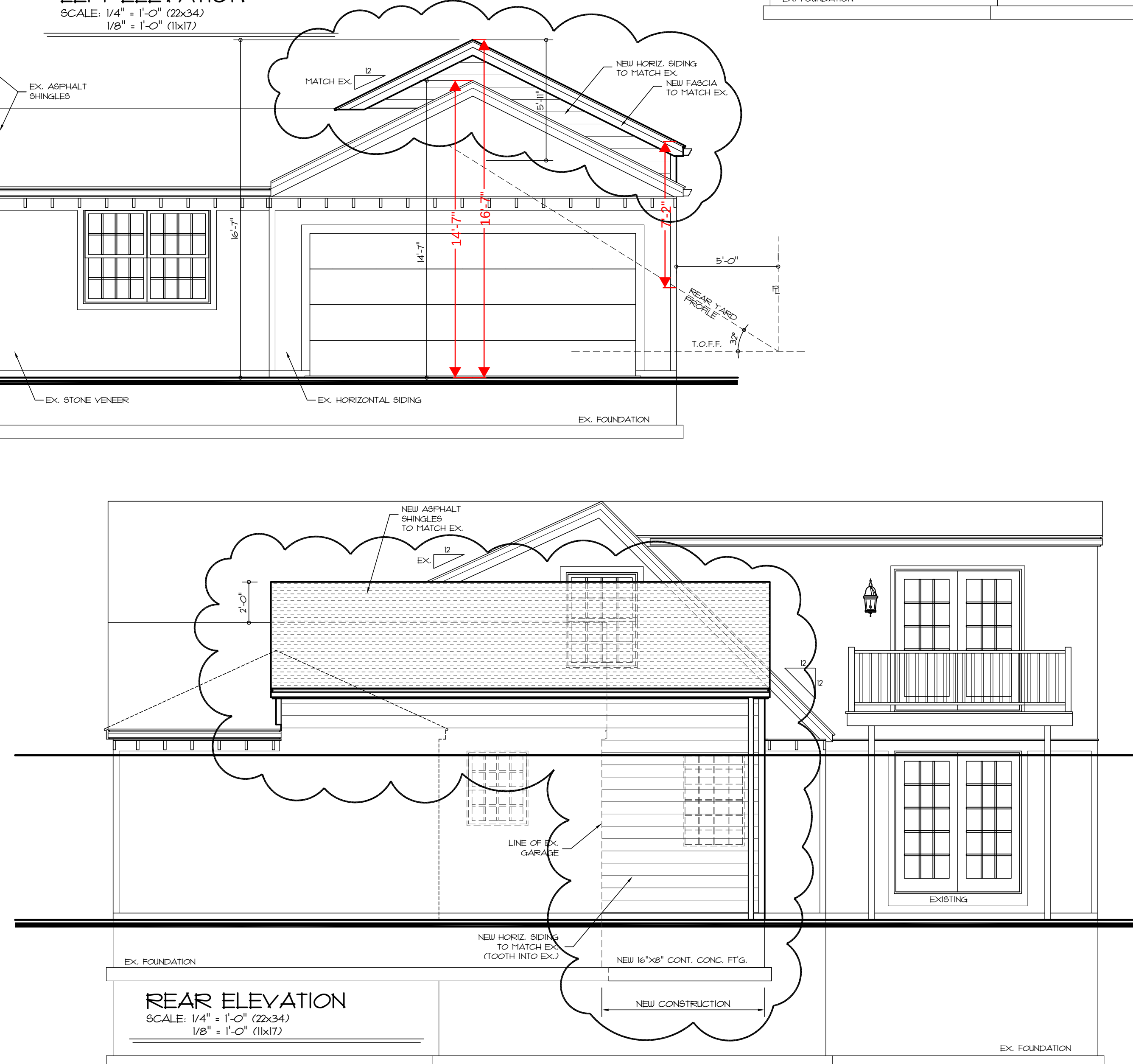
LEFT ELEVATION
SCALE: 1/4" = 1'-0" (22x34)
1/8" = 1'-0" (11x17)



RIGHT ELEVATION
SCALE: 1/4" = 1'-0" (22x34)
1/8" = 1'-0" (11x17)



A BUILDING SECTION
SCALE: 1/4" = 1'-0" (22x34)
1/8" = 1'-0" (11x17)

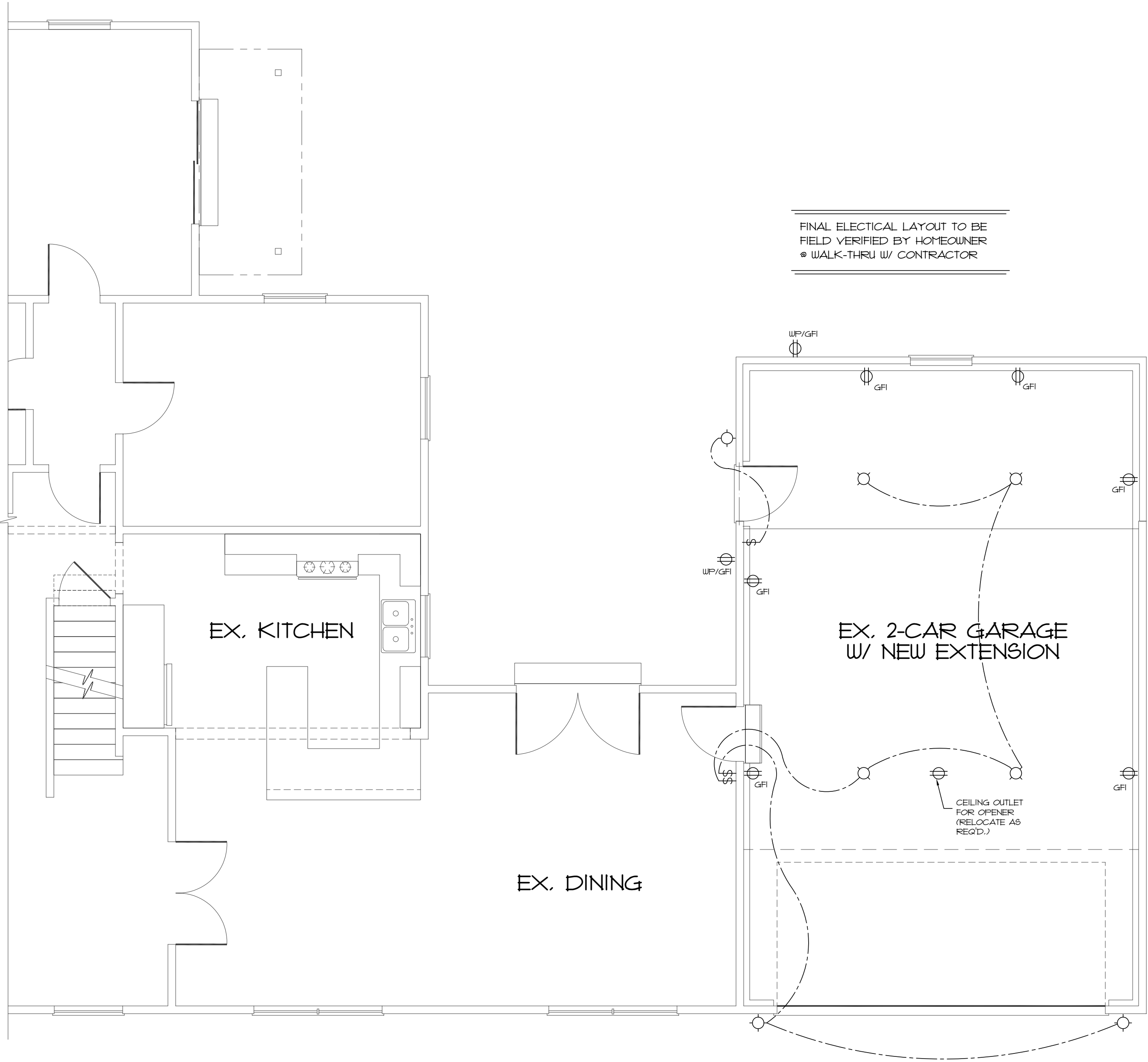


REAR ELEVATION
SCALE: 1/4" = 1'-0" (22x34)
1/8" = 1'-0" (11x17)

PLANS PREPARED BY:
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POWELL, OHIO 614.271.0393

CARINE RESIDENCE
2231 INCHCLIFF RD.
UPPER ARLINGTON, OH 43221
PRELIMINARY LAYOUT
04-24-23 PAGE 6 OF 7

NOT FOR CONSTRUCTION-ZONING REVIEW



FIRST FLOOR ELECTRICAL LAYOUT
SCALE: 1/4" = 1'-0" (22x34)
1/8" = 1'-0" (11x17)

ELECTRICAL LEGEND	
	SINGLE POLE SWITCH
	THREE WAY SWITCH
	FOUR WAY SWITCH
	DUPLEX RECEPTICAL
	DUPLEX RECEPTICAL -BOTTOM HALF SWITCHED
	DUPLEX RECEPTICAL -FLOOR MOUNTED
	DUPLEX RECEPTICAL -220V
	DUPLEX RECEPTICAL -USB
	DUPLEX RECEPTICAL -GROUND FAULT INTERRUPTOR
	DUPLEX RECEPTICAL -WEATHERPROOF & GROUND FAULT INTERRUPT
	DUPLEX RECEPTICAL -MICROWAVE
	SMOKE DETECTOR
	CARBON MONOXIDE DETECTOR
	EXHAUST FAN MOTOR
	EXHAUST FAN MOTOR W/ LIGHT
	TELEVISION RECEPTACLE
	TELEPHONE RECEPTACLE
	DOOR CHIME
	LIGHT FIXTURE -WALL MOUNTED
	LIGHT FIXTURE -CEILING MOUNTED
	LIGHT FIXTURE -RECESSED
	LIGHT FIXTURE -RECESSED/ WEATHERPROOF
	LIGHT FIXTURE -CEILING MOUNTED LED
	LIGHT FIXTURE -HANGING
	LIGHT FIXTURE -PENDANT
	LIGHT FIXTURE -FLUORESCENT
	LIGHT FIXTURE -FLUORESCENT S-SMALL M-MEDIUM L-LARGE
	PULLCHAIN LAMPHOLDER
	KEYLESS LAMPHOLDER
	CEILING FAN

PLANS PREPARED BY:
CONDESGO
POWELL, OHIO 614.271.0393

CARINE RESIDENCE
2231 INCHLIFF RD.
UPPER ARLINGTON, OH 43221
PRELIMINARY LAYOUT
04-24-23 PAGE 7 OF 7

NOT FOR CONSTRUCTION- ZONING REVIEW

Authors: Alyssa Kelly, AICP, Planning Officer

BZAP Meeting Date: May 3, 2023

Subject: 2241 Abington Road (VAR-16-23) - To allow a two-story addition to encroach up to 10'-5" into the 33'-9" minimum rear yard setback, 3'-4" into the 10-foot minimum side yard setback, 4'-9" into the 11'-5" minimum side yard longwall setback, and results in a side yard sum of 17'-10", when 20 feet is the minimum. The addition also projects up to 3 feet into the rear yard profile.

Site Description/History

- To UDO Article 5.02(C) to allow a 1.5-story addition to encroach up to 10'-5" into the 33'-9" minimum rear yard setback (*previously 19'-4"*);
- To UDO Article 5.02(C) to allow a 1.5-story addition to encroach up to 3'-4" into the 10-foot minimum side yard setback (*previously five feet*);
- To UDO Article 5.02(C) to allow a 1.5-story addition to encroach up to 4'-9" into the 11'-5" minimum side yard longwall setback (*previously 6'-7"*);
- To UDO Article 5.02(C) to allow a 1.5-story addition that results in a side yard sum of 17'-10", when 20 feet is the minimum (*previously 16'-1"*); and
- To UDO Article 5.02(C) to allow a 1.5-story addition to project up to 3 feet into the rear yard profile (*previously 4'-11"*).

Proposal

The applicant is requesting to construct a two-story addition that includes a garage and mudroom on the first-floor with two bedrooms, a bathroom, sitting room, and storage space on the second floor. Additional interior and exterior modifications, including a new kitchen and covered patio, are also planned that do not require variances. The proposed garage is 22'-4" wide at the front and extends to 32'-8" at the rear; it is 24'-8" in depth and approximately 710 square feet. The second floor includes approximately 820 square feet of additional living space. The exterior of the addition includes a mix of cement board siding, Hardie Plank lap siding, stucco, and cultured stone; the roof will be finished with asphalt shingle roofing to match the existing home. The addition includes a connecting portion that is the same height as the main home (22'-8") and the rear portion extends to 25'-5" in height. The proposed addition encroaches into the side, side yard longwall, and rear yard setbacks and projects into the rear yard profile limit; building cover and development cover remain compliant at 29 percent and 43 percent, respectively. The property is enclosed with a privacy fence along the south side and



includes trees and vegetation along side and rear property lines.

The City's third-party architect provided the following comments on the proposed addition, which included concerns with the massing and architectural detailing.

"I have two significant massing concerns about the proposed addition to 2241 Abington Road. First, I don't really see a scenario where we should allow an addition to be taller than the main house roof form...I noticed that the second floor of the addition is a foot higher than the second floor of the main house (trying to achieve a 9' ceiling for the new kitchen, I'm guessing). That step-up doesn't help the massing at all. Secondly, the overall shape of the addition does not respect the architecture of the existing home. The addition looks like a completely foreign element. The eave heights and roof pitches vary greatly between old and new. The new addition should have a significantly lowered eave and disguise new second floor space as dormers... and it wouldn't hurt to pick up on some of the existing house details."

Zoning Code Requirements

- To UDO Article 5.02(C) to permit a two-story addition to encroach up to 19'-4" into the 33'-9" minimum rear yard setback;
- To UDO Article 5.02(C) to permit a two-story addition to encroach up to five feet into the 10-foot minimum side yard setback;
- To UDO Article 5.02(C) to permit a two-story addition to encroach up to 6'-7" into the 11'-7" minimum side yard longwall setback;
- To UDO Article 5.02(C) to permit a two-story addition that results in a side yard sum of 16'-1", when 20 feet is the minimum; and
- To UDO Article 5.02(C) to permit a two-story addition that projects up to 4'-11" into the rear yard profile.

Alternatives

Alternatives to the proposal include reducing the overall size and massing of the addition to better align with setback requirements and the 1.5-story height of the main home. Additionally, a detached garage, which is common in this neighborhood, alongside a separate addition could also be options to consider.

Requested Action and Findings

Staff has reviewed the application, discussed with the applicant, and visited the site. In this case, Staff has found the requested variances are substantial and there are concerns with the overall massing and exterior detailing of the addition in relation to the main home. While Staff appreciates the applicant's desire to improve the home and expand living and garage space, it results in multiple variances required, potentially impacting neighboring properties and setting a precedence within the neighborhood.

Therefore, Staff cannot recommend approval of the application as submitted. Staff would recommend postponing the case to a Work Session, where the Board may be able to review



alternative designs and provide additional feedback to the applicant. The Board may consider Findings #3 and #4 during deliberations.

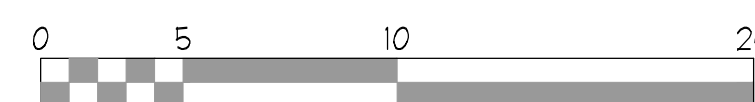
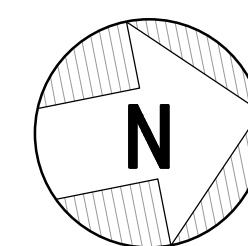
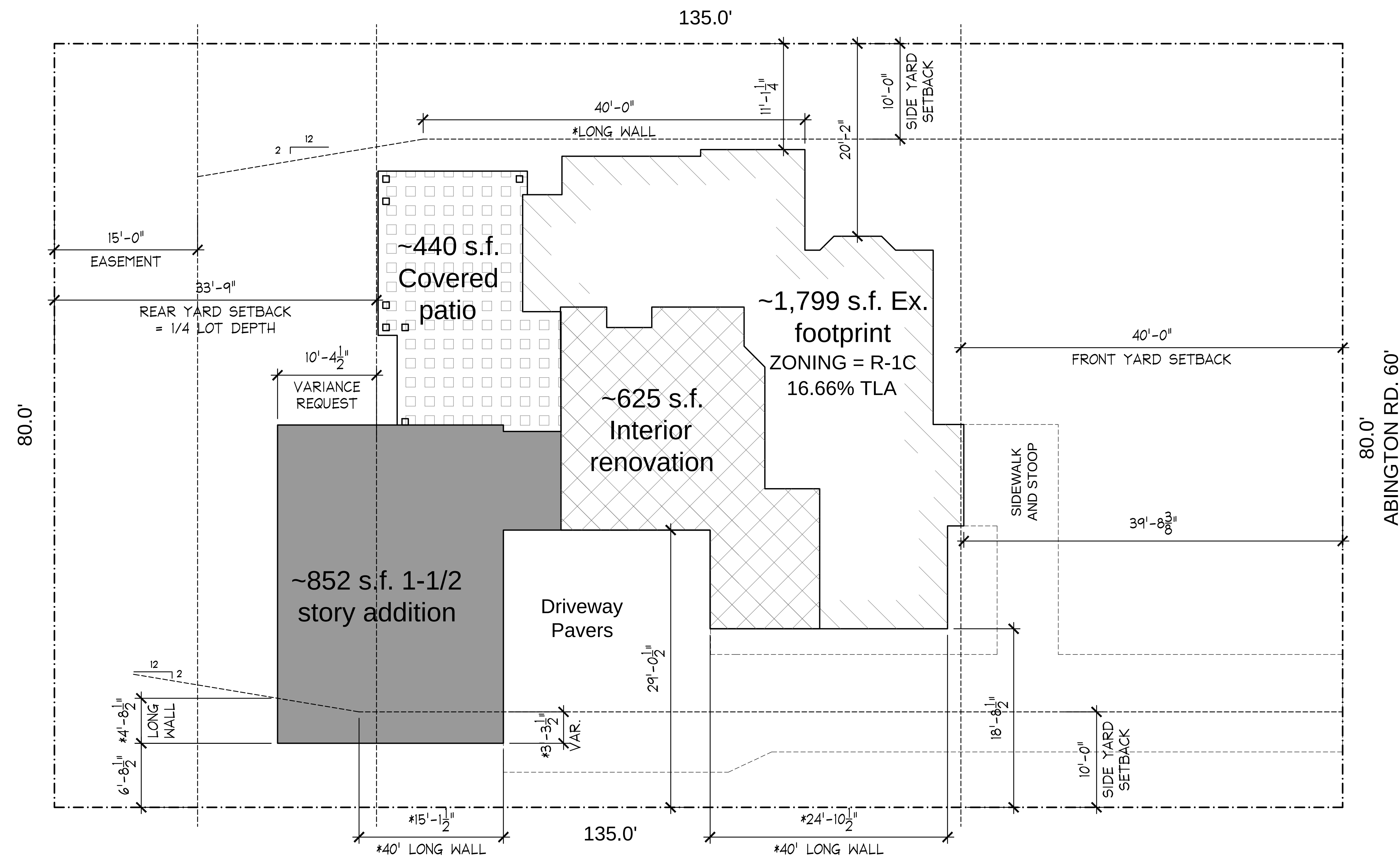
Attachments

1. 2241 Abington Rd - Revised Plans 4.28.23
2. 2241 Abington Rd Variance App
3. BZAP Staff Report Pics - 2241 Abington Rd



RIEHL RESIDENCE ADDITION & RENOVATION

2241 ABINGTON RD., UPPER ARLINGTON, OH 43221



PARCEL # 070-002521-00

EXISTING	PROPOSED
10,800 SF	SAME
80'	SAME
39'-8 3/8"	SAME
10'	6'-8" to Property Line
29'-9 5/8"	17'-9 3/4"
33'-9"	23'-4 1/2"
22'-10"	22'-10"
3,514 s.f.=32.6%	4,477 s.f.=41.5%
16.66 TLA	28.2 TLA w/ covered Patio

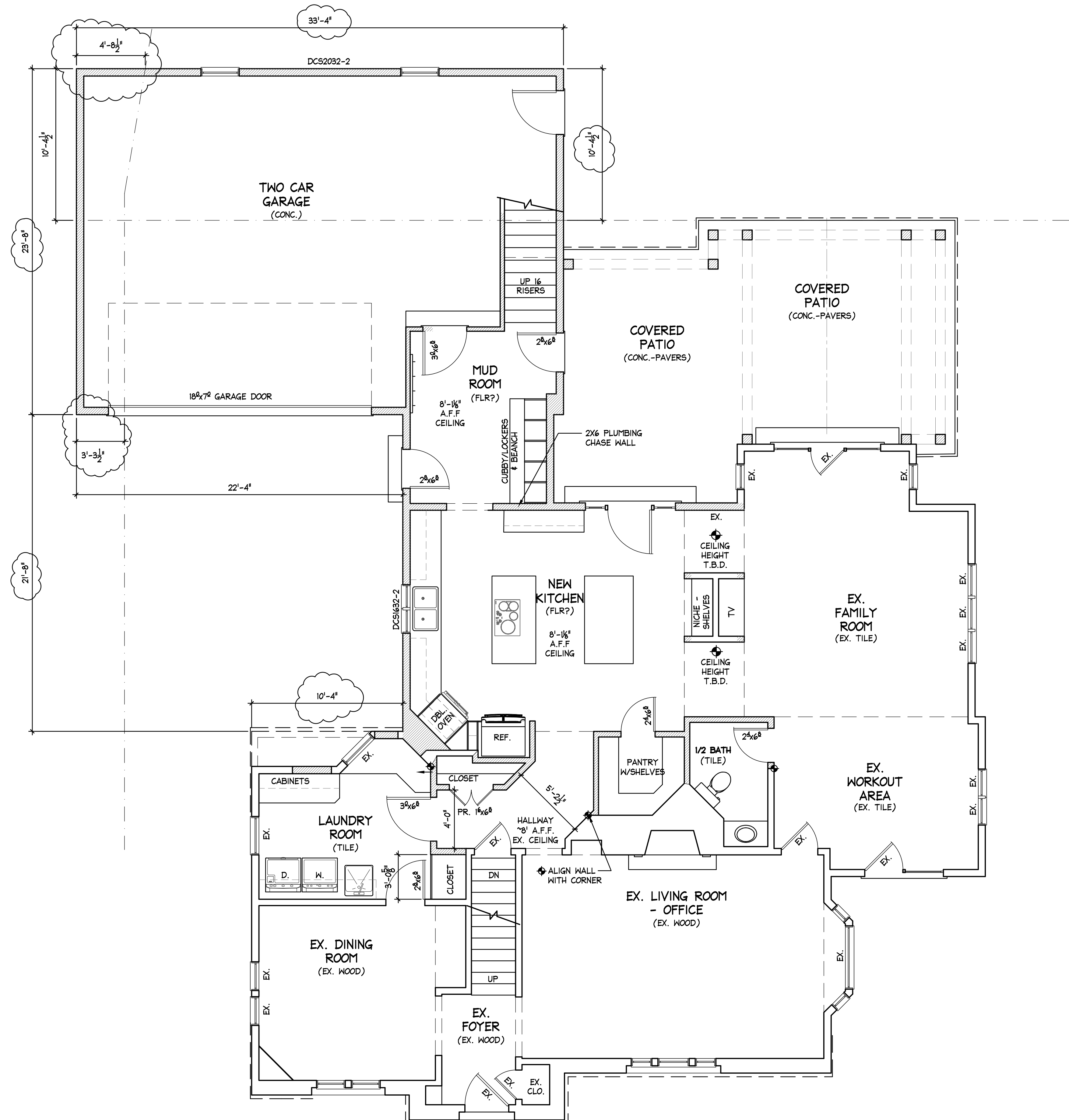
A PARTIAL SITE PLAN
SCALE : NOT TO SCALE

NOT FOR
CONSTRUCTION

EXPIRES: 12/31/2023

DATE	02/08/2023	04/07/23	04/26/23		
DESCRIPTION	OWNER REVIEW	ZONING REVIEW	ZONING REVIEW		
REVISION					

PROJECT NAME:	RIEHL ADDITION 2241 ABINGTON RD. UPPER ARLINGTON, OH 43221	PHASE:	ZONING
PROJECT NO.:	03-22-011	DATE:	04-26-2023
SHEET TITLE:	SITE PLAN	SHEET NO.:	SP



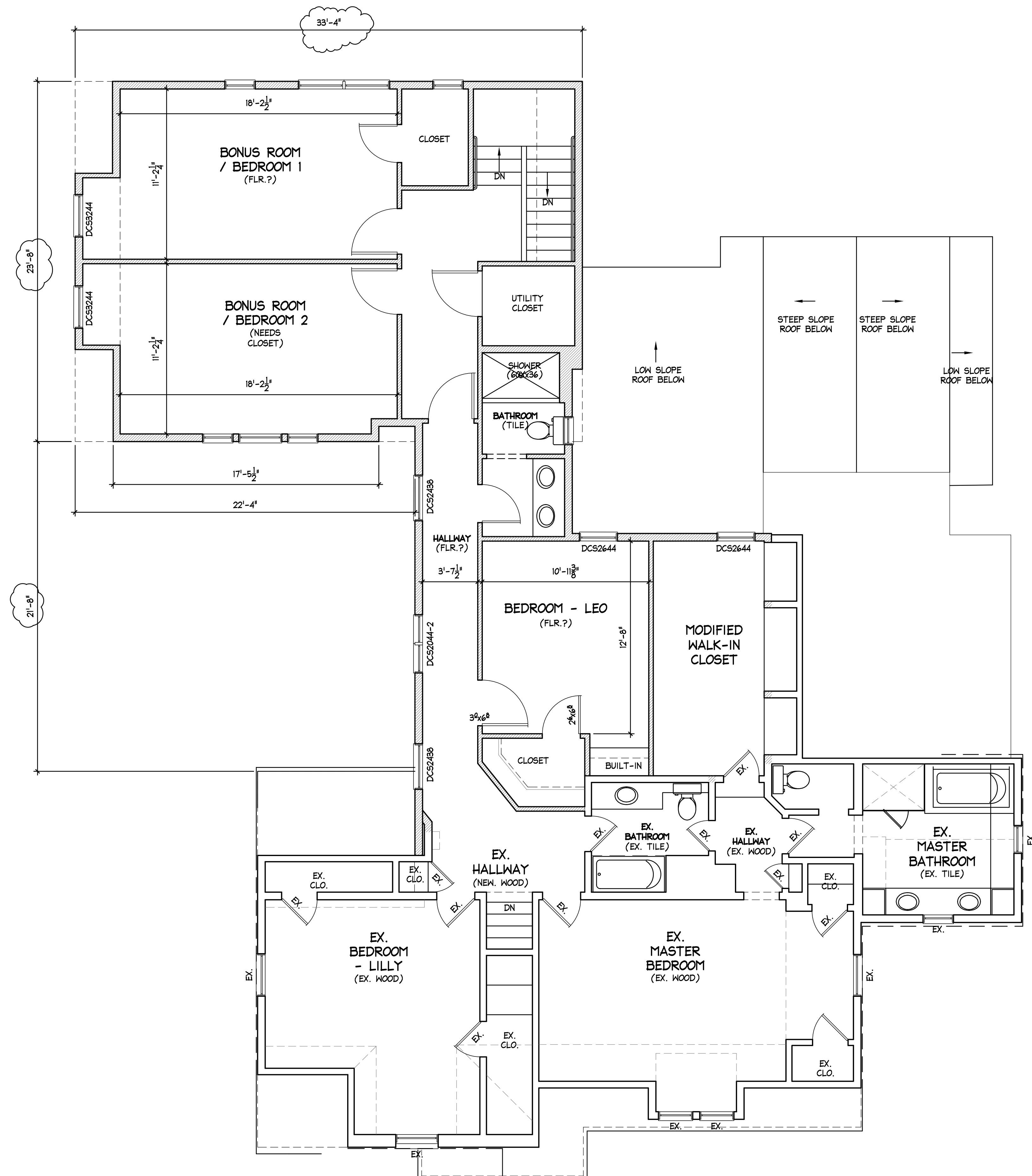
A 1ST FLOOR PLAN
SCALE: 1/4" = 1'-0"



◆ LAYOUT POINT FOR NEW
CONSTRUCTION TO EXISTING

NOT FOR
CONSTRUCTION

PROJECT NAME:		PHASE:	
RIEHL ADDITION		ZONING	
2241 ABINGTON RD. UPPER ARLINGTON, OH 43221		PROJECT NO.: 03-22-011	
DATE:		DATE:	
04-26-2023		04-26-2023	
SHEET TITLE:		SHEET NO.:	
FIRST FLOOR CONSTRUCTION PLAN		A-3	



A 2ND FLOOR PLAN
SCALE : 1/4" = 1'-0"



⊕ LAYOUT POINT FOR NEW
CONSTRUCTION TO EXISTING

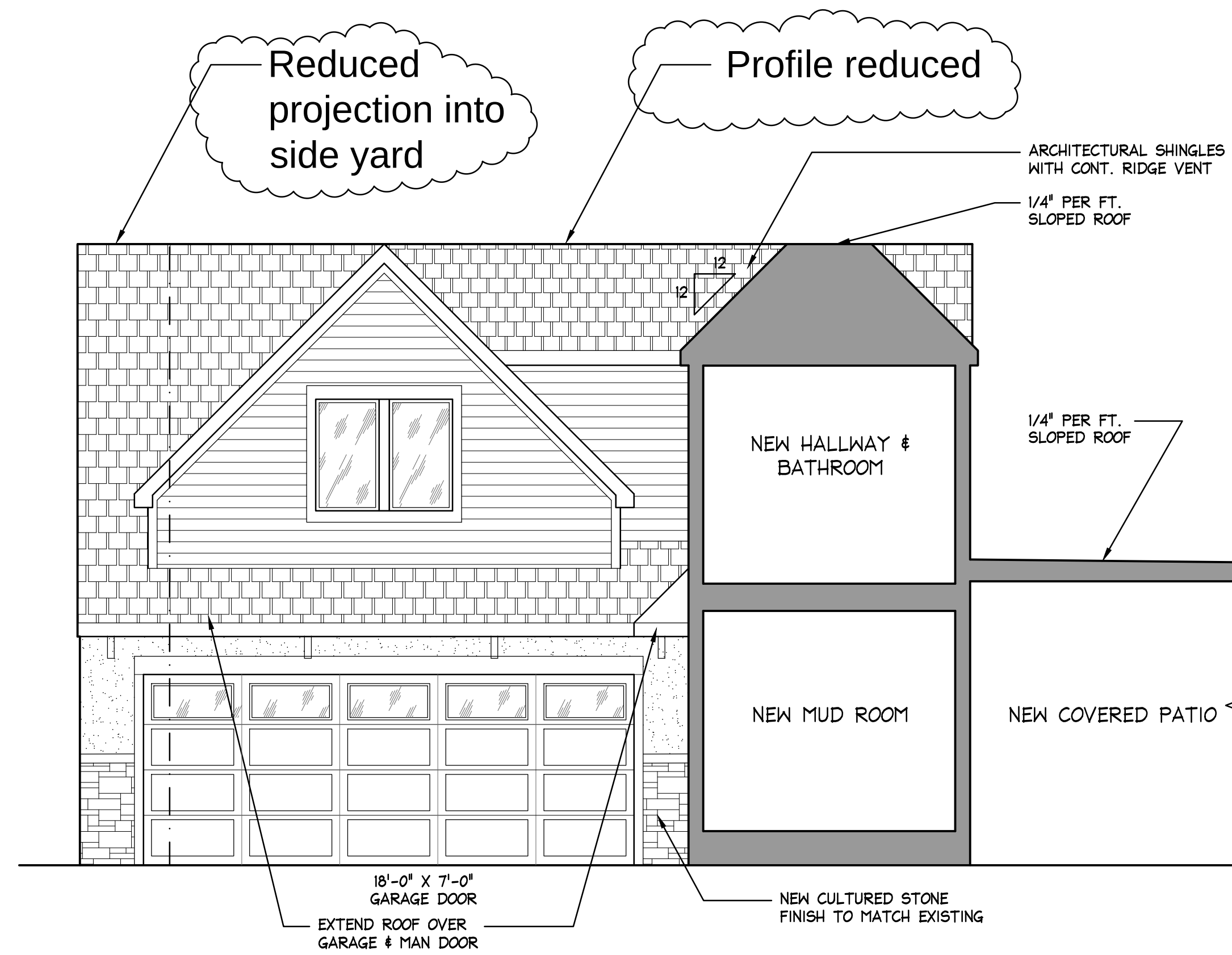
NOT FOR
CONSTRUCTION

REVISION	DESCRIPTION	DATE
.	OWNER REVIEW	02/08/2023
.	ZONING REVISION	04/07/23
.	ZONING REVISION	04/28/23
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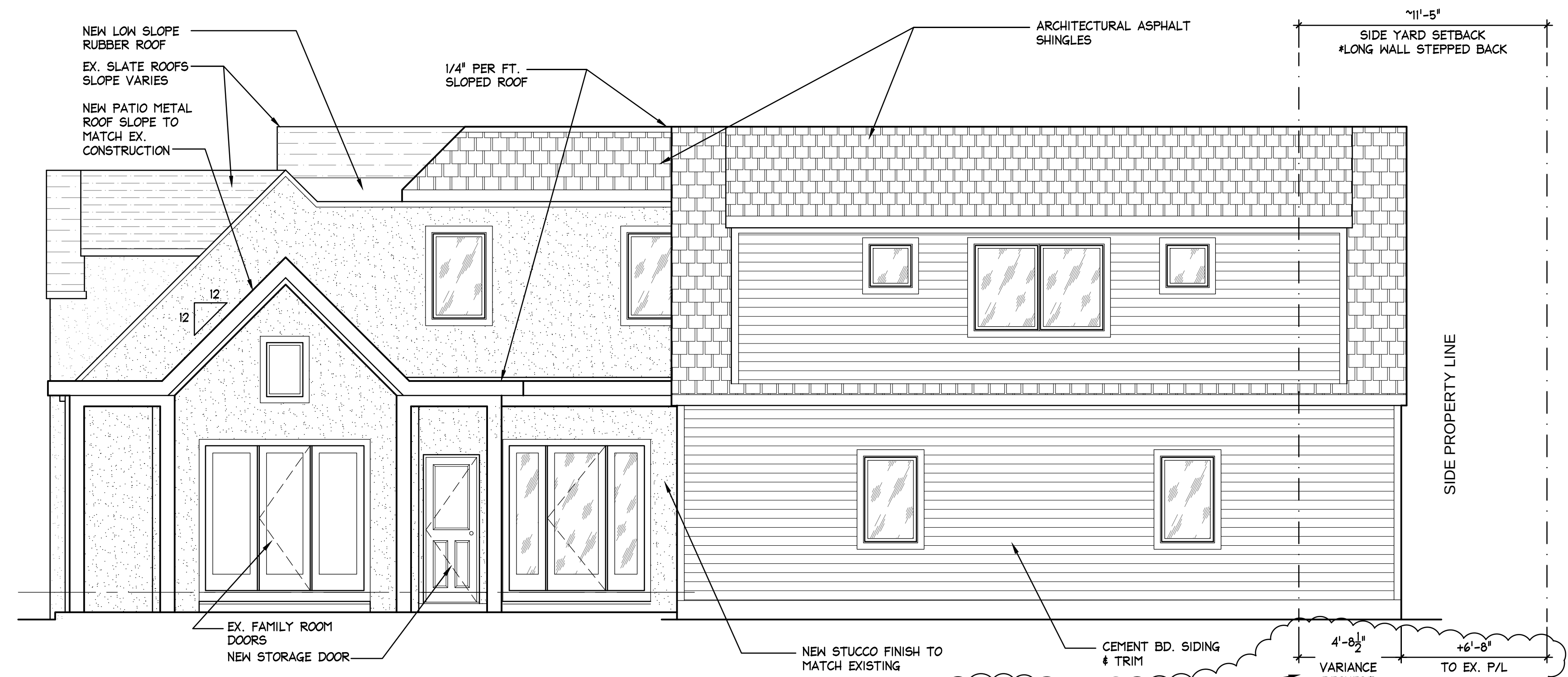
PROJECT NAME: RIEHL ADDITION 2241 ABINGTON RD. UPPER ARLINGTON, OH 43221	PHASE: ZONING PROJECT NO.: 03-22-011 DATE: 04-26-2023
SHEET TITLE: SECOND FLOOR CONSTRUCTION PLAN	SHEET NO.: A-4



NORTH ELEVATION
STREET VIEW



PARTIAL NORTH ELEVATION
GARAGE VIEW/SECTION



SOUTH ELEVATION
REAR VIEW

Reduced projection into side & long wall setbacks

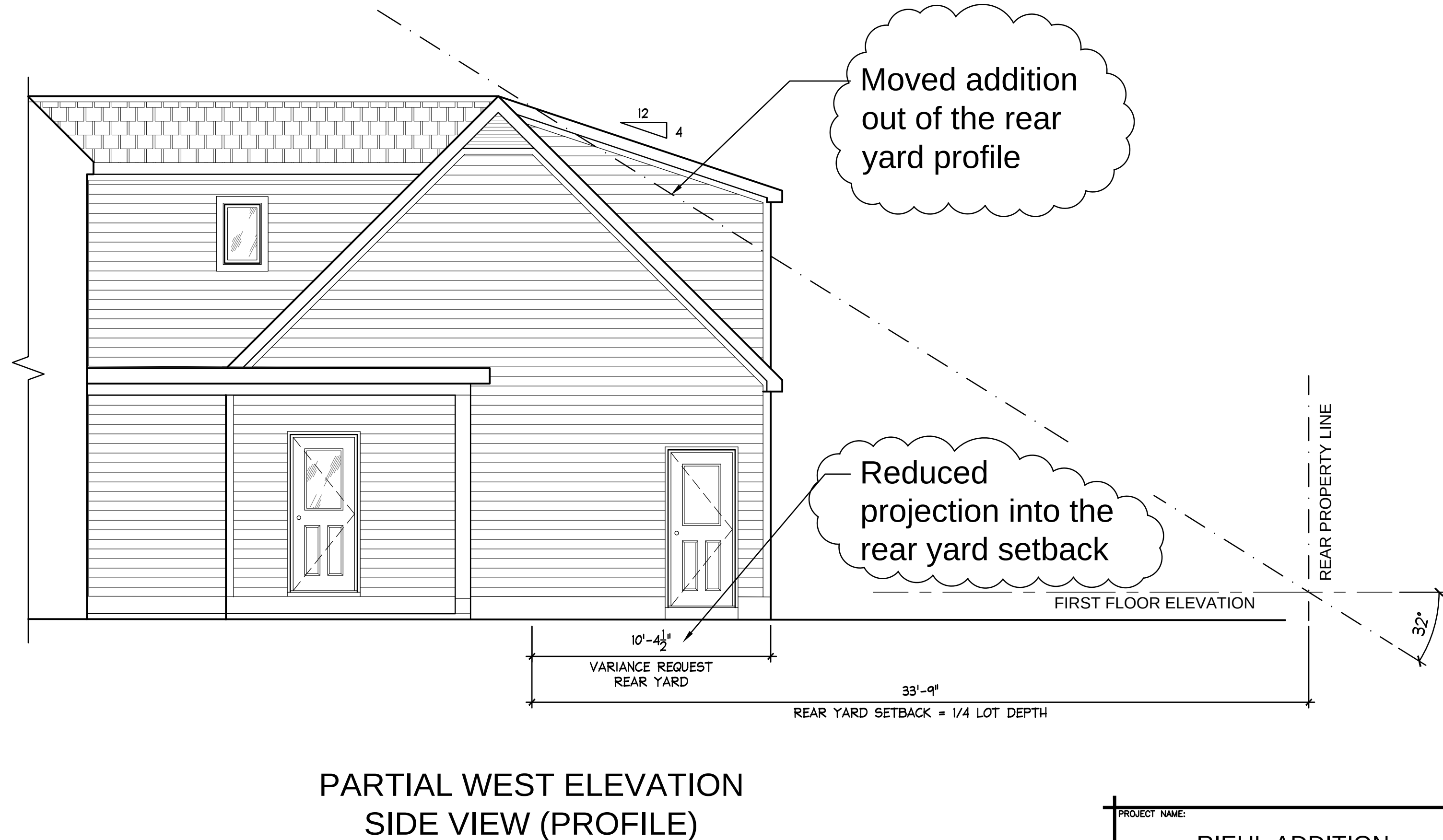
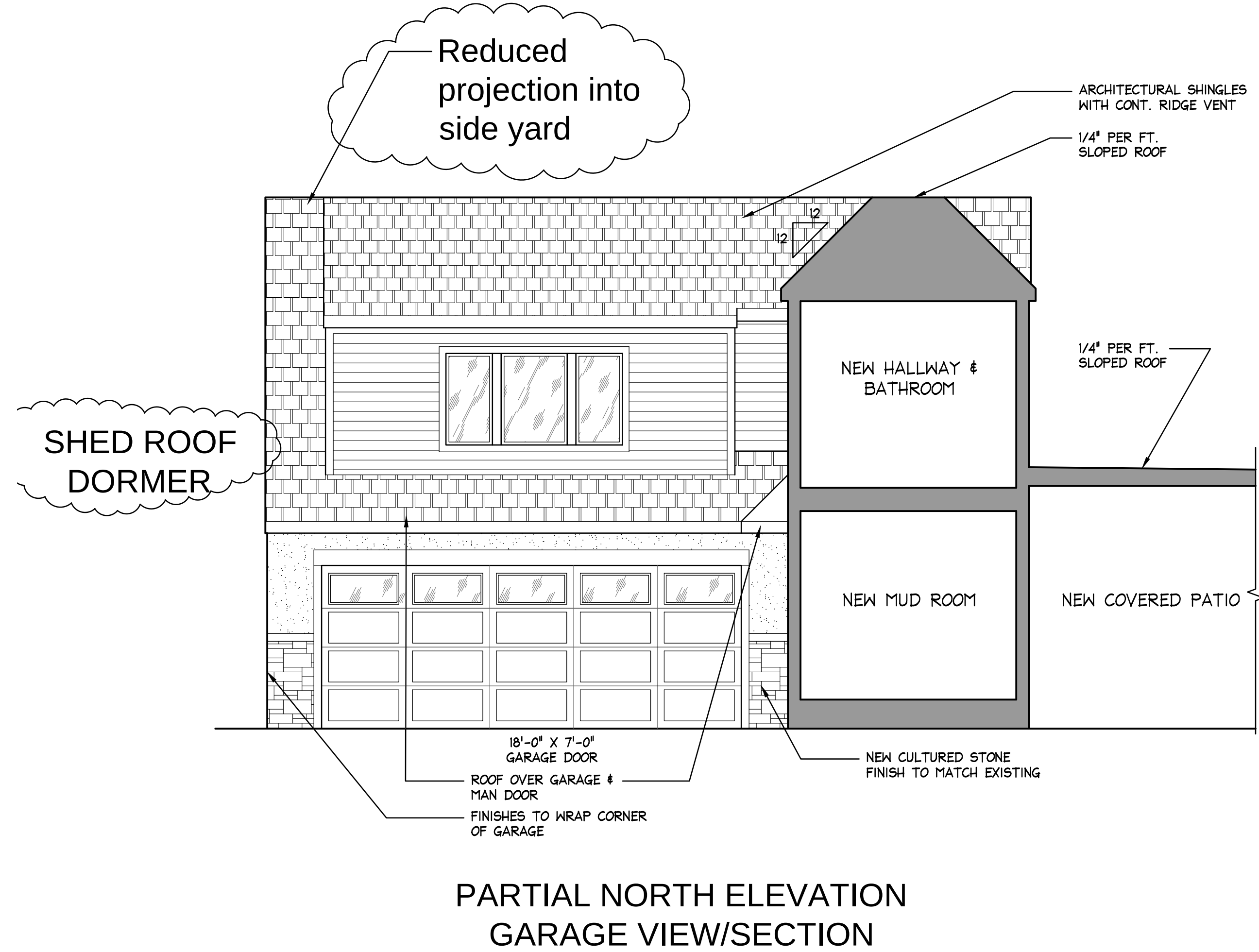
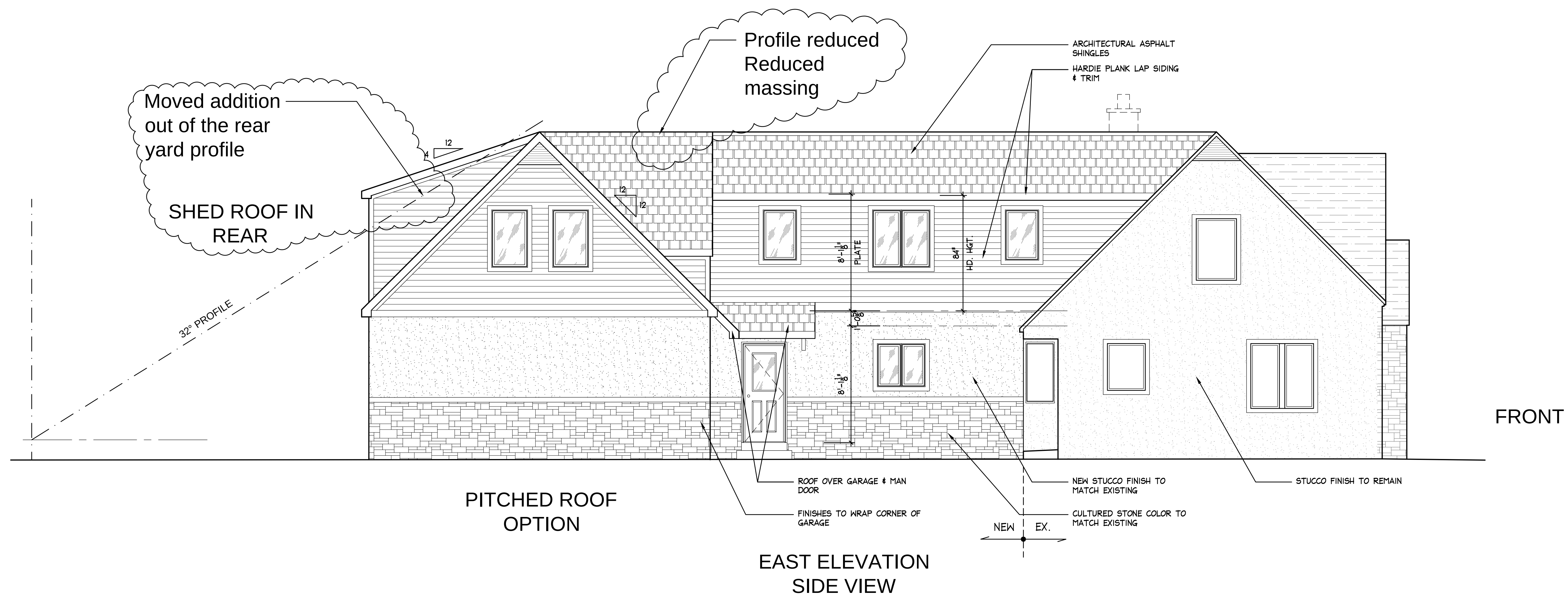
NOT FOR
CONSTRUCTION



PROJECT NAME:	RIEHL ADDITION	PHASE:	ZONING
	2241 ABINGTON RD.	PROJECT NO.:	03-22-011
	UPPER ARLINGTON, OH 43221	DATE:	04-26-2023
SHEET TITLE:	EXTERIOR ELEVATIONS	SHEET NO.:	A-5

Plot date: 26 April 2023

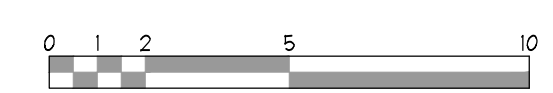
EXPIRES: 12/31/2023			
02/08/2023	OWNER REVIEW		
04/07/23	ZONING REVISION		
04/26/23	ZONING REVISION		

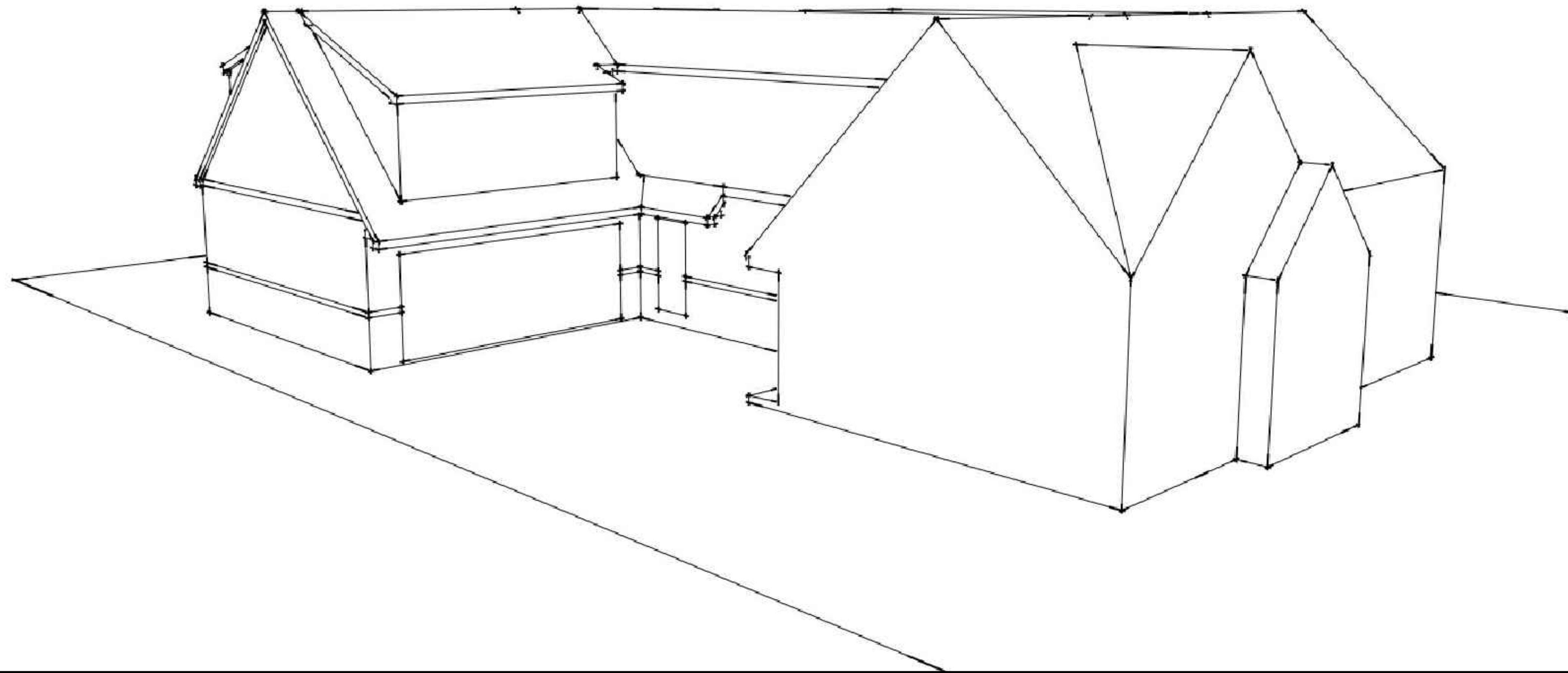
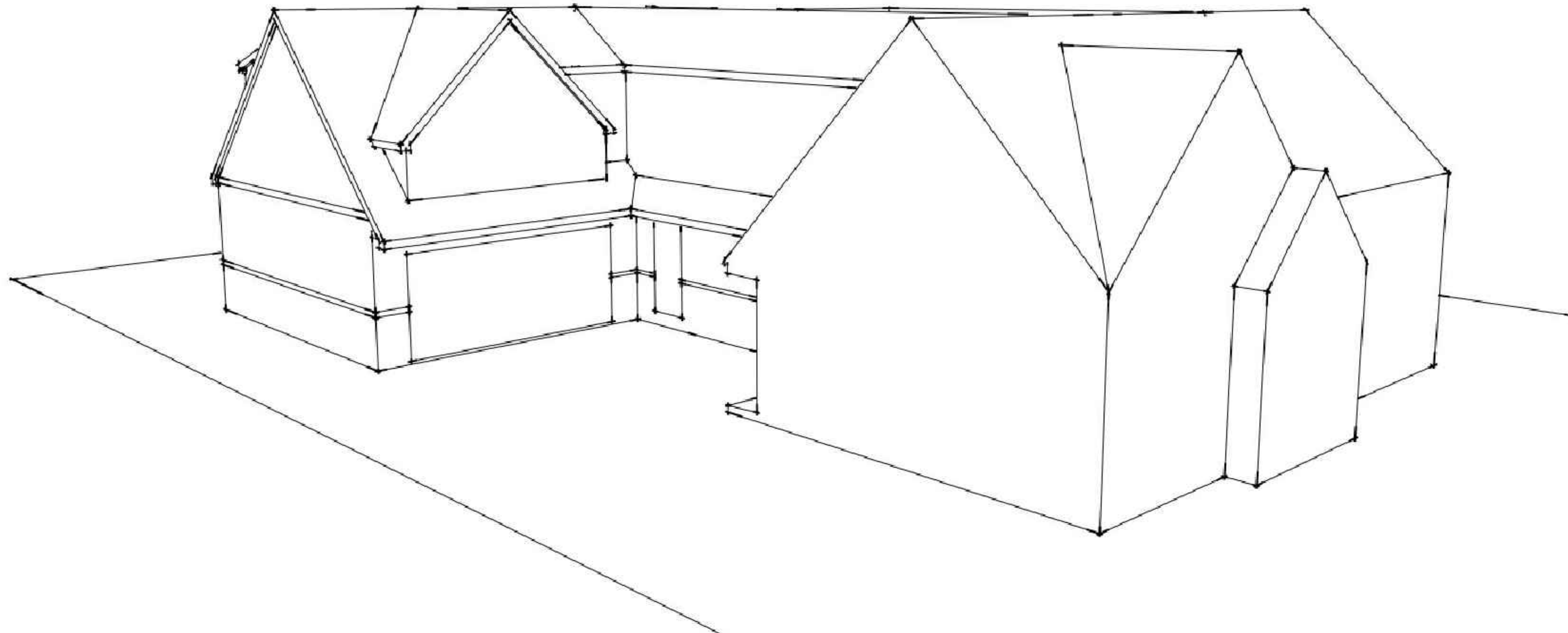


NOT FOR
CONSTRUCTION

EXPIRES: 12/31/2023			
DATE	DESCRIPTION	REVISION	REVISION
02/08/2023	OWNER REVIEW		
04/07/23	ZONING REVISION		
04/26/23	ZONING REVISION		

PROJECT NAME:	PHASE:
RIEHL ADDITION	ZONING
2241 ABINGTON RD.	PROJECT NO.: 03-22-011
UPPER ARLINGTON, OH 43221	DATE: 04-26-2023
SHEET TITLE:	SHEET NO.:
EXTERIOR ELEVATIONS	A-6





NOT FOR
CONSTRUCTION

EXPIRES: 12/31/2023

DATE

02/08/2023

04/07/23

04/26/23

DESCRIPTION

OWNER REVIEW

ZONING REVIEW

ZONING REVIEW

REVISION

PROJECT NAME:

RIEHL ADDITION

2241 ABINGTON RD.
UPPER ARLINGTON, OH 43221

SHEET TITLE:

MASSING

PHASE:

ZONING

PROJECT NO.:

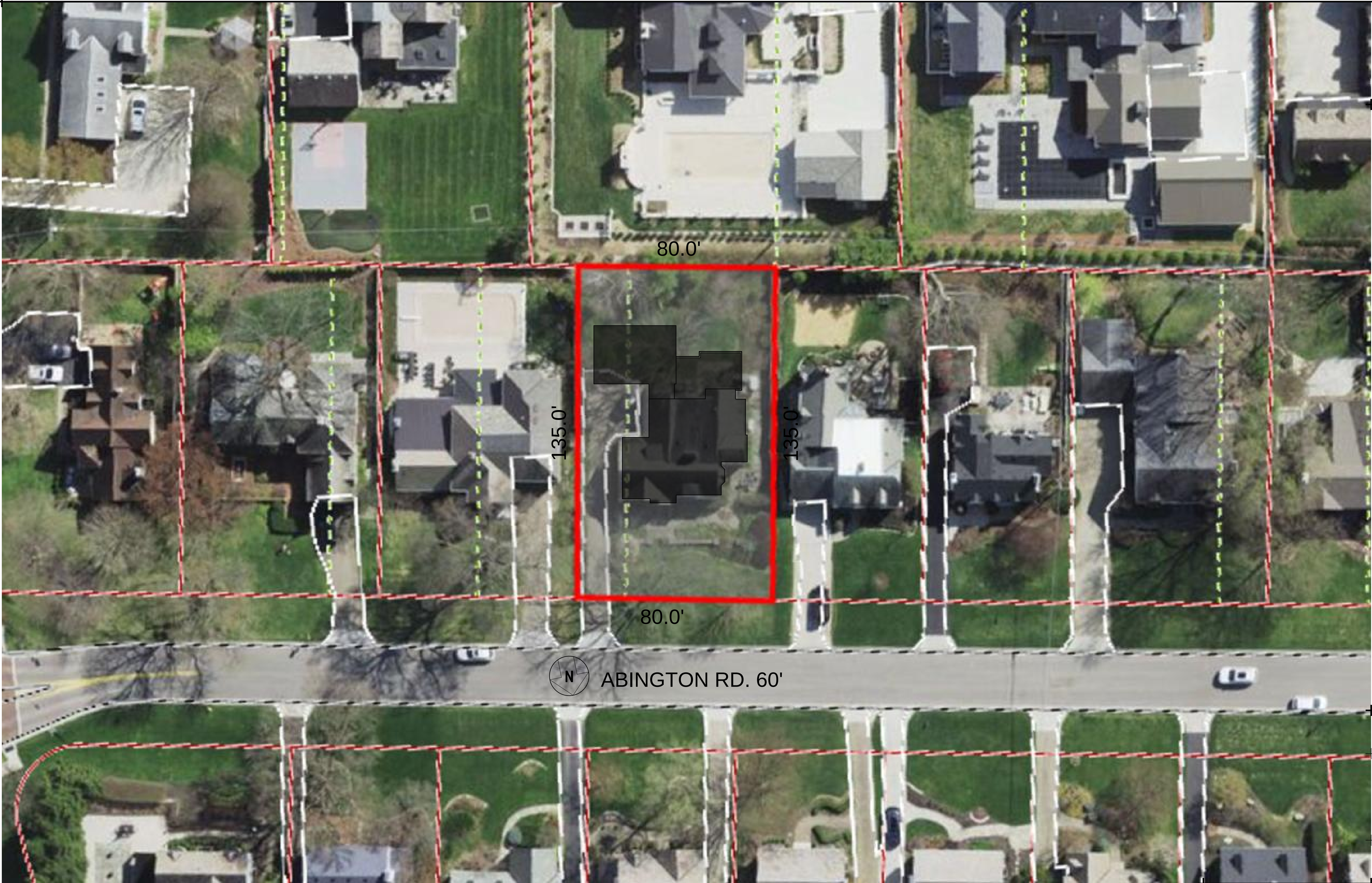
03-22-011

DATE:

04-26-2023

SHEET NO.:

A-7



NOT FOR
CONSTRUCTION

A AERIAL SITE PLAN
SCALE: NOT TO SCALE

PROJECT NAME: RIEHL ADDITION 2241 ABINGTON RD. UPPER ARLINGTON, OH 43221		PHASE: ZONING	
PROJECT NO.: 03-22-011		DATE: 04-26-2023	
SHEET TITLE: CONTEXT VIEW		SHEET NO.: A8	

REVISION		DESCRIPTION		DATE	
		OWNER REVIEW		02/08/2023	
		ZONING REVISION		04/07/23	
		ZONING REVISION		04/26/23	

EXPIRES: 12/31/2023



23-1088

Variance Application

Status: Active

Date Created: Mar 20, 2023

Applicant

Donald Schumacher
dschumacher@cdsarchitect.com
490 Essex Downs Rd
Newark, OH 43055
740-281-5121

Primary Location

2241 ABINGTON RD
UPPER ARLINGTON, OH 43221

Owner:

RIEHL CHRISTOPHER A
2241 ABINGTON COLUMBUS, OH 43221

BZAP Information

BZAP Case #

VAR-16-23

Status

Pending

BZAP Determination Date

04/19/2023

Vote Tally

--

Primary Variance

--

Findings of Fact for Approval/Denial

--

Variance Request

To allow a two-story addition to encroach up to 19'-4" into the 33'-9" minimum rear yard setback, five feet into the 10-foot minimum side yard setback, and results in a side yard sum of 16'-1", when 20 feet is the minimum. The addition also encroaches up to 4'-11" into the rear yard profile.

BZAP conditions

--

Variance Information

Describe Variance Request

The existing home is a 3 bedroom, 2 bath residence with a 1-1/2 car side load garage. This family of 5 needs additional bedrooms, bathroom and a functional garage.

We request variances for a two story addition that encroaches on:

- 1) The required side-yard set back of 10' to be 5'-0" and as a result the side yard sum setback of 20' to 16'-0".
- 2) The required rear-yard set back of 33'-9" to be 19'-2". The 15' easement will not be encroached on.
- 3) With the proposed covered patio our maximum build cover exceeds the 29% TLA by roughly 2% to be 31%.

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?

We had to encroach on the side and rear yard setbacks as there was no feasible way to get a functional 2-car garage along side the existing home, Placing the addition as close to the side yard as possible, preserve as much rear yard as possible.

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 believe 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?

In our judgement no, The character of the new addition and remodeling will be in line with the existing character of the home and adjacent homes.

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?

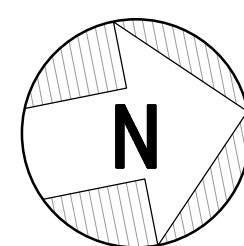
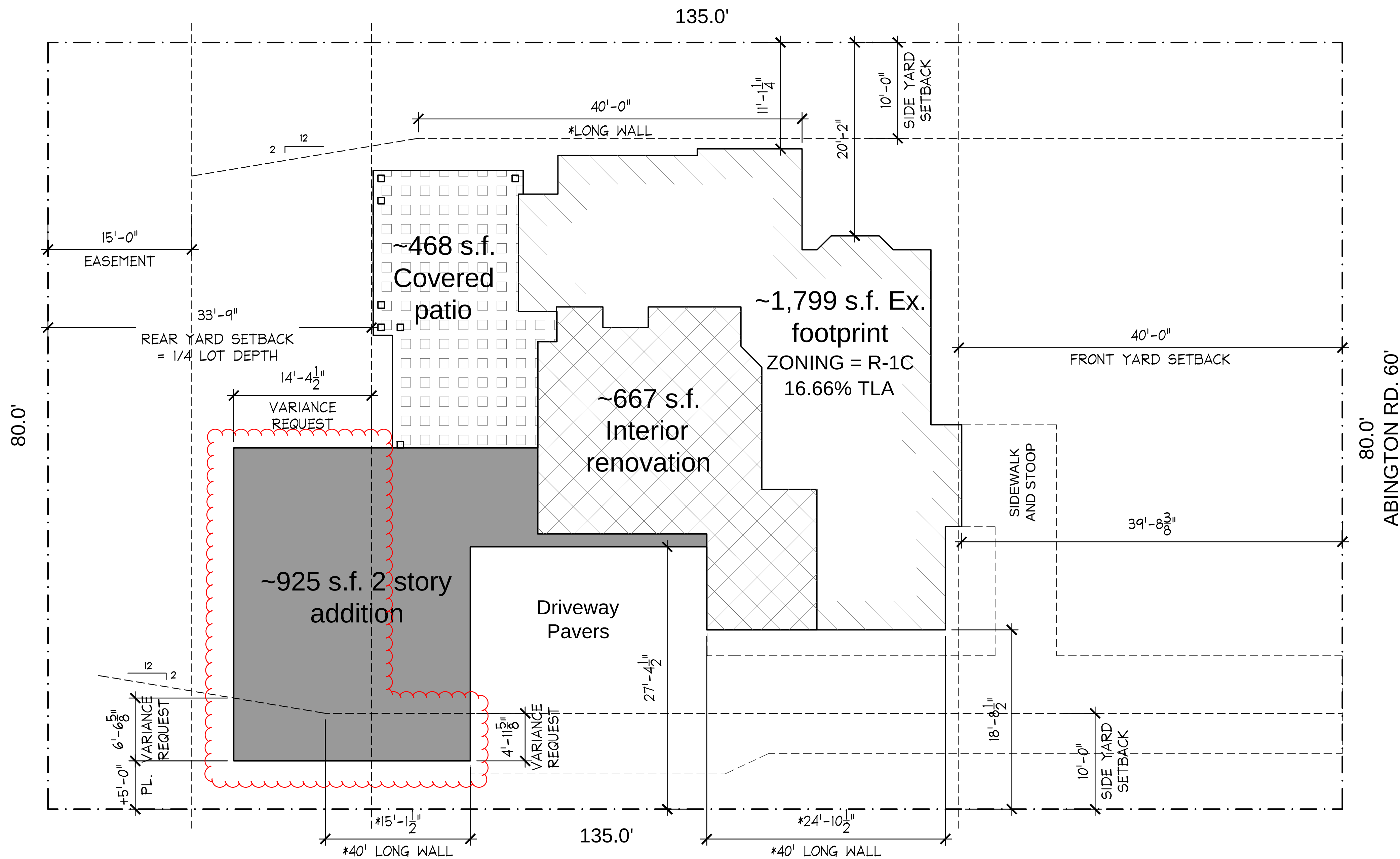
Yes, several configurations were developed and reviewed. This design checks all of the requirements of this growing family by providing additional bedrooms, a functional 2-car garage and new kitchen.

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

In our judgement no. This growing family wants to stay here for the foreseeable future, thus additional bedrooms are needed along with a functional 2-car garage.

RIEHL RESIDENCE ADDITION & RENOVATION

2241 ABINGTON RD., UPPER ARLINGTON, OH 43221



PARCEL # 070-002521-00

EXISTING	PROPOSED
ZONING	R-1C
ZONING DISTRICT	One-Family Residence District
MIN LOT AREA	9,000 S.F.
MIN LOT FRONT	75'
FRONT YARD SETBACK	40' or platted
SIDE YARD SETBACK	Lot width <75' = 8' or ≥75' = 10'
MIN SIDE YARD SUM	Lot width <75' = 16' or ≥75' = 20'
REAR YARD SETBACK	1/4 lot depth up to 40'
BUILD HEIGHT MAX	35' (2.5 stories); 28' in River Ridge
MAX DEVELOP COVER PERMIT	Lot width <75' = 50% or ≥75' = 45% TLA
MAX BUILD COVER	29% TLA

EXISTING

PROPOSED

10,800 SF
80'
39'-8 3/8"
10'
29'-9 5/8"
33'-9"
22'-10"
3,514 s.f.=32.6%
16.66 TLA

SAME
SAME
SAME
5' to Property Line
16'-1 5/8"
19'-4 1/2"
25'-6"
4,654 s.f.=43.1%
28.96 TLA w/
covered Patio

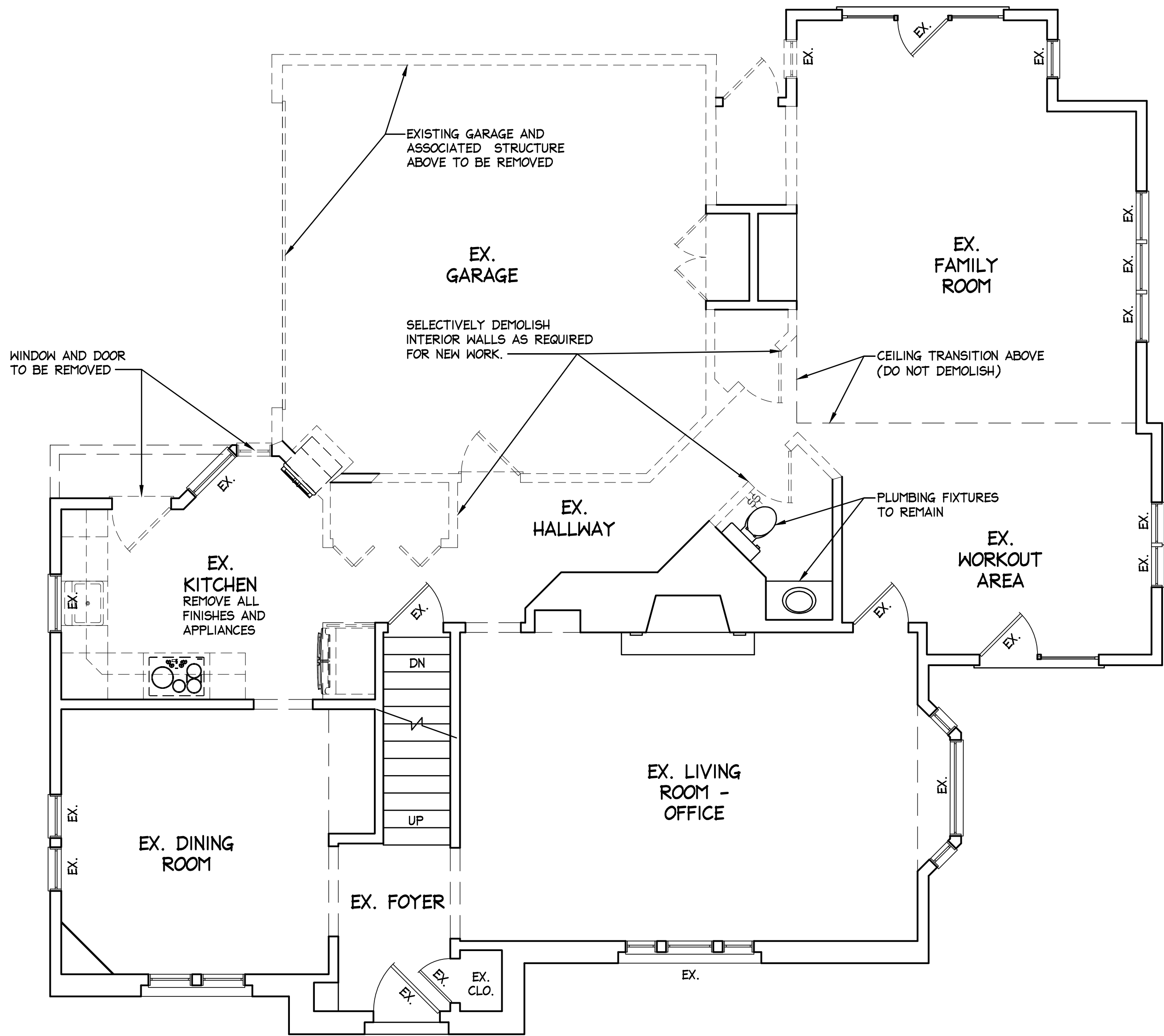
A PARTIAL SITE PLAN
SCALE : NOT TO SCALE

NOT FOR
CONSTRUCTION

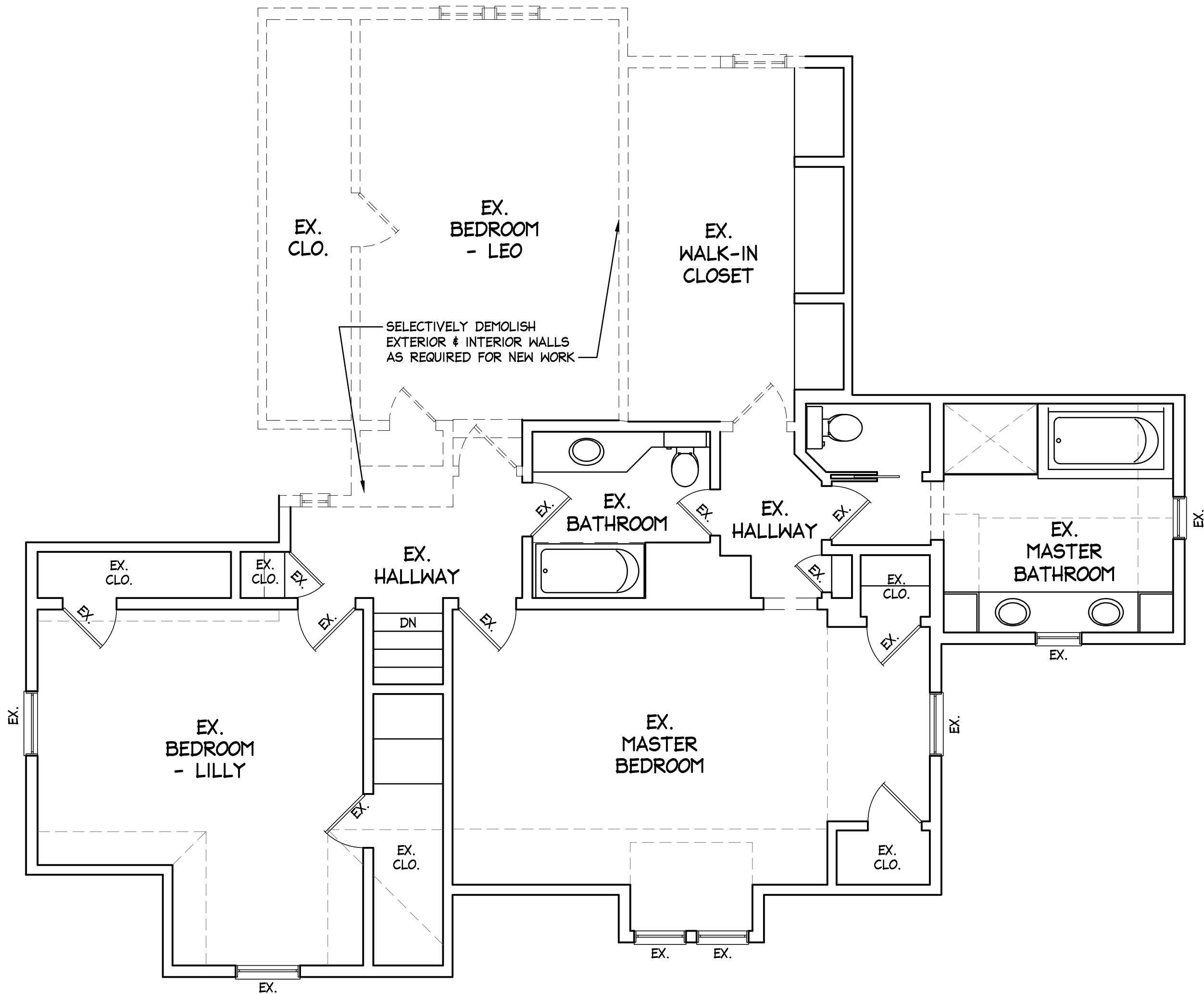
EXPIRES: 12/31/2023

DATE	02/08/2023	04/07/23			
DESCRIPTION	OWNER REVIEW	ZONING REVIEW			
REVISION					

PROJECT NAME: RIEHL ADDITION 2241 ABINGTON RD. UPPER ARLINGTON, OH 43221	PHASE: ZONING
SHEET TITLE: SITE PLAN	PROJECT NO.: 03-22-011 DATE: 03-20-2023 SHEET NO.: SP



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



B 2ND FLOOR DEMOLITION PLAN
SCALE : 1/4" = 1'-0"

GENERAL DEMOLISION NOTES:

- A. DEMOLITION DRAWINGS ARE INTENDED TO SHOW GENERAL AREAS OF DEMOLITION AS WELL AS GENERAL EXISTING CONDITIONS. THEY DO NOT SHOW ALL WORK WHICH MAY BE NECESSARY. COMPARE WITH DRAWINGS INDICATING NEW CONSTRUCTION.

B. EXISTING WORK TO REMAIN SHALL BE TEMPORARILY SECURED, BRACED AND STABILIZED UNTIL PERMANENT CONSTRUCTION IS IN PLACE.

C. VERIFY FIELD CONDITIONS PRIOR TO START OF DEMOLITION/CONSTRUCTION AND NOTIFY THE ARCHITECT OF ANY DISCREPANCIES.

D. ERECT BARRICADES, FENCES OR OTHER SECURABLE MEANS TO PREVENT UNAUTHORIZED ACCESS INTO CONSTRUCTION ZONES.

E. DO NOT ALLOW MATERIAL AND DEBRIS GENERATED BY DEMOLITION ACTIVITIES TO ACCUMULATE ON THE JOB SITE. REMOVE DAILY AND DISPOSE OF IN A LEGAL MANNER. NO ON-SITE SALE OR BURNING OF REMOVED ITEMS IS PERMITTED.
- F. THE CONTRACTOR MUST MAINTAIN ADEQUATE SUPPORT INSULATION, WATERPROOFING, EMERGENCY LIGHTING, SECURITY, ALARMS, ETC. FOR ALL OR PART OF ITEMS WHICH ARE TO REMAIN.

G. TERMINATE AND CAP ANY UTILITY IN WALLS CEILINGS AND FLOORS TO BE REMOVED AND NOT INTENDED FOR REUSE.

H. PREPARE AND PATCH SURFACES THAT RECEIVE NEW FINISHES AS REQUIRED BY REMOVING OR RELOCATING DEVICES, WIRING OR OTHER APPURTENANCES NO LONGER APPROPRIATE FOR THE NEW USE OF THE ROOM.

I. MAINTAIN EXISTING FINISHES, OPERATIONAL CHARACTERISTICS, AND APPEARANCE OF ITEMS SCHEDULED TO REMAIN OR BE REUSED.

J. G.C. IS RESPONSIBLE FOR ALL TEMPORARY SHORING AND DEMOLITION ENGINEERING TO SUPPORT EXISTING WORK TO REMAIN.

NOT FOR
CONSTRUCTION

PROJECT NAME:		PHASE:	
RIEHL ADDITION		ZONING	
2241 ABINGTON RD.		PROJECT NO.: 03-22-011	
UPPER ARLINGTON, OH 43221		DATE: 03-20-2023	
SHEET TITLE:		SHEET NO.:	
DEMOLITION PLANS		A-1	

DATE	DESCRIPTION	REVISION
02/08/2023	OWNER REVIEW	
04/07/23	ZONING REVISION	

GENERAL NOTES:
BUILDING DEPARTMENT & CONSTRUCTION
NOTES:

- ALL ELECTRICAL WORK WILL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRIC CODE LATEST EDITION.
- ALL HVAC WORK WILL BE INSTALLED IN ACCORDANCE WITH THE 2019 O.R.C. CODE.
- SMOKE DETECTORS AND CARBON MONOXIDE ARE REQUIRED PER THE 2019 O.R.C. CODE. SECTIONS R314 & R315.
- AT EXTERIOR OPENINGS, PROVIDE A MINIMUM 3'-0" X 3'-0" LANDING 8 1/4" MAX. BELOW TOP OF THRESHOLD.
- SLOPE GARAGE FLOOR 2" MIN. TO DOORS.
- ALL GLAZING TO COMPLY WITH SECTION 308 OF THE 2019 O.R.C. CODE.
- 2x BLOCKING EQUAL TO THE JOIST DEPTH TO BE INSTALLED @ 24" O.C. BETWEEN THE BAND AND FIRST JOIST WHICH IS PARALLEL TO THE FOUNDATION WALL. BLOCKING SHALL BE ADEQUATELY FASTENED TO THE FLOOR SHEATHING.
- ALL CONCRETE LINTELS TO HAVE MINIMUM 8" BEARING EACH END.
- HANDRAILS & GUARDRAILS TO MEET SECTION 311 & 312 OF THE 2019 O.R.C. CODE. 4" SPHERE CANNOT PASS THRU.
- PROVIDE 5/8" TYPE 'X' G.I.B. ON GARAGE CEILING AND HOUSE COMMON WALL. GARAGE MAN DOOR TO BE SOLID CORE WOOD AND/OR 20MIN. RATED
- USE CONTINUOUS OSB ON EXTERIOR WALLS FOR BRACING WALL.
- ALL ELECTRIC OUTLETS IN KITCHENS, BATHROOMS, WET AREAS AND EXTERIOR SHALL BE G.F.I. PROTECTED.
- FIRE STOPPING SHALL BE PROVIDED TO CUT OFF ALL CONCEALED DRAFT OPENINGS (VERT. & HORIZ.) AND TO FORM AN EFFECTIVE FIRE BARRIER BETWEEN STORIES AND BETWEEN STORIES AND ROOF.
- ALL EXT. WALLS TO BE 5-1/2" WOOD STUDS @ 16" O.C. INT. WALLS 3-1/2" WOOD STUDS @ 16" O.C. UNLESS OTHERWISE NOTED.
- EXTERIOR FRAME WALLS SHALL BE BRACED WITH 1-INCH-BY-4-INCH LET-IN BRACES, OR APPROVED METAL STRAP DEVICES INSTALLED IN ACCORDANCE WITH THE MANUF. SPECS.
- PROVIDE JOIST HANGERS AS RECOMMENDED BY OPEN WEB FLOOR JOIST MANUFACTURER. TYP.
- PER M1307.3, APPLIANCES HAVING AN IGNITION SOURCE SHALL BE ELEVATED SUCH THAT THE SOURCE OF IGNITION IS NOT LESS THAN 18 INCHES (457 MM) ABOVE THE FLOOR IN GARAGES.
- PRESCRIPTIVE ENERGY COMPLIANCE. CLIMATE ZONE 5. FENESTRATION U-FACTOR 0.3, GLAZED FENESTRATION (SHGC) NR. CEILING R-VALUE R-49, WOOD FRAMED WALLS R-21, FLOOR R-30MIN, SLAB ON GRADE R-10 2" DEPTH AND CRAWL WALL R-10 CONT. BLANKET.

FOOTING & FOUNDATION NOTES:

- ALL DIMENSIONS ARE TO FACE OF CONCRETE FOUNDATION WALLS.
- FOOTING DESIGN IS BASED UPON ASSUMED 1500 PSF SOIL BEARING PRESSURE. BEFORE CONSTRUCTION, CONTRACTOR SHALL VERIFY ACTUAL VALUE OF SOIL BEARING WITH SOILS ENGINEER AND REPORT TO ARCHITECT IF DEFICIENT.
- BOTTOM OF FOOTINGS TO BE A MINIMUM OF 34" BELOW GRADE AND TO FIRM SOIL BEARING FREE OF ANY ORGANIC MATERIAL. (SEE NOTE 2 ABOVE)
- DESIGN STRENGTH FOR CONCRETE FOOTINGS SHALL BE 3000 PSI AT 28 DAYS.
- DESIGN STRENGTH FOR INTERIOR CONC. BASEMENT SLABS AND INTERIOR SLAB ON GRADE, EXCEPT GARAGE SLABS, TO BE 3000 PSI AT 28 DAYS. IF SUBJECTED TO FREEZING AND THAWING DURING CONSTRUCTION, CONC. SHALL BE AIR ENTRAINING ADMIXTURE TO YIELD 5% TO 7% AIR ENTRAINMENT.
- DESIGN STRENGTH FOR EXTERIOR CONCRETE WALKS, PATIOS, ETC. SHALL BE 4000 PSI AT 28 DAYS AND HAVE AN AIR ENTRAINING ADMIXTURE TO YIELD 5% TO 7% AIR ENTRAINMENT.
- DESIGN STRENGTH FOR GARAGE SLABS, TO BE 3500 PSI AT 28 DAYS. AND SHALL BE AIR ENTRAINED TO YIELD 5% TO 7% AIR ENTRAINMENT.
- EXTERIOR CONCRETE TO HAVE BROOM FINISH.
- ALL CONCRETE LINTELS TO HAVE MINIMUM 8" BEARING EACH END.
- FOUNDATION ANCHORAGE: EXTERIOR WALL, WOOD SOLE PLATE - 3/8" x 12" (MIN. 7" INTO CMU CORE) LONG ANCHOR BOLT GROUTED SOLID. SET AT A MIN OF 6'-0" O.C. MIN. THERE SHALL BE NOT FEWER THAN TWO BOLTS PER PLATE SECTION WITH ONE BOLT LOCATED NOT MORE THAN 12 INCHES (305 MM) OR LESS THAN SEVEN BOLT DIAMETERS FROM EACH END OF THE PLATE SECTION.
- BRACED WALL PANEL FOUNDATION ANCHORAGE: TO BE PLACED AS NOTED ON PLAN. SEE IMAGE D THIS SHEET.

NOT FOR
CONSTRUCTION

EXPIRES: 12/31/2023

DATE

02/08/2023

04/07/23

DESCRIPTION

OWNER REVIEW

ZONING REVIEW

REVISION

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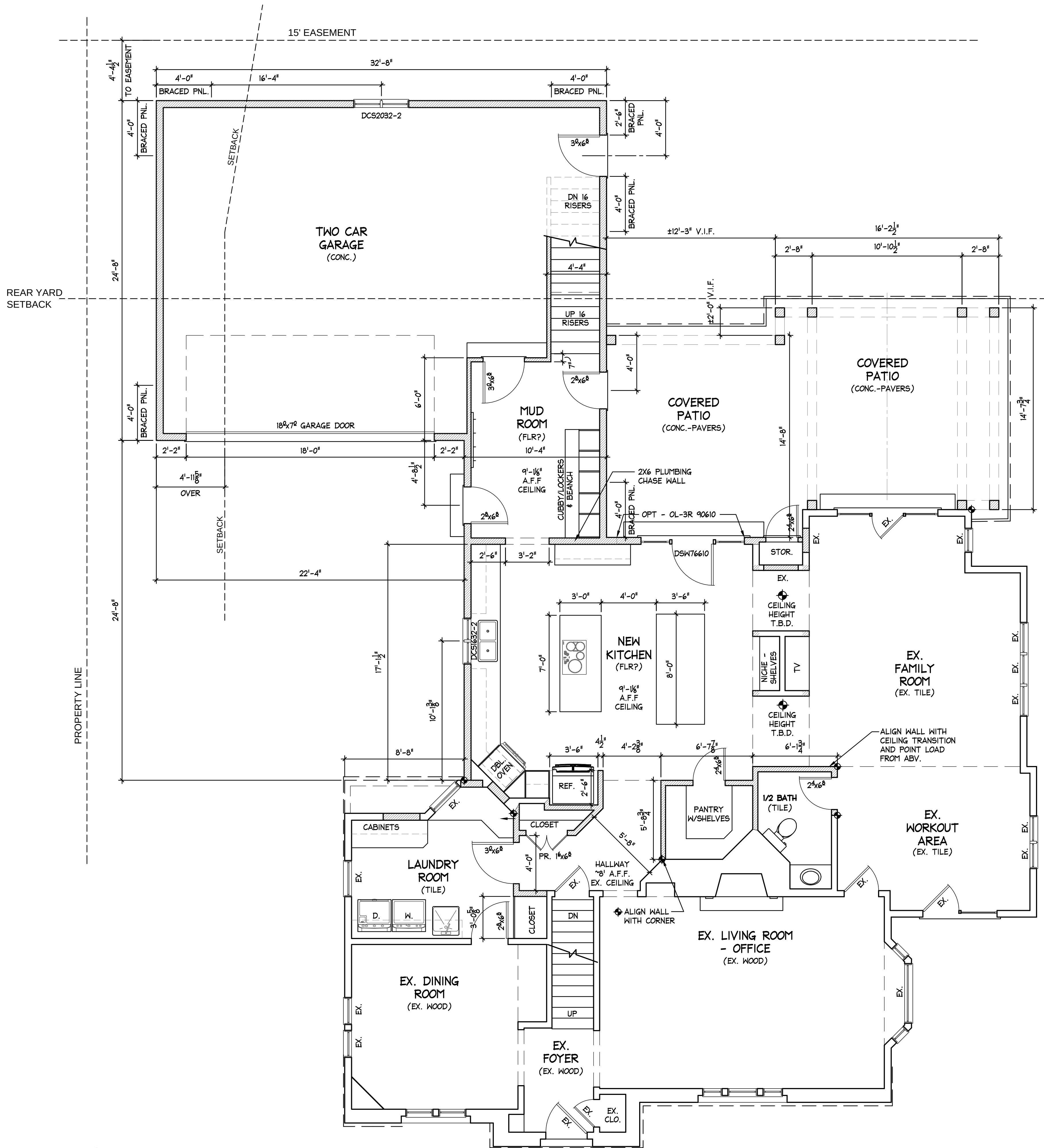
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FIRST FLOOR WINDOW/DOOR OPENING SCHEDULE													
ROOM NAME	ROOM SQ.FT.	DOOR/WINDOW DESIGNATION	CLEAR OPENING HEIGHT		CLEAR OPENING WIDTH		OPENING AREA S.F.		NATURAL VENTILATION S.F.		NATURAL LIGHT (GLAZING) S.F.		REMARKS
			REQ'D	ACTUAL	REQ'D	ACTUAL	REQ'D	ACTUAL	REQ'D	ACTUAL	REQ'D	ACTUAL	
KITCHEN	364	DCS1632-2 DSW76610	---	30 3/4"	---	13 3/4"	---	1.49 S.F.	---	2.85 F.	---	7.49 S.F.	MULLED
GARAGE	662	18'x7' OVRHD.	---	---	---	---	---	---	---	---	---	---	OPT. BI-FOLD - OL-3R 90610
		36" EXT. DR.	---	---	---	---	---	---	---	---	---	---	INSUL. EXTERIOR
MUD ROOM	121	DCS2032-2	---	---	---	---	---	---	---	---	---	---	INSUL. EXTERIOR
		36" EXT. DR.	---	---	---	---	---	---	---	---	---	---	MULLED
		32" EXT. DR.	---	---	---	---	---	---	---	---	---	---	GARAGE INSUL. EXTERIOR - RATED
		32" EXT. DR.	---	---	---	---	---	---	---	---	---	---	INSUL. EXTERIOR 1/2 LITE
1/2 BATH ROOM	38	28" WD. DR.	---	---	---	---	---	---	---	---	---	---	INSUL. EXTERIOR 1/2 LITE
PANTRY	31	28" WD. DR.	---	---	---	---	---	---	---	---	---	---	UNDERCUT DOOR 1"
HALL CLOSET	N/A	DBL 18" DR.	---	---	---	---	---	---	---	---	---	---	---
LAUNDRY	118	36" WD. DR.	---	---	---	---	---	---	---	---	---	---	---
		32" WD. DR.	---	---	---	---	---	---	---	---	---	---	---
EXT. STORAGE	6	28" EXT. DR.	---	---	---	---	---	---	---	---	---	---	INSUL. EXTERIOR

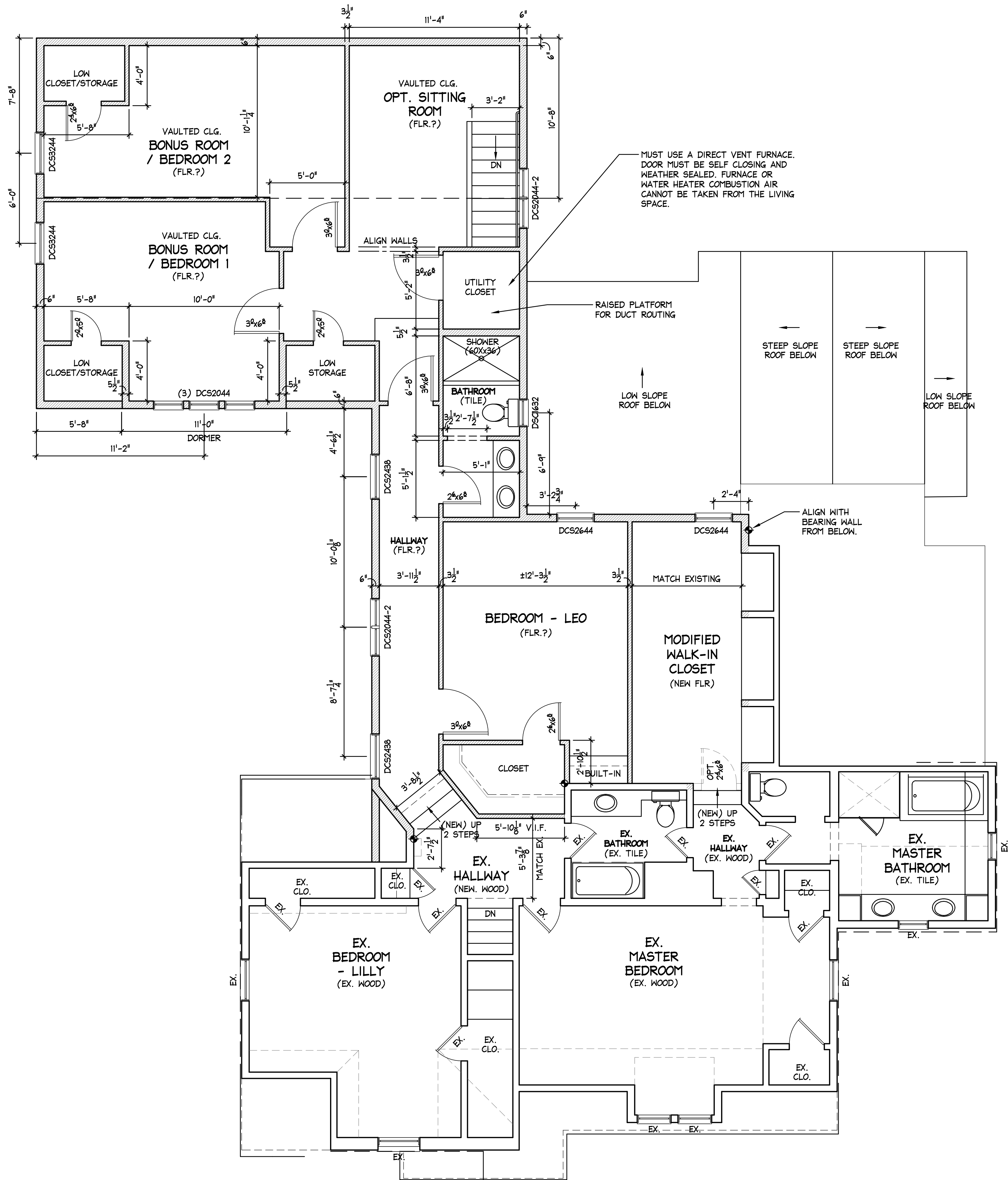
NOTE: - ALL WINDOW & PATIO DOOR CALLOUTS ARE BASED ON WINDSOR CLAD PINNACLE SERIES. IF ANOTHER WINDOW/DOOR MANUFACTURER IS SELECTED G.C. SHALL INSTALL THE CLOSEST MATCHING WINDOW/DOOR. IF SELECTED WINDOW IS INTENDED TO BE AN EGRESSIBLE WINDOW, G.C. SHALL NOTIFY THE ARCHITECT FOR VERIFICATION.
- SEE PLAN FOR SPECIFIC WINDOW DESIGNATION LOCATIONS

CDS
Architect
490 ESSEX DOWNS RD.
NEWARK, OHIO 43055
PHONE 740.281.5121
DONALD A. SCHUMACHER
dschumacher@cdsarchitect.com

NOT FOR
CONSTRUCTION

EXPIRES: 12/31/2023			
DATE	DESCRIPTION	REVISION	
02/08/2023	OWNER REVIEW		
04/07/23	ZONING REVIEW		

PROJECT NAME:	RIEHL ADDITION	PHASE:	ZONING
PROJECT NO.:	2241 ABINGTON RD.	PROJECT NO.:	03-22-011
DATE:	UPPER ARLINGTON, OH 43221	DATE:	03-20-2023
SHEET TITLE:	FIRST FLOOR CONSTRUCTION PLAN	SHEET NO.:	A-3



2ND FLOOR PLAN
SCALE: 1/4" = 1'-0"

LAYOUT POINT FOR NEW CONSTRUCTION TO EXISTING

SECOND FLOOR WINDOW/DOOR OPENING SCHEDULE											
ROOM NAME	ROOM SQ.FT.	DOOR/WINDOW DESIGNATION	CLEAR OPENING HEIGHT		CLEAR OPENING WIDTH		OPENING AREA S.F.		NATURAL VENTILATION S.F.		REMARKS
			REQ'D	ACTUAL	REQ'D	ACTUAL	REQ'D	ACTUAL	REQ'D	ACTUAL	
BEDROOM- LEO	226	DCS2644	24"	43 3/4"	20"	21 1/4"	5.705.F.	6.415.F.	7.965.F.	7.355.F.	EGRESS WINDOW
		36" WD. DR.	---	---	---	---	---	---	---	---	
HALLWAY	110	DCS2044-2	---	---	---	---	---	---	---	---	
		DCS2438	---	---	---	---	---	---	---	---	
UTILITY CLOS. BATHROOM	27	36" WD. DR.	---	---	---	---	---	---	---	---	W/ WEATHER SEALS
		DCS1632	---	---	---	---	---	---	---	---	
BONUS ROOM / BEDROOM 1	203	DCS3244	24"	---	20"	---	5.705.F.	8.215.F.	9.765.F.	9.135.F.	EGRESS WINDOW
		(3) DCS2044	---	---	---	---	---	---	---	---	
BONUS ROOM / BEDROOM 2	229	DCS3244	24"	---	20"	---	5.705.F.	8.215.F.	9.765.F.	9.135.F.	EGRESS WINDOW
		36" WD. DR.	---	---	---	---	---	---	---	---	
OPT / SITTING ROOM	267	28"x80" WD. DR.	---	---	---	---	---	---	---	---	LOW CLOSET DOOR
		DCS2044-2	---	---	---	---	---	---	---	---	
WALK-IN CLOS.	127	24"x60" WD. DR.	---	---	---	---	---	---	---	---	OPTIONAL DOOR
		DCS2644	---	---	---	---	---	---	---	---	

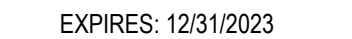
NOTE: - ALL WINDOW & PATIO DOOR CALLOUTS ARE BASED ON WINDSOR CLAD PINNACLE SERIES. IF ANOTHER WINDOW/DOOR MANUFACTURER IS SELECTED G.C. SHALL INSTALL THE CLOSEST MATCHING WINDOW/DOOR. IF SELECTED WINDOW IS INTENDED TO BE AN EGRESSIBLE WINDOW, G.C. SHALL NOTIFY THE ARCHITECT FOR VERIFICATION.
- SEE PLAN FOR SPECIFIC WINDOW DESIGNATION LOCATIONS
- ALL OCCUPIED ROOMS SHALL HAVE ROOM HVAC AND LIGHT.

CDS
Architect
490 ESSEX DOWNS RD.
NEWARK, OHIO 43055
PHONE 740.281.5121
DONALD A. SCHUMACHER
dschumacher@cdsarchitect.com

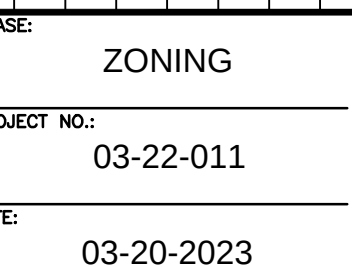
NOT FOR CONSTRUCTION

EXPIRES: 12/31/2023				
DATE	02/08/2023	04/07/23		
DESCRIPTION	OWNER REVIEW	ZONING REVISION		
REVISION				

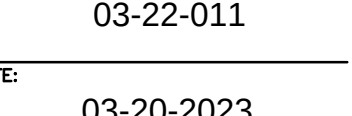
PROJECT NAME:	RIEHL ADDITION	PHASE:	ZONING
	2241 ABINGTON RD.	PROJECT NO.:	03-22-011
	UPPER ARLINGTON, OH 43221	DATE:	03-20-2023
SHEET TITLE:	SECOND FLOOR CONSTRUCTION PLAN	SHEET NO.:	A-4



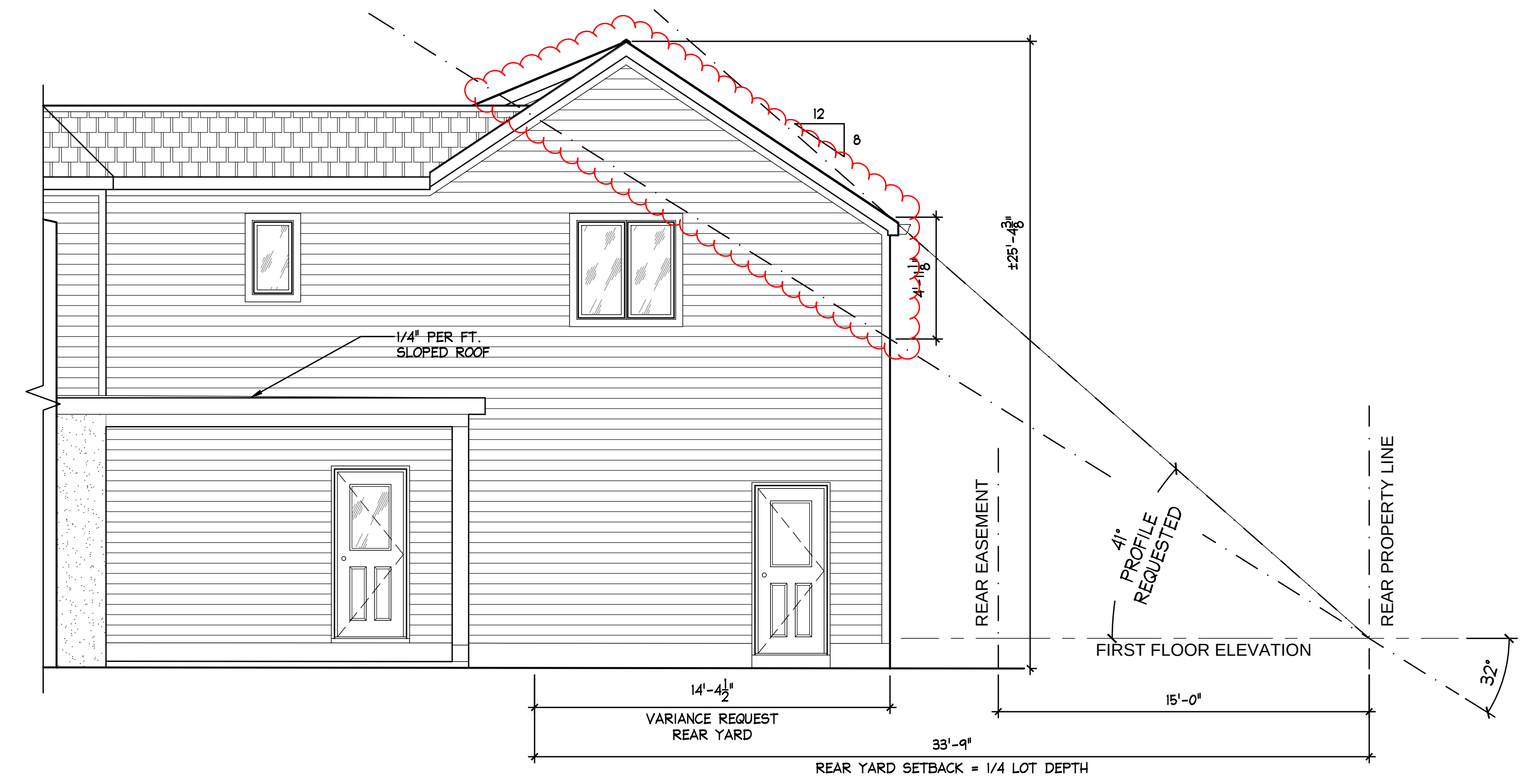
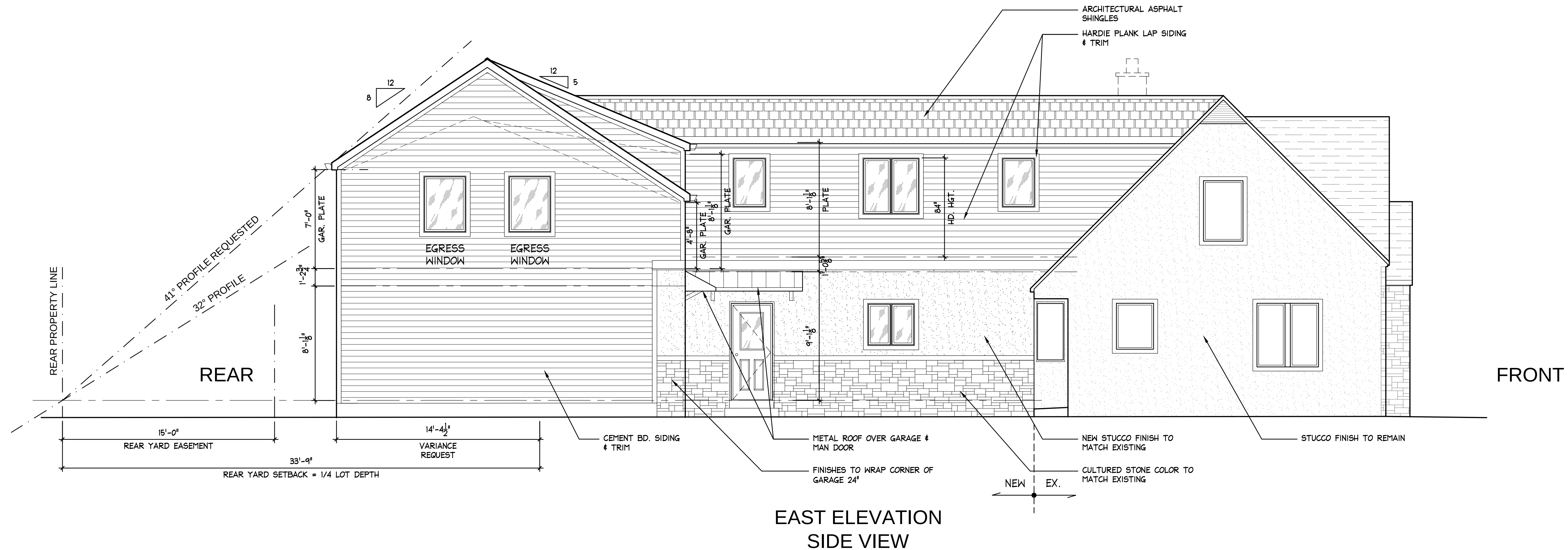
•	OWNER REVIEW	02/08/2022
•	ZONING REVISION	04/07/23
•	•	•
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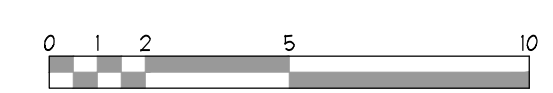
SHEET NO.:
A-5



A-5

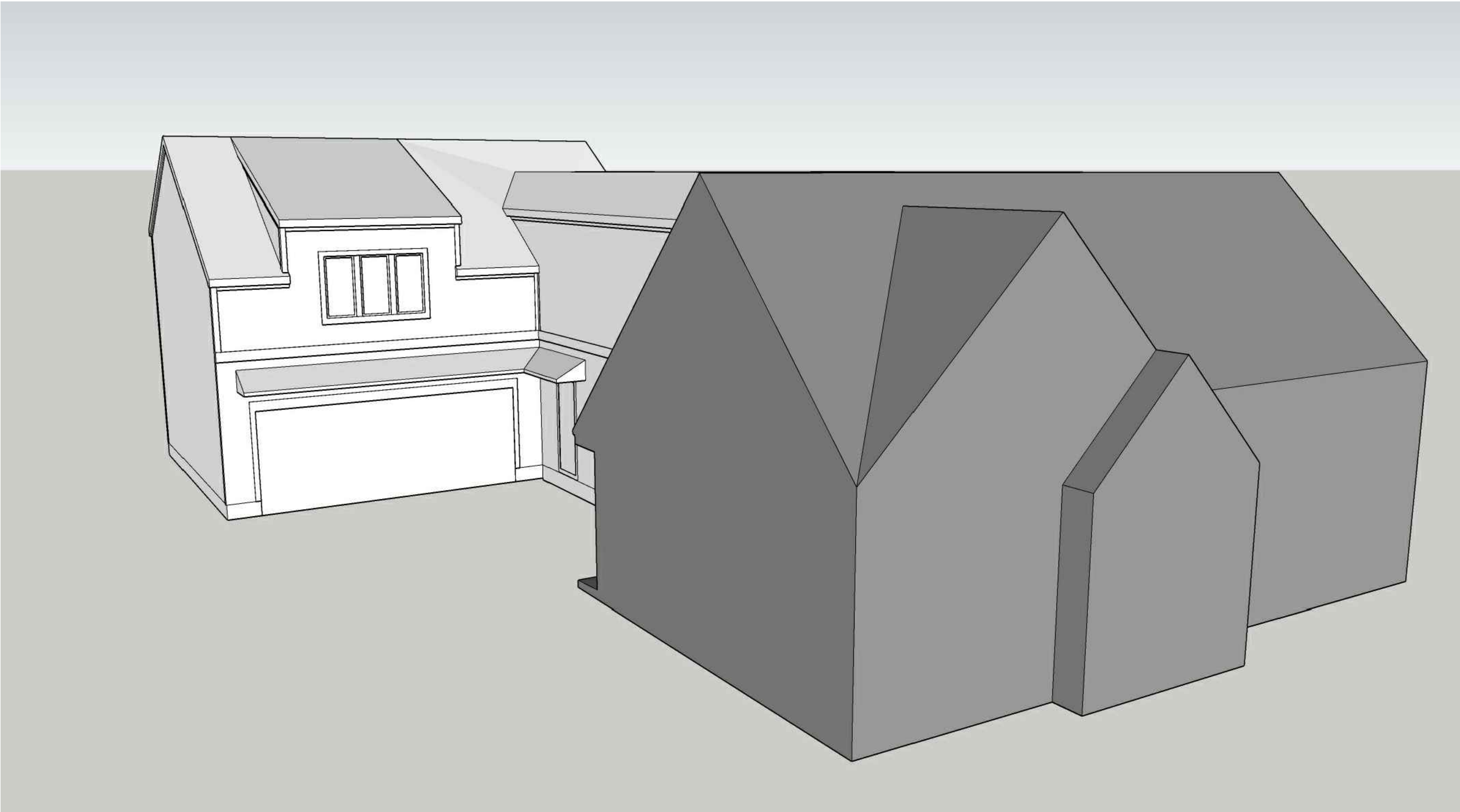


NOT FOR
 CONSTRUCTION



PROJECT NAME: RIEHL ADDITION 2241 ABINGTON RD. UPPER ARLINGTON, OH 43221		PHASE: ZONING	
PROJECT NO.: 03-22-011		DATE: 03-20-2023	
SHEET TITLE: EXTERIOR ELEVATIONS		SHEET NO.: A-6	

DATE	02/08/2023	04/07/23			
DESCRIPTION	OWNER REVIEW	ZONING REVIEW			
REVISION					

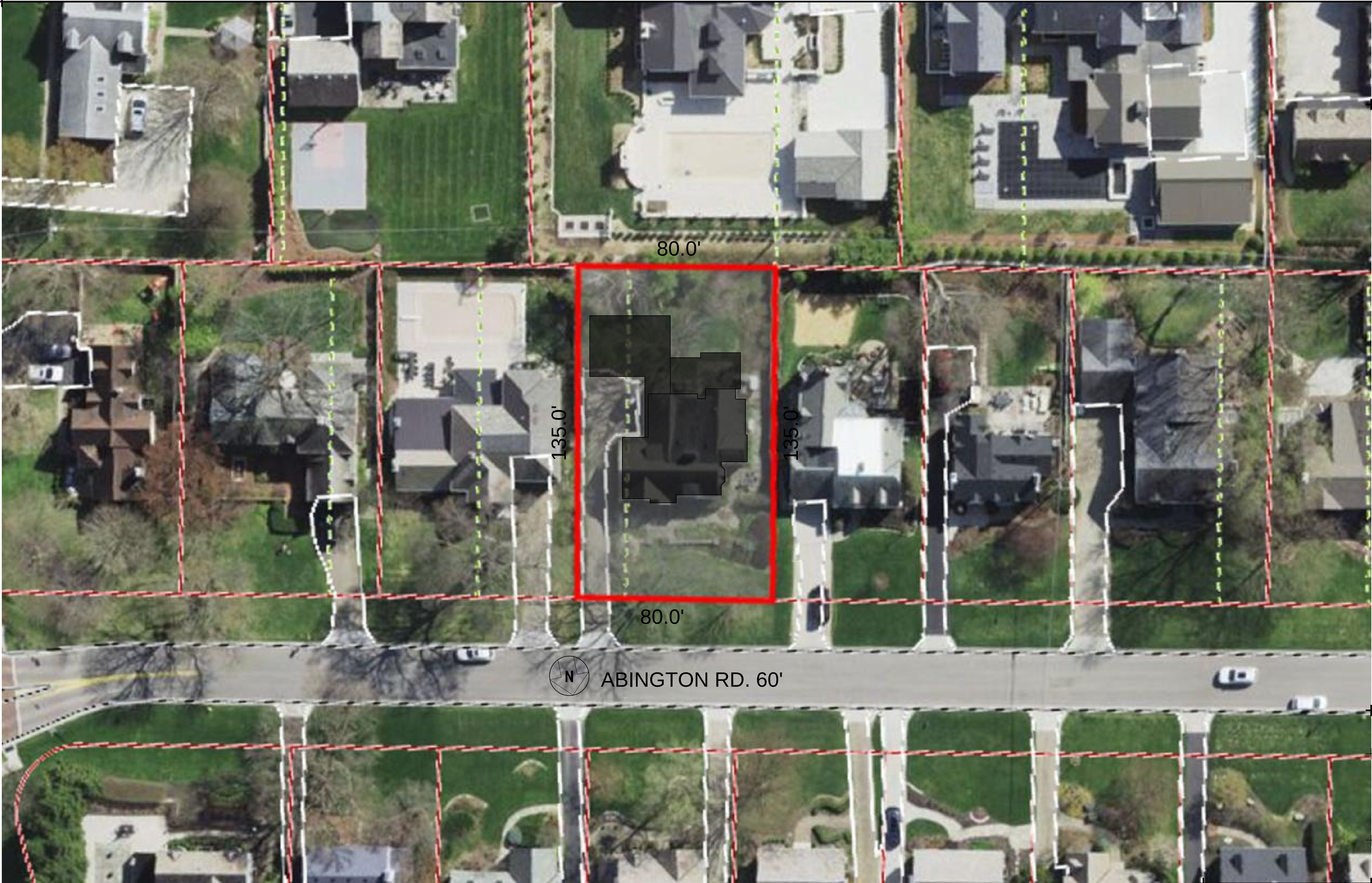


NOT FOR
CONSTRUCTION

PROJECT NAME:		PHASE:	
RIEHL ADDITION		ZONING	
2241 ABINGTON RD.		PROJECT NO.:	
UPPER ARLINGTON, OH 43221		03-22-011	
DATE:		03-20-2023	
SHEET TITLE:		SHEET NO.:	
MASSING		A-7	

EXPIRES: 12/31/2023

DATE	02/08/2023	04/07/23				
DESCRIPTION	OWNER REVIEW	ZONING REVIEW				
REVISION						



A AERIAL SITE PLAN
SCALE: NOT TO SCALE

NOT FOR
CONSTRUCTION

PROJECT NAME: RIEHL ADDITION 2241 ABINGTON RD. UPPER ARLINGTON, OH 43221		PHASE: ZONING	
PROJECT NO.: 03-22-011		DATE: 03-20-2023	
SHEET TITLE: CONTEXT VIEW		SHEET NO.: A8	

EXPIRES: 12/31/2023			
REVISION	DESCRIPTION	DATE	
	OWNER REVIEW	02/08/2023	
	ZONING REVIEW	04/07/23	

NOTICE TO OWNERS WITHIN 100 FEET

City of Upper Arlington
Building, Planning & Zoning

Dear Property Owner:

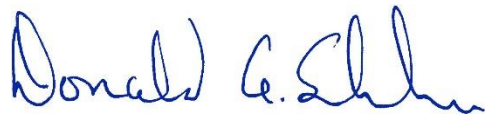
The undersigned has filed an application with the City of Upper Arlington Planning & Zoning Department for variance relief from the zoning requirements for the side yard and rear yard setbacks, together with any other variance, waiver or interpretation which may be necessary, appropriate or required to allow the home owners to have a new two-story addition constructed on their property. The subject property is located at 2241 Abington Rd, designated as Parcel ID: 070-002521-00, Lot 18&PT 19. BLK 202 on the Franklin County Auditors website. This notice is sent to you as an owner of property in the immediate vicinity.

A public hearing is scheduled for Wednesday April, 19th, 2023 at 6pm, held at the Upper Arlington Municipal Services Center, 3600 Tremont Road, Upper Arlington, Ohio, 43221. When the case is called you may appear either in person, or by attorney and present an objections which you may have to the granting of the relief sought.

*Due to the ongoing COVID-19pandemic, 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/Agenda Online.
For further information, please contact the Planning Division at planning@uaoh.net.*

A copy of the Variance Plan, Application and supporting documents are on file and available for inspection at the Planning Division and online, see above.

Respectfully,



Donald A. Schumacher
Architect for the Applicant
CDS Architect, LLC

Revised: Jan 2021

Certification of Notice

Applicant Name: Donald A. Schumacher

Location of property subject to BZAP request: 2241 Abington Rd., Upper Arlington

Describe activity which requires Board of Zoning and Planning review:

Variance request for a new two story addition that encroaches on the rear yard and side yard

This application will be heard by the Board of Zoning and Planning on: April 20, 2023

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:
2234 Onandaga Rd.	Tracey K. Yakubov	70221670000140591438	03/18/23
2254 Onandaga Rd.	2254 ONANDAGA LLC	70221670000140591445	03/18/23
2274 Onandaga Rd.	WRIGHTSEL P BRENT TR	70221670000140591452	03/18/23
2220 Abington Rd.	THOMPSON WULF LAURA-LYNN	70221670000140591346	03/18/23
2221 Abington Rd.	EBERHART ROBERT L	70221670000140591353	03/18/23
2230 Abington Rd.	BRILL SCOTT A	70221670000140591360	03/18/23
2231 Abington Rd.	ALDERMAN JOSHUA	70221670000140591377	03/18/23
2236 Abington Rd.	LAUDICK PATRICIA GRABER	70221670000140591384	03/18/23
2244 Abington Rd.	KEEGAN ARTHUR E	70221670000140591391	03/18/23
2251 Abington Rd.	SHAFFER SCOTT E	70221670000140591407	03/18/23
2252 Abington Rd.	TEACH PATRICIA L	70221670000140591421	03/18/23
2257 Abington Rd.	MEAD WILLIAM T LE	70221670000140591414	03/18/23
			03/18/23
Applicant Signature:			Date: 3/18/23

2241 Abington Road

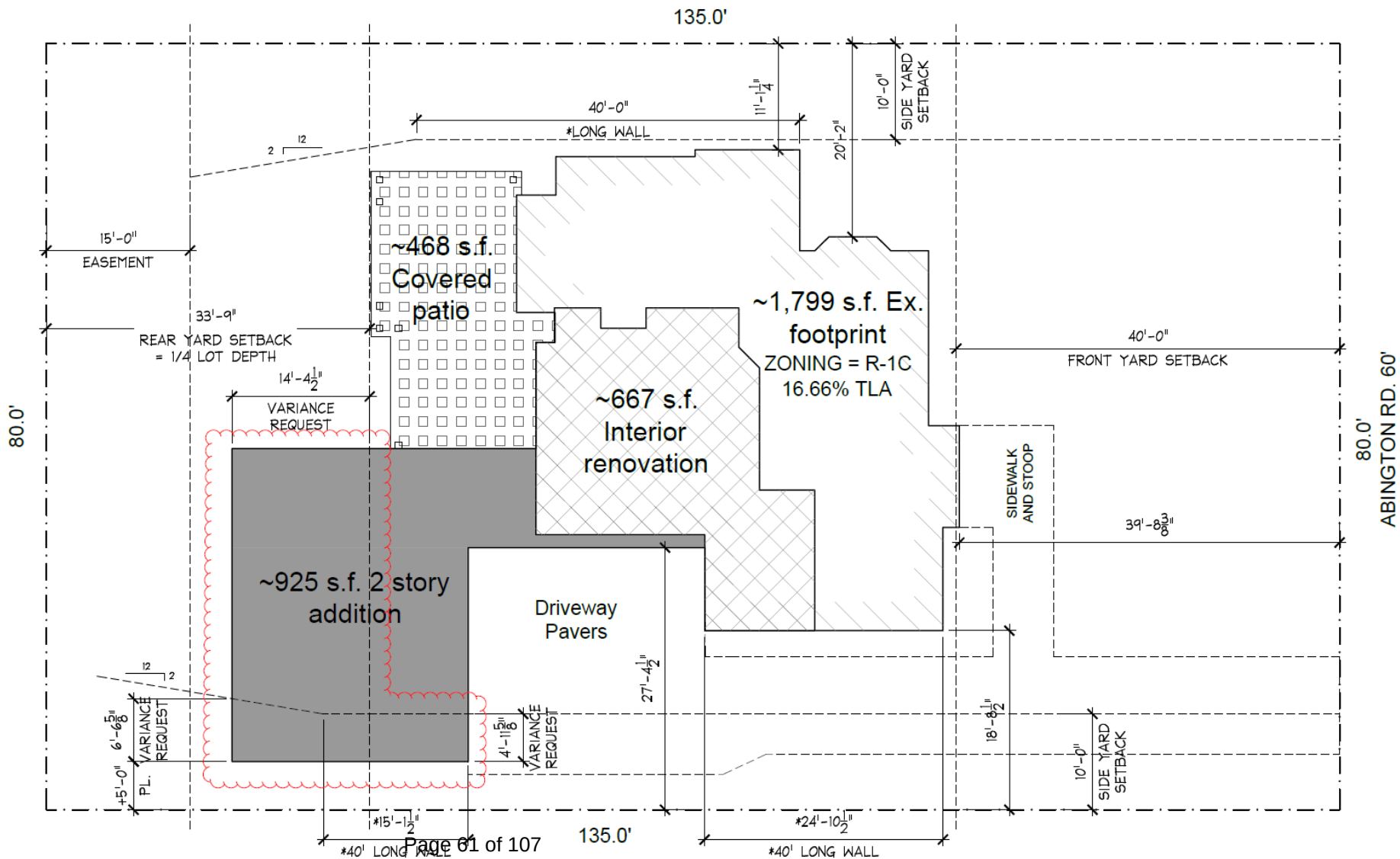
BZAP Staff Report Pictures



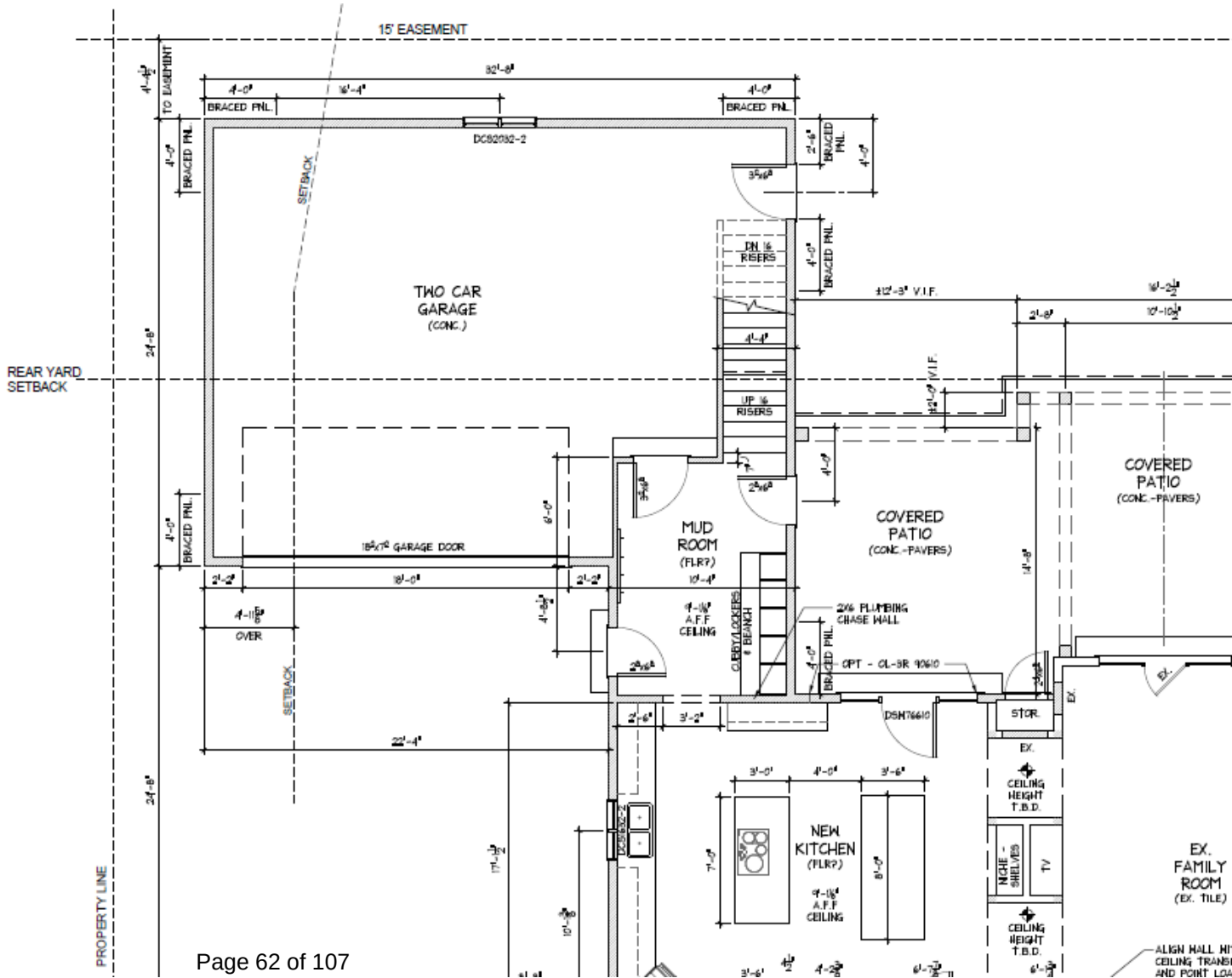
Google Maps ® Aerial – Looking North

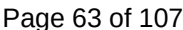


Proposed Site Plan

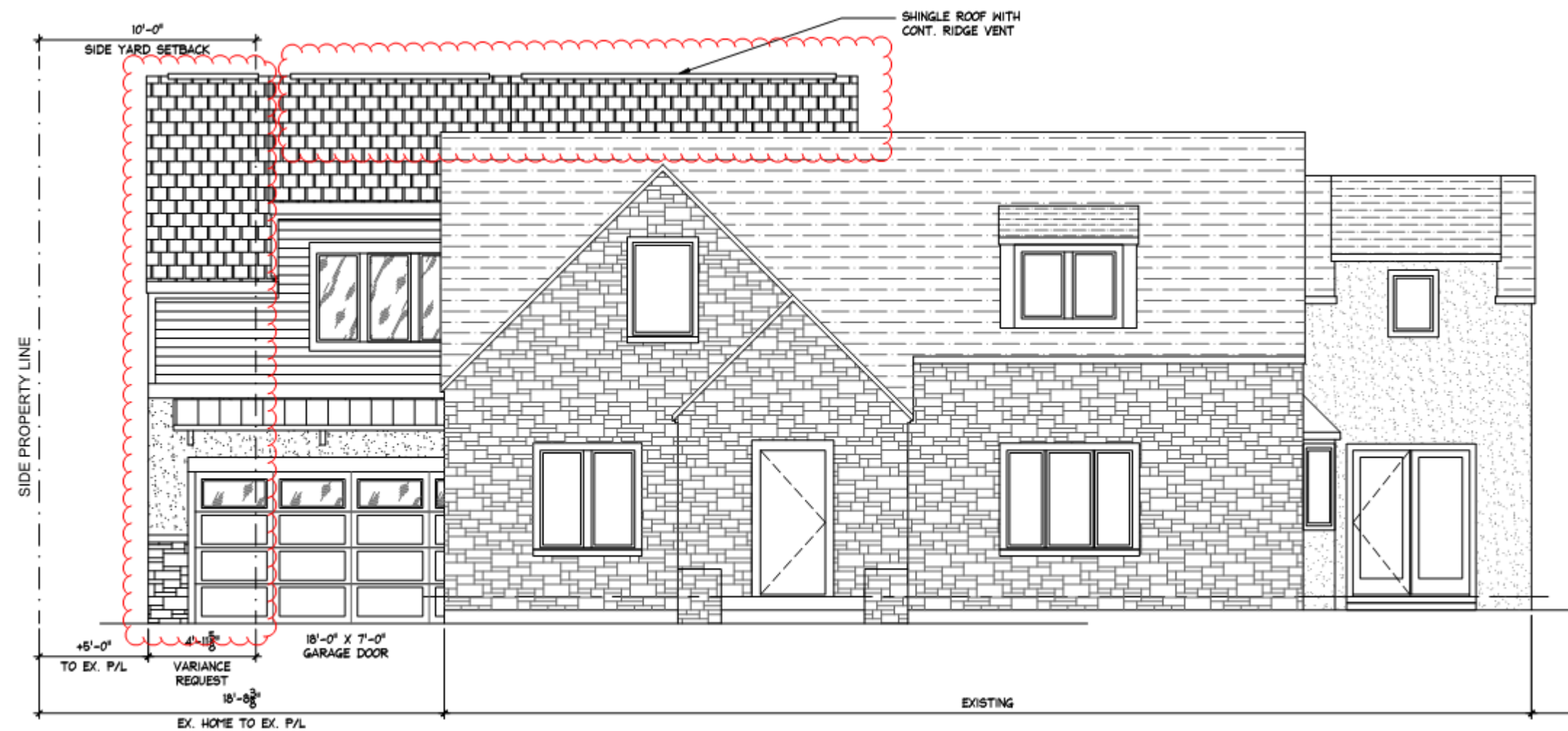


Proposed First Floor Plan

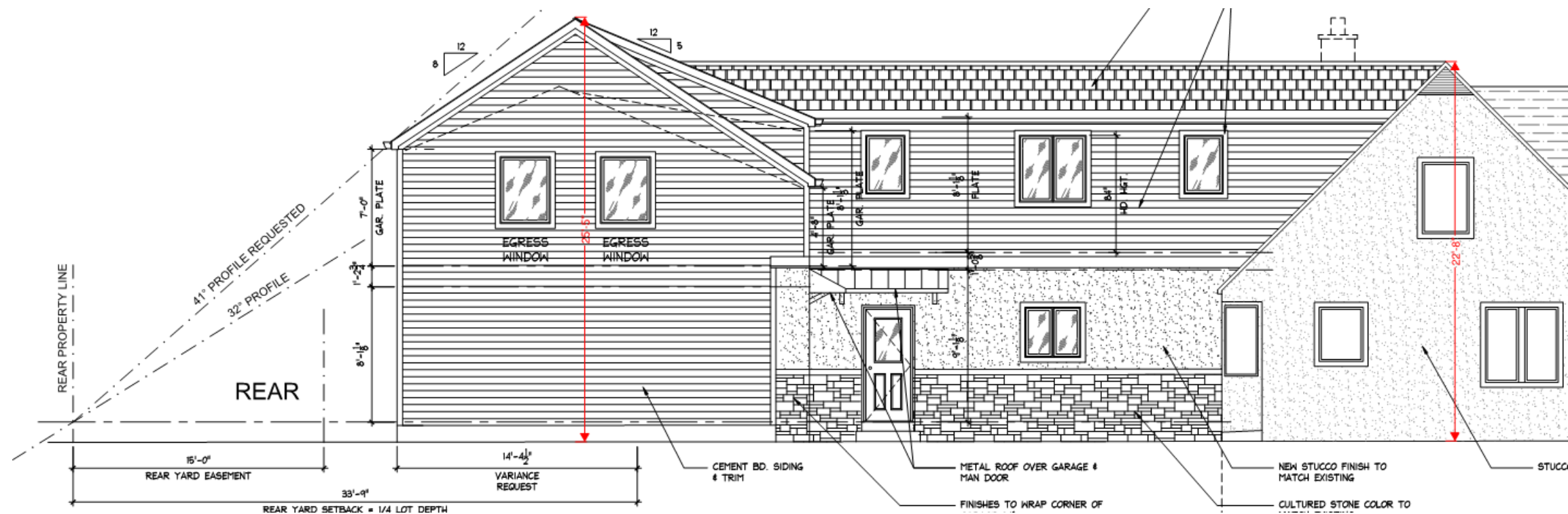




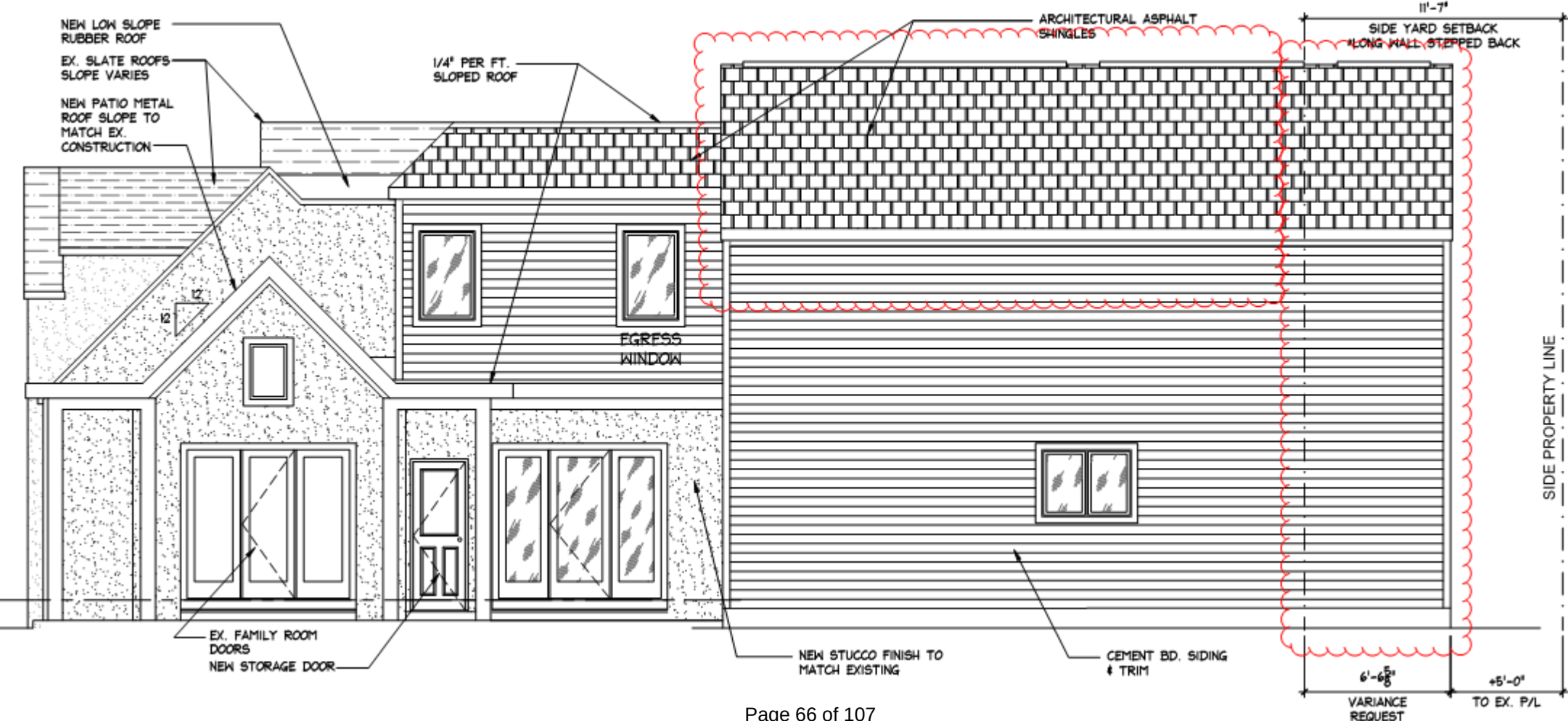
Proposed Front Elevation



Proposed Side Elevation



Proposed Rear Elevation



Existing Abington Road Elevation



Existing Rear Yard





Authors: Justin Milam, AICP, Senior Planner

BZAP Meeting Date: May 3, 2023

Subject: OR-28-2023: Review and recommendation to City Council of proposed amendments to the Unified Development Ordinance (UDO) relating to minor subdivisions/lot splits.

Overview

These proposed UDO amendments are a follow-up from the April BZAP meeting, where the Board recommended changes (in blue) to the proposed ordinance. These changes include: revising the definition of prominent characteristics, increasing the timing of the notice, and increasing the radius of the notice. An adjustment to the Board's duties was also added to reflect the approval role of minor subdivisions. No other changes have been made since the April BZAP meeting.

Zoning Code Requirements

Any proposed UDO amendments need a recommendation from the Board to City Council. Staff respectfully requests that the Board supply a positive recommendation of these amendments to City Council. Any recommendation will be heard by Council in late May and June.

Attachments

1. Draft UDO Amendments - Lot Splits 04.20.23 Post BZAP
2. BZAP Staff Report - 4.19.23
3. BZAP WS Summary - Lot Splits - April 2023



§ 2 DEFINITIONS

Prominent Characteristics: means the easily noticeable and recognizable qualities that are comparable to the neighborhood, are consistent between buildings, homesites, and parcels, and indicate a common identity. Examples include: building style, building location, exterior materials, lot size and shape, amount of greenspace, etc.

Street Segment: means both sides of the street within two intersecting streets.

Subdivision minor: means a division of a parcel of land that is approved by the Director of Community Development BZAP and does not require a plat to be approved by BZAP City Council. A minor subdivision includes a division of a parcel of land along an existing public street or road, and not involving the opening, widening, or extension of any street or road, and involving not more than five (5) lots, any one of which is less than five (5) acres, after the original tract has been completely subdivided.

§ 3.02 BOARD OF ZONING AND PLANNING.

- (B) *Powers and duties:* For the purposes of this UDO, BZAP shall have the following powers and duties:
- (1) To recommend to City Council a master plan for the physical development of the City;
 - (2) To recommend to City Council final plats, amendments to the UDO and the official zoning map;
 - (3) To make decisions on conditional uses, major site plans, variances, preliminary plans, and minor subdivisions;
 - (4) To decide appeals of administrative decisions of the Director of Community Development;
 - (5) To approve proposed uses that are not listed as substantially similar to a permitted or conditionally permitted use listed in the UDO;
 - (6) To assist with the implementation of the principles, goals, and strategies of the master plan;
 - (7) To grant variances to the standards of the UDO;
 - (8) To complete design reviews;
 - (9) To issue certificates of economic hardship; and
 - (10) To approve historic demolition permits.

§ 4.05 DEVELOPMENT APPROVALS: CATEGORIES AND CRITERIA.

- (A) *General requirements:* The following table summarizes the development approvals permitted under the UDO. The subsequent sections of the UDO define the applicable approval processes and submittal requirements.

Table 4-A: Development Approvals

Request	UDO Permit(s) Required Before Construction	Submittal Requirement	Approval Authority	Initial Appeal/Review Body
Subdivision—Minor	Building Permit after Minor subdivision approval	Minor subdivision application	Director of Community Development BZAP	BZAP Court of common pleas

BZAP = Board of Zoning and Planning.

CZC = Certificate of zoning compliance.

(P) *Subdivision - Minor*: A minor subdivision or lot split is a division of a parcel of land that is approved by the Director of Community Development BZAP and does not meet the definition of a subdivision major requiring a plat approval. Lot line adjustments that meet all the requirements of the UDO can be approved by the Director of Community Development and do not require review by BZAP.

- (1) *Standards for approval*: The following standards shall be considered in the review of minor subdivision applications:
 - (a) The proposed subdivision is not contrary to the applicable standards of the UDO, including Article 7.17;
 - (b) The proposed subdivision lot width and lot size of all proposed lots shall be in harmony meet or exceed both the lot width and lot size of the median measurements of the lots on the street segment and with have adequate area to accommodate the building area and other site requirements. For a proposed minor subdivision of a lot on the corner of a street segment, the proposed lots must meet the median measurements of both the street segments that comprise the corner lot;
 - (c) The property has been surveyed and an acceptable sketch, legal description and other information relating to the property has been submitted with the application;
 - (d) The proposed lots have been approved for access management by the City Engineer and stormwater management;
 - (e) The proposed lots have been approved for stormwater management by the City Engineer; and
 - (e) The proposed lots have been approved relative to emergency access by the Fire Division.

§ 4.06 DEVELOPMENT APPROVALS: PROCEDURE.

(C) *Approvals by BZAP:* The following outlines the procedure under which BZAP decides development approvals:

- (1) *Preapplication meeting:* The applicant shall meet with the Director of Community Development prior to submitting an application. The purpose of the meeting is to discuss the proposal and to provide feedback regarding applicable standards and requirements.

Prior to an application being placed on a formal BZAP meeting agenda, excluding the informal Work Session, the City Manager or Community Development Director may require the applicant to hold a neighborhood meeting. The applicant shall invite the property owners within 300 feet of the proposed development site to the meeting, as well as neighborhood associations or groups as applicable. This meeting is informational only and to provide an opportunity to make those property owners and interested parties aware of the proposed application. At a minimum, a proposed site plan shall be displayed. This meeting is not meant as a substitute for BZAP's public hearing on the application, but does allow those parties to offer feedback to the applicant to help resolve issues in advance of any formal public hearings on the application. The applicant must submit documentation to the Community Development Department that sufficient notification was given to those property owners and neighborhood group or association and confirmation that the meeting was held. The applicant shall share the outcome of this meeting with Staff and provide that information at the public hearing.

- (2) *Review by BZAP:* The applicant is encouraged to meet with BZAP prior to submitting an application. The purpose of the work session is to provide feedback regarding the applicant's proposal and to outline submittal requirements. At the applicant's request, the Director of Community Development will place the informal proposal on the work session agenda.
- (3) *Formal application submittal:* The applicant shall submit an application meeting all of the applicable requirements of the UDO. This shall occur consistent with the meeting and submittal schedule established by BZAP. Zoning map amendment **and minor subdivision** applications shall be submitted seven (7) days prior to the date noted on this schedule.
- (4) *Application certification by Director of Community Development:* Upon receipt of an application, the Director of Community Development shall, within five (5) working days, review the application as to completeness. If it is incomplete, the Director of Community Development shall advise the applicant of the deficiencies and shall not process the application until the deficiency is corrected. If it is complete, the Director shall forward the application to the TRC, if applicable.
- (5) *Preparation of agenda and public notice:* Following certification that an application is complete, the Director of Community Development shall place the application on the agenda of BZAP's formal meeting.

Notice of the hearing shall be posted on the City's website and in a conspicuous location at the municipal services center. Notice shall be posted at least ten (10) days before the date of the hearing. The notice shall state the time and place of the hearing and a summary of the proposed agenda.

The applicant shall provide notice to owners of all property within one hundred (100) feet of the subject area by certified mail, at least twenty-one (21) days before the date of the hearing, addressed to the owners appearing on the County Auditor's current tax list and to such other list or lists as verified by staff. Notice for minor subdivision applications, with the exception for lot-line adjustments that can be approved by the Director of Community Development, shall be sent to those owners located within three hundred (300) feet.

As an alternative to certified mail delivery, such notice may be hand-delivered, with proof of delivery confirmed by a written receipt of such notice signed in-person by the owner(s) of each property subject to this notice requirement. Hand delivery of the notice must be completed at least twenty-one (21) days before the date of the hearing.

The application, staff recommendation and associated material shall be on file for public examination in the office of the Director of Community Development and on the City website.

- (6) *Review by TRC:* At the Director's discretion, the members of the TRC may review the application at a meeting and provide comments within five (5) days to the Director of Community Development.
- (7) *Preparation of staff report:* The director of Community Development shall prepare its staff report providing an analysis of the proposal and a recommendation. The director shall consider comments from the TRC in formulating its recommendation. The application and written report shall be forwarded to BZAP two (2) calendar days prior to the meeting at which BZAP will consider the application.
- (8) *Action by BZAP:* BZAP shall consider the application at its formal public meeting. It shall consider comments by staff as appropriate, a presentation by the applicant, and comments by interested parties. BZAP shall consider this information and render a decision at the public meeting. If requested by staff, BZAP can continue the hearing for no more than sixty (60) days, at which time it shall render a decision. If requested by the applicant, BZAP can continue the hearing for no more than one hundred eighty (180) days, at which time it shall render a decision. In rendering a decision, BZAP shall consider the applicable decision criteria of this UDO. BZAP shall approve, approve with conditions or deny an application. Its decision shall take effect immediately.
- (9) *Appeal:* The decision by BZAP can be appealed to the City Council per Subsection 4.10(C).

Table 5-E: Residential Building Area, Density and Setback Standards
Building Area, Density and Setback

District				Maximum Number of Stories ⁵	Net Lot Area (in square feet) ⁵	Lot Area per Dwelling Unit	Net Density	Min Lot Width ⁵	Front Yard Setback ⁵	Min Side Yard Width ^{4,5}	Side Yard Sum ⁵	2Rear Yard Depth ⁵	Least Rear Yard Profile Coeff. (degree angle from rear property line; feet of rise in each 12 feet of run)
R-S	R-Sa	Res.		2.5	130,680			150	80	20	40	60	20; 4.3
		OPU ³						200		25	50		
		Churches						150					NA
	R-Sb	Res.		2.5	87,120			150	60	20	40	60	21.8; 4.8
		OPU ³			130,680			200		25	50		
		Churches			87,120			150		25	50		NA
	R-Sc	Res.		2.5	43,560			150	40	12	30	50	24; 5.3
		OPU ³			130,680			200		15	35		
		Churches			43,560			150		25	50		NA
	R-Sd	Res.		2.5	21,780			125	40	12	30	50	27.7; 6.3
		OPU ³			130,680			200		15	35		
		Churches			43,560			150		25	50		
R-1		All Churches		1 to 2.5	16,000	NA	NA	100	40	15	30	40	NA
	R-1a	Res.		1&1.5	15,000	15,000	2.9	90	40	10	20	40	29; 6.6
				2&2.5						12	26		
		OPU		1&1.5	40,000	40,000	1.09	150		15	35		
				2&2.5						17	40		
	R-1b	Res.		1&1.5	12,000	12,000	3.63	90	40	10	20	40	30.4; 7
				2&2.5						12	26		
		OPU f		1&1.5	40,000	40,000	1.09	150		15	35		

				2&2.5						17	40		
	R-1c	interior lot ≥ 75 width		1 to 2.5	9,000	9,000	4.84	75	40	10	20	40	32; 7.5
		pre-1995 corner lot ≥ 75 width										10	
		pre-1995 corner lot < 75 width			NC	NC	NC	NC		8	16	8	
		pre-1962 < 75 width										40	
		pre-1962 ≤ 60 width											
		OPU ³		1&1.5	40,000	40,000	1.09	150		15	35		
				2&2.5						17	40		
R-2	R-2a	1 Family		1&1.5	9,000	9,000	4.84	75	40	8	16	30	32; 7.5
				2&2.5							20		
		2 Family		1&1.5		4,500	9.68				16		
				2&2.5							20		
		3 Family		1&1.5	12,000	4,000	10.89					40	
				2&2.5						10	22		
		4 Family		1&1.5	16,000			100		12	28		
				2&2.5									
		<2 BR		1 to 2.5	12,000	3,000	14.52					30	
		OPU ^s		1 to 2.5	20,000	NA	NA						
	R-2b			Same as R-2a									
R-3	R-3A	1 Family	1&1.5		9,000	9,000	4.84	75	40	8	16	30	32; 7.5
			2&2.5								20		
		2 Family				4,500	9.68				16		
			2 & 2.5								20		
		Multi Family	1&1.5		12,000	4,000	10.89	100			22		
			2&2.5							10	28		
		<2 BR			NA	3,000	NA	NA	NA	NA	NA	NA	NA

		OPU ³	1 to 2.5		10,000	NA		100	40	12	28	NA	32; 7.5
	R-3B	1 Family	1&1.5		9,000	9,000	4.84	75	40	8	16	30	32; 7.5
											20		
		2 Family	1&1.5			4,500	9.68				16		
			2&2.5								20		
		Multi Family	1&1.5		10,000	4,000	10.89	100		10	22	25	
			2&2.5							12	28		
			3&3.5										
		<2 BR	1 to 3.5		18,000	3,000	14.52					30	
		OPU ³	1 to 2.5		10,000	NA	NA						

See Article 2, Profile Coefficient Definition.

² Dimension Stated, or ¼ of the lot depth, whichever is less .

³ OPU is Other Permitted Uses.

⁴ For elevations longer than 40 feet, see Article 2, Side Yard Increased.

⁵ Lot dimensions, setbacks, and stories are subject to neighborhood compatibility standards in Article 7.17.

§ 7.17 RESIDENTIAL DESIGN STANDARDS.

(A) *Purpose and intent:* The purpose of these standards is to encourage residential investment and infill redevelopment to maintain and expand the property values in Upper Arlington, while also protecting the character of the residential neighborhoods by ensuring that new development blends in and is compatible with existing and prominent neighborhood characteristics. These standards are in addition to all other standards and requirements of the Unified Development Ordinance.

(B) *Applicability:* The following standards apply to the design of new single-family homes, ~~major additions that exceed fifty percent (50%) of the total existing square footage, second story additions, additions over 1,000 square feet, detached garages over four hundred (400) square feet in area,~~ any proposed modification of a Contributing Structure whereby its historical significance is materially compromised, and ~~newly created or modified parcels in~~ the proposed creation of new parcels or the modification of existing parcels, whether by minor subdivision (lot split) or otherwise.

(1) *Neighborhood compatibility:* The proposed design shall be consistent and compatible with prominent characteristics existing on the street segment ~~in the neighborhood, with particular consideration and focus on the characteristics existing on the same block (both sides of the street within two intersecting streets) or cul-de-sac as the subject property.~~ Such characteristics include: parcel or homesite lot width, and lot size, and ~~configuration,~~ architectural style and materials, heights and massing, front yard setbacks, roof pitch and shape, garage location, amount of impervious surface, and other defining features of the ~~neighborhood and with an emphasis on the block~~ street segment.

Secondary areas of focus may be considered by the Community Development Director when prominent characteristics are not readily present. This secondary area of focus includes the entire subdivision, or, if the lot is unplatted, an additional street segment in each direction from the subject street segment. Adjacent properties sharing a common property line that are in a different subdivision plat, but in the same zoning district, will be considered in the review for compatibility.

Review for compatibility shall be based on all characteristics.



New infill single-family homes shall be consistent with neighborhood characteristics.

(2) *Elevations and floor plans:* Houses with identical or similar building elevations and/or floor plans shall not be located on adjacent lots or directly across the street from each other. Hip roof forms, or similar roof forms or designs, and/or varied upper floor setbacks should be used to break-up overall massing, where appropriate. Where existing adjacent homes have lower massing profiles, roof forms and designs with lower profiles should be employed, and should be set back from existing wall planes. The height of new homes and proposed additions should be compatible with the other

homes in the neighborhood, with particular consideration and focus on homes on the same block and with the totality of the other applicable design standards required under the Unified Development Ordinance. Number of stories, size of the lot, and proposed distance from neighboring homes may be considered in determining compatibility.

- (3) *Façade articulation:* Building façades shall be articulated through the use of color, arrangement, or change in materials to emphasize the façade elements. The planes of the exterior walls may be varied in height, depth or direction. Design elements and detailing shall be continued completely around the structure; blank elevations are prohibited. Such design elements shall include window treatments, trim detailing, and exterior wall materials.
- (4) *Privacy:* The location of the house on the lot, windows, orientation, building height, and location of on-site open spaces must be designed in such a manner as to preserve the privacy of existing adjacent homes and development. Second floor balconies proposed adjacent to an existing one-story single-family home shall be set back at least double the minimum side yard setback.
- (5) *Snout houses:* The front elevation of new homes shall not be dominated by attached garages. Where possible the garages of new homes shall be side- or rear-loaded.
- (6) *Notification:* The **Director of Community Development** and property owner shall **separately** provide written notice of ~~the pending construction~~ **a Building Permit application submitted for a proposed new single-family residence** of a new single-family residence to all property owners within ~~100~~ **200** feet of the subject property. Such notice shall be hand-delivered or sent by postal mail prior to the ~~submittal~~ **zoning review** of a Building Permit application. ~~Proof of notification shall accompany the Building Permit application.~~ **Signage will be conspicuously placed at the site by the City for enhanced awareness of the permit and imminent construction.**
- (7) *The Director of Community Development (or designee) may request additional information in order to determine compliance with these standards, including but not limited to:* Streetscape renderings with adjacent homes, field specific measurements or material samples.
- (8) *Third-party Architectural Review:* Upon the submission of a Building Permit application, the Director of Community Development (or designee) may forward a copy of the proposed site plan and elevations to a third-party architectural design firm, to be assigned by the City Manager, for review. The third-party architectural design firm shall review the proposed plans and provide the Director of Community Development a recommendation as to compliance with these standards, which may include recommended changes to the plans so that compliance can be achieved. Such recommendations are not binding, but may be considered by the Director of Community Development in determining compliance with these standards.

Any individual entitled to notice pursuant to subsection (B)(6), and any individual who submits a Building Permit application, may request that the Director of Community Development refer such proposal to the third-party architectural design firm for review and recommendations as to compliance with these standards. The Director of

Community Development shall determine if such third-party architectural review is necessary.

- (9) *Director of Community Development Determination:* Upon review of all materials submitted, including any additional information provided pursuant to subsection (B)(7), and including any recommendations (if any) from the third-party architectural design firm, as described in subsection (B)(8), the Director of Community Development shall determine compliance with these standards.
- (10) *Appeal to BZAP:* If the Director of Community Development (or designee) determines that these standards are not met by the Building Permit application (or by preliminary review), the applicant may appeal such determination to the Board of Zoning and Planning (BZAP). If an appeal is filed, the applicant shall notify all property owners within 100 feet of the subject property of the time and place of the hearing at least 10 days prior to the hearing. The notice provided under this section is for informational purposes only. Receipt of the required notice under this section does not make the recipient an Aggrieved party and does not confer any right to participate in the appeal to BZAP or to appeal any decision of BZAP on such appeal. Only persons meeting the definition of "Aggrieved" in UDO Section 2.02 shall be considered Aggrieved.
- (11) *Street Trees:* For all new homes, street trees shall be installed per Article 6.07, which requires one street tree to be planted (or retained) for each 25 feet of lot frontage. All existing on-site healthy trees shall be preserved to the fullest extent reasonable, unless directed otherwise by the City Forester.



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

From: Chad D. Gibson, AICP, Community Development Director
(614-583-5074, cgibson@uaoh.net)

Prepared for Meeting Dated: Wednesday, April 19, 2023

Subject: Proposed amendments to Unified Development Ordinance (UDO) Articles 2, 4.05 and 4.06 pertaining to minor subdivisions (lot splits). Ordinance No. 28-2023

Action Requested: Positive recommendation to City Council

Master Plan Objective: **Land Use**
D9 / Improve land use management within City government

Executive Summary

These Unified Development Ordinance (UDO) amendments are proposed largely in response to recent community input on minor subdivision (lot split) requests. In most cities, lot splits are permitted ‘by right’ without approval from a zoning board or Council, as long as underlying zoning standards are met and there are no plat or deed restrictions limiting further subdivision. However, as the Board may recall, there have been several recent minor subdivision applications, such as on Hillview Drive, Fairfax Drive and Riverhill Road, which have generated robust neighborhood interest. Several of these lot split applications have been appealed and are in various stages of litigation. *[The proposed code changes are primarily procedural in nature and do not prohibit lot splits.]*

These proposed code changes would amend UDO Articles 2, 4.05 and 4.06 to require BZAP review of all minor subdivision applications, instead of the current administrative review process. Lot line adjustments, where no new lots are being created, would remain an administrative process. Definitions of the terms Prominent Characteristics and Street Segment are being added to UDO Article 2 for enhanced clarity. Notification for minor subdivisions would include a 200-foot radius from the subject property.

Ordinance Review Schedule

These proposed UDO amendments were introduced to the Board at the April 5, 2023 Work Session, where comments were fully supportive with no substantive changes requested. Staff proactively emailed various community groups, builders and interested parties of these proposed amendments on April 11, 2023 (see attached comments). The Board is being asked to hear public testimony, then deliberate and make a formal recommendation at the April 19, 2023 BZAP meeting. City Council is tentatively scheduled to hold public hearings on these proposed code amendments at their June 5, June 12 and June 19, 2023 meetings.



These proposed code changes would require public review of all lot split applications, ensuring that neighbors are notified and have a venue to express their views without having to file an appeal. While the current process has been in effect for several years and has not produced extreme or overtly negative results, Staff believes these changes will make the process more transparent for neighbors, and would eliminate lot split appeals from going to BZAP. The enhanced notification radius will ensure that immediately impacted neighbors are aware of proposed changes in their area.

Alternatives

Staff has provided a list of alternatives in the event that the Board does not support these code amendments.

- 1) Keep the code 'as-is' (*negative recommendation to Council*)
- 2) Revise the code language to prohibit all lot splits (*vote to postpone and direct Staff to research and amend the ordinance*)
- 3) Create a separate review board to review all lot splits (*vote to postpone and direct Staff to research and report back to the Board*)
- 4) Eliminate compatibility requirements for lot splits so that as long as the minimum zoning standards are met, the split would be approved (*vote to postpone and direct Staff to research and report back to the Board*)

Attachments

1. Draft UDO Amendments
2. Links to existing UDO Articles [4.05](#) and [4.06](#)
3. Comments on proposed UDO amendments from Randy Walters, 4137 Clairmont Road



Author: Chad D. Gibson, AICP, Community Development Director

BZAP Meeting Date: Wednesday, April 5, 2023

Subject: Informal review of proposed UDO Amendments pertaining to minor subdivisions (lot splits) - *Ordinance No. 28-2023*

Overview

These Unified Development Ordinance (UDO) amendments are essentially proposed in response to community input on minor subdivision (lot split) requests. In most cities, lot splits are permitted 'by right' without approval from a zoning board or Council, as long as underlying zoning standards are met and there are no plat or deed restrictions limiting further subdivision. However, as the Board may recall, there have been several recent minor subdivision applications, such as on Hillview Drive, Fairfax Drive and Riverhill Road, which have generated robust neighborhood interest. Several of these lot split applications have been appealed and are in various stages of litigation.

These proposed code changes would amend UDO Articles 4.05 and 4.06 to require BZAP review of all minor subdivision applications, instead of the current administrative review process. Lot line adjustments, where no new lots are being created, would remain an administrative process. Notification for minor subdivisions would include a 200-foot radius from the subject property.

Ordinance Review Schedule

After introduction and informal discussion of these proposed UDO amendments, any recommended changes will be incorporated, then a final version and report will be provided to the Board at the April 19, 2023 BZAP meeting, where a formal recommendation vote is respectfully requested. City Council is tentatively scheduled to hold public hearings on these proposed code amendments at their June 5, June 12 and June 19, 2023 meetings.

Alternatives

These proposed code changes would require public review of all lot split applications, ensuring that neighbors are notified and have a venue to express their views without having to file an appeal. While the current process has been in effect for several years and has not produced extreme or negative results, Staff believes these changes make the process more transparent for the neighborhood and eliminate lot split appeals from going to BZAP.

Attachments

1. Draft UDO Amendments
2. Links to existing UDO Articles [4.05](#) and [4.06](#)



Authors: Justin Milam, AICP, Senior Planner

BZAP Meeting Date: May 3, 2023

Subject: OR-30-2023: Informal review of proposed amendments to the Unified Development Ordinance (UDO). *[These are additions from those recommended to City Council by the Board in August 2022.]*

Overview

These proposed UDO amendments are a follow-up from the August 2022 BZAP meeting, where the Board recommended the changes (in yellow) to City Council. Since that time, additional amendments have been recommended by Staff (in blue) for the Board to consider. These changes are largely administrative and clean-up in nature.

Zoning Code Requirements

Any proposed UDO amendments need a recommendation from the Board to City Council. At the upcoming May BZAP hearing, Staff will request a recommendation from the Board. Any recommendation will be heard by Council in late May and June.

Attachments

1. City Council - Misc. UDO Amendments - TBD





To: Members of Upper Arlington City Council

From: Chad Gibson, AICP, Community Development Director
(cgibson@uaoh.net) and
Justin Milam, AICP, Senior Planner (jmilam@uaoh.net)

Prepared for Meeting Dated: May 17, 2023

Subject: Proposed miscellaneous amendments to Unified Development Ordinance (UDO). Ordinance No. 30-2023

Action Requested: Approval

Master Plan Objective: **Land Use**
D9 / Improve land use management within City government

Executive Summary

These proposed amendments to the Unified Development Ordinance (UDO) include an assortment of miscellaneous revisions to all parts of the code. Staff maintains a list of potential code changes based on administrative observations and/or changes in the planning field. Per the direction of the City's Master Plan, Staff regularly brings potential UDO amendments to the Board of Zoning and Planning (BZAP) and City Council for their review and consideration. The Board recommended that Council consider these UDO amendments on August 17, 2022 (in yellow); minor revisions have been made since and subsequently informally reviewed by BZAP (in blue). These proposed code changes include:

- 1) Update the Residential Use, Home Occupation and Recommended Landscaping tables as they are outdated;
- 2) Updates to accessory structures, including the combination of patio shelters like pergolas, trellises and gazebos to be more consistent. Also allows for detached habitable spaces like home office, studio or gym;
- 3) Eliminates certain restrictions on front porches, allowing for more design flexibility;
- 4) Increases the square footage limit on accessory structures, a recommendation from the River Ridge Planning Study several years ago;
- 5) Clarifies area of influence for neighborhood compatibility; and
- 6) Provides guidance on request for the continuance of an appeal filed.

Code Text Overview

The applicable code text is provided below with additions underlined and highlighted, and deletions in strike-through.



Article 2 Definitions

Bank, finance and loan offices: Banking, financial or loan facilities that house the offices of professional banking, financial or loan personnel that do not include tellers, ATMs or drive-throughs, and are not open to the general public. They are often located on the upper floors of a multi-story building.

Bank, retail: A banking operation that includes personal and/or business banking services, such as deposits, withdrawals and loans, and that is open to the public. A retail bank generally has tellers, ATMs and/or drive-throughs, and are located on the first floor of a building, typically by itself.

Automobile service: means any building, structure, or land used primarily for the dispersal, sale, or offering for the cleaning and washing of automobiles or the sale of automotive fuels, oils, or accessories, including lubrication of automobiles and replacement or installation of minor parts and accessories, but not including repair work, such as motor replacement, rebuilding, body and fender repair, or painting. Automobile storage shall not be considered an automobile service.

Development cover (also Impervious Cover): means the amount of the lot area occupied by all principal and accessory structures, driveways, parking lots, decks, sidewalks, patios, swimming pools, athletic courts, permeable surface areas and any other permanent impervious development on the lot. Gravel and grass pavers do not count toward development cover.

Rationale: Clarification of the definition of certain uses.

§ 4.05 DEVELOPMENT APPROVALS: CATEGORIES AND CRITERIA.

- (D) *Certificates of zoning compliance (CZC):* The certificate of zoning compliance shall demonstrate that an approved development complies with the requirements of the UDO. No building or other structure shall be erected, constructed, re-constructed, enlarged, moved or structurally altered, nor shall any excavation or site improvements be commenced, until the following has occurred:
- (1) The owner of the property involved or a person having an interest in such property and acting under written authority of the owner has applied for a certificate of zoning compliance (CZC);
 - (a) For applications requesting that a CZC be issued for an in-law suite, the property owner submitting the application shall be required to submit an affidavit, upon penalty of perjury and falsification, attesting that the in-law suite will satisfy all of the factors set forth in this definition. This affidavit shall be completed on a form prepared by the city. The affidavit shall serve as a covenant that touches and concerns the land and is intended to be enforceable by the city against successors to the property owner;
 - (2) The application for a CZC shall include the submittal of a site plan as defined here;
 - (3) The Director of Community Development shall review and approve a CZC; and
 - (4) The Director of Community Development has issued the zoning certificate following approval of the site plan.

A CZC shall become void at the expiration of one (1) year after the date of issuance unless construction has begun. If no construction has begun or the use has changed within one (1) year of the date of the certificate, a new application and certificate shall be required. Construction is deemed to begin when all



necessary excavation and piers or footings of one (1) or more principal buildings included in the plan have been completed. The submission of a CZC would not satisfy the zoning review approval after BZAP has approved a development plan or major site plan, as this can only occur via Building Permit.

Rationale: Clarification of when CZC's apply.

Article 4.07

(G) *Development plan:* The following outlines the submittal requirements for preliminary and final development plan. Relative to the approval process, each preliminary and final development plan must be approved through the same process.

- (3) *Effect of approval:* The approval of a preliminary development plan shall be for a period of two (2) years to allow for the submission of a final development plan application before it shall become voided. The final development plan or amendment thereto, as approved by BZAP, shall constitute an administrative act as it applies to the land included in the approved amendment. Detailed site plan approval is assured based on good faith compliance with the approved development plan. The approval of a final development plan or amendment thereto shall be for a period of two (2) years to allow for the submission of a zoning compliance issuance of a Building Permit. Unless the required Building Permit zoning compliance is properly issued within the two-year period, and construction commences within six months of permit issuance (or any authorized or approved permit extensions), the approval shall be voided and a new final development plan shall be required, unless an application for time extension is submitted and approved by BZAP.

Rationale: Clarification of when Development Plans expire.

§ 4.07 DEVELOPMENT APPROVALS: SUBMITTAL REQUIREMENTS.

(J) *Landscape plan—~~Major~~:* A ~~major~~ landscape plan prepared by a landscape architect (or experienced professional) shall be submitted to the Director of Community Development to coordinate review by city departments. Proposed landscape treatment shall be indicated on the ~~major~~ landscape plan and shall not be shown on any separately required major site plan. Landscape plans shall be submitted with major site plans and development plans as required in Section 4.07(O) and 4.07(G). Each landscape plan shall be drawn to scale, show the placement of individual plants and include the following information:

- (1) Project name and address;
- (2) Project owner's name, address and telephone number;
- (3) Name, address and telephone number of landscape architect;
- (4) Distance from the property to nearest intersecting street;
- ~~(5) Signature panel for the Director of Community Development;~~
- (6) North arrow, scale (1"=20' preferred, no scale smaller than 1"=40'), date and/or date of revisions;
- (7) A notation stating, "This landscape plan has been reviewed and approved by the owner/responsible agent who understands that any changes, substitutions, or deletions may require review and approval by the responsible reviewing authority";
- (8) The species (common name and botanical name), location and crown spread to scale of all trees existing on the site prior to construction with a caliper of six (6) inches or greater at common breast height. An indication of which trees are to be retained and which are to be removed, including a plan for how those to be retained will be preserved;



- (9) Existing and proposed buildings and accessory structures to include existing and proposed signs;
- (10) Zoning ~~district boundaries and zoning~~ designations of the site and adjacent properties;
- (11) Parking and loading spaces showing all required wheel stops, curbs, driveways, landscape screening, parking lot landscaping, and sidewalks or other pedestrian paths;
- (12) All sight triangles;
- (13) Location, width and names of all existing/proposed streets and watercourses;
- (14) All easements (provide dimensions and purpose);
- (15) Location of all existing and proposed utilities, both overhead and underground;
- (16) Principal buildings, streets (public and private), right-of-way lines and property lines;
- (17) Location and type of trash disposal and details of screening;
- (18) Location, height, type and material of all fences, walls, screen planting and landscaping details of all buildings and grounds. Show each individual plant on the plan;
- (19) Location of all ground mounted heating, ventilating and cooling equipment;
- (20) Location of all transformers;
- (21) Square footage measurements of the total site, building, parking and hard surface areas, and landscape areas. Show percentage of landscape area for the total project. For parking spaces, show percentage of interior landscape area;
- (22) Dimensions and distances of landscape strips as required in Section 6.07;
- (23) Landscape notes indicating the following:
 - (a) All landscaping materials shall meet the minimum specifications and standards described in the American Standard for Nursery Stock, 1986 or as may be amended, published by the American Association of Nurserymen, 1250 I Street, N.W., Suite 500, Washington, D.C. 20005; and
- (24) Grading plan, including mounding, and topographical lines at one-foot intervals.

~~(K) Landscape plan – Minor: A minor landscape plan prepared by a landscape architect shall be submitted to the Director of Community Development to coordinate review by city departments. Proposed landscape treatment shall be indicated on the minor landscape plan and shall not be shown on any separately required minor site plan. Landscape plans shall be submitted with minor site plans as required in Subsection 4.07(P). Each landscape plan shall be drawn to scale, show the placement of individual plants and include the following information:~~

- ~~(1) Project name and address;~~
- ~~(2) Project owner's name, address and telephone number;~~
- ~~(3) Name, address and telephone number of landscape architect;~~
- ~~(4) An indication of which trees are to be retained and which are to be removed, including a description of how those to be retained will be preserved;~~
- ~~(5) Existing and proposed buildings and accessory structures to include existing and proposed signs;~~
- ~~(6) Parking and loading spaces showing all required wheel stops, curbs, driveways, landscape screening, parking lot landscaping, and sidewalks or other pedestrian paths;~~
- ~~(7) All site triangles;~~
- ~~(8) Location of all existing and proposed utilities, both overhead and underground, and easements;~~
- ~~(9) Principal buildings, streets (public and private), right of way lines and property lines;~~
- ~~(10) Location and type of trash disposal and details of screening;~~
- ~~(11) Location, height, type and material of all fences, walls, screen planting and landscaping of all buildings and grounds;~~
- ~~(12) Location of all ground mounted heating, ventilating and cooling equipment and location of all transformers; and~~



~~(13) Square footage measurements for the total site, building, parking and hard surface areas, and landscape areas.~~

~~(L) Landscape plan Alternative: Under certain conditions, the strict application of the regulations contained within this section may be impractical. In order to accommodate modifications to existing landscaping requirements, an alternative landscape plan may be submitted to the Director of Community Development. An alternate landscape plan may be submitted as part of an overall site plan in accordance with Section 4.07(O). The alternative landscape plan shall be provided at the time of submittal. Requests for alternative landscape plans will be accepted for review only when one (1) or more of the following conditions apply:~~

- ~~(1) The site involves space limitations or is an unusually shaped lot;~~
- ~~(2) Topography, soil, vegetation, or other physical conditions of the lot are such that full compliance is impossible or impractical;~~
- ~~(3) Public safety considerations are involved; and~~
- ~~(4) Impact on the environmental quality of the lot and surrounding area will be improved with the proposed alternative landscape plan.~~

Said Alternative Landscape Plan and justification statement shall be forwarded to the Director of Community Development for a recommendation on the proposal.

Rationale: Eliminate unnecessary code provisions.

§ 4.09 VARIANCES.

(C) *Expiration of the variance:* Variances shall expire two (2) years from the date of enactment, unless prior thereto the applicant ~~applies for~~ **is issued** a building permit in accordance with the granted variance **and construction commences within six months of the permit issuance**. 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.

Variances approved by BZAP as part of a subdivision, development or site plan shall not expire until said plan has expired.

Rationale: Clarify that a Building Permit must be issued by the City in order for a variance to not expire. Currently it is only planning approval on the Building Permit.

Article 4.10 CONTINUANCE OF AN APPEAL

(D) *Appeal of a Community Development Director action:* Any person aggrieved by any order, requirement, decision, or determination made by the Community Development Director per Table 4-A that is eligible for appeal to the Board of Zoning and Planning may file an appeal to the Board of Zoning and Planning within 10 days after the Director's decision. An appeal filed after 10 days from the decision will not be reviewed by the Board. The hearing will be scheduled for the next available BZAP hearing. If the **appellant and/or appellee makes a written request for a continuance to the Community Development Director within 10 days of the submission of the appeal, the Community Development Director may reschedule the appeal to the following month's formal meeting. If both**



parties agree to the request for a continuance, the Community Development Director may reschedule the matter to a BZAP formal meeting within 90 days of the application submission.

Rationale: Include language for potential continuances of an appeal.

§ 5.02 RESIDENTIAL DISTRICTS.

(A) *Purpose:* The following generally describes the purpose and general characteristics of each residential district:

- (1) *R-S residential suburban district:* The purpose of the R-S district is to allow single-family dwellings in low-density residential neighborhoods. This district is further subdivided into four (4) subdistricts: R-Sa, R-Sb, R-Sc, and R-Sd, differing primarily in required lot area and yard space. Net densities range from 0.33 dwelling units per acre in the R-Sa district to two (2) dwelling units per acre in the R-Sd district. Permitted uses generally include, but are not limited to, single-family residential, institutional, cultural, recreation, and day care.
- (2) *R-1 one-family residence district:* The purpose of the R-1 district is to allow single-family dwellings in low- to medium-density residential neighborhoods. Two-family dwellings are a conditional use. The district is further subdivided into three (3) subdistricts: R-1a, R-1b, and R-1c, differing primarily in required lot area and yard space. Net densities range from 1.09 dwelling units per acre in the R-1a district to 4.84 dwelling units per acre in the R-1c district. Permitted uses generally include, but are not limited to, single-family residential, institutional, cultural, recreation, and day care.
- (3) *R-2 one-to-four-family residence district:* The purpose of the R-2 district is to allow single-family dwellings and two- to four-family dwellings in medium-density residential neighborhoods. The district is further subdivided into two (2) subdistricts: R-2a and R-2b, differing only in height regulations. Net densities range from 4.84 dwelling units per acre in the R-2a district to 14.52 dwelling units per acre in the R-2b district. Permitted uses generally include, but are not limited to, single-family and two- to four-family residential, institutional, cultural, recreation, and day care.
- (4) *R-3 multi-family residence district:* The purpose of the R-3 district is to allow single-family dwellings and multi-family dwellings (up to six (6) units in a building) in medium-density residential neighborhoods. The district is further subdivided into two (2).
- (5) *RCD residential community development district:* The purpose of the RCD district is to allow residential uses in medium- to high-density residential complexes. Permitted uses generally include, but are not limited to, single-family, and two- to six-family residential, institutional, cultural, recreation, day care, and adult care facility retirement homes.

(B) *Permitted, prohibited, accessory, and conditional uses:* Permitted, prohibited, accessory, and conditional uses for each of the residential use districts are listed in Table 5-A, Residential Uses and Table 5-B, Home Occupational Uses. No residence or portion thereof may be rented **or sublet/subleased** out to any tenant(s) for a period of less than thirty (30) days.

Rationale: Close a potential loophole concerning single-family rental units.

Table 5-A: Residential Uses

	R-S	R-1	R-2	R-3	RCD
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Accessory Structures (see Article 6.09)	P	P	P	P	P
Adult Group Homes (six to 16 adults)	Pr	Pr	Pr	Pr	P
Adult Family Home (three to five adults)	P	P	P	P	P
Agricultural Uses	P ²	Pr	Pr	Pr	Pr
Antenna and Antenna Towers	a	a	a	a	a
Cemeteries	C	C	C	C	C
Clubs/Organizations	Pr	Pr	C	C	C
Country Club, Private	P	P	P	P	P
Decks	a	a	a	a	a
Dish-Type Antennas	a	a	a	a	a
Dish-Type Satellite Antennas	a	a	a	a	a
Dwelling, Four-Family	Pr	Pr	P	P	P
Dwelling, Multi-Family	Pr	Pr	Pr	P	P
Dwelling, Single-Family	P	P	P	Pr	P
Dwelling, Three-Family	Pr	Pr	P	P	P
Dwelling, Two-Family	Pr	C	P	P	P
Elderly or Senior Housing	Pr	Pr	Pr	C	C
Essential Services	P	P	P	P	P
Funeral Homes	Pr	Pr	Pr	Pr	C
Home, Type A Day Care	P	Pr	Pr	P	P
Home, Type B Day Care	P	P	P	P	P
Home Occupations ⁺ (see Table 5-B)					
Home Sales	a	a	a	a	a
Hospitals	C	Pr	Pr	Pr	C
Hotels and Motels	Pr	Pr	Pr	Pr	C
Hot Tubs & Jacuzzis	a	a	a	a	a
In-law Suite	a	a	a	a	a
Libraries	P	P	P	P	P
Mechanical Devices	a	a	a	a	a
Open Sided Structure	a	a	a	a	a
Park including playground, recreation center	P	P	P	P	P
Parking of Motor Vehicles	a	a	a	a	a
Parking Lot, Structured - Aboveground	Pr	Pr	C	C	C
Parking Lot, Structured - Underground	Pr	C	C	C	C
Parking Lot, Surface	Pr	C	C	C	C
Parking of Recreational Vehicles, Watercraft, and Trailers	a	a	a	a	a
Parking of Trucks and Trailers	a	a	a	a	a
Pet Shelters	a	a	a	a	a
Places of Worship or Churches	P	P	P	P	P



Playhouses	a	a	a	a	a
Playground, Public	P	P	P	P	P
Recreation Center, Public	P	P	P	P	P
Private or Public Schools and their facilities (stadiums, fields, etc.)	P	P	P	P	P
Public Schools	P	P	P	P	P
Storage Structures and Buildings	a	a	a	a	a
Swimming Pools, Private	a	a	a	a	a
Swimming Pools, Public	C	C	C	C	C
Tennis Courts, Private	A	A	A	A	A
Tennis Courts, Public	C	C	C	C	C
Utility Structures (see Table 6-K)	€	€	€	€	€

KEY: P=Permitted Use, C=Conditional Use, Pr=Prohibited Use, A=Accessory Use

¹=Home occupations'—See Table 5-B

²=Permitted on property zoned R-5 with not less than 5 acres.

Rationale: Consolidate and update the table of residential uses.

Table 5-B: Home Occupations

KEY: P=Permitted Use, C=Conditional Use, Pr=Prohibited Use, A=Accessory Use

Section 1.01 Home Occupations	Status
Aerobics with no more than 2 3 students at one time	P
Ambulance, landscaping, limousine or tow truck service	Pr
Animal hospitals, boarding, kennel or stables	Pr
Architectural, engineering, interior design, financial, marketing, or legal services (office use-related only)	P
Art restoration or studio	P
Art studio (non-teaching)	P
Automotive, boat or recreational vehicle repair , parts sales, upholstery, or detailing or washing service	Pr
Bakeries using equipment which is not normally associated with residential cooking	Pr
Beauty salons and barbershops	Pr
Brokers	P
Ceramics (kiln of four cubic feet or more)	Pr
Daycare, adult (1-6 adults at one time)	P
Daycare, child, Type A (7-12 children at one time)	Pr
Daycare, child, Type B (1-6 children at one time)	P
Clinics or hospitals	Pr
Computer programming, data processing, publishing, coding or software development (excludes cryptocurrency mining)	P
Consulting services	P
Crafts	P
Dance teachers with no more than 2 3 students at one time	P
Dancing schools with more than 2 students present at the same time	Pr



Data processing	P
Dental or medical offices and laboratories	Pr
Dental technician with laboratory	P
Desktop publishing	P
Direct sale product distribution	Pr
Drafting and graphic services	P
Dressmaking, laundry or sewing/tailoring services	P
Editing and writing	P
Electronic assembly	P
Engineering service	P
Financial planning and investment services	P
Fine arts education in music, painting, sculpture, and drawing (no more than 3 students at one time)	P
Flower arranging	P
Furniture repair	P
General business office	P
Health salons, gyms, dance studios, aerobic exercise studios, licensed massage therapists with more than 2 3 clients/customers present at the same time	Pr
House cleaning business, locksmith	P
Insurance agents, real estate agents and brokers	P
Interior design	P
Internet-based business	P
Jeweler and jewelry making	P
Jewelry making	P
Landscape maintenance service	Pr
Laundry and/or ironing service	P
Lawyers	P
Licensed massage therapists	P
Limousine service	Pr
Locksmith	P
Manufacturer's representative	P
Massage parlors	Pr
Medical offices	Pr
Millinery	P
Ministers, Rabbis, Priests, or members or religions orders	P
Mortuaries	Pr
Office facility of sales representative	P
Painting of vehicles trailers or boats	Pr
Private clubs and organizations	Pr
Private schools with organized classes	Pr
Radio repair	P
Real estate sales or broker	P
Renting of trailers and other equipment	Pr
Repair shops or service establishments, except the repair of electrical appliances, typewriters, cameras, or other similar small items	Pr



Restaurants	Pr
Retail uses involving the sale of goods or articles individually or in quantity directly to the consumer (unless pre-paid and for pick-up only)	Pr
Ride sharing or delivery service with no more than two vehicles	P
Secretarial or writing services	P
Security service	P
Sewing, tailoring, contract sewing	P
Small appliance, furniture or watch repair	P
Small engine repair	Pr
Software development	P
Stables or kennels	Pr
Telephone services	P
Tow truck service	Pr
Tutoring with no more than 2 3 students at one time	P
Typing and/or word processing	P
Upholstery	P
Wallpapering	P
Watch repair	P
Welding	Pr
Writing or editing	P

Rationale: A much needed consolidation and update to the City's permitted home occupations, especially with more residents working from home.

Table 5-F: Residential Building Coverage and Height Standards

Building Coverage										
District			Number of Floors	Detached Garage Bldg. Cover Limit as a % of TLA ^{1,2}	Accessory Bldg. Cover Limit as a % of TLA ²	Building Cover Limit As % of TLA ^{2, 3, 6}	Dev. Cover Limit as % of TLA ^{2,5,6}	Swimming Pool in Addition to Dev. Cover as % of TLA ²	Building Height	
									Principal Building ⁷	Detached Garage
R-S	R-Sa			0.88%	0.25% 0.50%	15%	20%	3%	35	17
		OPU ³		0.88%	0.11% 0.25%	6%	60%	2%		
	R-Sb			1.32%	0.35% 0.70%	20%	25%	3%	35	17
		OPU'		0.88%	0.11% 0.25%	6%	60%	2%		
	R-Sc			2.64%	0.70% 1.4%	20%	35%	4%	35	17
		OPU'		0.88%	0.11% 0.25%	5%	60%	1%		



	R-Sd			3.97%	1.38% 3%	20%	30%	5%	35	17	
		OPU'		0.66%	0.11% 0.25%	3%	60%	1%			
R-1		Churches'	1 to 2.5	NA	NA	NA	50%	0%	50	17	
	R-1a		1&1.5	5.76%	1.00% 2%	25%	40%	5%	35	17	
			2&2.5								
		OPU'	1&1.5				2.16%				0.38% 1%
			2&2.5								
	R-1b		1&1.5	7.20%	1.25% 2.5%	27%	40%	5%	35	17	
			2&2.5								
		OPU'	1&1.5				2.16%				0.38% 1%
			2&2.5								
	R-1c	interior lot >=75 width		6.39%	1.67% 3%	29% 0%	45%	5%	35' unless in the River Ridge Addition (extended) where a 28' limit exists. All building heights are subject to neighborhood compatibility standards in Article 7.17	17	
		pre-1995 corner lot >=75 width									
		pre-1995 corner lot <75 width									5%
		pre-1962 <75 width									50%
		pre-1962 <=60 width		7.00%							
		OPU ³	1&1.5	1.44%			0.38% 1%	60%			5%
			2&2.5								
R-2	R-2a	1 Family	1&1.5	6.39%	1.67% 3%	20%	35%	5%	35	17	
			2&2.5								
		2 Family	1&1.5	12.78%		38%	55%	0%			
			2&2.5			18%	50%				
		3 Family	1&1.5	14.38%	1.25% 2.5%	35%	55%				
			2&2.5			19%	50%				
		4 Family	1&1.5		0.94% 2%	30%	55%				
			2&2.5			15%	50%				
		<2 BR	1 to 2.5	9.60%	1.25% 2.5%	10%	50%				
		OPU	1 to 2.5		0.75% 1.5%	20%	60%				
	R-2b			Same as R-2a, except principal building height permitted					22	17	
	R-3	R-3a	1 Family	1&1.5	6.39%	1.67% 3%	20%	35%	5%	35	17
				2&2.5							
			2 Family	1&1.5	12.78%			NA	55%		
2&2.5				50%							



		Multi Family	1&1.5	14.38%	1.25%		55%				
			2&2.5		2.5%		50%				
		<2 BR		NA	NA		50%				
		OPU ³	1 to 2.5	4.17%			60%				
	R-3b	1 Family	1&1.5	6.39%	1.67%	3%	20%	35%	5%	40	25
			2&2.5								
		2 Family	1&1.5	12.78%			NA	55%	0%		
			2&2.5			50%					
		Multi Family	1&1.5	14.38%	1.50%	3%		55%			
			2&2.5			50%					
			3&3.5								
		<2 BR	1 to 3.5	9.60%	0.83%	2%					
	OPU ³	1 to 2.5	NA	1.50%	3%		60%				

¹ In no case shall a detached garage exceed 870 square feet unless located within the buildable area of the lot.

² TLA is Total Land Area is the total square footage of the property.

³ OPU is Other Permitted Uses (see Table 5-A).

⁴ Excepting steeples which may go to a height of 60 feet.

⁵ Not more than 25% of the required front yard may be occupied by development cover, unless the use is an OPU, in which case 60% cover shall be permitted.

⁶ The Director of Community Development may administratively approve any new building or development cover request that results in equivalent or less cover for sites currently exceeding permissible limits.

⁷ The maximum permitted height for properties located in the River Ridge Addition (extended) shall not exceed 28 feet in height. All building heights are subject to neighborhood compatibility standards in Article 7.17.

TLA is Total Land Area.

Rationale: Increases the permitted accessory structure cover limits as a result of proposed updates to the accessory structure ordinance. Also follows a recommendation from the River Ridge/Kingsdale West Planning Study.

Article 6.01 (D) Yard projections in R-districts: Certain architectural features may project into required yards or courts as follows:

Architectural Feature	Front Yards	Side Yards Along a Side Street Lot Line	Interior Side Yards and Side Yard Increased (Longwall)	Rear Yards
Cornices, Canopies, Eaves, or Similar Architectural Roof Projections	May project up to 2'	May project up to 2'	May project up to 20 percent of the required least width, not to exceed 3'	May project up to 2'
Entrance Platforms/Porches/Attached Patio Shelters open on all sides	May project up to 6 5'; subject to the limitations in footnote 1 below	May project up to 5' subject to the limitations in footnote 1 below	May project up to 20 percent of the required least width, not to exceed 3' subject to the limitations	May project up to 6 5' subject to the limitations in footnote 1



City of Upper Arlington

OR-30-2023 | Page 12 of 24 | May 17, 2023

			in footnote 1 below	
Cantilevered Window Wall Projections such as, but not limited to, Bay, Bow, and Box Windows	For yards that are platted, unless otherwise permitted by the terms of the plat or deed restriction, no projection permitted. For unplatted yards and platted yards which permit encroachments but do not specify sizes, these architectural features May project up to 2' not to exceed 8' in width	No projections permitted	No projections permitted May project up to 2', not to exceed 8' wide	May project up to 2', not to exceed 8' wide
Chimneys and Direct Vent Fireplace Inserts	No projection permitted	No projection permitted	May project up to 20 percent of the required least width, not to exceed thirty inches subject to the limitations in footnote-2	May project up to 5'
Basement Egress Window or Below-Grade Stairs	Projection permitted	Projection permitted	Projection permitted	Projection permitted
Carport Enclosure (with no footprint changes or additional story in the River Ridge Addition only)	No projection permitted	No projection permitted	Projection permitted when compatible with the principal residence and screening is provided	No projection permitted
Footnote 1: An entrance platform may encroach as noted in the table above if not exceeding a width of ten feet and not exceeding a height of two feet above the finished grade of the lot.				
Footnote 2: In the R-S and R-1 zoning districts only, a chimney, built as part of and serving the principal residence, may project as noted in the table above if not exceeding eight feet in width.				

Rationale: Update the City's front porch ordinance, thus eliminating the need for many variances reviewed by BZAP. During meetings with architects and builders, many expressed that a six-foot deep front porch, across the front of the home, would improve front elevations and reduce the perceived



bulk/scale of a home. Also addresses open, rear porches, where many variance applications have been reviewed.

§ 6.03 PARKING AND LOADING STANDARDS.

- (A) *Purpose:* The purpose of this section is to outline requirements for parking, stacking, and loading spaces by use and to regulate the location of parking areas in relation to adjacent uses.
- (B) *General requirements:* The following general requirements apply:
- (1) *Parking, stacking and loading space required:* When any building or structure is erected, modified, enlarged, or increased in capacity, or any open use is established, modified, or enlarged, the requirements of this section shall be met. For enlargements, modifications, or increases in capacity, the requirements of this section shall apply only to such enlargements, modifications, or increases in capacity. In other cases of mixed use occupancy, the minimum number of parking, stacking, and loading spaces shall be the cumulative total of individual use requirements unless otherwise specified (Table 5-G, Commercial Development Standards).
 - For properties with multiple uses, like churches, office campuses, schools, shopping centers, etc., the required minimum number of parking spaces may be based on the percentage of each use for the particular site if they will not all be used simultaneously, subject to review and approval by the Community Development Director.
 - (2) *Off- and on-street parking spaces:* In all districts except the planned mixed use districts, all required parking spaces shall be provided as off-street spaces. In the planned mixed use districts, required parking spaces may be provided as both off-street and on-street spaces. The credit for on-street spaces for a lot shall be determined as provided in Subsection 7.10.
 - (3) *Handicap spaces:* Spaces for the physically handicapped shall be provided as required by the Building Code and Americans with Disabilities Act in off-street parking areas.
 - (4) *Minimum required:* In all instances where parking is required, except for residential uses and uses in the planned mixed use districts, a minimum of five (5) parking spaces shall be provided.
 - (5) *Maintenance:* All parking, stacking and loading facilities shall be permanently maintained by the owners or occupants. They shall be in good condition and repair, with clearly marked lanes and spaces.
 - (6) *Access:* All parking, stacking, and loading facilities shall have vehicular access to a street, either directly or via a shared driveway or alley. This shall not apply to the Lane Avenue PMUD unless there is no Secondary Street or alley to provide access.
 - (7) *Additional parking facilities:* If any use change or expansion or any building or structure increase results in the need for an increase in off-street parking spaces of less than ten percent (10%) of the parking facilities previously provided or of less than five (5) spaces, whichever number is greater, no additional parking facilities shall be required.
 - (8) *Parking lot reduction:* Reducing the size of any parking lot in a manner that reduces the number of parking spaces below the amount required by the UDO shall require approval from BZAP.
 - (9) *Electric vehicle supply equipment (EVSE) or charging stations:* Any structured parking lot or surface parking lot having more than 50 surface parking spaces shall be required to install a minimum of one EVSE or electric charging station in a conspicuous location.
- (C) *Parking requirements:* Parking spaces shall be provided per Table 6-G, Parking Requirements. For any use not specifically listed in Table 6-G, the parking requirements shall be those of the most similar use as determined by the Director of Community Development. Parking space dimensions and aisle widths shall be provided per Table 6-A, Minimum Parking Space Dimensions and Table 6-B, Minimum Aisle Width in feet. Up to 20% of required off-street parking spaces may be compact parking spaces.

Table 6-G: Parking Requirements

A. Residential

Type of Use	Minimum Parking Spaces Required
-------------	---------------------------------



One- or Two-Family Dwelling	1.5 per dwelling unit
Multi-Family\	
0—1 Bedrooms	1.5 per unit
2 Bedrooms	1.5 per unit
3+ Bedrooms	1.5 per unit
Townhouse	1.5 per dwelling unit
Assisted Senior Living	0.50 0.75 per unit plus 1 per employee on the largest shift
Independent Senior Living	0.75 per unit 1.5 per unit
Home Occupations	Minimum one space, maximum 3 spaces in addition to required residential spaces
All Other Dwelling Units	1.5 per dwelling unit

B. Office

Type of Use	Minimum Parking Spaces Required
Administrative or Business	3 per 1,000 sq. ft. gross floor area
Medical or Dental	4 per 1,000 sq. ft. gross floor area

C. Institutional

Type of Use	Minimum Parking Spaces Required
Auditorium, Stadium, Conference Center or Other Place of Assembly	1 per 5 persons based on design capacity of building
Church	1 per 30 sq. ft. of sanctuary, auditorium, or main place of worship
Day or Nursery Schools	1 per teacher/employee + 1 per six students
Elementary Schools	2 per classroom + 1 per 60 sq. ft. of auditorium or assembly hall
High School, Business, Technical, or Trade School, College or University	2 per classroom + 1 for every 20 students for which the facility is designed, or 1 per 60 sq. ft. of auditorium or assembly hall, whichever is better
Hospital	2.5 per bed + 1 per employee on largest shift
Library or Art Gallery	1 per 250 sq. ft. + 1 per employee on largest shift
Recreation Center or Community Center	1 per 5 persons based on designed capacity of buildings(s)
Swimming Facility	1 per 75 sq. ft. + 1 per employee on largest shift

D. Commercial

Type of Use	Minimum Parking Spaces Required
Automobile Service Station	3 per service bay plus 1 per wrecker or service vehicle plus 2 per 3 employees on the largest shift plus four stacking spaces/side of pump island
Bank	1 per 250 sq. ft. + 1 per employee on Largest Shift
Beauty or Barber Shop	3 per operator plus one per other employee.
Business Incubator	1 per workspace plus 1 per 500 sq. ft. of gross floor area in administrative office
Car Washes-Full Service	Stacking for 30 vehicles or 10 per approach lane whichever is greater, plus 3 spaces /bay for manual drying plus 2/3 employees on the largest shift
Commercial or Business Service Uses, Including Retail Shopping Centers Except as Otherwise Specifically Provided for Herein	1 per 200 sq. ft. gross floor area.



Convenience Stores	1 per 200 square feet of gross floor area plus 2 stacking spaces/side of pump island
Funeral Home	1 per 150 sq. ft. + 1 per business vehicle
Lumber Yard, Furniture or Large Appliance Store	1 per 200 sq. ft.
Motel or Hotel	1 per rental unit + 1 per employee on largest shift + 1 per 150 sq. ft. conference or meeting area plus required spaces for restaurant and lounge 1 per hotel room
Restaurant, Tavern, Night Club Lounge or Dance Hall	1 per 100 sq. ft.
Vehicle Repair	1 per 100 sq. ft. or 3 per each service bay, whichever is greater
Vehicle Sales	1 per 300 sq. ft. + 1 per 1,000 sq. ft. outdoor display area
Veterinary Services	4 per doctor plus one per employee

E. Recreation and Entertainment

Type of Use	Minimum Parking Spaces Required
Bowling Alley	5 per lane + spaces for restaurant
Golf Courses	4 per tee
Golf Driving Range	1 per tee + 1 per employee on largest shift
Miniature Golf	1.5 per hole + 1 per employee on largest shift
Skating Rink (Ice or Roller)	1 per 300 sq. ft.
Theater, Auditorium or Assembly Hall	1 per 3 patrons based on maximum capacity

Rationale: Simplification and update to the City's parking standards.

Article 6.07 Landscaping

- (E) *Recommended tree species:* The following types and minimum sizes (at installation) of landscape plants **landscaping** are recommended in Upper Arlington. Trees **and shrubs** not on this list may be substituted with approval from the City Forester. **All existing invasive species should be removed and any new landscaping should include a majority of native species.**

Table 6-J: Minimum Sizes for Landscape Plants

Type	Tree Type Examples	Description	Minimum Size
A	Sugar Maple, Zelkova, Red Oak, Honeylocust, Northern Catalpa, Sassafras, Basswood	Deciduous tree that matures over 30' Height	3" Cal
B	Crabapple, Winter King Hawthorn, Cockspur Thornless Hawthorn, Flowering Dogwood, Redbud, Sourwood	Deciduous tree that matures less than 30' height, single stem	2" Cal
C	Serviceberry, Sweetbay Magnolia	Deciduous tree that matures less than 30' height, multi stem	8' Ht
D	White Pine, Norway Spruce, Colorado Spruce, White Fir	Evergreen tree that matures over 30' height	8' Ht
E	Techny Arborvitae, Keteeri Juniper	Evergreen tree that matures less than 30' height	6' Ht



F	Border Forsythia, Viburnum, Oak-Leaf Hydrangea, Burning Bush, Black Chokeberry, Spicebush	Evergreen or deciduous shrub that matures over 6' height	3' Ht
G	Alpine Currant, Anthony Water Spirea, Itea, New Jersey Tea, Aromatic Sumac	Evergreen or deciduous shrub that matures less than 6' height	2' Ht
H	Andorra Juniper, Everlow Yew, Mugo Pine	Evergreen or deciduous shrub that matures over 4' spread	18" Spread

Table 6-J: Recommended Landscape Plants

Type	Description	Tree Type Examples	Minimum Size at Planting
<u>A</u>	<u>Deciduous tree that matures over 40' Height</u>	Baldcypress, Catapala, Dawn Redwood, Ginkgo, Honeylocust, Kentucky Coffee Tree, Linden <i>spp.</i> , Maple <i>spp.</i> , Oak <i>spp.</i> , Tupelo <i>cv.</i> , Tulip tree, Zelkova	<u>2.5" Cal</u>
<u>B</u>	<u>Deciduous tree that matures less than 40' height, single stem</u>	Elm Hybrids, Hornbeam and Hophornbeam, Parrotia, Horsechestnut, Katsura, Aumur Maackia, Red maple, Miyabe maple, Flowering- non fruiting tree <i>spp.</i> , Yellowwood	<u>2" Cal</u>
<u>C</u>	<u>Deciduous tree that matures less than 30' height, multi stem</u>	Serviceberry, Sweetbay Magnolia, Flowering Magnolia, Ornamental maple <i>spp.</i> , Redbud, Fringtree	<u>10' Ht</u>
<u>D</u>	<u>Evergreen tree that matures over 30' height</u>	White Pine, Pine <i>spp.</i> , Norway Spruce, Green Giant Arborvitae, White Fir, Serbian Spruce	<u>10' Ht</u>
<u>E</u>	<u>Evergreen tree that matures less than 30' height</u>	Arborvitae <i>spp.</i> , Juniper <i>spp.</i> , various Dwarf cultivars	<u>8' Ht</u>
<u>F</u>	<u>Evergreen or deciduous shrub that matures over 6' height</u>	Viburnum, Oakleaf Hydrangea, Panicle Hydrangea, Red Chokeberry, Spicebush, Witch Hazel, Butterfly Bush, Yew	<u>3' Ht</u>
<u>G</u>	<u>Evergreen or deciduous shrub that matures less than 6' height</u>	Spiraea, Itea, Fragrant Sumac, Beautyberry, Boxwood, Panicle Hydrangea <i>cv.</i> , Oakleaf Hydrangea <i>cv.</i> , Butterfly Bush <i>cv.</i>	<u>2' Ht</u>
<u>H</u>	<u>Evergreen or deciduous shrub that matures over 4' spread</u>	Yew <i>cv.</i> , Viburnum, Boxwood, Mops False cypress	<u>18" Spread</u>

Rationale: Update to the City's recommended landscape plantings per the City Forester.

Article 6.09: Accessory Structures and Uses

(C) *General provisions:* The following general provisions shall apply:

(1) ~~Types:~~



City of Upper Arlington

OR-30-2023 | Page 17 of 24 | May 17, 2023

- ~~(a) *Storage structures:* Any structure used solely for storage of materials, supplies, tools and similar items.~~
- ~~(b) *Recreational structures:* Any structure used for recreational activity, including but not limited to, goal nets, backstops, trampolines, half pipes, quarter pipes, ramps, swimming pool houses, playhouses and playground equipment. Basketball goals and portable lacrosse, hockey and small soccer goals, as well as small, free-standing neighborhood book exchange boxes and small giving pantries in the front of the principal residence are exempt from the restrictions noted in this section.~~
- ~~(c) *Pet structures:* Any structure used to house or contain family pets.~~
- ~~(d) *Mechanical devices:* Any device incidental to the operation or use of the principal building, including but not limited to, air conditioners, electric generators, heaters and rain barrels.~~
- ~~(e) *Patio structures:* Any detached, permanent structure used primarily for outdoor entertaining, cooking or dining purposes, including but not limited to: pergolas, trellises, outdoor fireplaces, kitchens or bars.~~

~~(2) *Location:*~~

- ~~(a) No accessory structure shall be located in a reserve, preservation/do not disturb area or public right of way. An accessory structure may be located within a platted easement with approval of an Easement Encroachment Permit when no site excavation work is performed.~~
- ~~(b) No accessory structure shall be located in front of a platted building line or in a front yard.~~
- ~~(c) Storage structures are to maintain a minimum setback of three (3) feet from side and rear property lines.~~
- ~~(d) Recreational, patio, and pet structures are to maintain a minimum setback of ten (10) feet from side and rear property lines.~~
- ~~(e) Mechanical devices, including wires, pipes, supports, or other appurtenances shall not be located in any front yard, nearer to any street than the front face of the principal building in question, or nearer to any side or rear property line than three (3) feet.~~
- ~~(f) All generators, including wires, pipes, supports, or other appurtenances, must be located within the buildable area of the lot, in addition to being behind the front face of the principal building.~~

~~(3) *Number/Size:*~~

- ~~(a) Only one (1) storage structure;~~
- ~~(b) Only one (1) recreational structure;~~
- ~~(c) Only one (1) pet structure; and~~
- ~~(d) The total square footage of all non-patio accessory structures shall not exceed the accessory cover limit specified in Table 5 F.~~
- ~~(e) In Residential Districts, the number of accessory structures for non-residential permitted uses (Other Permitted Uses) may exceed the limitations in subsections (3)(a), (b), and (c), so long as the total coverage area of all accessory structures is in compliance with the coverage limitation in Table 5 F.~~



~~(4) Height/Noise:~~

- ~~(a) No storage structure shall exceed ten (10) feet in height.~~
- ~~(b) No patio or recreational structure shall exceed twelve (12) feet in height. An outdoor fireplace/chimney, pergola or trellis shall not exceed fifteen (15) feet in height.~~
- ~~(c) No pet structure shall exceed six (6) feet in height.~~
- ~~(d) Mechanical devices shall not exceed eighty (80) inches in height.~~
- ~~(e) Mechanical devices shall not exceed sixty (60) decibels in sound output when measured at the property line. The test cycle of a generator should be set for each Wednesday at noon.~~

Table 6-K: Accessory Structures

Type of Accessory Structure	Side and Rear Yard Setback (not in any easement)	Number per property	Size Limits	Maximum Height Above Grade
Storage Structures: Any structure used solely for storage of materials, supplies, tools and similar items.	3'	1	See Table 5-F for Accessory Building, Building and Development Cover limits. Shall be measured from footprint of structure.	10'
Recreational Structures: Any structure used for recreational activity, including but not limited to: goal nets, backstops, trampolines, half-pipes, quarter-pipes, ramps, swimming pool houses, playhouses and playground equipment. Basketball goals and portable lacrosse, hockey and small soccer goals, as well as small, free-standing neighborhood book exchange boxes and small giving pantries in the front of the principal residence are exempt from the restrictions noted in this section.	12' Portable goals and nets are exempt.	1 (or swimming pool house)	See Table 5-F for Accessory Building, Building and Development Cover limits. Shall be measured from footprint of structure.	12'



Pet Structures: Any structure used to house or contain family pets.	3'	1	See Table 5-F for Accessory Building, Building and Development Cover limits. Shall be measured from footprint of structure.	6'
Building Support Systems: Any device <u>equipment or system</u> incidental to the operation or use of the principal building, including but not limited to, air conditioners, <u>electric</u> generators, heaters and rain barrels.	3' except generators must also be located behind the front face of the principal building <u>and be located within the buildable area of the lot</u>	N/A	N/A	80"
Patio Structures: Any detached, permanent structure used primarily for outdoor entertaining, cooking or dining purposes, including but not limited to: <u>pergolas, trellises-outdoor fireplaces/firepits, kitchens, counters, or bars.</u>	10' <u>Fireplaces/firepits should be at least 15' from any building.</u>	N/A	See Table 5-F for Building and Development Cover limits. Shall be measured from footprint of structure.	15'
Patio Shelters: <u>Any detached, permanent, open-sided structure that is used for outdoor shelter. This includes, but is not limited to: trellises, pergolas, gazebos, and pavilions.</u>	Rear yard buildable area for those shelters between 12'-1"-15' in height. 10' for those shelters 12' or less in height.	N/A	See Table 5-F for Building and Development Cover limits. Shall be measured from roof perimeter.	15'
Swimming Pool (or Tennis) Houses: <u>Any outdoor shelter installed in conjunction with a swimming pool or tennis for the purposes of changing areas, entertaining, cooking and/or dining.</u>	Rear yard buildable area for those swimming pool houses between 10'-1"-12' in height. 10' for those shelters 10' or less in height.	1 (or recreational structure)	See Table 5-F for Accessory Building, Building and Development Cover limits. Shall be measured from footprint of structure.	12'



Detached Habitable Structures: Any detached home office, studio or gym used exclusively by the property owner. No separate dwelling, sleeping place, or in-law suite is permitted. For requirements for habitable space in detached garages see See 6.09 (D)(1).	Rear yard buildable area unless located within a detached garage.	1	See Table 5-F for Building and Development Cover limits. Shall be measured from footprint of structure.	10'
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- (1) No accessory structure shall be located in a reserve, preservation/do not disturb area or public right-of-way. An accessory structure may be located within a platted easement with approval of an Easement Encroachment Permit when no site excavation work is performed.
- (2) No accessory structure shall be located in front of a platted building line or in a front yard, unless specifically exempted.
- (4) In Residential Districts, the number of accessory structures for non-residential permitted uses (Other Permitted Uses) may exceed the limitations in subsections (3)(a), (b), and (c), so long as the total coverage area of all accessory structures is in compliance with the coverage limitation in Table 5-F.
- (4) ~~Mechanical devices~~ Building support systems shall not exceed sixty (60) decibels in sound output when measured at the property line. The test cycle of a generator should be set for each Wednesday at noon.
- (5) *Aesthetic consideration:* The vistas of adjacent property owners shall be considered with the installation and maintenance of storage structures, detached habitable structures, swimming pool equipment, swimming pool houses and generators. As viewed from neighboring property lines, no more than fifty percent (50%) of said structure or equipment generator shall be visible during all seasons of the year. Fifty percent (50%) opacity can be achieved by use of the following methods:
 - (a) Existing or new vegetation.
 - (b) Existing or new fencing.
 - (c) Existing structures (detached garages, neighboring accessory structures, etc.).
- (6) *Temporary exceptions/modifications to this section:* The Director of Development is authorized to grant temporary exceptions to or modifications of this section in special circumstances where a necessity exists for the use of a vehicle described in Subsection 6.09(D)(6) and the prohibitions contained in said section would constitute a real hardship. Such special circumstances may include, but are not limited to, the location of a field office required for a construction project. Such permission shall be limited to the time during which the use of such vehicle is reasonably necessary for the project for which such exception was granted.
- (7) *Keeping of livestock:* The keeping of livestock on any property, other than those properties zoned for agricultural use, shall be prohibited unless otherwise approved by the Board of Zoning and Planning.



Rationale: Consolidation of accessory structures and further clarification of detached structures like pergolas, trellises, etc. Creates a table for easier understanding. Allows for detached habitable spaces, not-including dwelling units or sleeping spaces.

Article 6.09

- (D)(11) **Reserved for future** ~~Gazebos, pavilions and other open-sided structures:~~ These structures are defined as a free-standing, unheated structure which is unenclosed except for a structural system supporting a roof, and screen panels which may be used to enclose the open spaces between structural elements. The structure must meet the following minimum design criteria:
- ~~(a) All open-sided structures are limited to one (1) story; and the height to the top of the highest roof ridge beam, or to the highest point of any other roof form, from the finished floor may not exceed fifteen (15) feet.~~
 - ~~(b) The area may not exceed two hundred (200) square feet.~~
 - ~~(c) Materials: All finished roof surfaces, except for flat roofs, shall be either metal, seal tab asphalt shingles, clay tile, slate or wood shingles. All other finish surfaces shall be either wood, brick, stone, screen or any combination thereof.~~
 - ~~(d) All structures shall be located in the rear yard buildable area.~~
 - ~~(e) Illumination of the structure exterior is prohibited. Illumination within the structure shall not exceed seventy (70) footcandles measured at a horizontal plane three (3) feet above the finished floor.~~
 - ~~(f) If the structure is built on a mound, deck, or other elevated surface, the height of this elevated surface at its highest point above grade shall be added to the height of the structure to determine the overall height of the structure being measured.~~
 - ~~(g) These regulations shall not apply when an open-sided structure is attached to the principal residence and is within the buildable area of the lot.~~

Article 6.09(D)

- (1) *Detached garages and carports:*
- (a) *Setbacks:* No detached garage or carport shall be permitted nearer to any front lot line than sixty (60) feet. For corner lots, the detached garage or carport can be built along the front setback line when proposed along the longer of the street frontages. A detached garage or carport shall maintain a minimum side and rear yard setback of at least three (3) feet and shall not occupy any easement. In the River Ridge Addition only, existing carports may be enclosed to create a garage if there are no changes to the footprint and if an additional story is not included. Such enclosure shall be compatible with the principal residence and include fence or other landscape screening adjacent to the structure.
 - (b) *Timing of construction:* No detached garage or carport shall be erected or constructed prior to the erection or construction of the principal or main building, except in conjunction with the same.



- (c) *Quantity*: There shall be no more than one (1) detached garage or carport per dwelling unit.
- (d) *Height*: Detached garage or carports located outside of the buildable area of the lot shall not exceed the height limitations specified in Table 5-F for detached garages and carports. Detached garages or carports located completely within the buildable area of the lot shall not exceed the height limitations specified in Table 5-F for principal buildings.
- (e) *Detached garage dormers*: Dormers are not permitted except when they face one (1) or more streets contiguous to a property line.
- (f) *Detached garage area limits*: Detached garages or carports located outside of the buildable area of the lot shall not exceed the detached garage building cover limit specified in Table 5-F. The 870-square foot limit shall not apply to detached garages located in multi-family residential districts, only the detached garage cover limit.
- (g) *Detached garage roof and plate height*: The top plate wall height supporting all roofs for detached garages and carports outside of the buildable area of the lot shall not exceed nine (9.5) feet and six inches above the parking floor elevation.
- (h) *Driveway required*: All detached garages and carports are required to have a hard surface driveway that consists of an approved impervious material and shall have a minimum width of eight (8) feet.
- (i) *Attached roof structures*: Pergolas, trellises and other roof structures that are attached to the detached garage shall meet all provisions within this Section.
- (j) *Habitable space*: ~~Habitable spaces (screened porches, bedrooms, offices, studios, etc.) may only be permitted when the detached garage is located within the buildable area of the lot. This does not prevent the installation of bathrooms or unfinished storage inside detached garages outside of the buildable area of the lot. Separate dwelling units are not permitted.~~

Habitable spaces: Habitable space (limited to home gyms, home offices, work studios, bathrooms and finished storage areas) are permitted within a detached garage as long as all requirements of detached garages are met. Separate dwellings, sleeping places, or in-law suites are not permitted within a detached garage.

Rationale: Update to the City's detached garage ordinance to allow non-sleeping habitable spaces in them.

Article 6.09(D)(13) Fences

- (d) *Location and height*: Fences may be located in yards as follows:
 - i. Front yard: As measured from the building setback line to the City right-of-way line:
 - A. Fences may extend fifteen (15) feet forward of the building line, provided such fence does not exceed three and one-half (3.5) feet in height, as measured above the elevation of the surface of the ground at such point.
 - B. Fence posts may exceed the height of the fence by a maximum of six (6) inches.
 - ii. Side and rear yards:
 - A. Fences shall not exceed six (6) feet in height, as measured above the elevation of the surface of the ground at such point, unless the side and/or rear yard abuts a



Commercial or Planned District, then a fence may extend up to eight (8) feet in height.

- B. Fence posts may exceed the height of the fence by a maximum of six (6) inches.
- iii. For purposes of determining the location and height requirements, each yard abutting upon a street shall be considered as a front yard on each respective street.
- iv. Fences or walls located completely within the buildable area are not subject to these height limitations.
- v. Property line location: The accurate determination of the property line is the responsibility of the property owner or contractor securing the fence permit. The issuance of a fence permit does not indicate city review or approval of the property line location.
- vi. Fences shall not be located in platted landscape preservation easements, do not disturb areas, planting strips or drainage easements. Fences may be located in a reserve, unless otherwise noted on the subdivision plat.

Article 6.09(D)

(17) Solar panels: A solar photovoltaic panel, or solar hot air or water panel collector device, which relies upon solar radiation as an energy source for the generation of electricity or transfer of stored heat, shall comply with the following restrictions:

(a) Location:

1. Ground mounted solar panels exceeding two (2) square feet in area shall be located in a side or rear yard only, shall maintain a setback of ten (10) feet from property lines, and shall not be located in a platted easement. However, utility companies may install solar panels within an easement, subject to aesthetic considerations and Subsection 6.10(C)(11).
2. Roof and flush-mounted solar panels may be located on any principal residence, detached garage or accessory structure.

(b) Height:

1. Ground mounted solar panels shall not exceed eight (8) feet in height.
 2. Roof and flush-mounted solar panels shall not project vertically above the peak of the roof to which it is attached, or project vertically more than five (5) feet above a flat roof installation.
- (c) ~~Aesthetic consideration: Ground mounted solar panels shall be fully screened from adjacent properties by fencing or structures (detached garages, neighboring accessory structures, etc) or a combination of evergreen and deciduous plantings.~~
- (d) Exemptions: Solar panels less than two (2) square feet in area and those installed within the right-of-way by a utility company pursuant to Subsection 6.10(C)(11) or by the City are not subject to the regulations set forth above.

Rationale: Update to the City's solar panel ordinance as this is not needed.

