



5/17/2023 | 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. Consent Agenda

- a. Review of May 3, 2023 BZAP Work Session and April 19, 2023 BZAP meeting minutes.
- b. 3910 Lyon Drive (VAR-19-23) - To allow a hot tub and retractable awning to encroach up to 15'-8" into the 100-foot rear yard setback.
- c. 2617 Eastcleft Drive (VAR-24-23) - To allow a two-story addition to encroach 4.24 feet into the 10-foot minimum side yard setback (to match existing).
- d. 2398 Brandon Road (VAR-25-23) - To allow a two-story addition to encroach three feet into the eight-foot minimum side yard setback (to match existing) and result in a side yard sum of 14'-5", in lieu of the 16-foot minimum (existing).
- e. 2861 S. Dorchester Road (VAR-26-23) - To allow a sunroom and breezeway to encroach up to 2'-6" into the 36'-9" average rear yard setback.

2. Variance/Conditional Uses

- a. **POSTPONED TO JUNE 21** - 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.~~
- b. 2231 Inchcliff Drive (VAR-17-23) - To allow a two-story addition to encroach up to five feet into the 10-foot minimum rear yard setback and up to 7'-5" into the rear yard profile limit.
- c. 2550 Chester Road (VAR-21-23) - To allow the construction of a detached garage that is 23'-6" tall, in lieu of the 17-foot height limit.

- d. 4532 Hull Farm Lane (VAR-23-23) - To allow the installation of a 48-inch tall aluminum fence that would encroach 20 feet into the 40-foot Lane Road front yard setback and be located within a landscape preservation easement and stormwater/utility easement.

3. Zoning Map/Text Amendments

- a. OR-30-2023: Review and recommendation to City Council of proposed amendments to the Unified Development Ordinance (UDO). [*These are additions from those recommended to City Council by the Board in August 2022.*]
- b. OR-32-2023: Review and recommendation to City Council of proposed amendments to the Unified Development Ordinance (UDO) Article 6.06 (Signs) to allow for the creation of a home recognition program in partnership with the Upper Arlington Historical Society.

May 3, 2023, | 6:00 PM

Municipal Services Center, 3600 Tremont Road

Members Present: Daniel Barringer, Donald Osterhout, Matthew McGrath, William Westbrook

Members Absent: Kevin Carpenter, Marianne Mitchell, Shannon Tolliver

Staff Present: Senior Planner Justin Milam, Planning Officer Alyssa Kelly, Assistant City Attorney Darlene Pettit, Deputy City Clerk Yelena Parks

1. Roll Call

Motion by Mr. Westbrook, seconded by Mr. Barringer, to excuse Mr. Carpenter, Ms. Tolliver, and Ms. Mitchell's absences. The motion carried unanimously (4-0).

2. Old Business

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

- a. 2231 Inchcliff Drive (VAR-17-2023)** - To allow a two-story addition to encroach up to five feet into the 10-foot minimum rear yard setback and up to 7'-5" into the rear yard profile limit.

The applicant was not present for the meeting and it was decided by Staff and the Board to move the discussion to the May 17th BZAP meeting.

- b. 2241 Abington Road (VAR-16-2023)**- 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.

Ms. Kelly provided a brief review of the request saying that it is a continuation from the April 19th BZAP meeting, adding that the designer and the applicant made substantial changes including the addition is now 1.5 stories and the overall footprint of the addition has been decreased to better adhere to the side and rear yard setbacks. Ms. Kelly added that both Staff and the third-party architect felt the changes were positive, although the number of variances is still five.

Mr. Donald Schumacher of 490 Essex Downs Road, Newark, Ohio, the designer for the project, gave some background on the project. Mr. Schumacher said the homeowner is looking for two bedrooms and a functional two-car garage. Mr. Schumacher added that the original proposal had an eighteen-foot garage door to easily access the garage. Mr. Schumacher said there are other properties in the area with attached garages within the side and rear yard setback. Mr. Schumacher added that there is a fifteen-foot easement that he was trying to avoid.

Mr. Osterhout asked Staff if the addition is next to the neighboring property or towards the backyard. Ms. Kelly said it was adjacent to the home. Mr. Schumacher said the new garage would start five feet behind the existing garage.

Mr. Barringer said that the changes made to the design were improved and it is no longer looming over the property. He noticed other homes in the area had large additions.

Mr. McGrath agreed that the current massing of the home was much better. He questioned what the history was on granting five variances. Ms. Kelly said that the Board had granted five variances for projects in the past, but it was less common. The size and location of addition was necessitating the variances; the plans would have to be substantially altered to minimize the number of variances.

Mr. Schumacher asked for some guidance from the Board. Mr. Barringer said that each individual variance was not excessive, but collectively it created an issue. He said the applicant did a good job addressing all of the variances independently.

Mr. Osterhout said that as a result of the changes that were made, he would support the variances requested.

Mr. Barringer asked about the rear easement. Mr. Schumacher said that the homeowner does not want a detached garage. Mr. Schumacher added that the homeowner is

looking to maintain as much of the backyard as possible, which is another reason for the location of the garage.

Mr. Westbrook asked if the comments by the third-party architect were addressed. Mr. Schumacher said that massing and the character were addressed but not the number of variances.

Mr. Barringer said he would support the project, adding that the Board did approve five variances in the past. Mr. Osterhout said he is concerned about setting a precedent of five variances though.

Ms. Kelly said that the rear yard profile coefficient does allow dormers to project into the profile; however, it's for individual dormers. The applicant could look at modifications to eliminate this variance. Mr. Schumacher said if the applicant can keep the existing footprint, they would try to remove variance number five for rear profile.

Mr. Barringer asked if the Board could vote on the project if the fifth variance was removed from the list. Ms. Kelly said that it would be up to the applicant to make that decision, and the Board would vote on it at the next BZAP meeting. Ms. Pettit said that it would help for the next BZAP meeting for the applicant to review with Staff which variances will no longer be needed.

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.

Mr. Milam summarized the proposed changes to the UDO and added that Staff requested a recommendation from the Board to City Council. Mr. Milam said that the main changes were adjusting the definition of *prominent characteristics* and changing the wording from *unique* to *comparable*. Another change was increasing the notification from 200 to 300 feet, the same as a rezoning, and adjusting the timeline as to when the application is submitted to one week before the application deadline, also the same as a rezoning. He added that there was also a change to the adjustment of powers and duties, making sure that the Board has the power to approve minor subdivisions and lots splits. A resident had submitted comments regarding the proposed changes, adding that residents are present at the meeting who wish to address the Board. Mr. Milam said that the schedule for when the changes will go to City Council has been modified and the first reading will be May 22nd. Ms. Pettit added that the timeline had to change based on changes to Council's schedule and so they could fit three readings in before Council's summer recess.

Mr. David Patterson of 4205 Edgehill Drive addressed the Board. Mr. Patterson talked about his concern with the updated definition, notification, and the use of street segment for assessing compatibility. Mr. Paterson said he appreciated the effort in including the language about the width and size of the lots in the amendments. Mr. Patterson said that he has concerns about removing the definition of a *neighborhood* and replacing it with a *street segment* and would like to see it reversed.

Ms. Kathy Reed of 2396 Anson Street addressed the Board. Ms. Reed said that the twenty-one-day notice of the BZAP hearing was too short. Ms. Reed used an example of a lot split that was granted in her neighborhood and remarked how the applicant was advised by City Staff not to submit an application until the utility work on the property was completed. Ms. Reed also addressed her issue with the appeal process going to the Court of Common Pleas instead of BZAP or City Council, adding that it is very costly for the residents of Upper Arlington. Mr. Reed said she would like for the neighbors to be able to work with the City to eliminate the financial burden.

Mr. Edward Feher of 4151 Fairfax Drive addressed the Board. Mr. Feher said that he feels that there need to be better definitions, such as *compatibility*, adding that several projects are happening next to his property that are much larger than the other properties in that area. Mr. Feher said he does not understand how these new homes are compatible with the area.

Mr. Osterhout asked if Staff had any additional comments. Mr. Milam said that Staff had found that the definition of a *neighborhood* is less restrictive than a *street segment*, providing more protection to the area. Mr. Milam added that Staff found that the *neighborhood* definition is not a workable solution because people have widely varying opinions of what is a neighborhood. Mr. Milam said that Staff made adjustments based on Mr. Walters's recommendations in his letter. Mr. Milam said Staff has had outside council review lot split options and they believe the City is on solid footing. Mr. Milam said that, for appeals, Council wanted the experts on City Boards to make these types of determinations.

A motion by Mr. Westbrook, seconded by Mr. Barringer, to approve OR-28-2023.
The motion carried unanimously (4-0).

3. Informal Review

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



Mr. Milam gave some background to the additional recommendations to City Council by the Board since August 2022. Mr. Milam said that the additional recommendations are six in total and mostly administrative. Mr. Milam said that since Council did not have a chance to review these since August, Staff decided to bring them back for review.

Mr. Westbrook had a question regarding the term *professional* saying that he feels it needs to be more defined. Mr. McGrath added that removing the word *professional* would limit it to licensed individuals, but landscape designers should still be able to submit plans.

Mr. Westbrook asked about the senior parking requirements, sharing concerns that they were too low. Mr. Milam said that the figures were taken from National Church Residences local projects and Staff would double-check with other senior communities and compare their size for senior living.

4. Community Development Update

Mr. Milam gave an update on the number of applications submitted for next month's meeting and development updates including on the Community Center, Ohio State Building on Lane Avenue, and Golden Bear project.

ADJOURNMENT

The meeting was adjourned at 6:56 PM

ATTEST:

Yelena Parks

VICE CHAIR:

[Signature]



April 19, 2023, | 6:00 PM

Municipal Services Center, 3600 Tremont Road

Members Present: Daniel Barringer, Kevin Carpenter, Matthew McGrath, Marianne Mitchell, Shannon Tolliver, William Westbrook

Members Absent: Donald Osterhout

Staff/Council Present: Senior Planner Justin Milam, Planning Officer Alyssa Kelly, Assistant City Attorney Darlene Pettit, Deputy City Clerk Yelena Parks and President of Council Brendon King

Ms. Tolliver advised the variance application for 2231 Inchcliff Drive would be postponed to a later meeting.

1. City Business

President of Council Brendon King presented a proclamation for former BZAP Chair Robert Tullett for serving thirty-six years on the Board. Mr. King and Mr. Milam thanked Mr. Tullett for his continuing service to the City of Upper Arlington and his contributions to the community. Mr. Tullett thanked the Staff and the Board members for dedicating their time to the Board.

2. Roll Call

A motion was made by Ms. Mitchell, seconded by Mr. Carpenter, to excuse Mr. Osterhout's absence. The motion carried unanimously (6-0).

3. Consent Agenda

a. Minutes

A motion by Mr. Westbrook, seconded by Ms. Mitchell, to approve April 5, 2023, BZAP Work Session and March 22, 2023, BZAP meeting minutes. The motion carried unanimously (6-0)

b. 2313 Bristol Road (VAR-12-23)



A motion by Mr. Westbrook, seconded by Ms. Mitchell, to approve the Consent Agenda. The motion carried unanimously (6-0). Finding #4 was noted in the Staff Report.

c. 3130 Edgefield Road (VAR-13-23)

A motion by Mr. Westbrook, seconded by Ms. Mitchell, to approve the Consent Agenda. The motion carried unanimously (6-0). Findings #3, #4, and #6 were noted in the Staff Report.

d. 2033 Jervis Road (VAR-15-23)

A motion by Mr. Westbrook, seconded by Ms. Mitchell, to approve the Consent Agenda. The motion carried unanimously (6-0). Findings #3 and #4 were noted in the Staff Report.

e. 2698 Mt Holyoke Road (VAR-18-2023)

A motion by Mr. Westbrook, seconded by Ms. Mitchell, to approve the Consent Agenda. The motion carried unanimously (6-0). Findings #2 and #4 were noted in the Staff Report.

f. Hart Dental Clinic, 1917 Northwest Boulevard (DEV-01-23)

A motion by Mr. Westbrook, seconded by Ms. Mitchell, to approve the Consent Agenda. The motion carried unanimously (6-0), with two conditions noted in the Staff Report. 1) That a final landscaping plan be submitted for review and approval. 2) That the applicant coordinates improvements within the City right-of-way.

4. Variances/Conditional Uses

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

2253 Arlington Avenue (VAR-14-23, Davis)

Ms. Kelly provided a background of the request. She stated that the property is in a historic area and is a narrower property, which makes it unique. Ms. Kelly said the applicant is looking to replace a single-story attached porch that is within the side yard setback, with a two-story addition. This would result in a 3'-2" setback from the addition to the side property line. She said that Staff had concerns with the two-story addition being so close to the property line and it does not leave room for landscaping or lawn to buffer the addition from the neighboring property. Ms. Kelly added that this would be the narrowest setback approved by the Board in this area. She said that Staff is neutral on the application, but does recommend looking at landscaping, fencing, or potential reduction in the second-story portion of the addition to help with the approval.



Mr. Carpenter confirmed the sunroom was on the house's southeast side.

Mr. Thaddeus Porter Davis of 2253 Arlington Boulevard, the applicant for the project, gave some background on his request. Mr. Davis said that the most economical option for his family was renovate the home. Mr. Davis said that the home currently only has one bathroom on the second floor, and the addition would add a primary bathroom. He said the screen porch would be converted into a mixed-use space. Mr. Davis added that without these changes, his family wouldn't be able to stay in the home, saying that they looked at alternative options, such as changes to the back of the house, but that would have created other issues like eliminating back yard space. He also shared concerns with cost.

Ms. Mitchell confirmed the driveway is the property line.

Mr. McGrath confirmed the chimney would remain intact.

Mr. Westbrook asked if the applicant spoke to the neighbor adjacent to the driveway. Mr. Davis said that the neighbor supported the project and signed the notice. Mr. Milam added that Staff did not receive any letters or calls supporting or against the project.

Mr. Carpenter asked the Staff to see the approximate measurement between the existing sunroom and the adjacent structure, asking how wide the driveway and landscaping area are. Mr. Milam said it is about 13 feet between the two structures.

Mr. Carpenter confirmed any landscape damage during the construction would be replaced.

Ms. Mitchell asked if the applicant had looked at the backyard for the addition. Mr. Davis said they had and that, financially, it would not be beneficial. Adding the addition to the back of the house will take away their patio.

Mr. Westbrook asked if the existing screen porch would be replaced with windows and a wall. Mr. Davis said that, yes, it would be replaced with windows, walls, and a bathroom, adding that the home's footprint would not change at all.

Mr. Barringer added that since the next-door home is also a two-story, it does not overpower the area.

Ms. Mitchell asked if, in the past, there have been two-story variances granted. Ms. Kelly said there had been side setback variances granted, but nothing this narrow, especially given the two-story addition.



Mr. Carpenter said he is struggling with the proximity to the adjacent property. Mr. Davis said that since they are enhancing the property and not increasing the footprint, he struggles to understand other alternatives.

Ms. Mitchell asked if the applicant considered doing a single-story addition. Mr. Davis said that would not address the issue of having only one bathroom.

Mr. Carpenter asked if glazing was ever requested outside of commercial properties. Mr. Milam said that Staff did ask for that in the past, and it is up to the Board to make that determination. Mr. Davis said the windows face the neighbor's staircase, not a bedroom.

Ms. Tolliver asked what happens if the vote fails. Mr. Milam said that if the vote fails, the applicant could appeal to the court system or wait one year and come back with a different design. Ms. Tolliver said that applicant could come back for a Work Session after talking to his architect. Mr. Davis said that he has done that many times.

Ms. Pettit advised that the Board needs a four out of six for the vote to pass, advising that three and three would be a failed vote.

Mr. Milam said that the Staff recommended in their Staff Report to consider findings #4 and #6 relating to the neighborhood and existing site conditions, such as the shape of the lot. Ms. Mitchell added that it's important to work on the landscaping.

Mr. Westbrook said that the Board would want the applicant to work with the City Forester as a condition. Mr. Davis noted that it would not be an issue.

A motion by Ms. Mitchell, seconded by Mr. Carpenter, to approve Variance-14-23, with the following condition:

That a landscape plan for the area of the addition be submitted for review and approval by Staff. Findings #4 and #6 were noted in the Staff report.

2241 Abington Road (VAR-16-23)

Ms. Kelly provided background on the property. Ms. Kelly said that the applicant wanted to add an addition on the back of the home for a new garage with a mudroom that would be around 760 square feet and 820 square feet of living space on the second floor for two bedrooms. She said that the applicant is also looking to make internal improvements as well as adding a covered patio on the back of the home, all of which would comply with the setback and the coverage limits. Ms. Kelly said that it is the addition that would require the variance requests. There were concerns about the



number of variances that are being requested and the architecture and the design of the home in relation to the addition. The third-party architect also expressed concerns over the second-story addition being taller than the main home. Ms. Kelly said that Staff could not support the application as submitted. Staff recommended that the applicant submit alternative plans, which would bring the addition closer to the zoning code requirements for the May Work Session.

Donald Schumacher of 490 Essex Downs Road, Newark, Ohio, an architect for the applicant, gave an overview of the property. He said that the homeowner wants to add two bedrooms, expand the kitchen into the existing garage, and build a new garage. Mr. Schumacher said that the home was renovated 30 years ago, and in addition to the property, a family room, primary bedroom, and walk-in closet were added. Mr. Schumacher said providing a functional garage and living space has been challenging. He addressed the height of the addition, saying that in order to see the height difference, one would have to be 300 feet away from the home, adding that the house is one of the shortest homes in the neighborhood.

Ms. Tolliver asked if the homeowners received the third-party architect's comments. Mr. Schumacher said that they had received them. Ms. Tolliver added that she thinks it's a lot of variances and there will likely be a negative outcome for a vote due to the number of variances. Mr. Schumacher said that he understood and wanted to come in front of the Board and discuss applicant's plans.

Ms. Mitchell said attending a work session to discuss further options would be helpful. Ms. Tolliver added that the applicant should take the comments back to the homeowner so they can make adjustments. Ms. Tolliver said that the Board would not approve the request with all the variances right now.

Mr. Schumacher said that adding a detached garage and the two-bedroom addition would require the addition to be over the setbacks.

Mr. Westbrook confirmed the property does not have a shared driveway.

Mr. Westbrook said that he shares the same concerns as the rest of the Board, adding that the Board rarely approves an addition with five variances. The plan needs to be changed substantially, and the applicant might not get everything they want. Mr. Westbrook asked Staff if the third-party architect had some contribution to the plan. Ms. Kelly said the third-party architect shared some drawings suggesting a 1.5-story addition. Ms. Kelly added that given the size of the addition, it did not reduce the variance requests.



Mr. Milam said that the main concerns of the third-party architect were the two-story addition being higher than the first, which made it look like a foreign element separate from the home.

Ms. Pettit said that depending on what the applicant wanted to achieve tonight, they could request postponement or a vote. Mr. Milam said that Staff would provide the applicant with the third-party architect's drawings and notes for inspiration. Ms. Pettit added that the Board would vote on the request to continue to the May Work Session.

A motion by Mr. Carpenter, seconded by Ms. Mitchell on the request to continue the variance hearing to the May 3rd Work Session. The motion carried unanimously (6-0).

2231 Inchcliff Drive (VAR- 17-23)

The hearing was postponed to the May 3rd Work Session.

5. Zoning Map/Text Amendments

Mr. Milam discussed the changes to the UDO, adding that only a few changes were made since the Board last saw these amendments. This included removing any revisions from the street tree section. Mr. Milam also said that Staff considered the discussion with the community property owners, builders, developers, and the general public on how best to handle lots splits. He added the ordinance only looks at lot splits without lot-line adjustments, as long as both lots remain conforming to the code. Mr. Milam said that the proposed change would send all lots splits to the Board for approval and all appeals would continue to go to the Court of Common Pleas, as they currently do for most applications like variances. Mr. Milam said that part of the changes would include standards of approval, so the Board has better metrics for reviewing minor subdivisions application. Mr. Milam reviewed the amendments including the necessary items for a lot split application. Mr. Milam included details on a timeline of the changes saying it would go to Council in June, where it would have three readings. Mr. Milam added that there were multiple options for the Board to consider including allowing the code to remain as is, forbidding lot splits, creating a separate review Board, and eliminating compatibility requirements. Mr. Milam added that many communities go by this practice.

Ms. Pettit said that if someone would like a lot line adjustment, where a new lot is not created, and it meets all the all the UDO requirements, the Community Development Director could approve that administratively. Ms. Pettit said that if the Board votes yes, it will go to Council for review. Mr. Milam said that if there was a no vote, the code changes would still go to Council. Mr. Milam said that the recommendations do not apply to deed restrictions, saying that the City does not enforce deed restrictions. Mr.



Milam added that several subdivisions in Upper Arlington have restrictions where a property cannot be subdivided. These changes would not apply to these restrictions, and for these restrictions to be changed, there would have to be a plat amendment.

Mr. Westbrook said that he agrees with the proposed changes, saying that it still goes in front of the Board in case of an appeal, and its best if it goes to the Board directly. Mr. Westbrook added that lots splits should not be eliminated, saying that measurable and reasonable standards need to be in place.

Ms. Tolliver asked why the initial appeal would not go to City Council for review. Ms. Pettit said this was changed in the code a couple years ago, where many appeals go to the Court of Common Pleas.

Mr. Randy Walters of 4137 Clairmont Road addressed the Board regarding the proposed changes to the UDO. Mr. Walters said that he appreciated the proposed changes, but had concerns including developers using the amendments to require a lot split. Mr. Walters also shared concerns with the definition of *Prominent Characteristics* and the appeal process, saying that Council would be more familiar with the situation and more concerned about preserving the neighborhood character. Requiring an appeal to the Court of Common Pleas places a burden and cost on the neighbors. Mr. Walters also shared concerns with the notice being too short and that neighbors should have the right to be involved in the process from the beginning, including attending sessions with the developers to have an open and fair process.

Mr. Carpenter asked what Mr. Walters considered an appropriate notice period. Mr. Walters said that the same process currently being done for building applications. Mr. Carpenter followed up and asked what would be a good solution for defining *Prominent Characteristics*. Mr. Walters said that getting rid of concepts such as *unique* and *consistent*.

Ms. Tolliver said that she liked Mr. Walters's comments on increasing the notice notification and modifying the definition by removing *unique*.

Mr. Milam said that Staff is happy to look at the proposed changes. There could be an increase in the notice requirement. Ms. Pettit asked how increasing the notification days would affect the meeting Agenda. Mr. Milam said that Staff could treat it like a rezoning application and have the application be submitted a week before the deadline, adding that they could also increase the notification to 300 feet.

Ms. Kelly said that Staff would need a specific number of notice days. Ms. Pettit added that it's important to avoid a scenario of giving a notice to a hearing date that is not the actual hearing date, adding that people should know when to come to the open Board



meeting. Mr. Westbrook said if we have a zoning standard, then it would remain consistent with the rules. Mr. Westbrook said that he disagrees with giving notice before the application is submitted, adding that it's not an application until it is submitted.

Mr. Walters noted that neighbors could be notified before the application is submitted. Mr. Westbrook said it's not an official application until it's submitted, adding that increasing the notice would be adequate. Ms. Kelly said that for new home building permits, the notice is submitted along with the application; however, for lots splits that will go to the Board is best to have a defined number of days. Mr. Milam added that increasing the notification requirement from 200 to 300 feet, like rezoning, and submitting the subdivision application, would be done a week in advance.

Ms. Tolliver asked for clarification on the definition of *unique*. Mr. Walters said that removing *Prominent Characteristics* can solve the issue. Ms. Mitchell and Mr. Westbrook noted that they favor eliminating *unique* but keeping *Prominent Characteristics* in the definition. Mr. Carpenter suggested using the word *comparable* instead of *unique*.

Ms. Tolliver asked for clarification on the street segment. Ms. Pettit said that the lot split application has six requirements and it still needs to comply with neighborhood compatibility. Mr. Milam said that the requirements have changed throughout the years, adding that the street segment is the area that is most impacted by the proposal. Mr. Barringer noted that it's difficult to give an exact definition of what is a building or street segment.

Mr. Carpenter said that notification for lot splits should go to neighbors of 300 feet or less. Mr. Milam added that one of the Council's priorities is to find a resolution on lot splits.

A motion by Mr. Westbrook, seconded by Ms. Mitchell, to postpone the review and the recommendation to City Council proposed amendments to the UDO relating to minor subdivisions to the May 3rd Work Session.

The motion carried unanimously. (6-0).

6. Community Development Update

Mr. Milam gave an update on ongoing projects and what is coming for the May 3rd Work Session. Mr. Milam said that along with the recommended UDO changes, there would be other miscellaneous changes for the Board to review. Mr. Milam said that the Staff was hiring a summer intern and gave an update on the groundbreaking for the



community center. Mr. Milam said that the Historical Society is working with the community to recognize some of the historic homes in the neighborhood.

7. Adjournment

The meeting adjourned at 8:01 PM.

ATTEST:

Yelena Parks

CHAIR:

Shannon Jellner



City of Upper Arlington

BZAP Minutes | Page 9 of 9 | April 19, 2023

Authors: Alyssa Kelly, AICP, Planning Officer

BZAP Meeting Date: May 17, 2023

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

Site Description/History

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

Proposal

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

Zoning Code Requirements

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

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

Alternatives

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



Requested Action and Findings

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

Attachments

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





23-1555

Variance Application

Status: Active

Date Created: Apr 17, 2023

Applicant

Gerald Schultz
gschultz@bsdarchitects.com
990 W. Third Ave
Suite 100
Columbus, OH 43212
6145548072

Primary Location

3910 LYON DR
UPPER ARLINGTON, OH 43220

Owner:

ROWAN DANIEL L TR
3910 Lyon Drive UPPER ARLINGTON, OH 43220

BZAP Information

BZAP Case #

VAR-19-23

Status

Pending

BZAP Determination Date

05/17/2023

Vote Tally

--

Primary Variance

Rear Yard

Findings of Fact for Approval/Denial

--

Variance Request

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

BZAP conditions

--

Variance Information

Describe Variance Request

Variances are requested to improve the outdoor living area of the house, requiring construction within the 100' setback from the golf course. 1.) Allow an in ground spa extending 12'-8" into the setback. 2.) Allow a 2' tall stone wall at east face of the tub, extending 1'-6" further into the setback. 3.) Allow a retractable awning over the tub, extending over the tub and new patio area, and 4.) Allow a retractable awning over part of the existing patio.

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

The footprint of the house and the rear building line leave little space for even modest amenities like a hot tub. The open space of the adjacent part of the golf course exposes the patio and the interior of the house to severe, low-angle glare from the east.

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

Small in-ground pools and spas along the golf course have been allowed. Low landscape elements and awnings are not uncommon.

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

The proposed stone wall is similar to existing walls at the other side of the patio, and walls in the neighborhood. The proposed awnings project out at a low angle, and even when fully extended, trees and tall plantings on the side property lines will block them from view.

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

The proposed location tub and patio extension fit tightly behind existing walks and landscaping.

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

The small hot tub is a valuable amenity, and the awnings improve both the indoor and outdoor livability of the home.

Attachments

-  230420_3910 LYON DR_ELEVATIONS.pdf
Uploaded by Gerald Schultz on Apr 20, 2023 at 3:15 pm
-  230420_3910 LYON DR_SITE AND FLOOR PLAN.pdf
Uploaded by Gerald Schultz on Apr 20, 2023 at 3:15 pm
-  Certified Letter Tracking Numbers.pdf
Uploaded by Gerald Schultz on Apr 17, 2023 at 4:11 pm
-  Template Variance Neighbor Letter 4-17-23.pdf
Uploaded by Gerald Schultz on Apr 17, 2023 at 4:10 pm
-  230417_3910 LYON DR_IMAGES.pdf
Uploaded by Gerald Schultz on Apr 17, 2023 at 4:08 pm

History

Date	Activity
Mar 10, 2023 at 3:49 pm	Gerald Schultz started a draft of Record 23-1555
Mar 10, 2023 at 4:06 pm	Gerald Schultz altered Record 23-1555, changed ownerEmail from "" to "danrowan88@gmail.com"
Mar 10, 2023 at 4:06 pm	Gerald Schultz altered Record 23-1555, changed ownerPostalCode from "43221" to "43220"
Mar 10, 2023 at 4:06 pm	Gerald Schultz altered Record 23-1555, changed ownerStreetName from "BERWYN" to "Lyon Drive"
Mar 10, 2023 at 4:06 pm	Gerald Schultz altered Record 23-1555, changed ownerStreetNo from "2693" to "3910"
Apr 17, 2023 at 12:20 pm	Gerald Schultz altered Record 23-1555, changed ownerPhoneNo from "" to "614 325 1537"
Apr 17, 2023 at 4:08 pm	Gerald Schultz added attachment 230417_3910 LYON DR_IMAGES.pdf to Record 23-1555
Apr 17, 2023 at 4:12 pm	Gerald Schultz submitted Record 23-1555
Apr 17, 2023 at 4:16 pm	completed payment step Application Fees on Record 23-1555
Apr 17, 2023 at 4:16 pm	approval step Application Complete & Scheduled for BZAP Reviewwas assigned to Justin Milam on Record 23-1555
Apr 20, 2023 at 3:02 pm	Alyssa Kelly added attachment L_R_rev_420_1078-01.pdf to Record 23-1555
Apr 20, 2023 at 3:02 pm	Alyssa Kelly added attachment L_R_rev_420_1079-01.pdf to Record 23-1555
Apr 20, 2023 at 3:02 pm	Alyssa Kelly added attachment L_R_rev_420_1079-01.pdf to Record 23-1555
Apr 20, 2023 at 3:02 pm	Alyssa Kelly added attachment L_R_rev_420_1078-01.pdf to Record 23-1555
Apr 20, 2023 at 3:22 pm	Alyssa Kelly removed attachment L_R_rev_420_1079-01.pdf from Record 23-1555
Apr 20, 2023 at 3:22 pm	Alyssa Kelly removed attachment L_R_rev_420_1078-01.pdf from Record 23-1555
Apr 20, 2023 at 3:51 pm	Alyssa Kelly unassigned approval step Application Complete & Scheduled for BZAP Review from Justin Milam on Record 23-1555
Apr 20, 2023 at 3:51 pm	Alyssa Kelly assigned approval step Application Complete & Scheduled for BZAP Review to Alyssa Kelly on Record 23-1555
Apr 20, 2023 at 3:55 pm	Alyssa Kelly changed BZAP Case # from "" to "VAR-19-23" on Record 23-1555
Apr 20, 2023 at 3:55 pm	Alyssa Kelly changed Status from "" to "Pending" on Record 23-1555
Apr 20, 2023 at 3:55 pm	Alyssa Kelly changed BZAP Determination Date from "" to "05/17/2023" on Record 23-1555
Apr 20, 2023 at 3:57 pm	Alyssa Kelly changed Primary Variance from "" to "Hot tub" on Record 23-1555
Apr 20, 2023 at 4:04 pm	Alyssa Kelly removed attachment L_R_rev_420_1078-01.pdf from Record 23-1555
Apr 20, 2023 at 4:04 pm	Alyssa Kelly removed attachment L_R_rev_420_1079-01.pdf from Record 23-1555
May 3, 2023 at 9:41 am	Justin Milam assigned approval step Application Complete & Scheduled for BZAP Review to Justin Milam on Record 23-1555
May 3, 2023 at 9:41 am	Justin Milam approved approval step Application Complete & Scheduled for BZAP Review on Record 23-1555
May 3, 2023 at 9:41 am	approval step Board of Zoning & Planning Reviewwas assigned to Justin Milam on Record 23-1555
May 3, 2023 at 9:42 am	Justin Milam changed Variance Request from "" to "To allow a hot tub and retractable awning to encroach up to 15'-8" into the 100-foot rea" on Record 23-1555
May 3, 2023 at 9:42 am	Justin Milam changed Primary Variance from "Hot tub" to "Rear Yard" on Record 23-1555

Timeline

Label	Status	Activated	Completed	Assignee	Due Date
 Application Fees	Paid	Apr 17, 2023 at 4:12 pm	Apr 17, 2023 at 4:16 pm	-	-

Label	Status	Activated	Completed	Assignee	Due Date
 Application Complete & Scheduled for BZAP Review	Complete	Apr 17, 2023 at 4:16 pm	May 3, 2023 at 9:41 am	Justin Milam	-
 Board of Zoning & Planning Review	Active	May 3, 2023 at 9:41 am	-	Justin Milam	-
 BZAP Result	Inactive	-	-	-	-

April 17, 2023

Name

Address

Address

RE: 3910 Lyon Drive

Dear *Name*:

This letter is to inform you that the owners of 3910 Lyon Drive have applied for a zoning variance from the City of Upper Arlington. If approved, the variance would allow the construction of an in-ground spa and patio extension at the rear of the home within the 100' setback from the golf course. A site plan showing the setback and the proposed project is enclosed.

The Board of Zoning Appeals hearing for this request is Wednesday, May 17, 2023 at 6:00p.m. More meeting information is available at <https://upperarlingtonoh.gov>.

Please feel free to reach out to me with any questions or concerns at (614) 464-1933.

Sincerely,

Gerald Schultz, Architect

3910 Lyon Dr.
Variance Letter Mailing
Certified Letter Tracking Information
4/17/23

Letter Recipient	Street Address	City/State/Zip	Certified Letter Tracking #
Bradley and Stephanie Ferrell	3924 Lyon Dr.	Upper Arlington, OH 43220	7007 0710 0002 4548 7972
William E. and Eileen M. Maher	3894 Lyon Dr.	Columbus, OH 43220	7007 0710 0002 4548 8177
Gary S. and Becky L. Owens	3905 Lyon Dr.	Upper Arlington, OH 43220	7007 0710 0002 4548 8184
Jeffrey W. Johnston, TR and Morgan Norvell-Johnston	3925 Lyon Dr.	Columbus, OH 43220-4908	7007 0710 0002 4548 8191
State of Ohio - Henderson Road	1534 N. High St. Gateway D 2 nd Fl	Columbus, OH 43201	7007 0710 0002 4548 8207



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

A PROPOSED EXTERIOR ELEVATION RENDER
 SCALE: NTS



B PROPOSED AWNING - OVER PROPOSED POOL
 SCALE: NTS

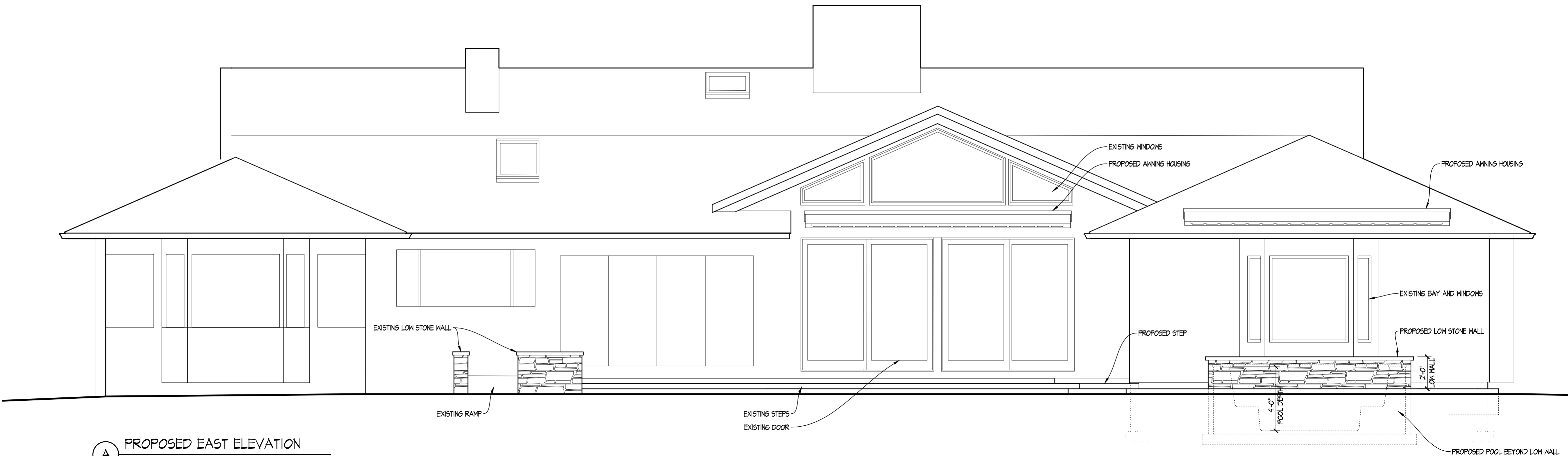


C PROPOSED AWNING - OVER EXISTING PATIO
 SCALE: NTS

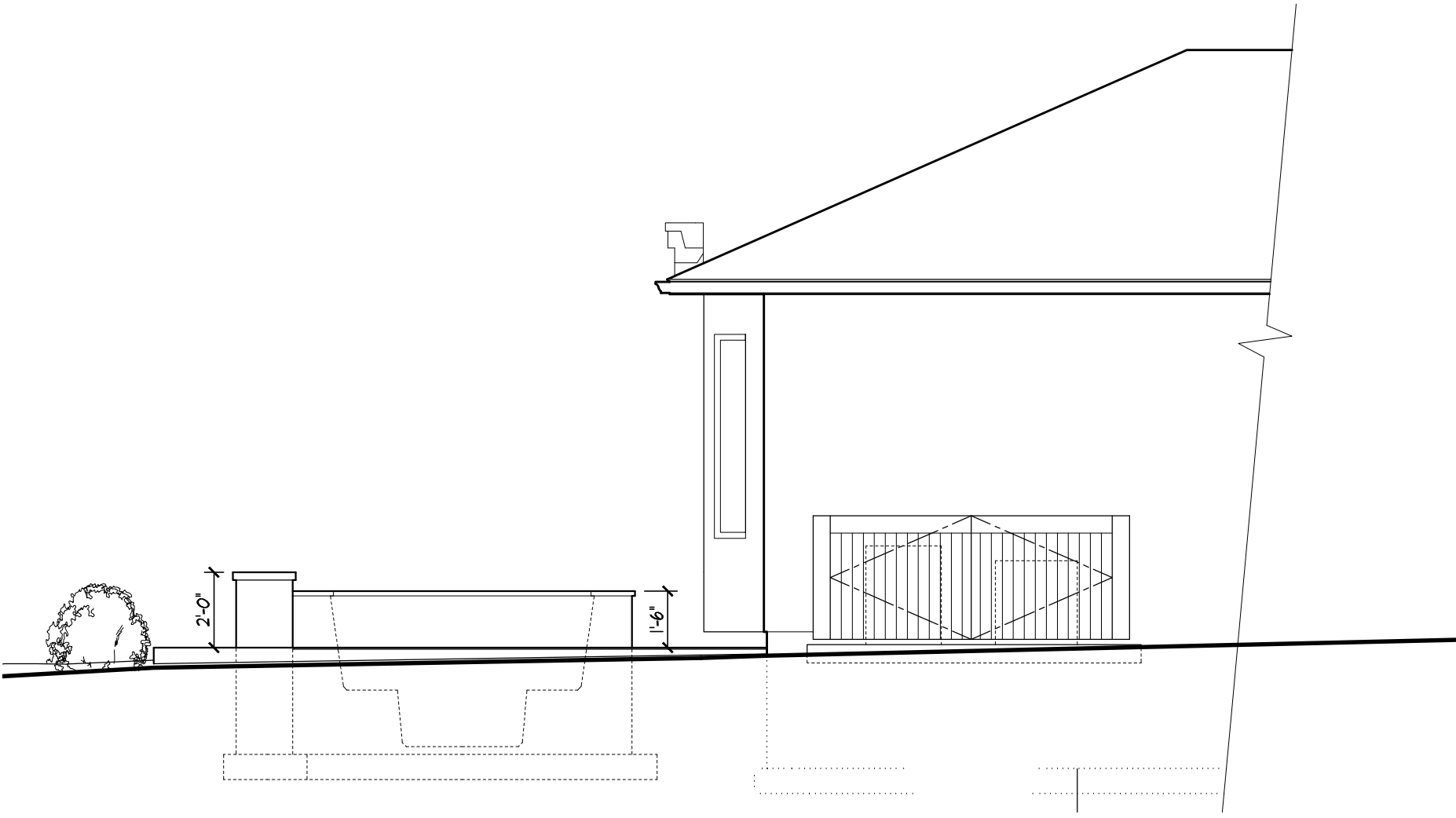
SCHEMATIC DRAWINGS FOR THE
 LACH-ROWAN RESIDENCE

3910 LYON DRIVE
 UPPER ARLINGTON, OH 43220

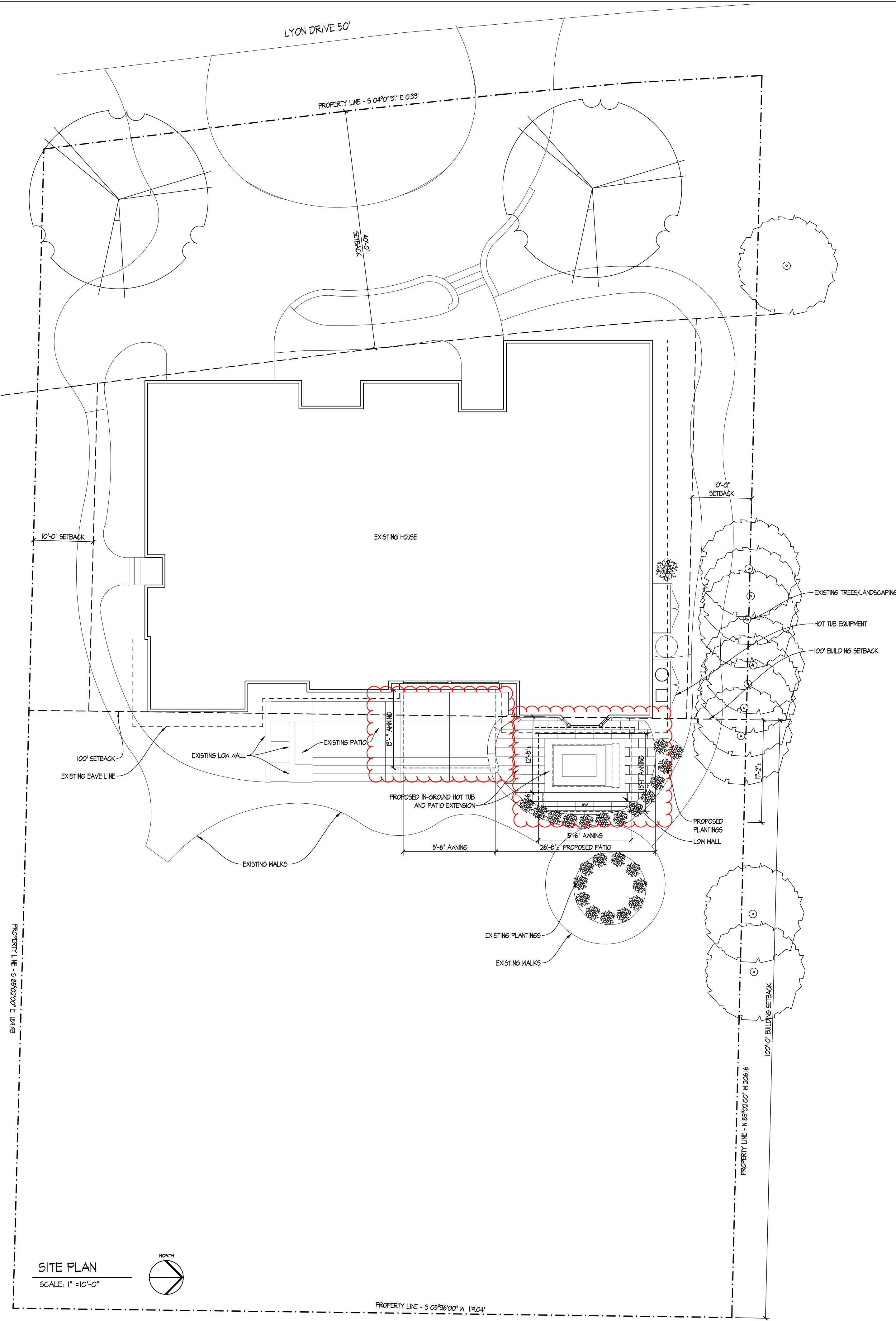
04.17.2023



A PROPOSED EAST ELEVATION
SCALE: 1/4" = 1'-0"



B PROPOSED SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



BUILDING ZONING INFORMATION

PROPERTY ADDRESS:	3410 LYON DRIVE
ZONING:	R1B
LOT AREA:	23,458 SQ. FT. (.55 ACRE)
ALLOWABLE DEV. COVERAGE (40%):	9,383 SQ. FT.
EXISTING DEV. COVERAGE:	8,844 SQ. FT.
PROPOSED DEV. COVERAGE (4125 SQ. FT.):	4,844 SQ. FT.

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



SCHEMATIC DRAWINGS FOR THE
LACH-ROWAN RESIDENCE

3410 LYON DRIVE
UPPER ARLINGTON, OH 43220

04.20.2023

990 WEST THIRD AVE.
COLUMBUS, OHIO 43212



3910 LYON DRIVE
UPPER ARLINGTON, OH 43220

04.20.2023

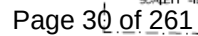
3910 Lyon Drive

BZAP Staff Report Pictures

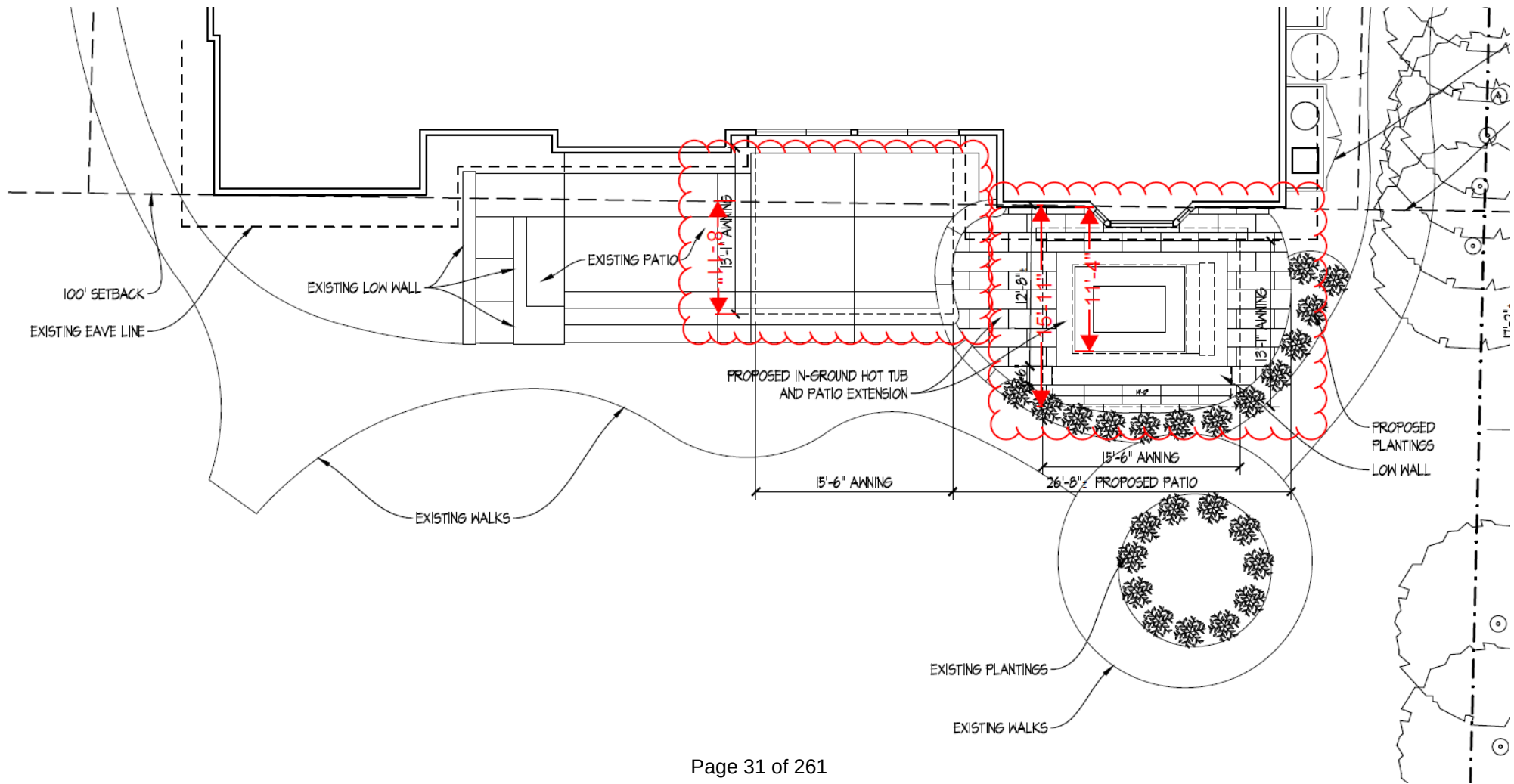


Google Maps ® Aerial – Looking North





Proposed First Floor Plan



Proposed Rear Elevation



Proposed Awnings



Existing Abington Road Elevation



Existing Rear Elevation



Existing Rear Yard



Authors: Justin Milam, AICP, Senior Planner

BZAP Meeting Date: May 17, 2023

Subject: 2617 Eastcleft Drive (VAR-24-23) - To allow a two-story addition to encroach 4.24 feet into the 10-foot minimum side yard setback (to match existing).

Site Description/History

The subject property, 2617 Eastcleft Drive, is located on the south side of the street, four lots east of Kioka Avenue. It is rectangular in shape with 80 feet of frontage and 236 feet of depth, similar to others in the neighborhood. The property is platted as Lot #318 in the [East-Cleft-on-the-Scioto subdivision](#) and is zoned R-1c, One-Family Residence District. An existing stone and stucco ranch with a two-car attached garage sits 30 feet behind the default 40-foot building setback line. The property includes several mature trees along the periphery of the site and a three-foot tall wood fence encloses the property. Near the property are several recently built homes and homes that have undergone significant renovations. The home was built in 1954 and purchased by the applicant in 2020.

Proposal

The proposal includes the construction of a front porch, two-story great room, attached garage and second floor addition atop the existing residence. The front addition will bring the home 30 feet closer to the street and in line with adjacent homes. The addition continues the existing side yard setback (nonconforming), but at a 1.5-story level. The proposed home design is more modern than at present and would reach up to 28 feet in height. It includes vertical and shake siding, with asphalt shingles. A new front porch is also proposed, which would exceed the projection limits in the front yard. Building and development coverage are both below permissible limits.

Zoning Code Requirements

- To allow a two-story garage addition to encroach 4.24 feet into the 10-foot minimum side yard setback (to match existing) (Article 5.02); and
- To allow a front porch to project up to 6' x 21' into the front yard, in lieu of the 5' x 10' projection permitted (Article 6.01).

Alternatives



The applicant could reduce the width of the garage addition so that it is outside of the side yard setback, but this would not make sense given existing site conditions. A smaller front porch could also be pursued, but would likely not match the design aesthetic of the home.

Requested Action and Findings

Staff has reviewed the application and plans, visited the site, and is supportive of the request. While the proposal completely changes the existing home, it would not be out of character as there are other two-story homes on the block, including right next door and across the street (Finding #4). The proposed building height is under the maximum limit for this neighborhood and the design meets the City's neighborhood compatibility policy. The proposal brings the home forward to the same setback plane as others along the street; it utilizes an existing foundation and footprint, while shifting the massing of the addition toward the center and right side of the home. For these reasons, Staff recommends that this application be approved.

Attachments

1. 2617 Eastcleft Drive variance app
2. BZAP Staff Report Pics - 2617 Eastcleft Dr
3. Neighbor letter - McCreary





23-1523

Variance Application

Status: Active

Date Created: Apr 15, 2023

Applicant

Joseph Frasure
joe@frasurhomeimprovements.com
6558 Cook Rd
Powell, Ohio 43065
2817234918

Primary Location

2617 EASTCLEFT DR
UPPER ARLINGTON, OH 43221

Owner:

GRANT LINDSEY M EDDY CALEB
2617 EASTCLEFF COLUMBUS, OH 43221

BZAP Information

BZAP Case #

VAR-24-23

Status

Pending

BZAP Determination Date

05/17/2023

Vote Tally

--

Primary Variance

Side Yard

Findings of Fact for Approval/Denial

--

Variance Request

To allow a two-story addition to encroach 4.24 feet into the 10-foot minimum side yard setback (to match existing).

BZAP conditions

--

Variance Information

Describe Variance Request

Side set back for proposed garage extension with room addition. Current garage encroaches into the set back and we wish to continue the existing set back forward as shown on submitted drawings

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?

Current location of garage is in the side yard setback. In order for garage expansion it will be necessary to continue building footprint into the setback.

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

i dont think so

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

no

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

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

yes

Attachments

 eastcleft variance letter.pdf
Uploaded by Joseph Frasure on Apr 20, 2023 at 7:07 pm

 UA BZAP Form.jpg
Uploaded by Joseph Frasure on Apr 15, 2023 at 11:15 am

 2617 Eastcleft Drive second floor.jpg
Uploaded by Joseph Frasure on Apr 14, 2023 at 7:17 pm

 2617 Eastcleft Drive site plan only.pdf
Uploaded by Joseph Frasure on Apr 18, 2023 at 8:06 pm

 2617 Eastcleft Drive 4-18-23 revised elevations at 28 part 2 ft.pdf
Uploaded by Joseph Frasure on Apr 18, 2023 at 8:06 pm

History

Date	Activity
Apr 14, 2023 at 6:50 pm	Joseph Frasure started a draft of Record 23-1523
Apr 14, 2023 at 6:55 pm	Joseph Frasure altered Record 23-1523, changed ownerName from "BLACK ANDREW T" to " GRANT LINDSEY M EDDY CALEB"
Apr 14, 2023 at 7:17 pm	Joseph Frasure added attachment 2617 Eastcleft Drive elevation 2.jpg to Record 23-1523
Apr 14, 2023 at 7:17 pm	Joseph Frasure added attachment 2617 Eastcleft Drive second floor.jpg to Record 23-1523
Apr 15, 2023 at 11:16 am	Joseph Frasure submitted Record 23-1523
Apr 15, 2023 at 11:20 am	completed payment step Application Fees on Record 23-1523
Apr 15, 2023 at 11:20 am	approval step Application Complete & Scheduled for BZAP Reviewwas assigned to Justin Milam on Record 23-1523
Apr 18, 2023 at 8:06 pm	Joseph Frasure added attachment 2617 Eastcleft Drive site plan only.pdf to Record 23-1523
Apr 18, 2023 at 8:06 pm	Joseph Frasure added attachment 2617 Eastcleft Drive 4-18-23 revised elevations at 28 part 2 ft.pdf to Record 23-1523
Apr 20, 2023 at 4:01 pm	Alyssa Kelly changed BZAP Case # from "" to "VAR-24-23" on Record 23-1523
Apr 20, 2023 at 4:01 pm	Alyssa Kelly changed Status from "" to "Pending" on Record 23-1523
Apr 20, 2023 at 4:01 pm	Alyssa Kelly changed BZAP Determination Date from "" to "05/17/2023" on Record 23-1523
Apr 20, 2023 at 4:01 pm	Alyssa Kelly changed Primary Variance from "" to "Addition" on Record 23-1523
Apr 21, 2023 at 8:54 am	Alyssa Kelly removed attachment Elevations from Record 23-1523
Apr 21, 2023 at 8:54 am	Alyssa Kelly removed attachment Site and Floor Plans from Record 23-1523
Apr 21, 2023 at 8:55 am	Alyssa Kelly removed attachment 2617 Eastcleft Drive elevation 2.jpg from Record 23-1523
May 3, 2023 at 9:10 am	Justin Milam approved approval step Application Complete & Scheduled for BZAP Review on Record 23-1523
May 3, 2023 at 9:10 am	approval step Board of Zoning & Planning Reviewwas assigned to Justin Milam on Record 23-1523
May 3, 2023 at 9:11 am	Justin Milam changed Primary Variance from "Addition" to "Side Yard" on Record 23-1523
May 3, 2023 at 9:11 am	Justin Milam changed Variance Request from "" to "To allow a two-story addition to encroach 4.24 feet into the 10-foot minimum side yard setback (t" on Record 23-1523

Timeline

Label	Status	Activated	Completed	Assignee	Due Date
 Application Fees	Paid	Apr 15, 2023 at 11:16 am	Apr 15, 2023 at 11:20 am	-	-
 Application Complete & Scheduled for BZAP Review	Complete	Apr 15, 2023 at 11:20 am	May 3, 2023 at 9:10 am	Justin Milam	-
 Board of Zoning & Planning Review	Active	May 3, 2023 at 9:10 am	-	Justin Milam	-
 BZAP Result	Inactive	-	-	-	-



Revised: Jan 2021

Certification of Notice

Applicant Name: Caleb Eddy and Lindsey M Grant

Location of property subject to BZAP request: 2617 Eastcleft Dr Columbus Ohio 43221

Describe activity which requires Board of Zoning and Planning review:

A variance is being requested for the side yard set back for a proposed room addition and garage expansion. The current footprint of the house sits within the side yard setback and in order to expand the garage it will be necessary to continue the building line along the same path for the garage expansion.

May 17th 2023

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

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.

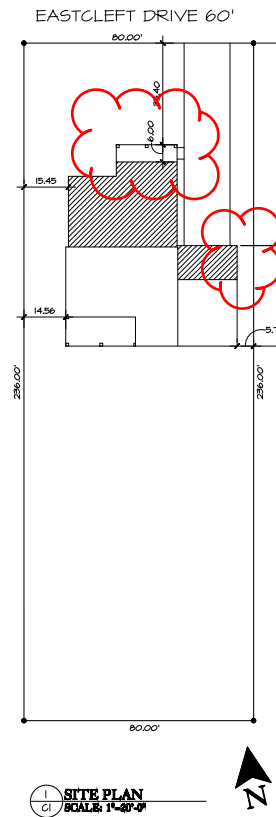
*Your signature below **DOES NOT** constitute approval or disapproval of the request. Your signature only represents that you have been properly notified of the request. You are encouraged to attend any and all meetings regarding this matter.*

Address of Property to be notified:	Property Owner Name:	Property Owner Signature or Certified Mail No.:	Date obtained or Mail sent:
2628 Eastcleft Dr. Columbus, OH 43221	Jonathan L Dick, Natalie A Dick	9589 0710 5270 0654 7013 50	4/15/23
2614 Eastcleft Dr. Columbus, OH 43221	Timothy Brown	9589 0710 5270 0654 7013 36	4/15/23
2604 Eastcleft Dr. Columbus, OH 43221	Avreham Benatar, Joy Benatar	9589 0710 5270 0654 7013 67	4/15/23
2597 Eastcleft Dr. Columbus, OH 43221	Trevor Dewoody	9589 0710 5270 0654 7013 74	4/15/23
2607 Eastcleft Dr. Columbus, OH 43221	Marcee C McCreary	9589 0710 5270 0654 7013 81	4/15/23
			4/15/23
2627 Eastcleft Dr. Columbus, OH 43221	Anthony Scott Dupler, Anastasia Bell	9589 0710 5270 0654 7013 98	4/15/23
2637 Eastcleft Dr. Columbus, OH 43221	Thomas David Adams	9589 0710 5270 0654 7014 04	4/15/23
3260 Kioka Ave. Columbus, OH 43221	Richard W Shuermann Jr, Lauren A Schuermann	9589 0710 5270 0654 7014 11	4/15/23
3250 Kioka Ave. Columbus, OH 43221	Douglas I Warmolts, Carrie J Warmolts	9589 0710 5270 0654 7015 28	4/15/23
2644 Zollinger Rd., Columbus OH 43221	Aleah M Page, Gabriel J Page	9589 0710 5270 0654 7014 35	4/15/23
2628 Zollinger Rd., Columbus OH 43221	Kenneth C Vaughn, Jeanne S Vaughn	9589 0710 5270 0654 7014 42	4/15/23
2612 Zollinger Rd. Columbus, OH 43221	Scarlette C Boudier, Richard E Boudier	9589 0710 5270 0654 7014 53	4/15/23
Applicant Signature:			Date: 4/15/23

Dear Neighbor,

We hope this letter finds you well. We are writing to notify you that we are requesting a variance through the City of Upper Arlington to get relief from the side step back ordinance of 10 feet at our residence located on 2617 Eastcleft Dr Columbus Ohio 43221. Our current garage sits within the setback already and as part of a proposed room addition/garage expansion we would need to move the garage on it's current building line forward toward the road. This addition would not encroach on the front setback but would extended on its current line in the side yard setback. The hearing for this variance request will take place 6 pm Wednesday May 17, 2023 at the Upper Arlington Municipal Services Center 3600 Tremont Road Upper Arlington Ohio 43221. If you have any questions please feel free to reach out to us.

Caleb Eddy
Lindsey Grant
2617 Eastcleft Dr
Columbus Ohio 43221



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

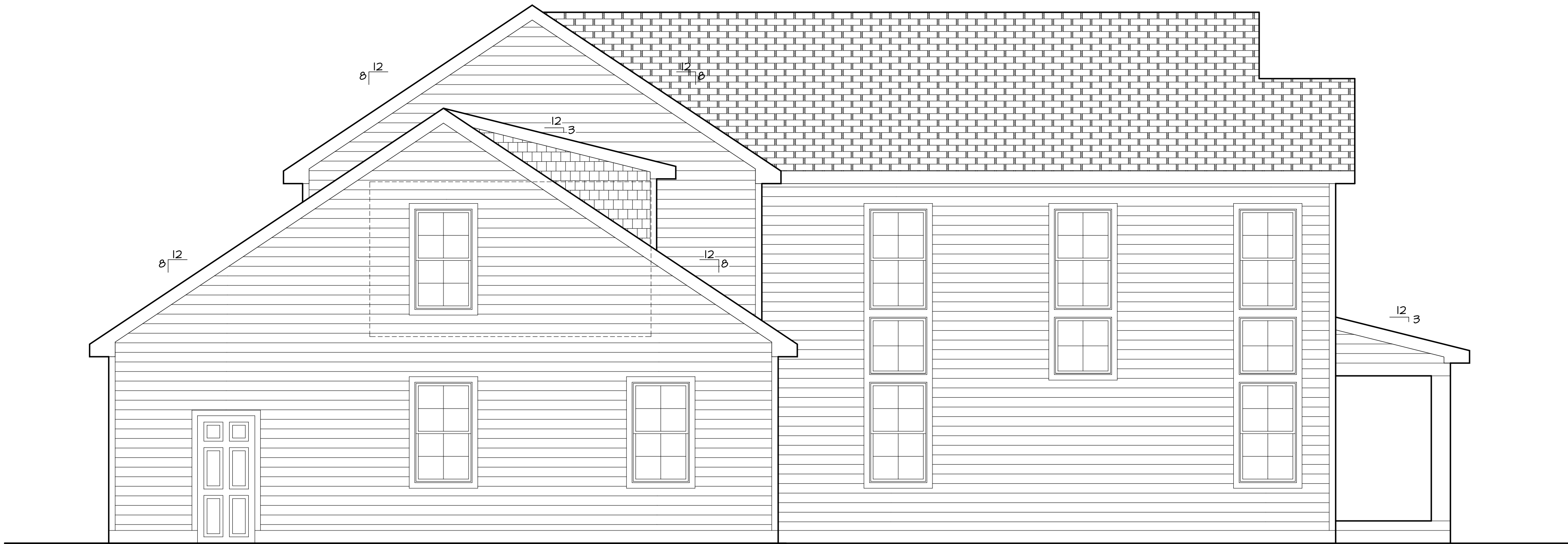
LOT INFO/CALCS

ZONING R1C
 SITE AREA = 18,880 SQ.FT.
 BUILDING COVER ALLOWED 24%
 DEVELOPMENT COVER ALLOWED 45%
 SIDE YARD SETBACK 10'
 SIDE YARD SUM = 20'
 REAR YARD SETBACK 40'
 BUILDING COVER = 3235 SQ.FT. 17%
 DEVELOPMENT COVER = 4363 SQ.FT. 23%

EXISTING SITE PLAN		JOB # 408923		SCALE: AS NOTED	REVISIONS
		ISSUE DATE: 4-11-2023		SHEET NUMBER	2617 EASTCLEFT DRIVE UPPER ARLINGTON, OH
C1		Shawn McAllister  Architect, Inc.		130 N. Maple Street Mansville, OH 43040 TEL: 614-451-4136 SMARCH16@AMERITECH.NET	



1
A3
FRONT ELEVATION
SCALE: 1/4"=1'-0"



2
A3
SIDE ELEVATION
SCALE: 1/4"=1'-0"

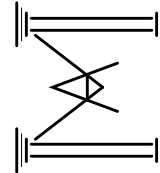
EXTERIOR ELEVATIONS

JOB # 408923
SCALE: 1/4"=1'-0"
ISSUE DATE: 4-18-2023

SHEET NUMBER

A3

Shawn McAllister



Architect, Inc.

130 N. Maple Street
Marysville, OH 43040
TEL: 614-451-4136
SMARCH@AMERITECH.NET

2617 EASTCLEFT DRIVE
UPPER ARLINGTON, OH



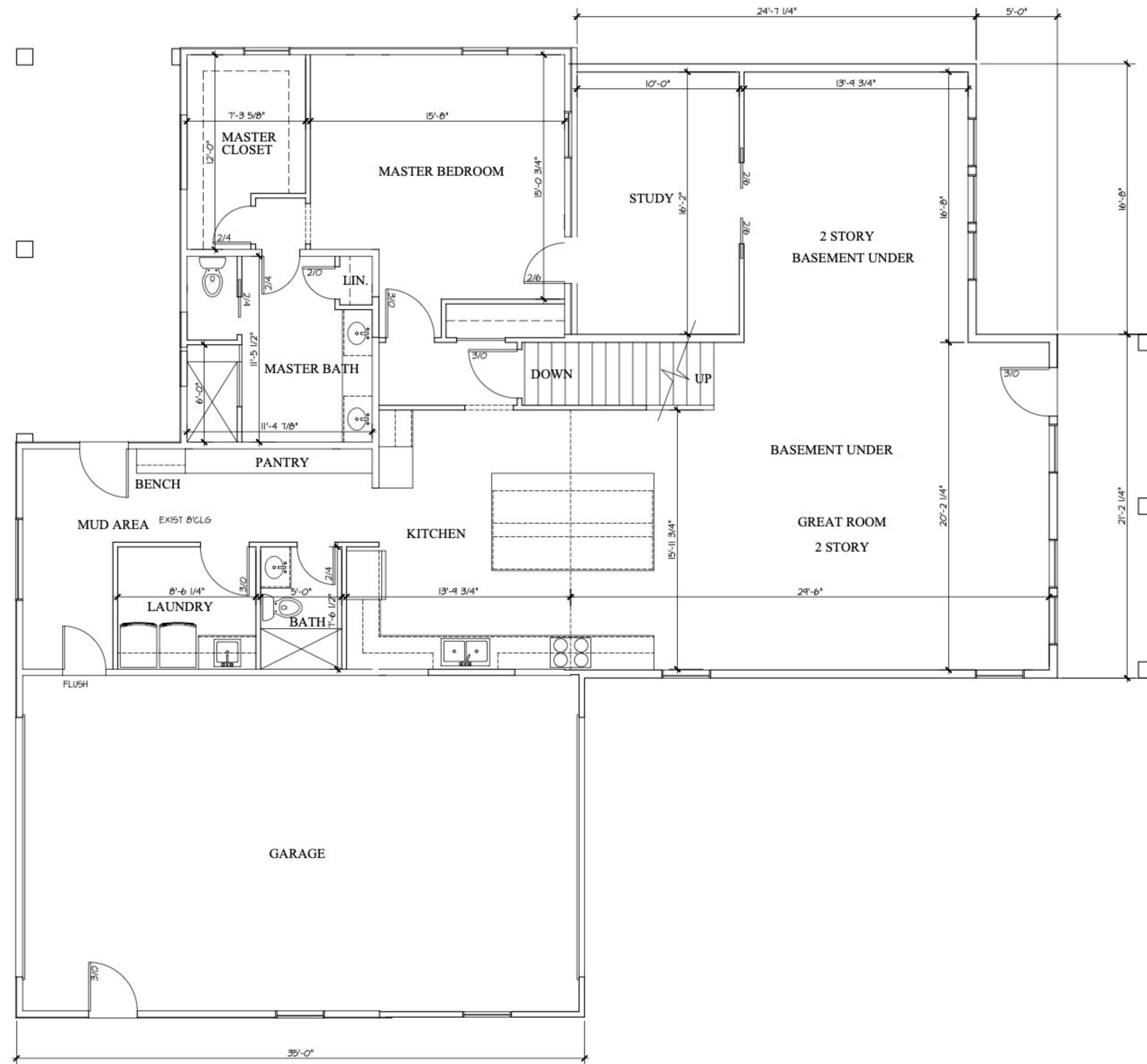
A4

The diagram shows a double-stranded DNA molecule. On the left, two vertical lines represent the DNA strands, each with a short horizontal segment at the top and bottom. On the right, two more vertical lines represent the DNA strands, also with short horizontal segments at the top and bottom. In the center, the two strands cross each other twice, forming a figure-eight or loop structure. This central structure is connected to the outer strands by four diagonal lines, two on each side.

TEL: 614-451-4136
SMARCH@AMERITECH.NET

2617 EASTCLEFT DRIVE
UPPER ARLINGTON, OH

Page 45 of 261



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

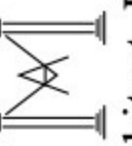
FIRST FLOOR PLAN

JOB # 408923	SCALE: $1/4"=1'-0"$
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ISSUE DATE: 4-5-2023

REVISIONS

Shawn McAllister



Architect, Inc.

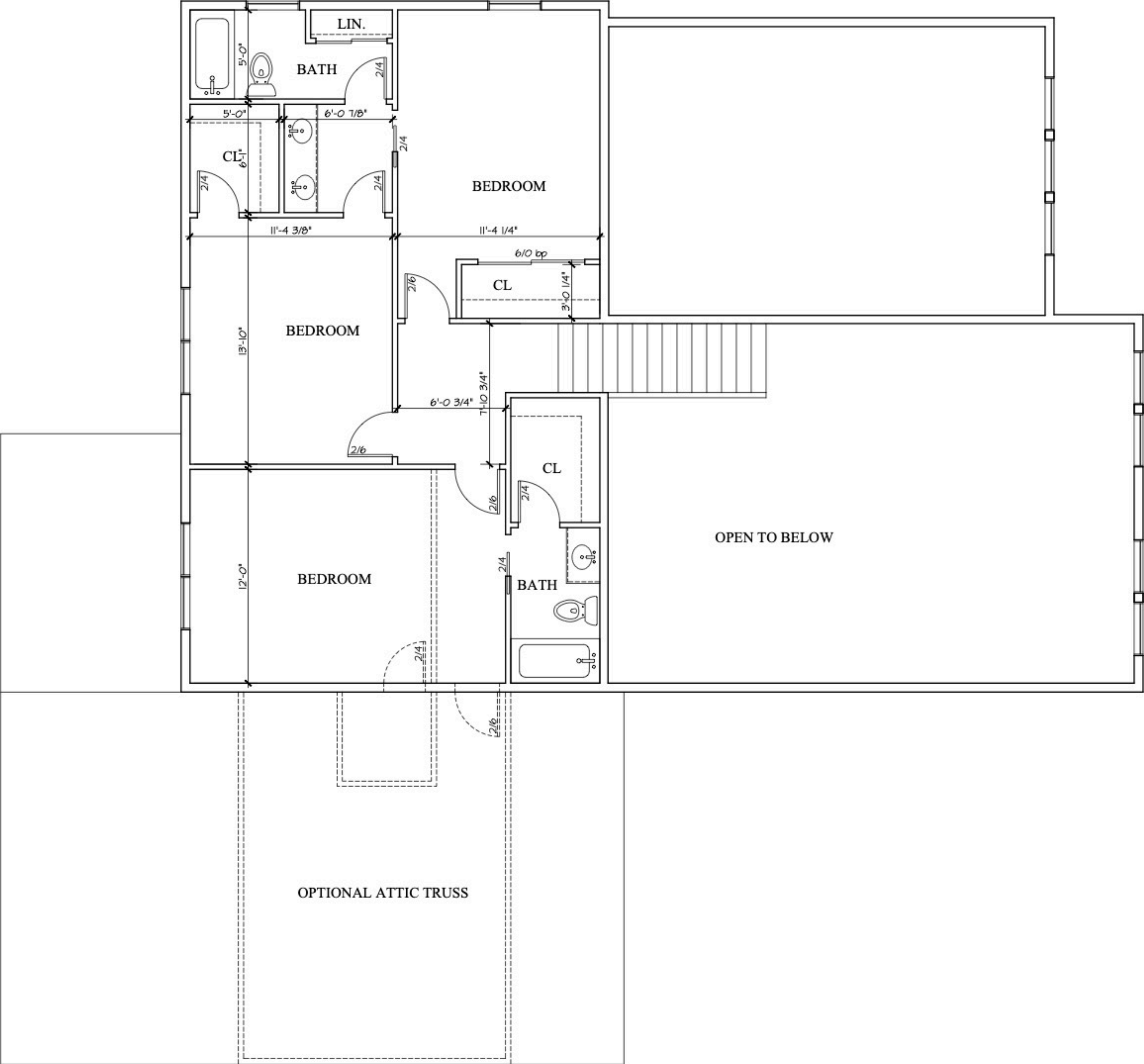
130 N. Maple Street
Marysville, OH 43040

SMARCH@AMERITECH.NET

2617 EASTCLEFT DRIVE
UPPER ARLINGTON, OH

SHEET NUMBER

A1



1 SECOND FLOOR PLAN
A2 SCALE: 1/4"=1'-0"

SECOND FLOOR PLAN

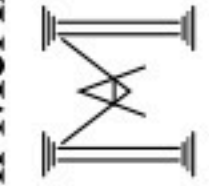
JOB # 408923 SCALE: 1/4"=1'-0"

ISSUE DATE: 4-5-2023

SHEET NUMBER

A2

Shawn McAllister



Architect, Inc.

130 N. Maple Street
Marysville, OH 43040

TEL: 614-451-4136
SMARCH@AMERITECH.NET

2617 EASTCLEFT DRIVE
UPPER ARLINGTON, OH

2617 Eastcleft Drive

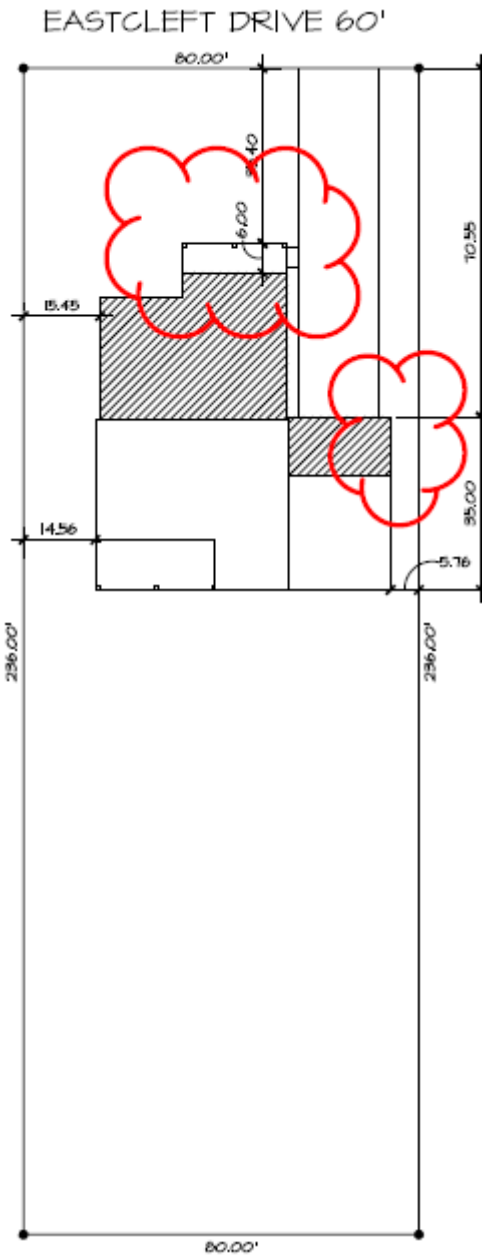
BZAP Staff Report Pictures



Google Maps ® Aerial – Looking South



Existing view along the West Property Line and Proposed Site Plan



Proposed and Existing Front Elevation



Board of Zoning & Planning

Dear Members of the Board:

The purpose of this correspondence is to express my support for the approval of residential Variance 23-1523, which has been requested on behalf of my neighbors, Lindsey Grant & Caleb Eddy at 2607 Eastcleft Drive.

I live immediately next door to Lindsey & Caleb, and their adorable daughter, at 2607 Eastcleft. I love having them as neighbors, and hope they are able to acquire this Variance which will afford them the ability to accommodate their growing family.

Thanks you for your consideration and service to the Upper Arlington community.

Sincerely,

Marcee McCuen
2607 Eastcleft Drive

Authors: Alyssa Kelly, AICP, Planning Officer

BZAP Meeting Date: May 17, 2023

Subject: 2398 Brandon Road (VAR-25-23) - To allow a two-story addition to encroach three feet into the eight-foot minimum side yard setback (to match existing) and result in a side yard sum of 14'-5", in lieu of the 16-foot minimum (existing).

Site Description/History

The subject property, 2398 Brandon Road, is located on the east side of the street, just north of Berkshire Road, near the Shoppes on Lane. The property is zoned R-1c, One-Family Residence District and located in the [University Addition subdivision](#) (Lot #12, Block #15); it is rectangular in shape with 60 feet of frontage and 153 feet of depth. It is similar in size and shape as other lots in the neighborhood. A 2,400-square foot, two-story home sits one foot behind the 40-foot platted front yard setback. The home currently encroaches three feet into the eight-foot minimum side yard setback (existing nonconforming). It was built in 1940 and purchased by the applicant in 2021.

Proposal

The applicant is proposing a two-story addition onto the rear of the home that would include expanded living space on the first-floor for a kitchen and dining room, while the second floor would include two additional bedrooms and two full bathrooms. The addition would align with the existing side yard setback of the home, which encroaches three feet into the eight-foot minimum setback and result in an additional footprint of 51 square feet encroaching into the setback. The addition will be 24'-2" in height, nearly two feet below the main home and be finished with siding and an asphalt roof to match the main home. Based on feedback from the adjacent property owner (see attached letter), the applicant has modified window placement on the addition to retain privacy for neighbors. The property remains compliant with all other setback and coverage limits.

Zoning Code Requirements

- To permit a two-story addition to encroach up to three feet into the eight-foot minimum side yard setback (Article 5.02); and
- To permit a two-story addition that results in a side yard sum of 14'-5", in lieu of the 16-foot minimum (Article 5.02).

Alternatives



The applicant could relocate the addition away from the side property line. However, they have indicated that this could result in conflicts with the existing detached garage.

Requested Action and Findings

Staff has reviewed the application, met with the applicant, and visited the property. In this case, Staff has found the encroachment into the side yard setback is existing (Finding #6). Allowing the addition to continue this setback with thoughtful window placement will have minimal impact on neighboring properties (Finding #4) and create a functional internal space for the home. Therefore, Staff recommends approval of the application as submitted.

Attachments

1. 2398 Brandon Road variance app
2. BZAP Staff Report Pics - 2398 Brandon Rd
3. 2398 Brandon Rd Revised Plans 5.12.23
4. Letter - Love 5.12.23



**23-1549**

Variance Application

Status: Active**Date Created:** Apr 17, 2023**Applicant**

Andrew Melaragno
andrew@meldesignco.com
4138 Greensview Drive
Columbus, Ohio 43220
614-442-8965

Primary Location

2398 BRANDON RD
UPPER ARLINGTON, OH 43221

Owner:

Jennifer Cuculich
2398 Brandon Columbus, OH 43221

BZAP Information**BZAP Case #**

VAR-25-23

Status

Pending

BZAP Determination Date

05/17/2023

Vote Tally

--

Primary Variance

Side Yard

Findings of Fact for Approval/Denial

--

Variance Request

To allow a two-story addition to encroach three feet into the eight-foot minimum side yard setback (to match existing) and result in a side yard sum of 14'-5", in lieu of the 16-foot minimum (existing).

BZAP conditions

--

Variance Information**Describe Variance Request**

The owner is requesting a variance for a 3' encroachment into the side yard setback on the south side of the property. The existing two-story wall on the south side of the home currently encroaches roughly 3' into the 8' required side yard setback. The owners would like to add an addition to the rear of the home that would continue the south wall of the home an additional 17' towards the rear of the property. Even with the proposed addition, the house will comply with the 40' long wall rule. The structure is not encroaching on the rear yard coefficient, and it will not be exceeding the allowed building and development coverage limits. Care has been taken to minimize the size and number of windows on the second floor. The only second floor window that is on the south side of the proposed addition could be removed if the Board or Staff recommended doing so.

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

The south wall of the existing structure is already encroaching the south side yard setback. Due to the placement of the garage the addition cannot be located on the north-east corner of the existing home without restricting access to the existing garage. Placing the addition on the south side of the building allows the proposed kitchen, dining, sunroom and family areas to function together as in most modern floor plans. The location of the proposed addition would also be the most cost effective and aesthetically pleasing placement on the existing structure.

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, granting this variance will not confer a special privilege. Granting this variance will allow the owners to update the floor plan of this home to current standards as others in the neighborhood have done.

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

No, the proposed addition mirrors the same materials and design of the existing structure. The addition should appear seamless when completed. The addition will not be any closer to other structures than the current house.

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

Yes. The location and layout of this addition gives the owners the space they need to be able to remain in this home for years to come while being as cost effective and efficient as possible. Other options would be too costly or not in keeping with the character of the existing home.

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

No. As the home is laid out currently, the kitchen, dining space and bedrooms are very small compared to current standards. They would like to add this addition to gain a reasonably sized kitchen and dining room for their family of five, as well as two additional bedrooms. The current home only has three bedrooms, one of which is smaller than average. As is typical with many families, The owners also need work-from-home spaces since one of them works remotely full time and the other part time. Allowing this variance will allow one of the bedrooms and the existing dining room to become work-from home spaces, as well as give their children adequate bedrooms and space for family visiting from out of town. The addition also facilitates a first-floor laundry and mudroom space for their family.

Attachments

-  2023-4-17 2398 Brandon - Exterior.pdf
Uploaded by Andrew Melaragno on Apr 17, 2023 at 2:15 pm
-  2023-4-17 2398 Brandon - Floor Plans.pdf
Uploaded by Andrew Melaragno on Apr 17, 2023 at 2:15 pm
-  City of Upper Arlington 2023-4-15 JCuculich_2398 Brandon - Certificate-of-Notice-Fillable-1-1 SIGNED.pdf
Uploaded by Andrew Melaragno on Apr 21, 2023 at 10:54 am
-  MDC 2023-4-17 JCuculich_2398 Brandon Neighbor Notification Letter.pdf
Uploaded by Andrew Melaragno on Apr 21, 2023 at 10:55 am

History

Date	Activity
Apr 15, 2023 at 9:09 am	Andrew Melaragno started a draft of Record 23-1549
Apr 15, 2023 at 9:11 am	Andrew Melaragno altered Record 23-1549, changed ownerEmail from "" to "jencuculich@yahoo.com"
Apr 15, 2023 at 9:11 am	Andrew Melaragno altered Record 23-1549, changed ownerName from "QUINLISK IDA M" to "Jennifer Cuculich"
Apr 15, 2023 at 9:11 am	Andrew Melaragno altered Record 23-1549, changed ownerPhoneNo from "" to "614-477-8065"
Apr 17, 2023 at 2:16 pm	Andrew Melaragno submitted Record 23-1549
Apr 17, 2023 at 2:16 pm	completed payment step Application Fees on Record 23-1549
Apr 17, 2023 at 2:16 pm	approval step Application Complete & Scheduled for BZAP Reviewwas assigned to Justin Milam on Record 23-1549
Apr 20, 2023 at 1:56 pm	Alyssa Kelly unassigned approval step Application Complete & Scheduled for BZAP Review from Justin Milam on Record 23-1549
Apr 20, 2023 at 1:57 pm	Alyssa Kelly assigned approval step Application Complete & Scheduled for BZAP Review to Alyssa Kelly on Record 23-1549
Apr 20, 2023 at 4:02 pm	Alyssa Kelly changed BZAP Case # from "" to "VAR-25-23" on Record 23-1549
Apr 20, 2023 at 4:02 pm	Alyssa Kelly changed Status from "" to "Pending" on Record 23-1549
Apr 20, 2023 at 4:02 pm	Alyssa Kelly changed BZAP Determination Date from "" to "05/17/2023" on Record 23-1549
Apr 20, 2023 at 4:02 pm	Alyssa Kelly changed Primary Variance from "" to "Side yard setback" on Record 23-1549
May 3, 2023 at 8:52 am	Justin Milam changed Primary Variance from "Side yard setback" to "Side Yard" on Record 23-1549
May 3, 2023 at 8:53 am	Justin Milam assigned approval step Application Complete & Scheduled for BZAP Review to Justin Milam on Record 23-1549
May 3, 2023 at 8:53 am	Justin Milam approved approval step Application Complete & Scheduled for BZAP Review on Record 23-1549
May 3, 2023 at 8:53 am	approval step Board of Zoning & Planning Reviewwas assigned to Justin Milam on Record 23-1549
May 3, 2023 at 8:58 am	Justin Milam changed Variance Request from "" to "To allow a two-story addition to encroach three feet into the eight-foot minimum side yard setback" on Record 23-1549
May 3, 2023 at 8:58 am	Justin Milam changed Variance Request from "To allow a two-story addition to encroach three feet into the eight-foot minimum side yard setback" to "To allow a two-story addition to encroach three feet into the eight-foot minimum side yard setback" on Record 23-1549

Timeline

Label	Status	Activated	Completed	Assignee	Due Date
 Application Fees	Paid	Apr 17, 2023 at 2:16 pm	Apr 17, 2023 at 2:16 pm	-	-
 Application Complete & Scheduled for BZAP Review	Complete	Apr 17, 2023 at 2:16 pm	May 3, 2023 at 8:53 am	Justin Milam	-
 Board of Zoning & Planning Review	Active	May 3, 2023 at 8:53 am	-	Justin Milam	-
 BZAP Result	Inactive	-	-	-	-



NORTH-EAST PERSPECTIVE



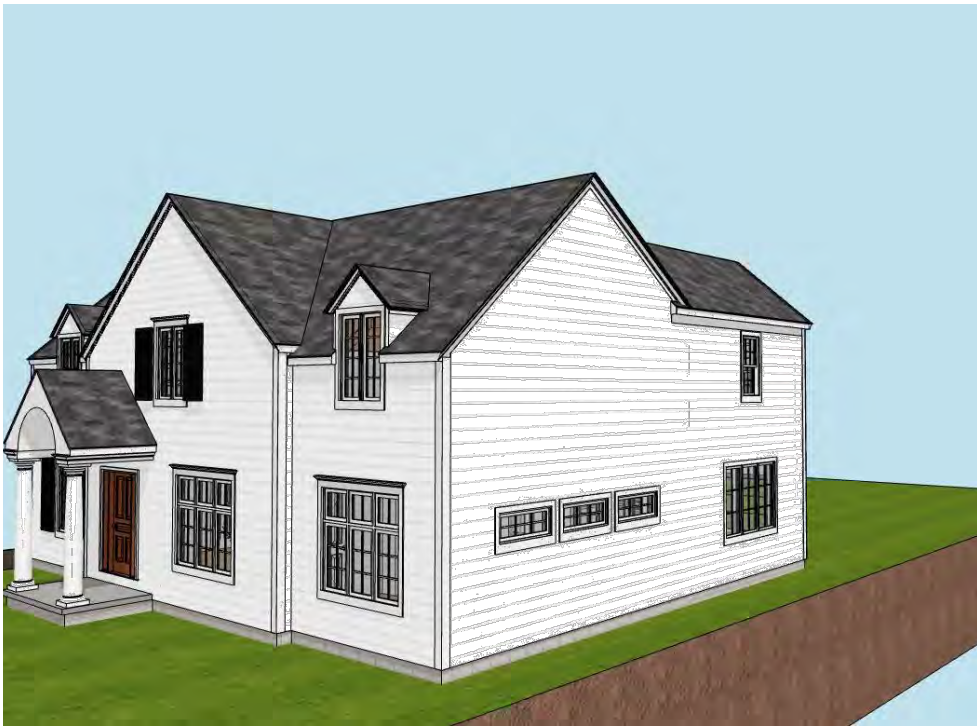
NORTH-EAST BIRD'S EYE PERSPECTIVE



SOUTH-EAST BIRD'S EYE PERSPECTIVE



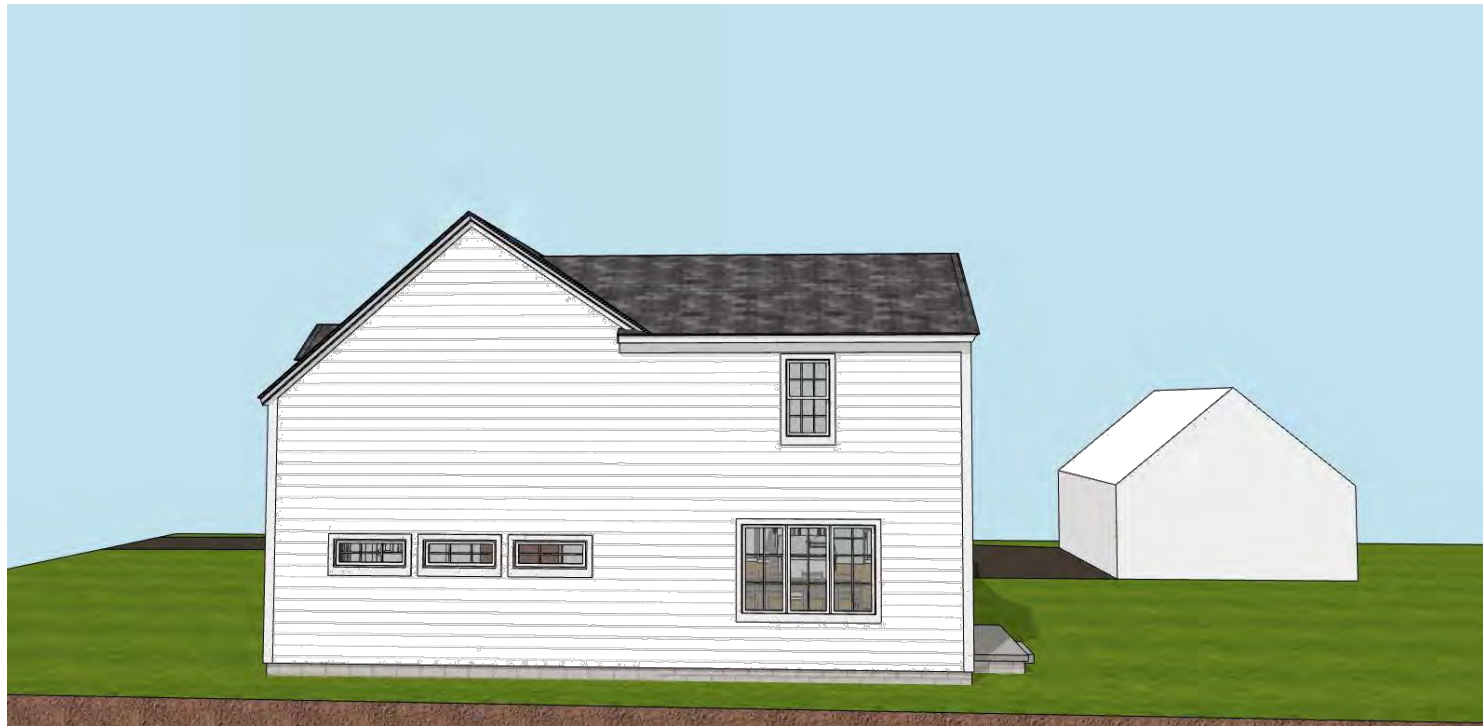
SOUTH-EAST PERSPECTIVE



SOUTH-WEST PERSPECTIVE

The Cuculich Residence

2398 Brandon Road
Columbus Ohio 43221
4/17/2023



SOUTH PERSPECTIVE



SOUTH ELEVATION

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



EAST ELEVATION

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

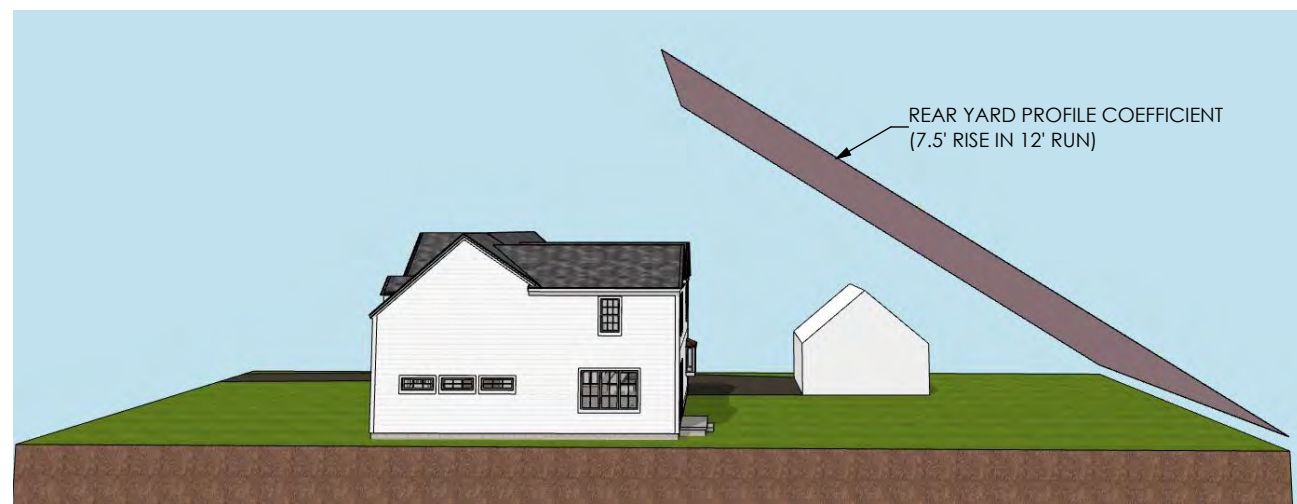


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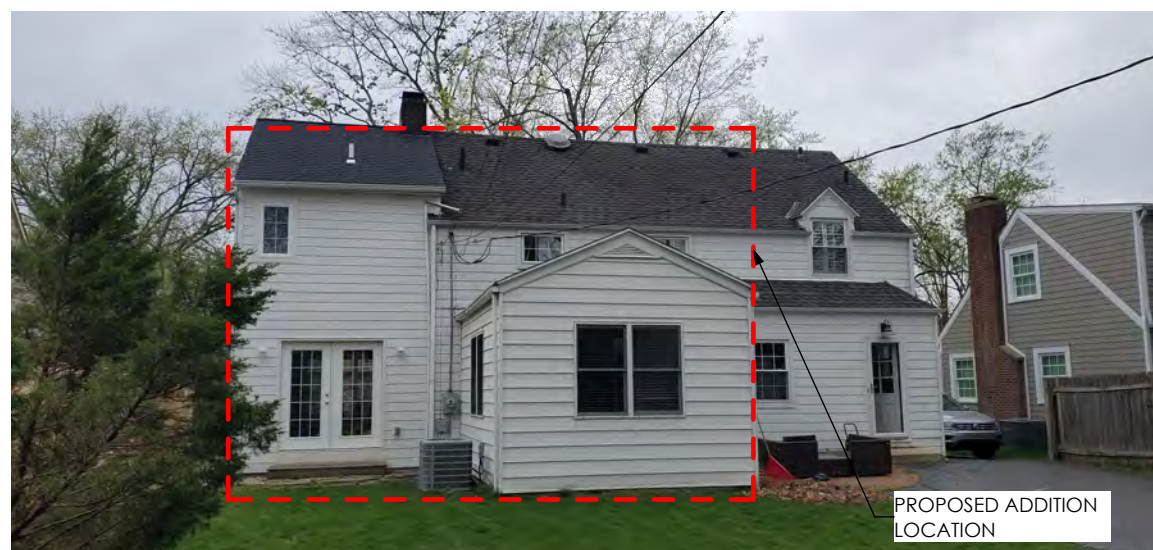
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The Cuculich Residence

2398 Brandon Road
Columbus Ohio 43221
4/17/2023



PROFILE COEFFICIENT VIEW



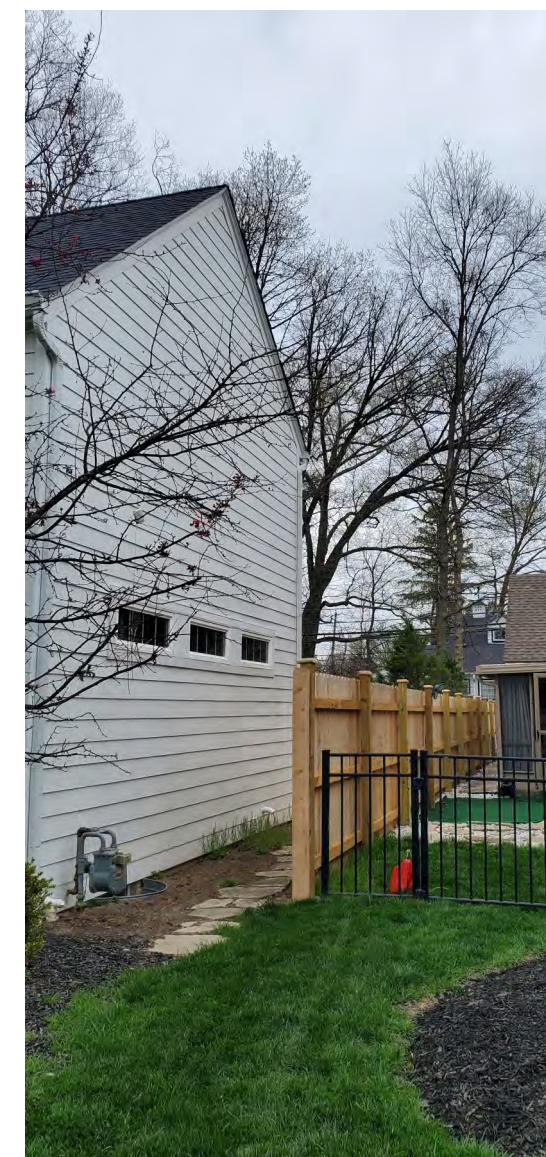
EXISTING REAR OF HOUSE



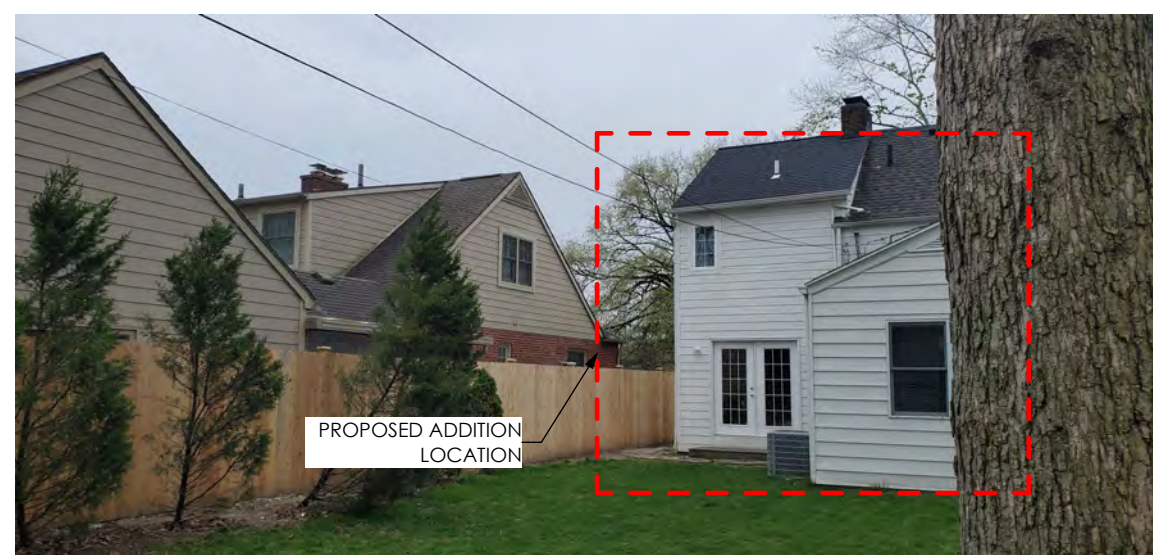
EXISTING SIDE YARD FROM REAR



EXISTING SIDE YARD FROM FRONT



EXISTING SIDE OF HOUSE



EXISTING REAR CORNER OF HOUSE



SIDE OF NEIGHBORING HOUSE

The Cuculich Residence

2398 Brandon Road
Columbus Ohio 43221
4/17/2023

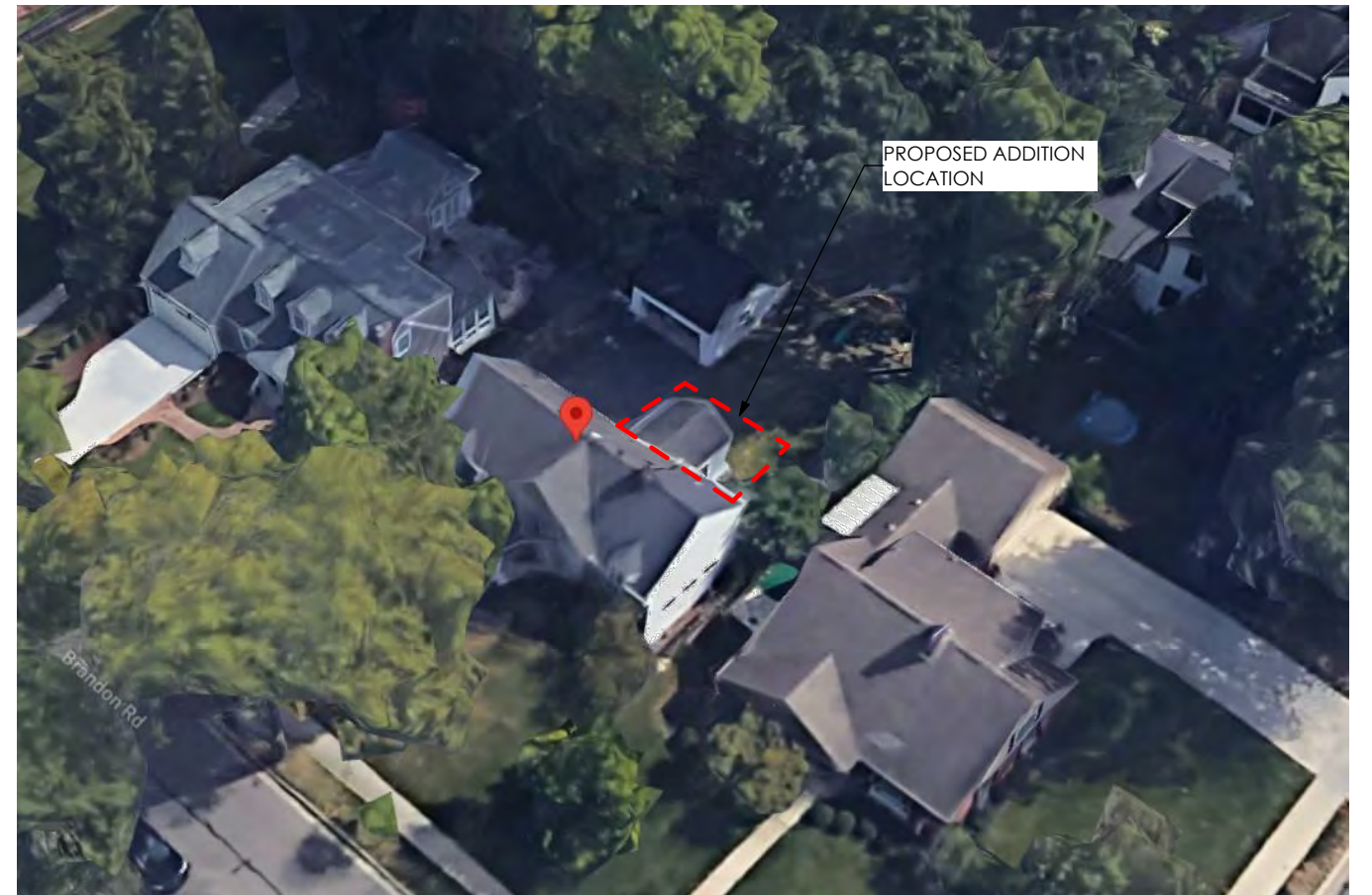


MELARAGNO
DESIGN COMPANY LLC

4138 Greensview Drive • Columbus Ohio 43220
614-442-8965 • www.MelDesignCo.com



EXISTING AERIAL FROM NORTH-WEST

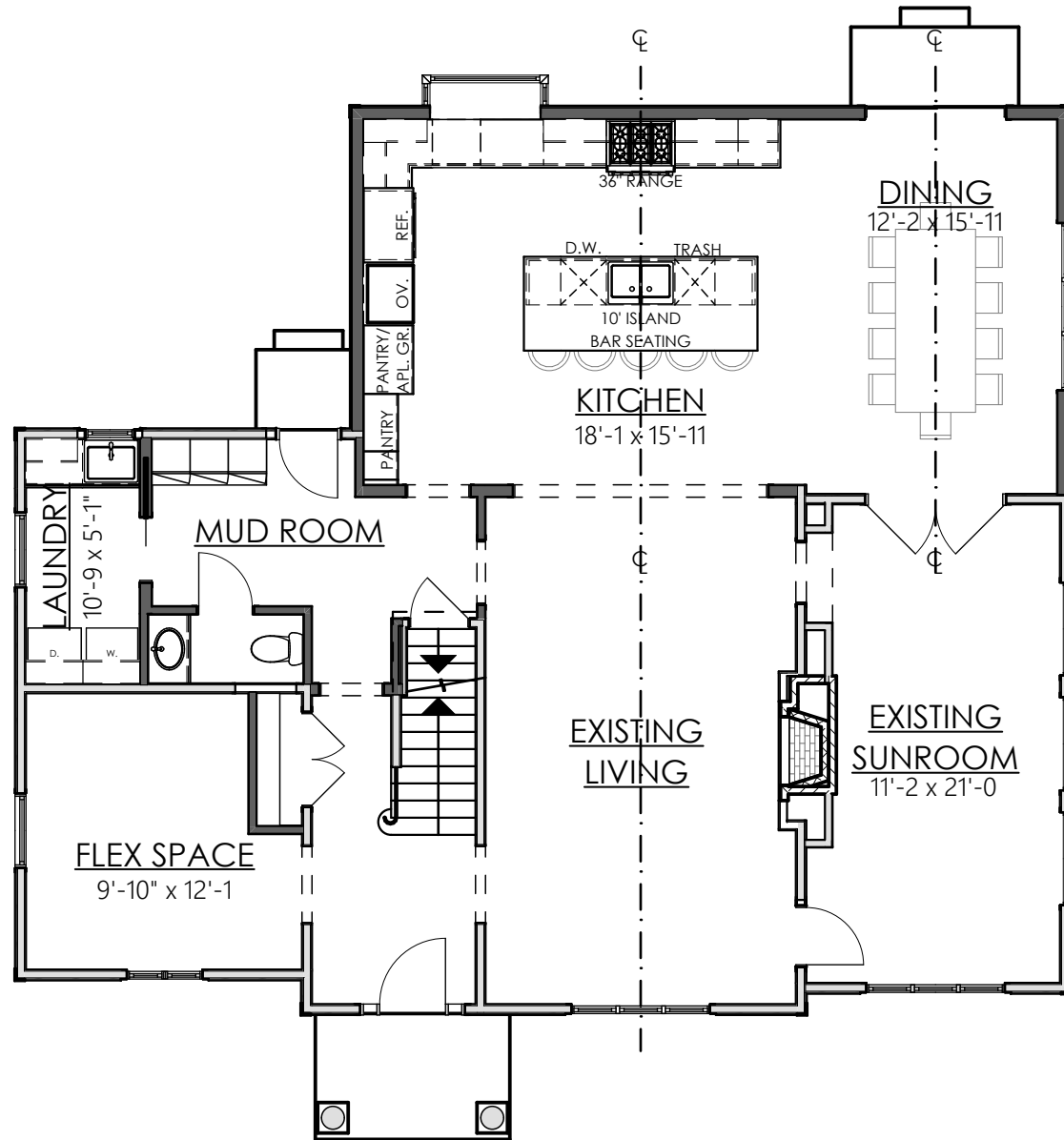


EXISTING AERIAL FROM SOUTH-WEST

The Cuculich Residence

2398 Brandon Road
Columbus Ohio 43221
4/17/2023

Page 61 of 261

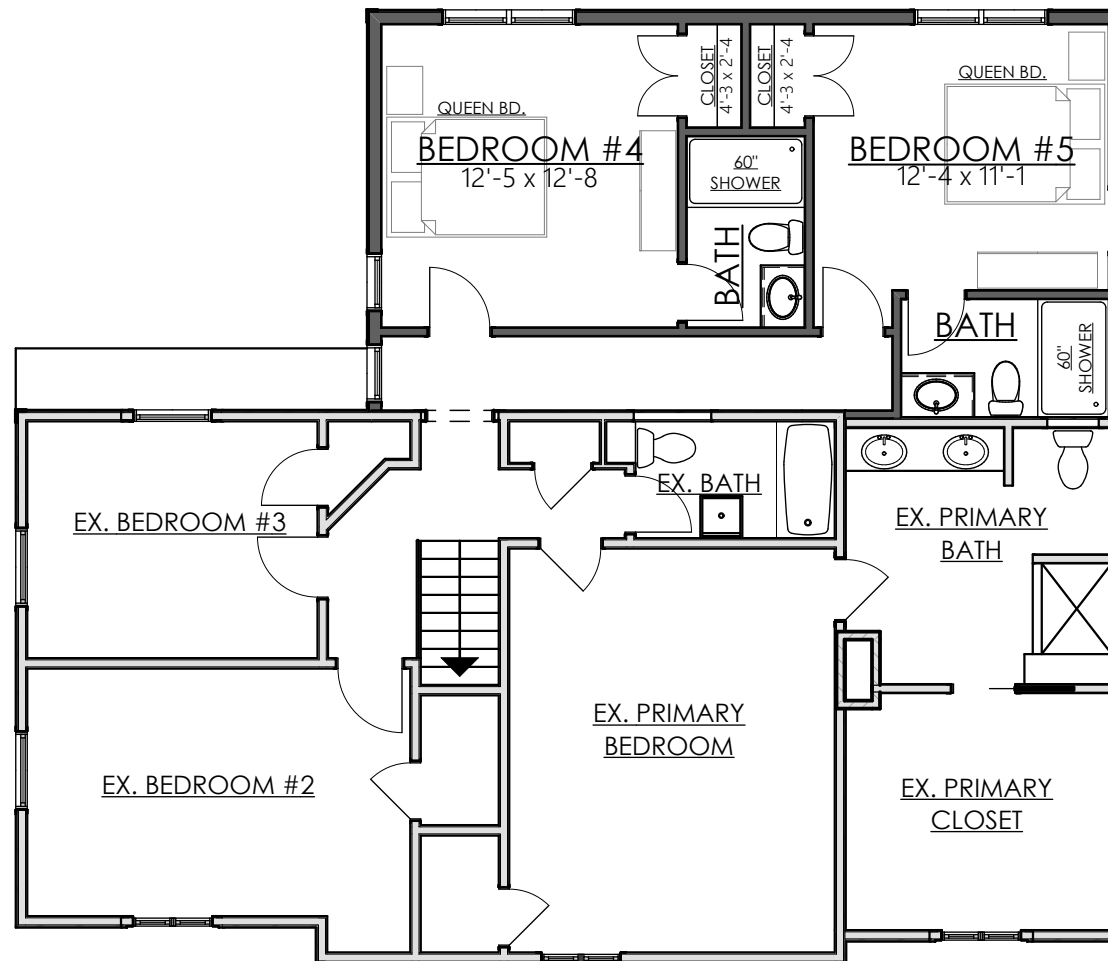


FIRST FLOOR PLAN

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

The Cuculich Residence

2398 Brandon Road
Columbus Ohio 43221

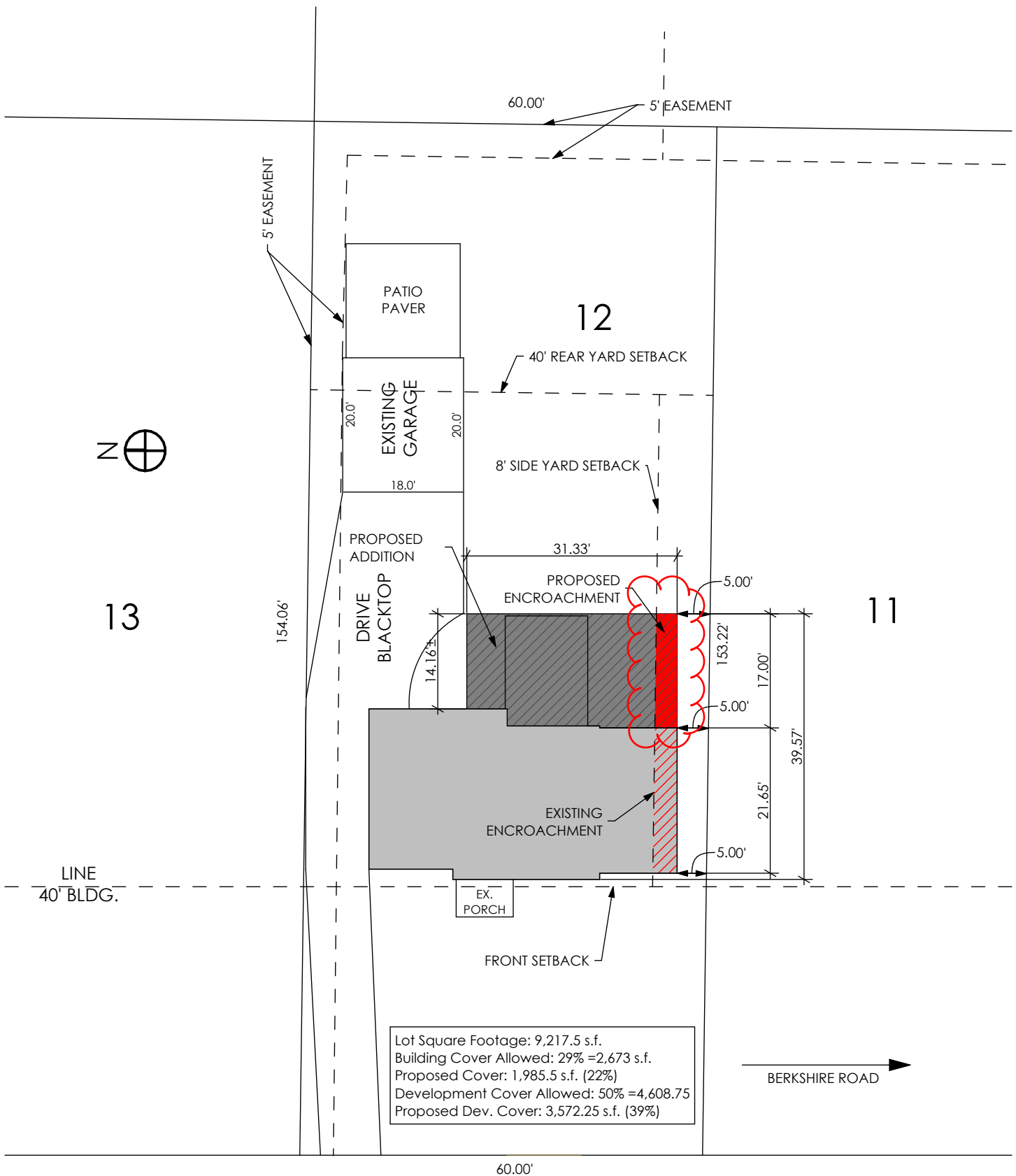


SECOND FLOOR PLAN

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

The Cuculich Residence

2398 Brandon Road
Columbus Ohio 43221



BRANDON ROAD 50'

SITE PLAN

SCALE: 1" = 20'

The Cuculich Residence

2398 Brandon Road
Columbus Ohio 43221



Revised: Jan 2021

Certification of Notice

Applicant Name: Andrew Melaragno, Member, Melaragno Design Company, LLC

Location of property subject to BZAP request: 2398 Brandon Road

Describe activity which requires Board of Zoning and Planning review:

A Side yard setback variance is being requested.

This application will be heard by the Board of Zoning and Planning on: 5/17/2023

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:
2399 Brandon Road	Brandonsire, Inc.	9589071052700701231410	4/21/23
2407 Brandon Road	Kynthia Driesch	9589071052700701231427	4/21/23
2415 Brandon Road	SW & KW	9589071052700701231403	4/21/23
2406 Brandon Road	Gary & Shirley Wuslich	9589071052700701231434	4/21/23
2390 Brandon Road	Brice & Robyn Love	9589071052700701231441	4/21/23
1736 Berkshire Road	Edward Feldkamp & Rebecca Mayne	9589071052700701231397	4/21/23
1728 Berkshire Road	Iribna & Michael ARP	9589071052700701231458	4/21/23
1555-1717 Lane Ave.	Shops on Lane R2G Owner, LLC	9589071052700701231465	4/21/23
Applicant Signature:  MEMBER			Date: 4/21/23

9589 0710 5270 0701 2314 10

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BRANDONSHIRE INC.

3380 TREMONT RD. STE. 100

COLUMBUS, OH 43221-2112

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COLUMBUS, OH 43221-3805

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SW or NW

2415 BRANDON RD

COLUMBUS, OH 43221-3804

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BRICE or ROBYN LOVE

2390 BRANDON RD.

COLUMBUS, OH 43221-3805

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IRINA or MICHAEL AR

1728 BERKSHIRE ROAD

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KYNTHIA DROESCH

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COLUMBUS, OH 43221-3804

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COLUMBUS, OH 43221

IRINA or MICHAEL AR

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☐ Return Receipt (electronic)	\$
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☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	\$
Total	\$
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Street	C/O CRPT REALTY
City	19 WEST 44TH STREET SUITE 1002
	NEW YORK, NY 10036-5901
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

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☐ Adult Signature Restricted Delivery	\$
Postage	\$
Total P	\$
Sent To	EDWARD FELDKAMP, or
Street	REBECCA MAYNE
City, S	1735 BERKSHIRE RD
	COLUMBUS, OH 43221-3801
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

4/21/2023

Dear Neighbor,

I am writing to inform you that our family is requesting a zoning variance for an addition to the south-east corner of our existing home at 2398 Brandon Road. The variance would allow us to encroach the 8' side yard setback on the south side of our property. Our proposed addition would extend the southernmost wall of our house another 17 feet towards the rear of our property. Since the existing southernmost wall of our home already encroaches the south side-yard setback, we would need the variance to add on to that wall.

This request will be heard at 6:00 p.m. Wednesday, May 17, 2023, in the City of Upper Arlington's Municipal Service Center at 3600 Tremont Road.

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

Sincerely,

Jennifer Cuculich

2398 Brandon Road

614-477-8056

jencuculich@yahoo.com

2398 Brandon Road

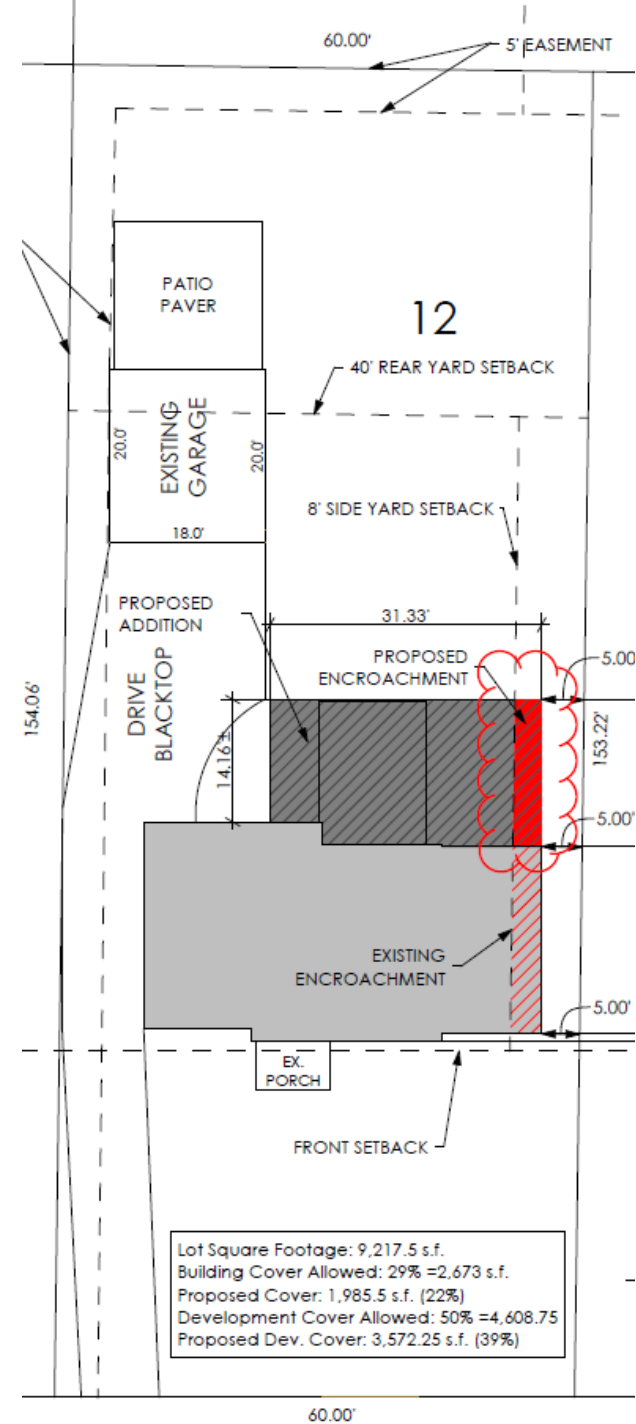
BZAP Staff Report Pictures



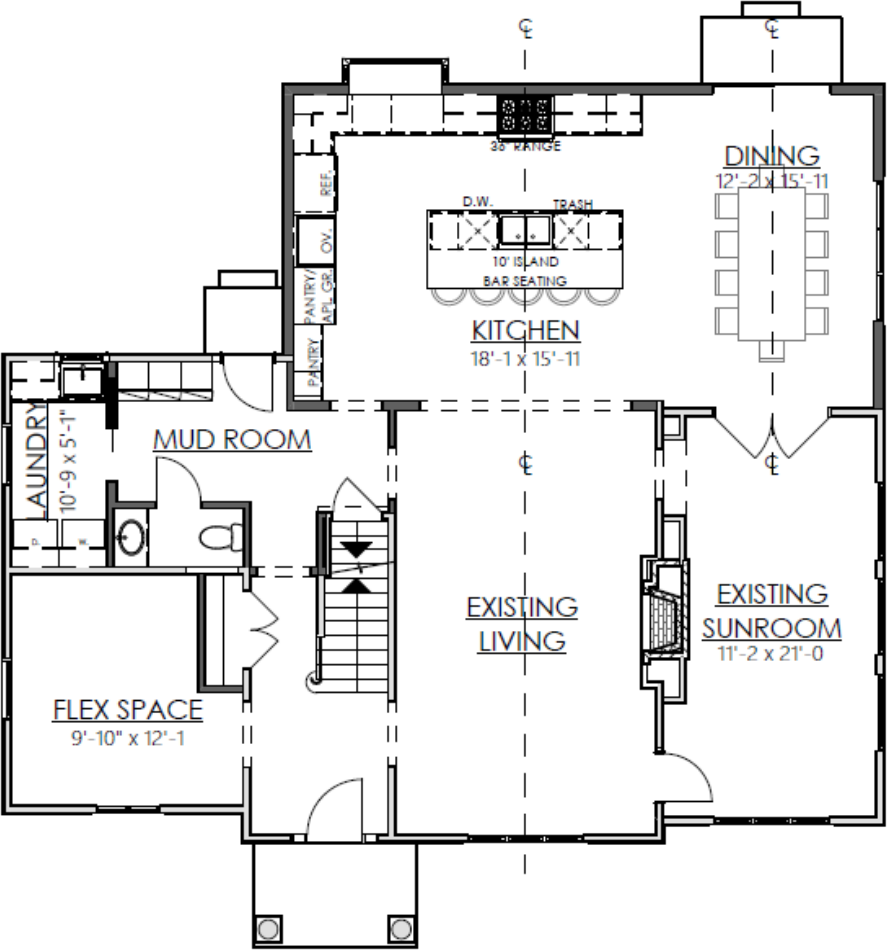
Google Maps ® Aerial – Looking North



Proposed Site Plan

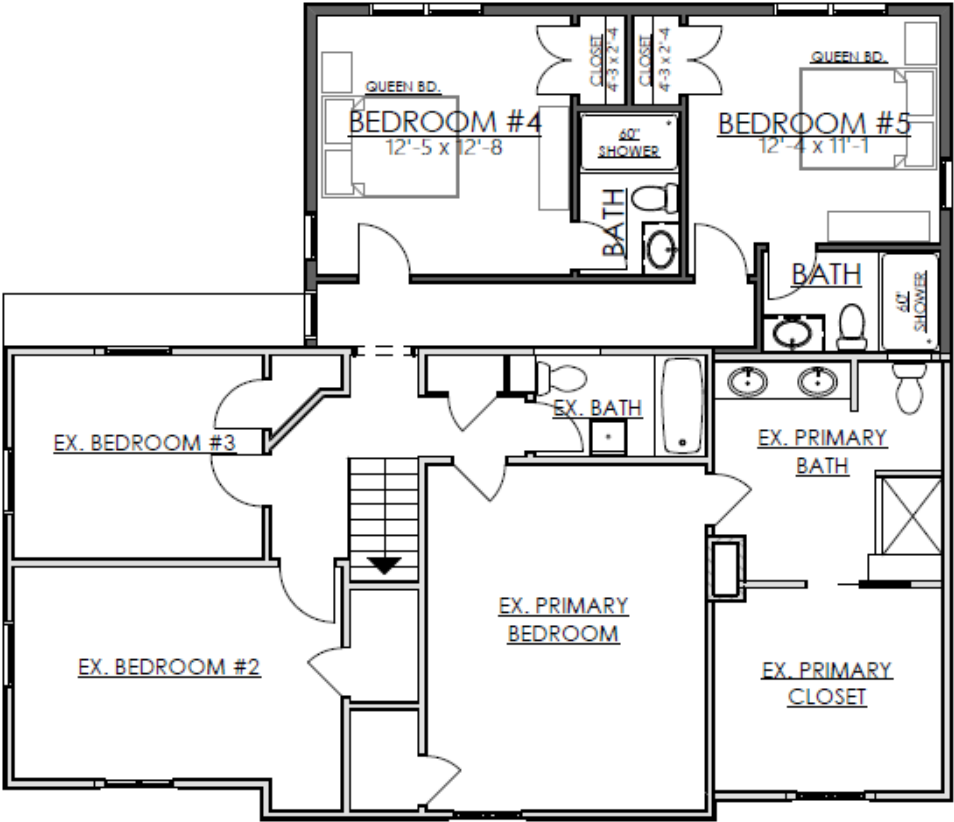


Proposed Floor Plans



FIRST FLOOR PLAN

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



SECOND FLOOR PLAN

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

Proposed Side Elevation



SOUTH PERSPECTIVE

Proposed Rear Elevation



EAST ELEVATION

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

Existing Brandon Road Elevation

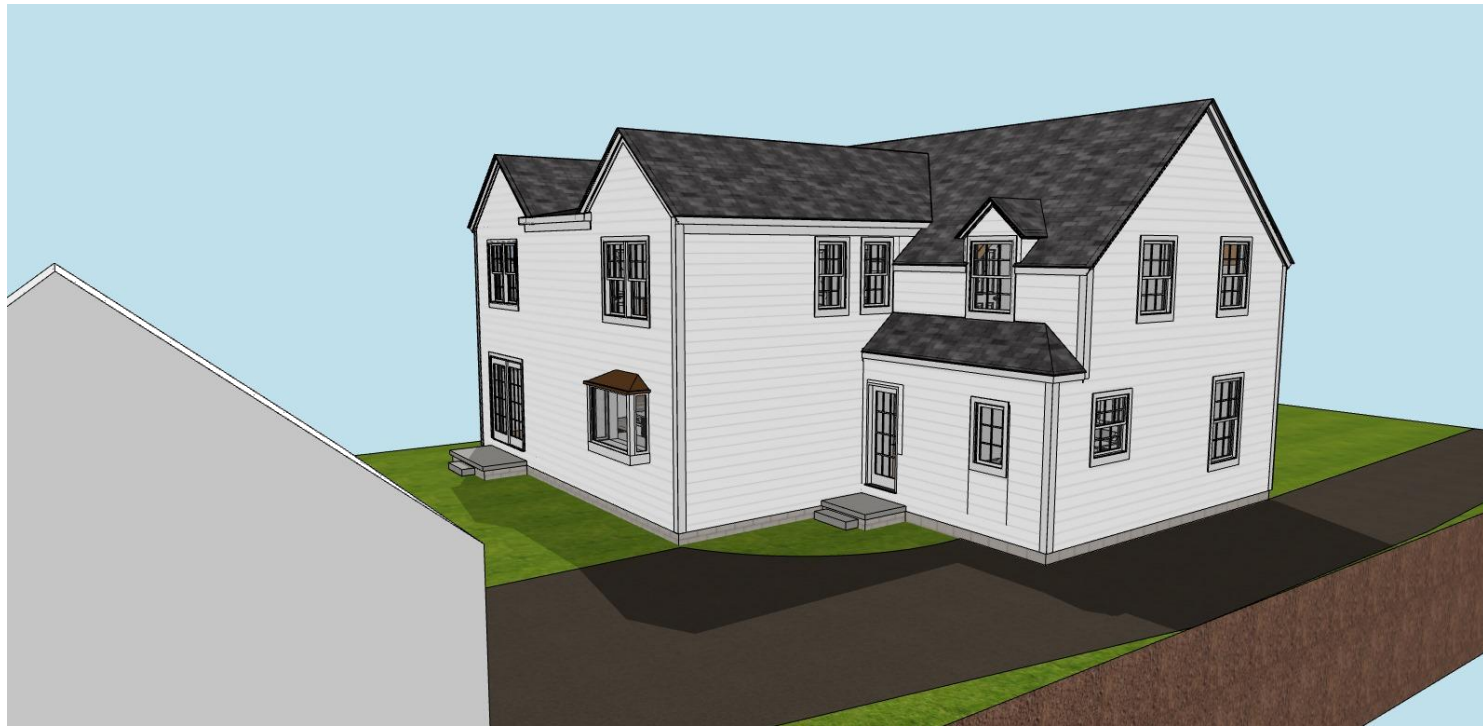


Existing Rear Elevation



Existing Side Yard





NORTH-EAST PERSPECTIVE



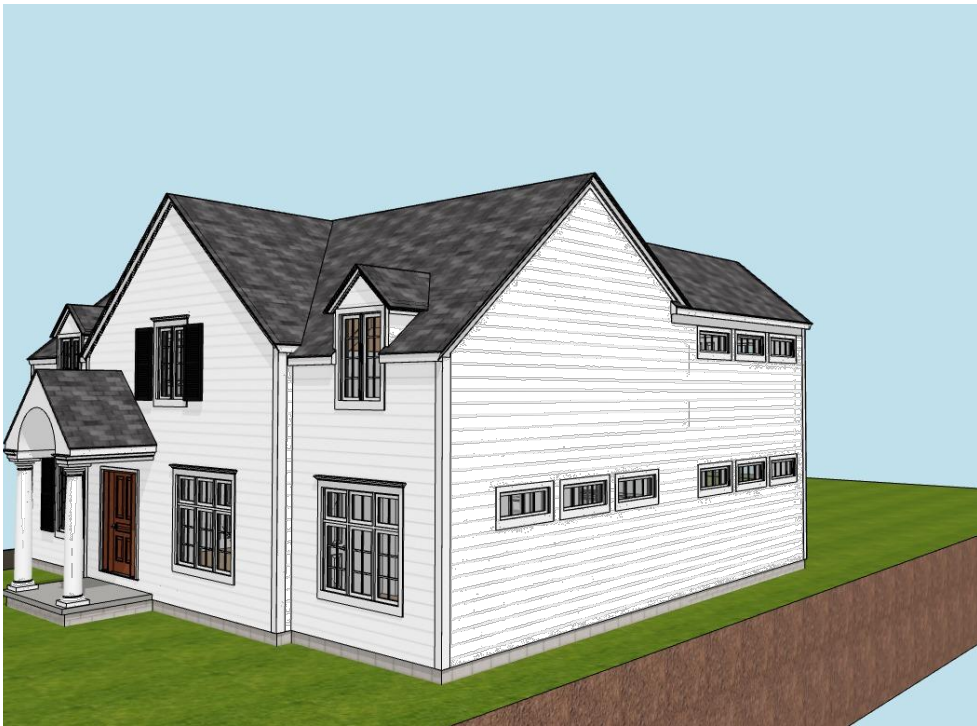
NORTH-EAST BIRD'S EYE PERSPECTIVE



SOUTH-EAST BIRD'S EYE PERSPECTIVE



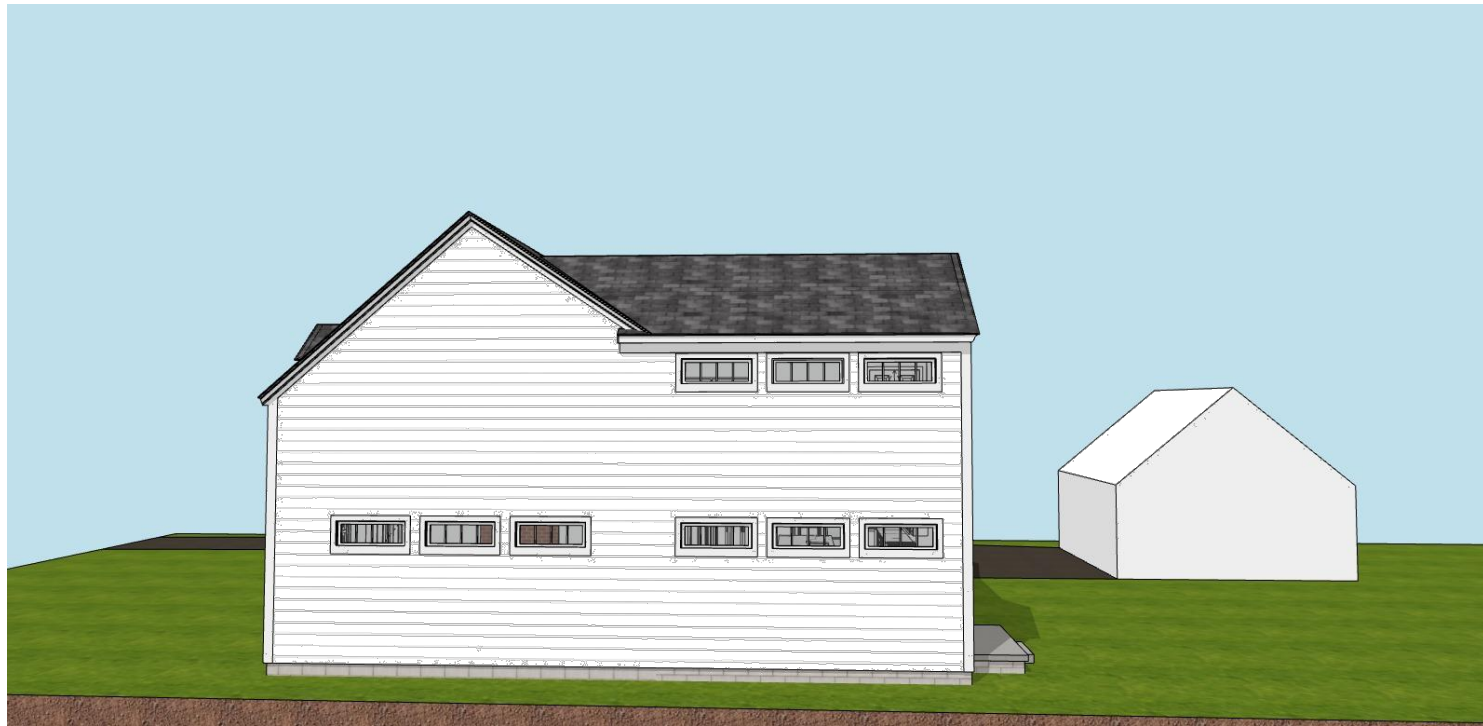
SOUTH-EAST PERSPECTIVE



SOUTH-WEST PERSPECTIVE

The Cuculich Residence

2398 Brandon Road
Columbus Ohio 43221
5/12/2023



SOUTH PERSPECTIVE



SOUTH ELEVATION

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



EAST ELEVATION

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

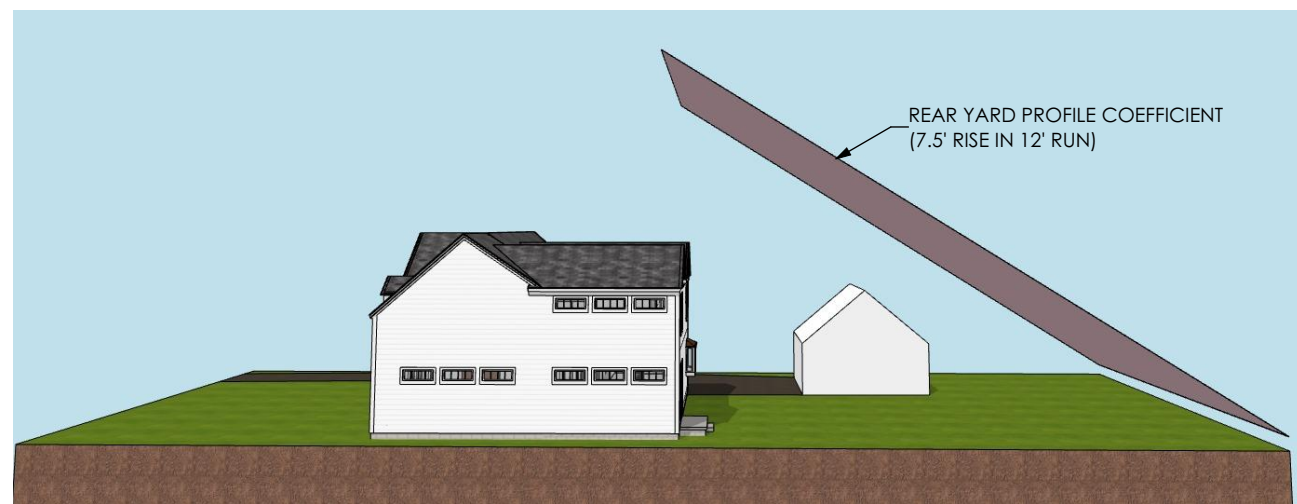


NORTH ELEVATION

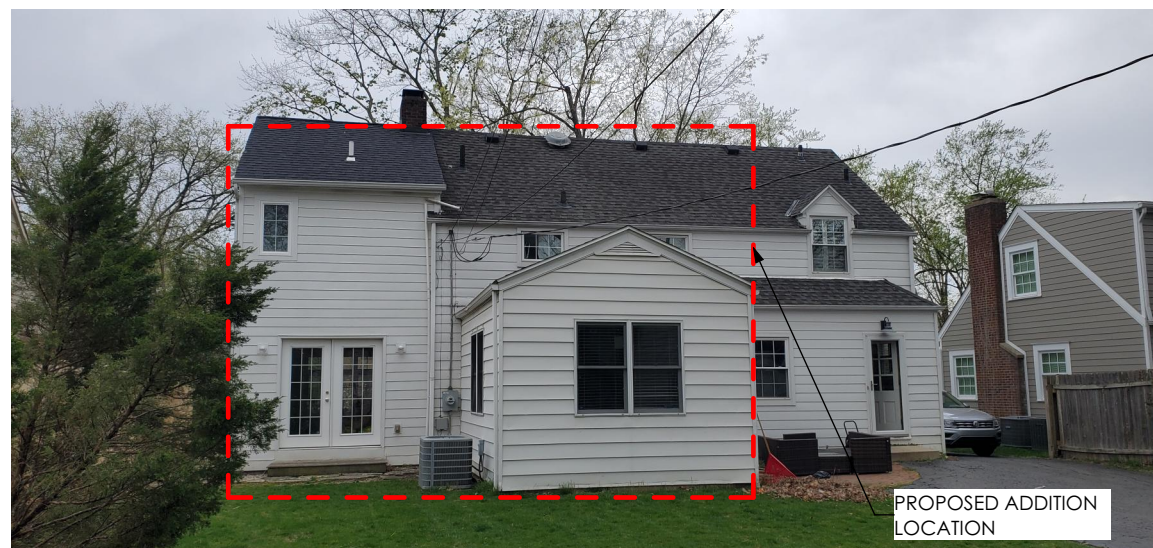
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The Cuculich Residence

2398 Brandon Road
Columbus Ohio 43221
5/12/2023



PROFILE COEFFICIENT VIEW



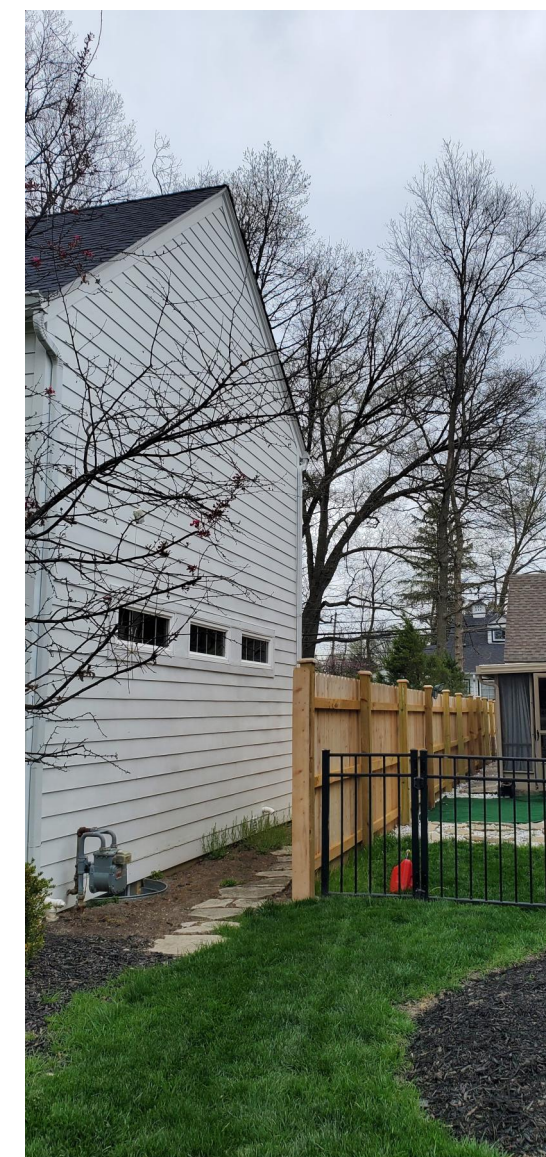
EXISTING REAR OF HOUSE



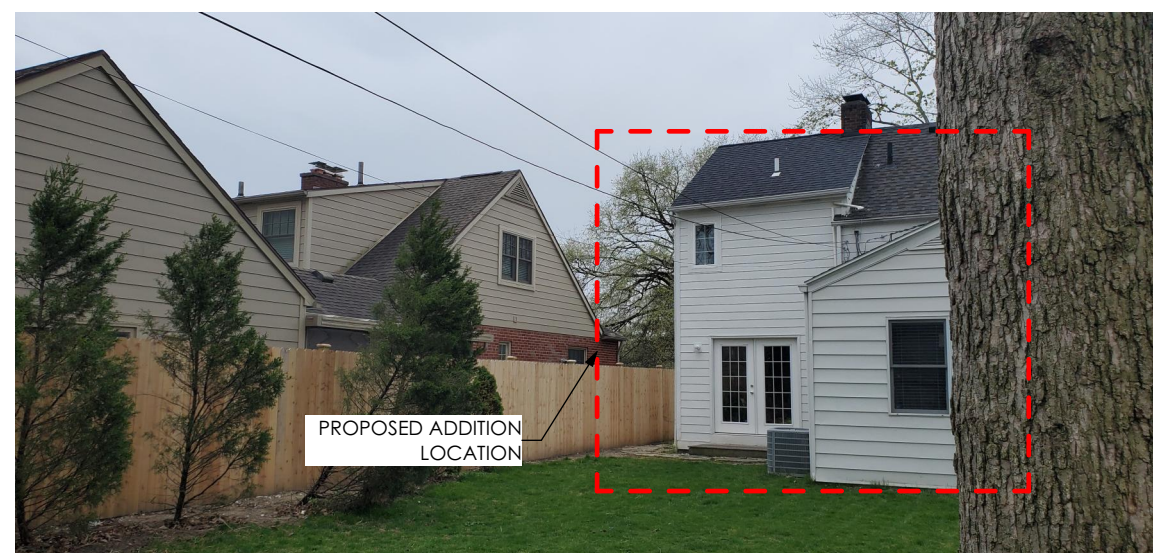
EXISTING SIDE YARD FROM REAR



EXISTING SIDE YARD FROM FRONT



EXISTING SIDE OF HOUSE



EXISTING REAR CORNER OF HOUSE



SIDE OF NEIGHBORING HOUSE

The Cuculich Residence

2398 Brandon Road
Columbus Ohio 43221
5/12/2023

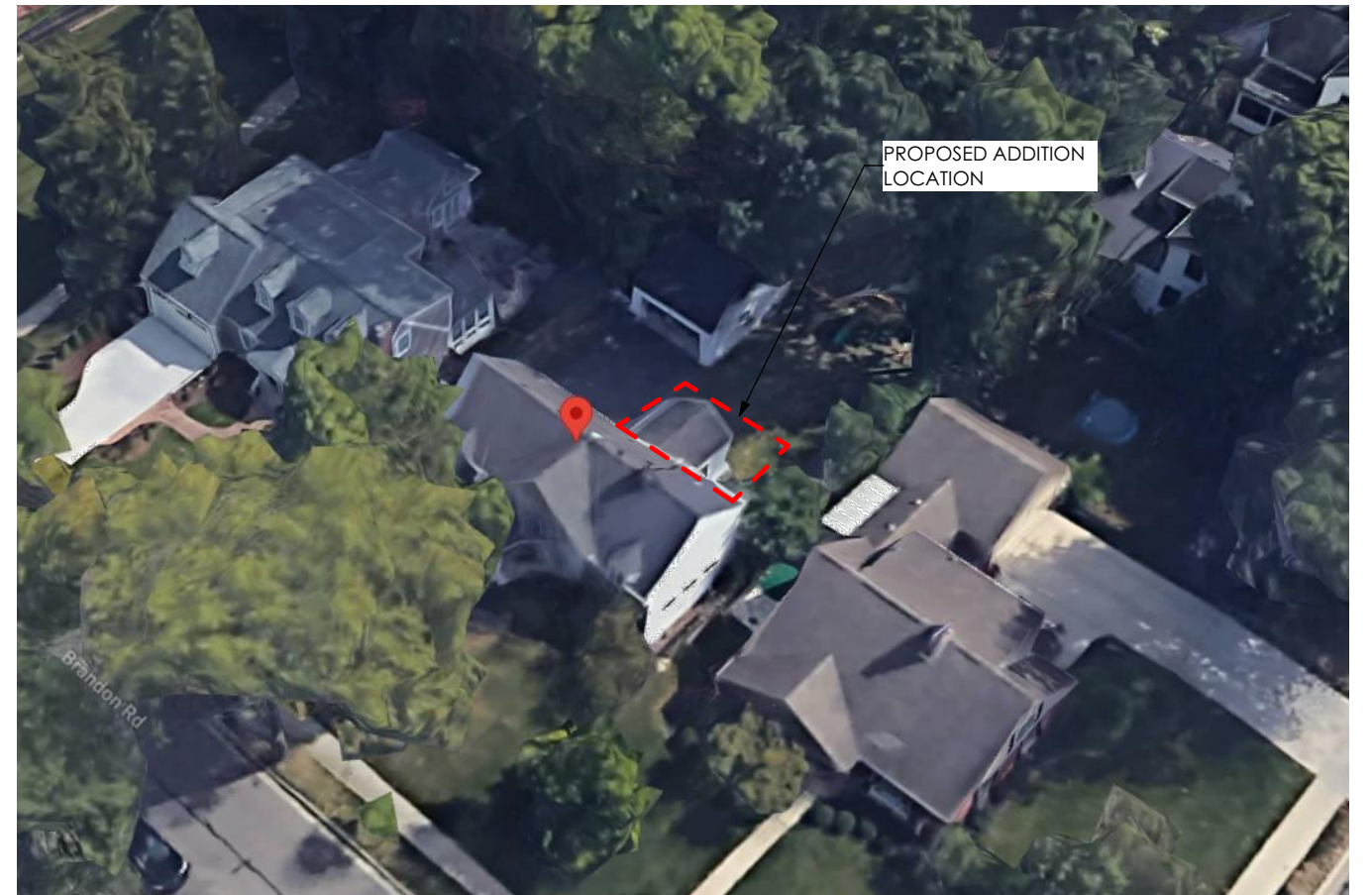


MELARAGNO
DESIGN COMPANY LLC

4138 Greensview Drive • Columbus Ohio 43220
614-442-8965 • www.MelDesignCo.com



EXISTING AERIAL FROM NORTH-WEST

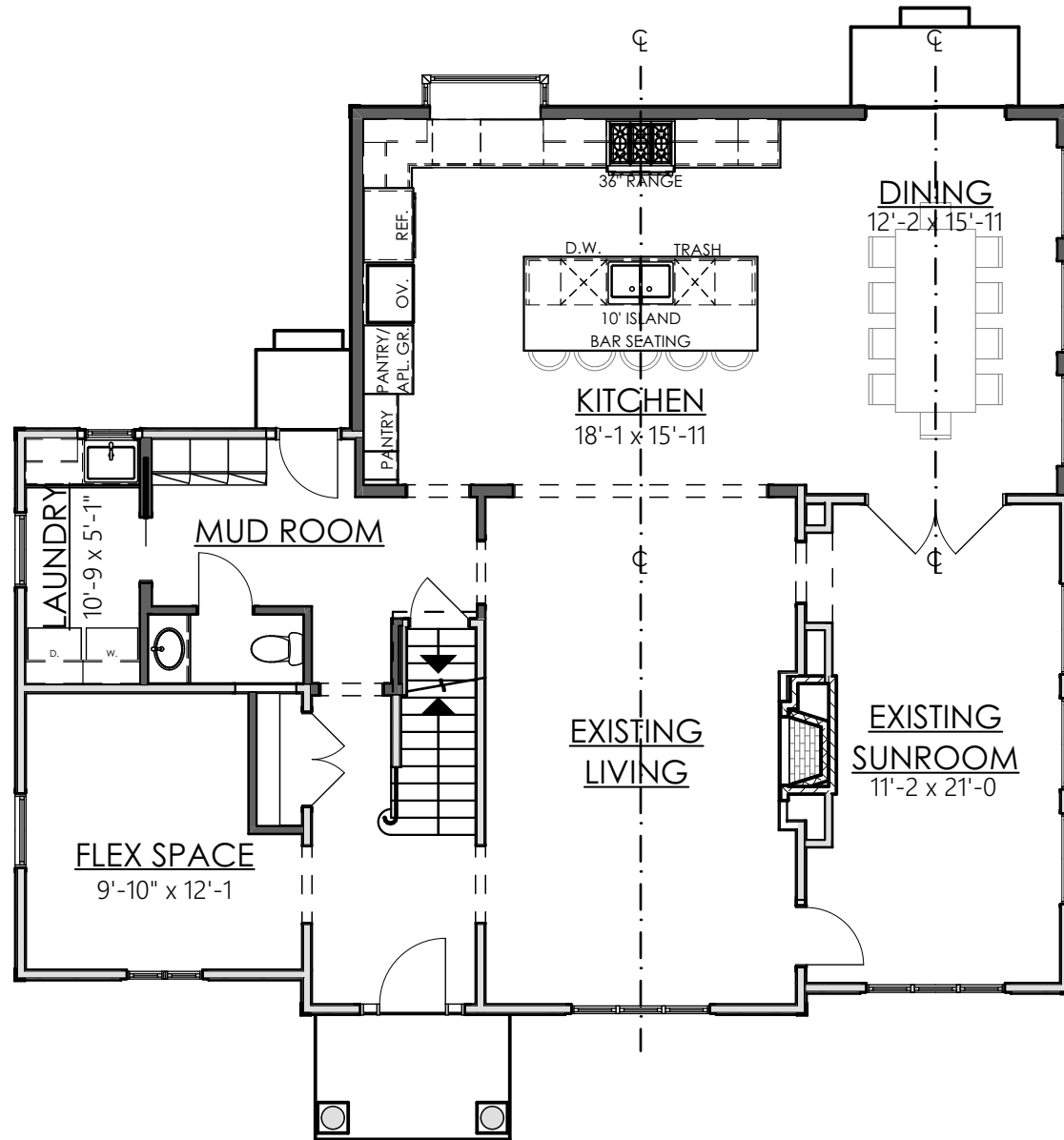


EXISTING AERIAL FROM SOUTH-WEST

The Cuculich Residence

2398 Brandon Road
Columbus Ohio 43221
5/12/2023

Page 81 of 261

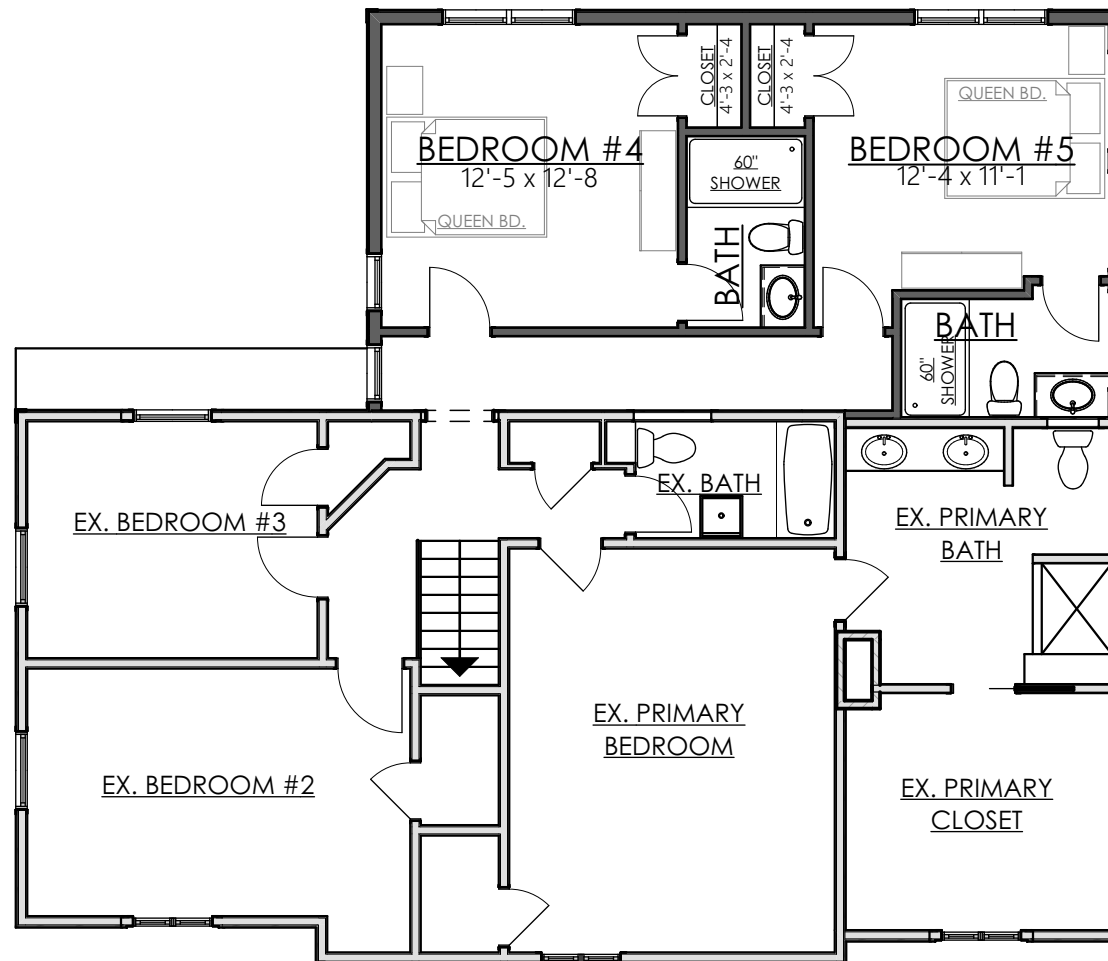


FIRST FLOOR PLAN

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

The Cuculich Residence

2398 Brandon Road
Columbus Ohio 43221

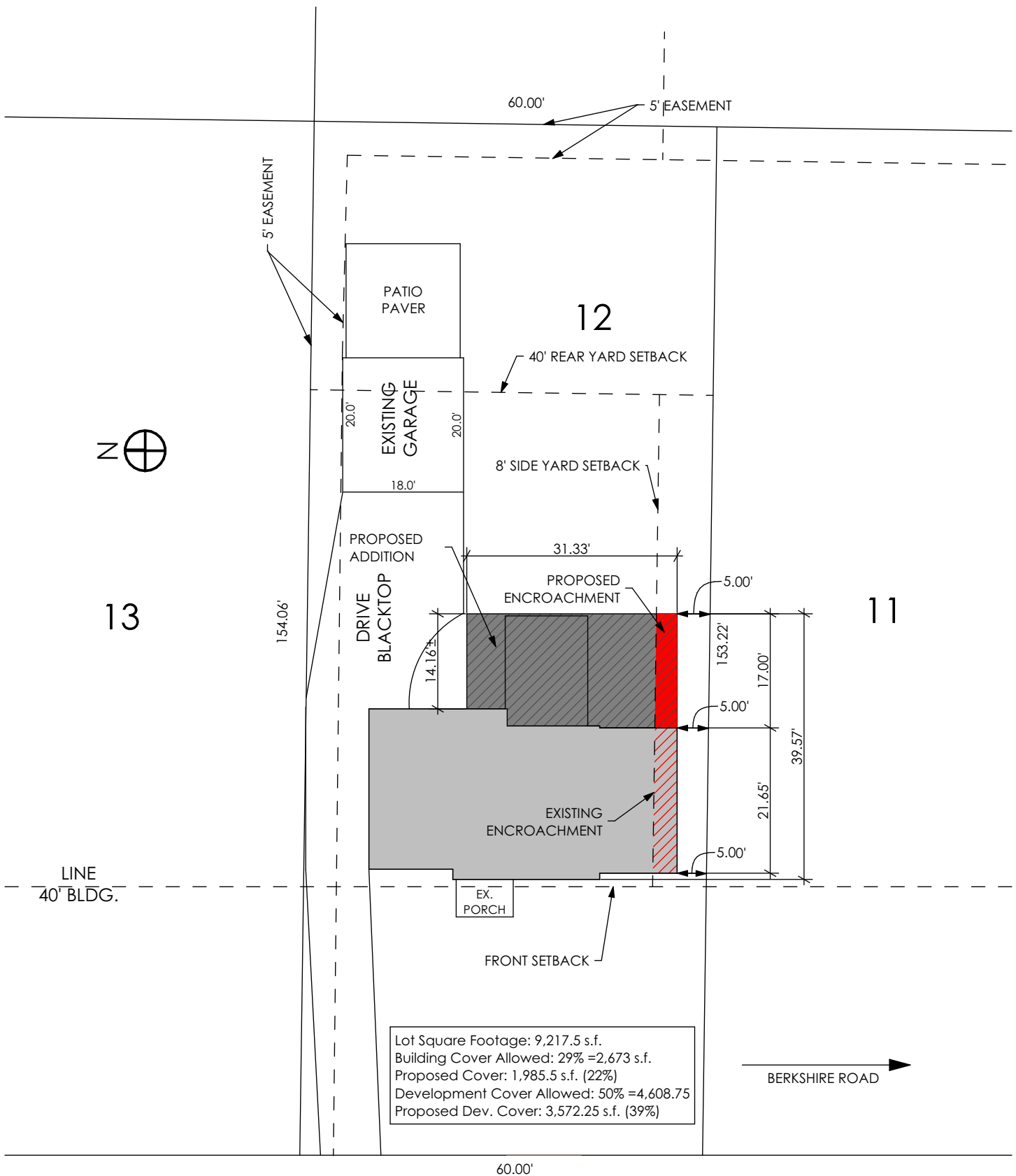


SECOND FLOOR PLAN

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

The Cuculich Residence

2398 Brandon Road
Columbus Ohio 43221



BRANDON ROAD 50'

SITE PLAN

SCALE: 1" = 20'

The Cuculich Residence

2398 Brandon Road
Columbus Ohio 43221



MELARAGNO
DESIGN COMPANY LLC

4138 Greensview Drive • Columbus Ohio 43220
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To Whom It May Concern,

We are writing this letter to support, with minor window modifications of our neighbors petition for a variance at 2398 Brandon Road.

We live at 2390 Brandon Road on the lot south of theirs. We will be the neighbors most affected by their proposed renovation/addition.

Jen and Horacio have shared the proposed plan with us. We have reviewed together the following minor window placement modifications on the southern wall on Tuesday, May 9th.

Southern wall window modifications from the existing plan:

- 1) On the first floor, match the existing 3 smaller, elevated, fixed rectangular windows (vs a double hung window).
- 2) Update the 2nd floor window with the same 3 smaller, elevated, fixed rectangular windows on the 1st floor. (Vs. a double hung window).

With these minor window modifications, we support the variance requested. We support their family and want them to be happy in their home and have enough space for their 3 children as they age.

Sincerely,
Brice & Robyn Love
2390 Brandon Road
614-619-0921

Authors: Alyssa Kelly, AICP, Planning Officer

BZAP Meeting Date: May 17, 2023

Subject: 2861 S. Dorchester Road (VAR-26-23) - To allow a sunroom and breezeway to encroach up to 2'-6" into the 36'-9" average rear yard setback.

Site Description/History

The subject property, 2861 South Dorchester Road, is located on the west side of the street, just south of Canterbury Road, and is zoned R-1c, One-Family Residence District. The property is irregular in shape with 150 feet of frontage, 142 feet of depth on the north side, 151 feet on the south side, and a width of 121 feet along the rear property line. It is similar in size and shape as other lots in the neighborhood south of Canterbury Road. A 2,717-square foot stone and stucco ranch sits up to 12 feet behind a platted 40-foot building setback line. An asphalt driveway located along the north side of the property leads to a 2.5-car, detached garage. Mature landscaping is present throughout the property along with several styles of fencing. The applicant purchased the property in July 2016. A variance for a room addition was granted by the Board in 2021, but never constructed.

Proposal

The applicant is planning a large, one-story addition onto the home for an owner's bedroom and bathroom, additional living space, an attached one-car garage, a covered porch, sunroom, and a breezeway to the existing detached garage. While most of the addition remains compliant for setbacks, a portion of the covered porch and sunroom (29 square feet) and the breezeway (14 square feet) encroach into the 36'-9" minimum rear yard setback. Both the covered porch and breezeway will remain open, with stone pillar supports; the roof heights will remain below the height of the main home with the porch at 12'-11", the sunroom at 12'-1", and the breezeway at 8'-11" tall.

Zoning Code Requirements

- To allow a one-story rear addition to encroach up to 2'-6" feet into the 36'-9" minimum rear yard setback (Article 5.02).

Alternatives

The applicant could explore alternatives such as reducing the overall size of the sunroom and covered porch addition and adding an entryway to the detached garage that would bring it into the buildable area, eliminating the encroaching breezeway. However, based on the size of the addition and the orientation of the home, the current request is the preferred alternative.



Requested Action and Findings

Staff has reviewed the application and plans, visited the site, and discussed it with the applicant. The proposal creates additional indoor and outdoor living space for the home, while maintaining the home's one-story format and providing ample setbacks from neighbors (Finding #4). The fact that the home sits behind the front yard setback and that the lot is irregular in shape can make a compliant addition more difficult (Finding #6). For these reasons, Staff recommends that this variance application be approved as submitted.

Attachments

1. 2861 S Dorchester Rd variance app
2. BZAP Staff Report Pics - 2861 S. Dorchester Road





23-1591

Variance Application

Status: Active

Date Created: Apr 18, 2023

Applicant

Jeffrey Gregg
jeff@duneco.com
2861 S Dorchester Road
Columbus, OH 43221
614-989-9776

Primary Location

2861 SOUTH DORCHESTER RD
UPPER ARLINGTON, OH 43221

Owner:

GREGG JEFFREY L
2861 SOUTH DORCHESTER UPPER ARLINGTON, OH 43221

BZAP Information

BZAP Case #

VAR-26-23

Status

Pending

BZAP Determination Date

05/17/2023

Vote Tally

--

Primary Variance

Rear Yard

Findings of Fact for Approval/Denial

--

Variance Request

To allow a sunroom and breezeway to encroach up to 2'-6" into the 36'-9" average rear yard setback.

BZAP conditions

--

Variance Information

Describe Variance Request

I am requesting a variance as my proposed addition extends into the rear-yard setback by 2' 6.5" at its widest spot as seen in the enclosed site plan. The total area of encroachment includes 29 SF for an enclosed sunroom and 14 SQ FT that is a proposed covered patio (open air).

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 are maintaining the front elevation of the home that was originally built in 1953 and was constructed more than 10 feet behind the front yard set back. Thus, the proposed addition moves east to west and is slightly extending into the rear set back to allow for enough livable space on the interior without feeling awkward and cramped.

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?

No, the original front facing elevation is being maintained and the proposed addition is a ranch style home that fits nicely into the neighborhood.

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

Yes, the living space is already slightly compressed as it is. This just allows a little more room. The back yard will be fenced and should have no material effect on the homes to the west of our property.

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

Yes, it can yield a reasonable return

Attachments

 Gregg Residence 4182023.pdf
Uploaded by Jeffrey Gregg on Apr 18, 2023 at 7:38 pm

 Gregg Residence 4182023.pdf
Uploaded by Jeffrey Gregg on Apr 18, 2023 at 7:38 pm



Screen Shot 2023-04-20 at 3.07.45 PM.png

Uploaded by Jeffrey Gregg on Apr 20, 2023 at 3:10 pm

 Certificate of Notice 2861 S Dorchester SIGNED .pdf
Uploaded by Jeffrey Gregg on Apr 19, 2023 at 4:43 pm

 2685 Canterbury Notice.docx
Uploaded by Jeffrey Gregg on Apr 18, 2023 at 8:11 pm

 2727 Canterbury Notice.docx
Uploaded by Jeffrey Gregg on Apr 20, 2023 at 3:23 pm

 2860 S Dorchester Notice.docx
Uploaded by Jeffrey Gregg on Apr 20, 2023 at 3:24 pm

History

Date	Activity
Apr 18, 2023 at 7:27 pm	Jeffrey Gregg started a draft of Record 23-1591
Apr 18, 2023 at 8:12 pm	Jeffrey Gregg submitted Record 23-1591
Apr 18, 2023 at 8:13 pm	completed payment step Application Fees on Record 23-1591
Apr 18, 2023 at 8:13 pm	approval step Application Complete & Scheduled for BZAP Review was assigned to Justin Milam on Record 23-1591
Apr 20, 2023 at 2:27 pm	Alyssa Kelly unassigned approval step Application Complete & Scheduled for BZAP Review from Justin Milam on Record 23-1591
Apr 20, 2023 at 2:27 pm	Alyssa Kelly assigned approval step Application Complete & Scheduled for BZAP Review to Alyssa Kelly on Record 23-1591
Apr 20, 2023 at 3:23 pm	Jeffrey Gregg added attachment 2727 Canterbury Notice.docx to Record 23-1591
Apr 20, 2023 at 3:24 pm	Jeffrey Gregg added attachment 2860 S Dorchester Notice.docx to Record 23-1591
Apr 20, 2023 at 4:03 pm	Alyssa Kelly changed BZAP Case # from "" to "VAR-26-23" on Record 23-1591
Apr 20, 2023 at 4:03 pm	Alyssa Kelly changed Status from "" to "Pending" on Record 23-1591
Apr 20, 2023 at 4:03 pm	Alyssa Kelly changed BZAP Determination Date from "" to "05/17/2023" on Record 23-1591
Apr 20, 2023 at 4:04 pm	Alyssa Kelly changed Primary Variance from "" to "Rear yard setback" on Record 23-1591
May 2, 2023 at 2:02 pm	Justin Milam changed Primary Variance from "Rear yard setback" to "Rear Yard" on Record 23-1591
May 2, 2023 at 2:04 pm	Justin Milam assigned approval step Application Complete & Scheduled for BZAP Review to Justin Milam on Record 23-1591
May 2, 2023 at 2:04 pm	Justin Milam approved approval step Application Complete & Scheduled for BZAP Review on Record 23-1591
May 2, 2023 at 2:04 pm	approval step Board of Zoning & Planning Review was assigned to Justin Milam on Record 23-1591
May 2, 2023 at 2:18 pm	Justin Milam changed Variance Request from "" to "To allow a sunroom and breezeway to encroach up to 2'-6" into the 36'-9" averag" on Record 23-1591

Timeline

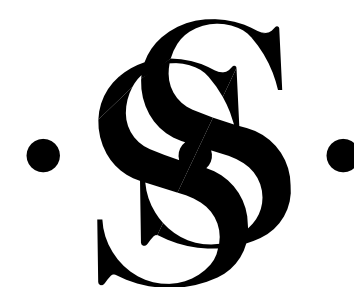
Label	Status	Activated	Completed	Assignee	Due Date
 Application Fees	Paid	Apr 18, 2023 at 8:12 pm	Apr 18, 2023 at 8:13 pm	-	-
 Application Complete & Scheduled for BZAP Review	Complete	Apr 18, 2023 at 8:13 pm	May 2, 2023 at 2:04 pm	Justin Milam	-
 Board of Zoning & Planning Review	Active	May 2, 2023 at 2:04 pm	-	Justin Milam	-
 BZAP Result	Inactive	-	-	-	-

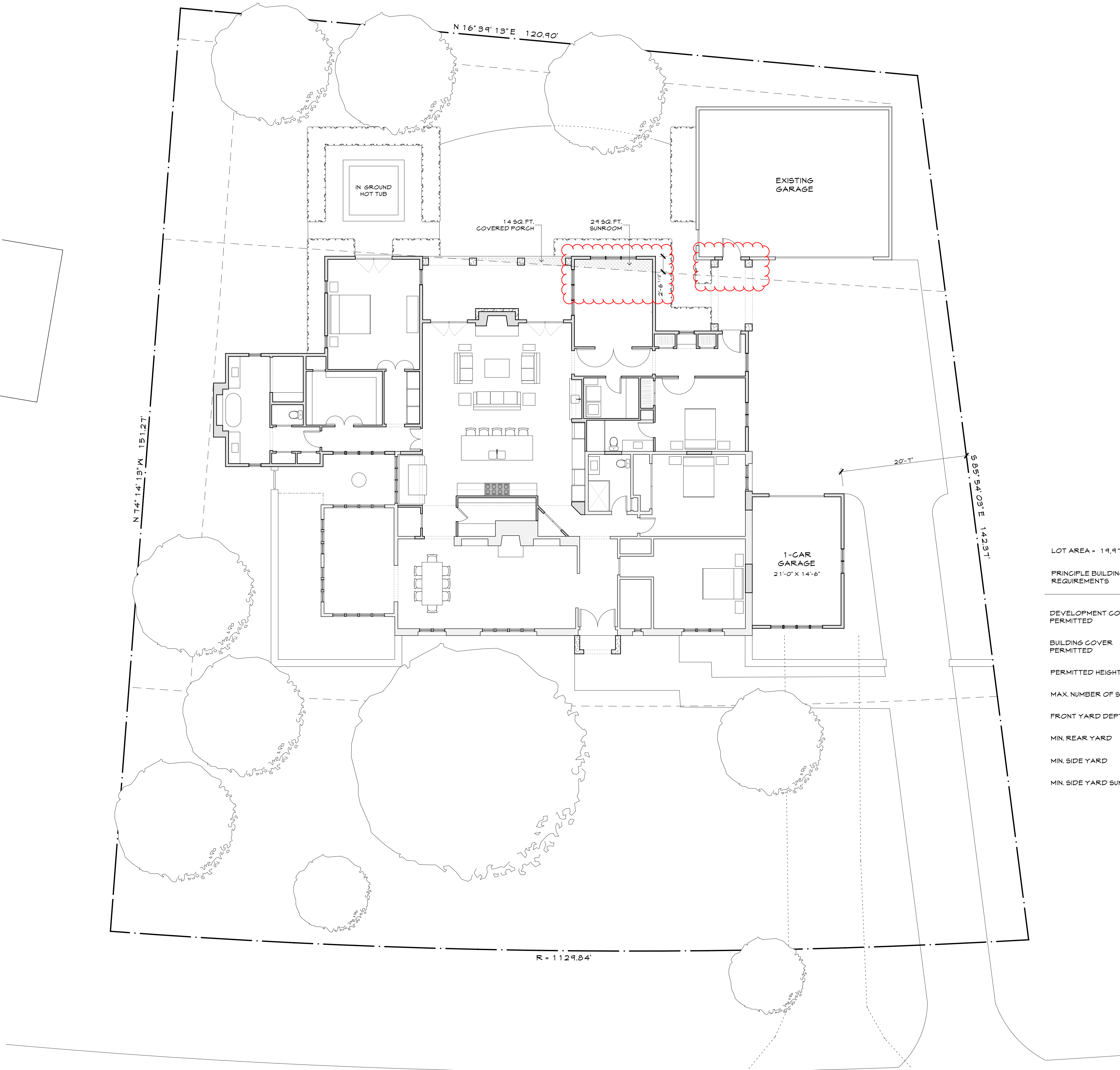
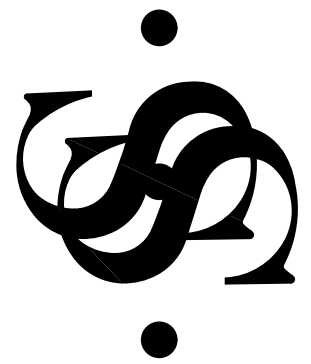


THE GREGG RESIDENCE

2861 S. DORCHESTER ROAD
UPPER ARLINGTON, OHIO

STOCK & STONE
ARCHITECTS • LLC
3686 North High Street Columbus, Ohio 43214 614-261-5810

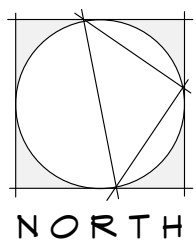


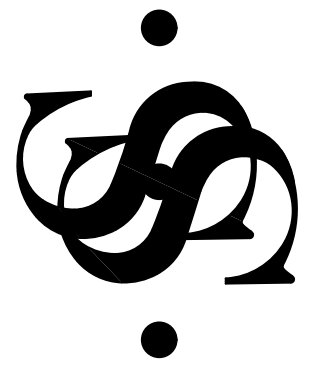


LOT AREA = 19,970.1 SQ. FT.

PRINCIPLE BUILDING REQUIREMENTS	PERMITTED	EXISTING	PROPOSED
DEVELOPMENT COVER PERMITTED	8,986.5 SQ. FT. (45.0%)	6,174.5 SQ. FT. (30.9%)	8,889.2 SQ. FT. (44.5%)
BUILDING COVER PERMITTED	5,791.3 SQ. FT. (29.0%)	3,537.4 SQ. FT. (17.7%)	5,544.6 SQ. FT. (27.7%)
PERMITTED HEIGHT	35.0 FT.	14.5 FT.	14.5 FT.
MAX. NUMBER OF STORIES	2.5	1.0	1.0
FRONT YARD DEPTH	40.0 FT.	51.5 FT.	48.5 FT.
MIN. REAR YARD	36.4 FT.	32.0 FT.	33.3 FT.
MIN. SIDE YARD	10.0 FT.	34.5 FT.	10.0 FT.
MIN. SIDE YARD SUM	20.0 FT.	74.9 FT.	30.6 FT.

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

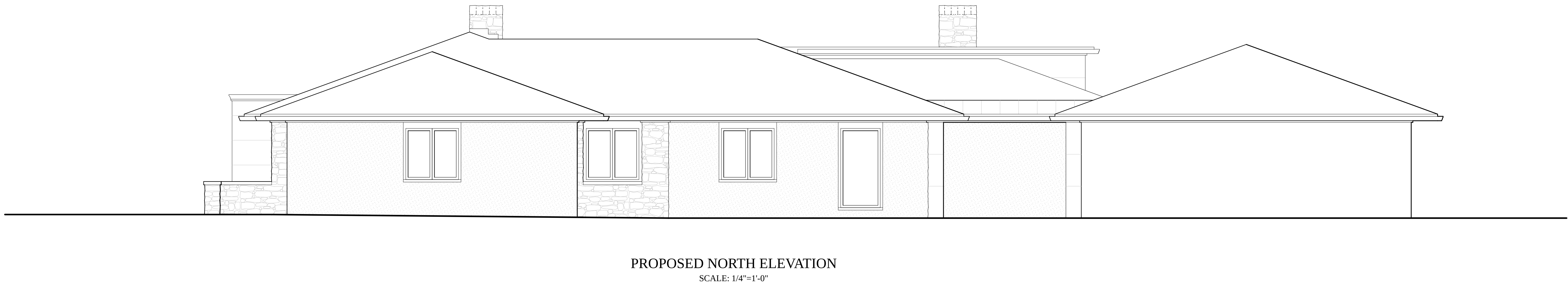
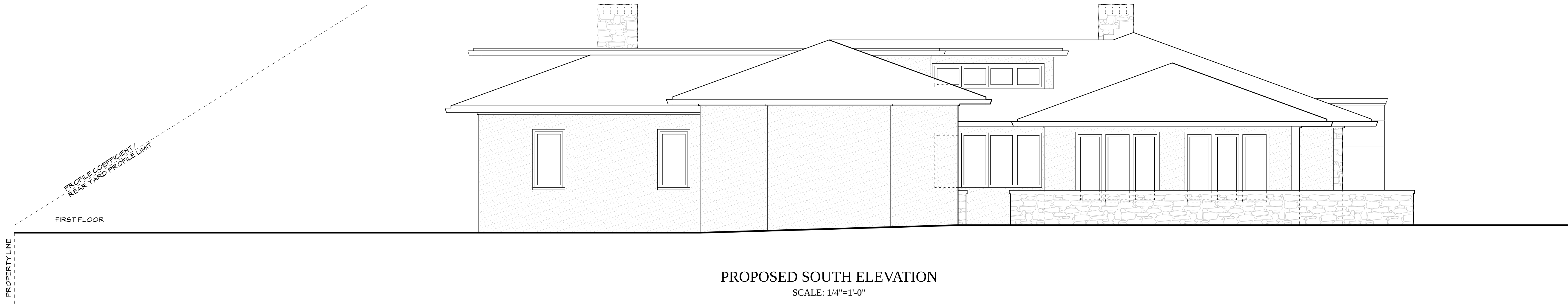
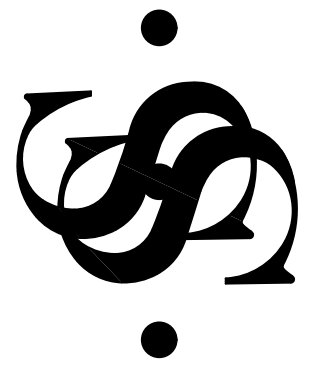


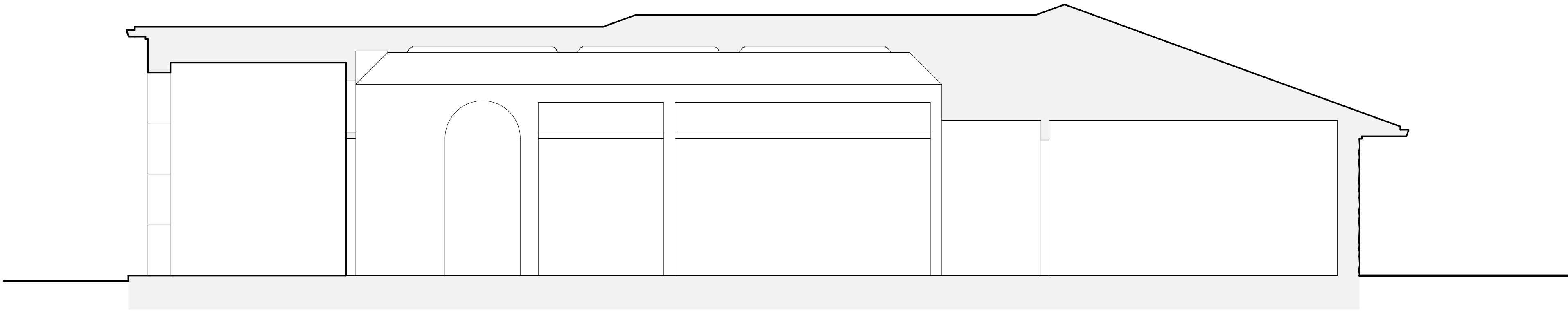
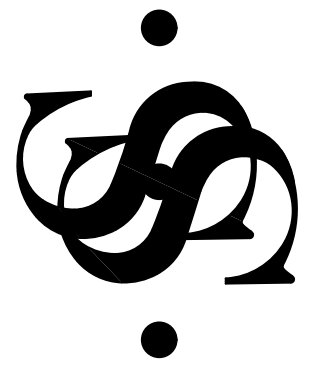


EXISTING FRONT ELEVATION
SCALE: 1/4"=1'-0"



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





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



PROPOSED WEST ELEVATION
SCALE: 1/4"=1'-0"



COMMUNITY DEVELOPMENT DEPARTMENT

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

Revised: Jan 2021

Certification of Notice

Applicant Name: Jeffrey Gregg

Location of property subject to BZAP request: 2861 S Dorchester Road

Describe activity which requires Board of Zoning and Planning review:

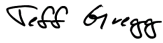
Requesting a variance for a new addition on my current home.

Wednesday, May 17th, 2023

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

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:
2840 S Dorchester Rd	Diane Goss	70222410000212531697	April 19, 2023
2721 Canterbury Rd	Carl Backes TR	70222410000212531680	April 19, 2023
2866 Margate Rd	Chris Karas	70222410000212531673	April 19, 2023
2860 S Dorchester Rd	2860 S Dorchester LLC	70222410000212531666	April 19, 2023
2711 Canterbury Rd	Alece Keleman	70222410000212531659	April 19, 2023
2841 S Dorchester Rd	Stacy McVey	70222410000212531642	April 19, 2023
2850 Margate Rd	Nancy Gatto	70222410000212531635	April 19, 2023
2685 Canterbury Rd	Todd Sawyer	70222410000212531703	April 19, 2023
Applicant Signature:	DocuSigned by:  026F064117AA42D...		Date: 4/19/2023

Tracking Number:

70222410000212531680



Copy



Add to Informed Delivery

Expected Delivery by

FRIDAY

21

April
2023 ⓘ

by

9:00pm ⓘ

Your item arrived at our USPS facility in COLUMBUS OH DISTRIBUTION CENTER on April 19, 2023 at 10:14 pm. The item is currently in transit to the destination.

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Delivered

Out for Delivery

Preparing for Delivery

Moving Through Network

Arrived at USPS Regional Facility

COLUMBUS OH DISTRIBUTION CENTER
April 19, 2023, 10:14 pm

Departed Post Office

COLUMBUS, OH 43216
April 19, 2023, 5:10 pm

[See All Tracking History](#)

April 18, 2023

Todd Sawyers
Jennifer Sawyers
2685 Canterbury Road
Columbus, Ohio 43221

Re: Notification of Variance Request for Home Addition

Dear Todd and Jennifer

This notification is to make you aware that we will be undergoing a renovation project at our home, 2861 S Dorchester Road in the coming months. The construction is scheduled to commence in August, 2023 and will continue for the proceeding 10-12 months.

As you can see per the enclosed site plan, our architect has discovered the addition will encroach into the rear-yard setback by 2 feet, 6 and one-half inches on the NE corner of the proposed sunroom, at its longest point. As sunroom moves North to South the encroachment becomes less. As you can see, the total area that extends into the setback is 29 square feet for the sunroom and 14 square feet for the covered patio.

As proposed, this variance request very minimally encroaches into the rear yard setback and does not impose any substantial detriment to neighboring residences. Furthermore, the area proposed for the hot tub will be properly screened with a landscaped hedge row surround and a new fence will be built along the perimeter of the property.

Lastly, please note, the front elevation is being maintained and the home will remain a ranch-style home that will adhere to the same aesthetic as the surrounding neighborhood. Proposed elevations can be found enclosed.

The variance application was submitted on April 18th, 2023 to the City of Upper Arlington and there is a formal Board of Zoning and Planning hearing scheduled for Wednesday, May 17th, 2023 at 6:00 PM. We will do our best to limit the amount of noise or disruption to you through construction.

If you have any concerns, you can reach out to me at the following number: 614-989-9776.

Thank you,

Jeff & Tracie Gregg

April 18, 2023

Carl H Backes TR
The Winifred D Backes Qualified Personal Residence Trust
2727 Canterbury Road
Columbus, Ohio 43221

Re: Notification of Variance Request for Home Addition

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Thank you,

Jeff & Tracie Gregg

April 18, 2023

2860 S Dorchester LLC
3763 Attucks Drive
Powell, Ohio 43065

Re: Notification of Variance Request for Home Addition

To Whom It May Concern:

This notification is to make you aware that we will be undergoing a renovation project at our home, 2861 S Dorchester Road in the coming months. The construction is scheduled to commence in August, 2023 and will continue for the proceeding 10-12 months.

As you can see per the enclosed site plan, our architect has discovered the addition will encroach into the rear-yard setback by 2 feet, 6 and one-half inches on the NE corner of the proposed sunroom, at its longest point. As sunroom moves North to South the encroachment becomes less. As you can see, the total area that extends into the setback is 29 square feet for the sunroom and 14 square feet for the covered patio.

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Thank you,

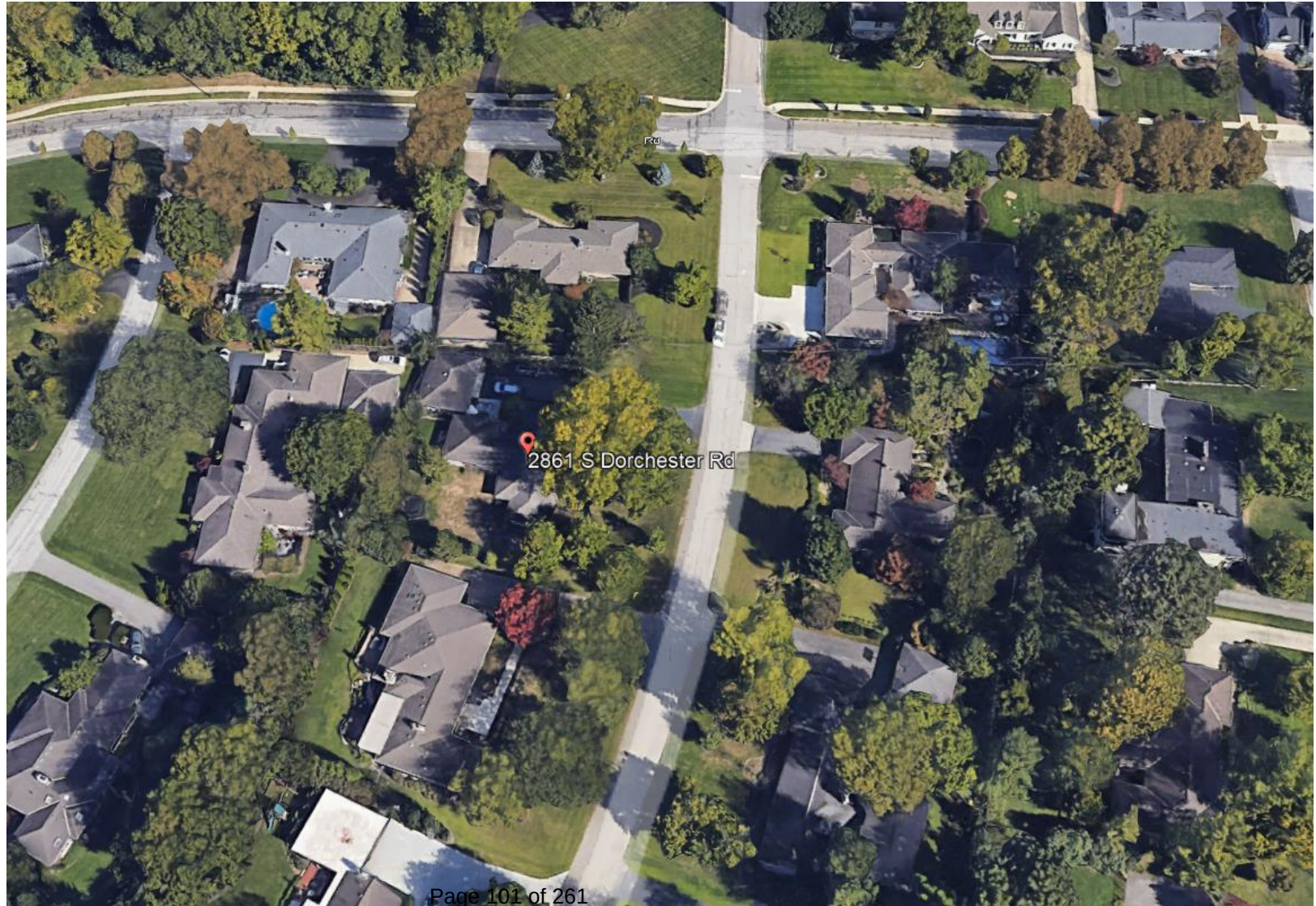
Jeff & Tracie Gregg

2861 South Dorchester Road

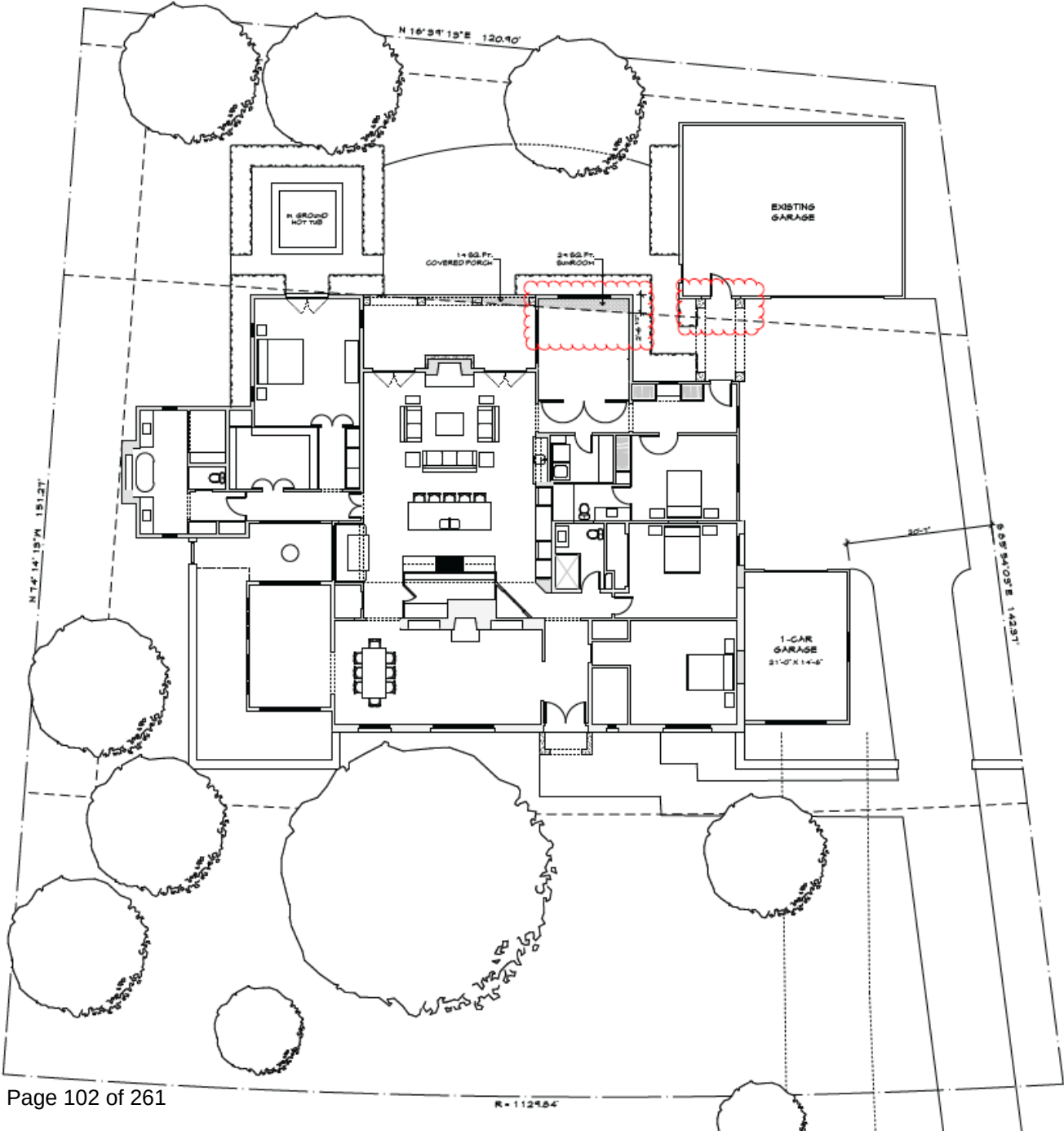
BZAP Staff Report Pictures



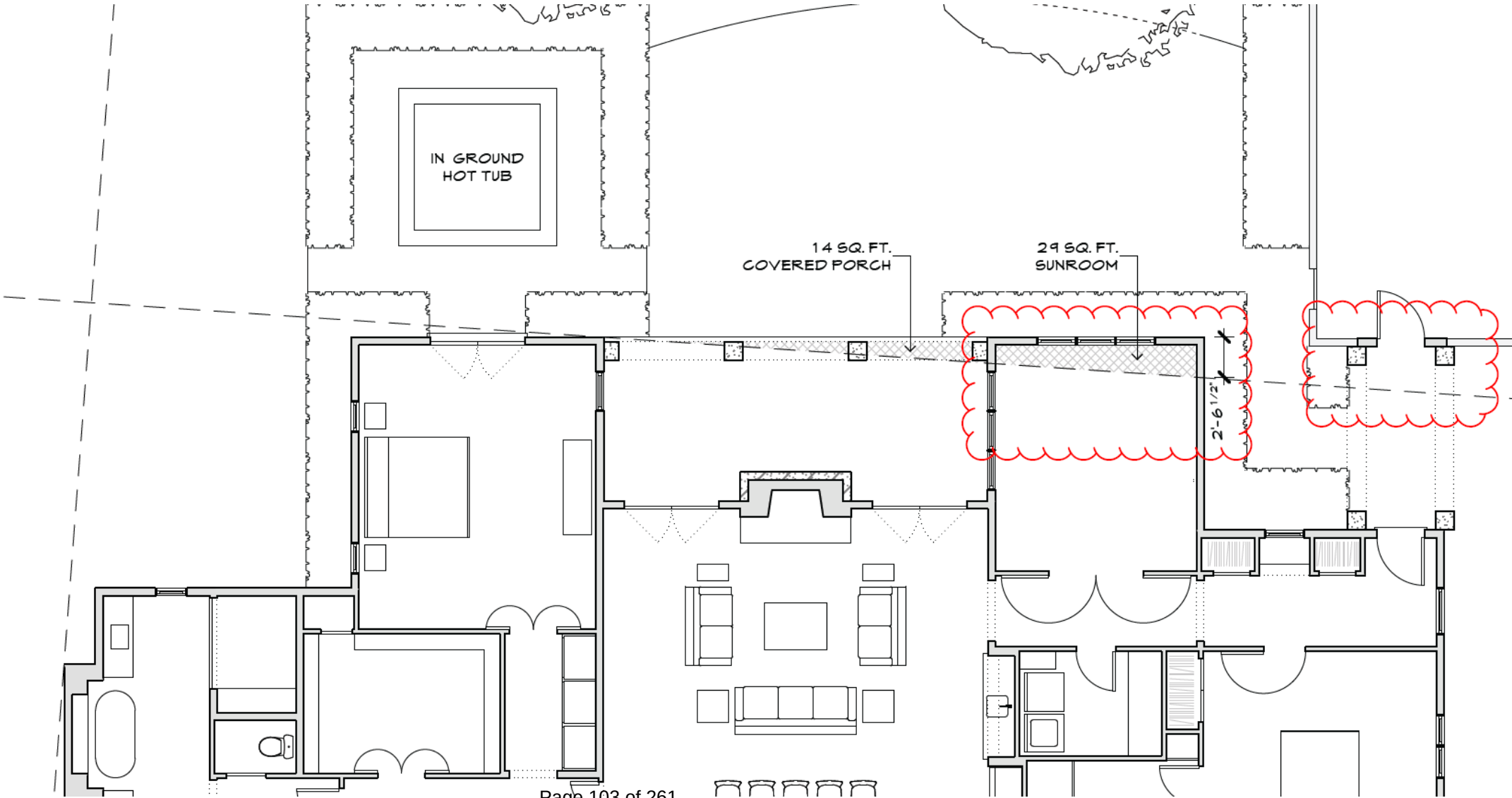
Google Maps ® Aerial – Looking North



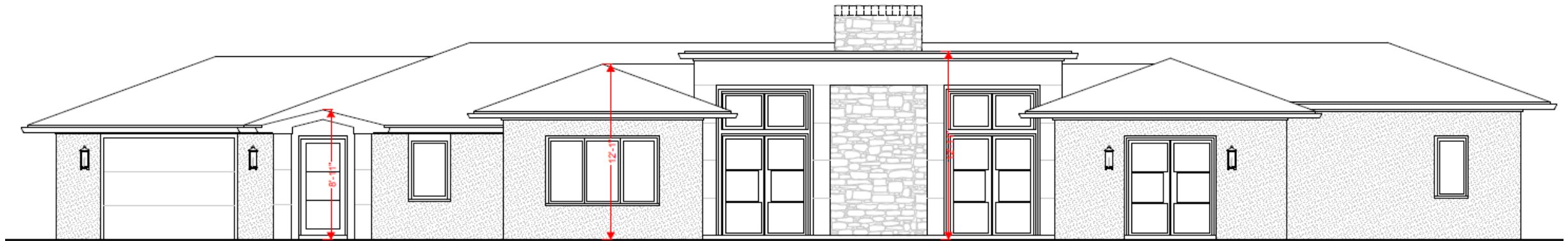
Proposed Site Plan



Proposed Floor Plan



Proposed Rear Elevation



Existing S. Dorchester Road Elevation



Existing Rear Yard



Authors: Alyssa Kelly, AICP, Planning Officer

BZAP Meeting Date: May 17, 2023

Subject: **POSTPONED TO JUNE 21** - 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

Architect Mr. Don Shumacher will be present to share a revised design for the proposed rear addition. At the previous meeting, the Board showed support for the revisions to the plan, including the 1.5-story nature of the addition and the reduced footprint. However, there were concerns with five variances being requested.

Proposal

The revised design includes the previous reductions in both footprint and height, as well as a modification to the back dormer, so it complies with the rear yard profile. This has reduced the number of variances requested to four.

Zoning Code Requirements

- 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;
- 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;
- 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; and
- 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.

Alternatives

The applicant could further explore options to reduce the footprint of the addition to align with setback requirements. However, after multiple iterations, the current design meets the needs of the homeowner, while trying to minimize variance requests.



Requested Action and Findings

Staff appreciates the applicant's continued work to better align the improvements with the zoning code, so the addition more seamlessly fits with the house and neighborhood. Staff recommends approval of the revised plans and the Board may consider Finding #4 in support of the application.

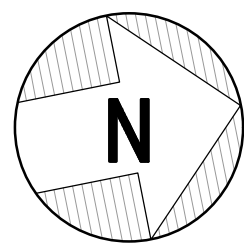
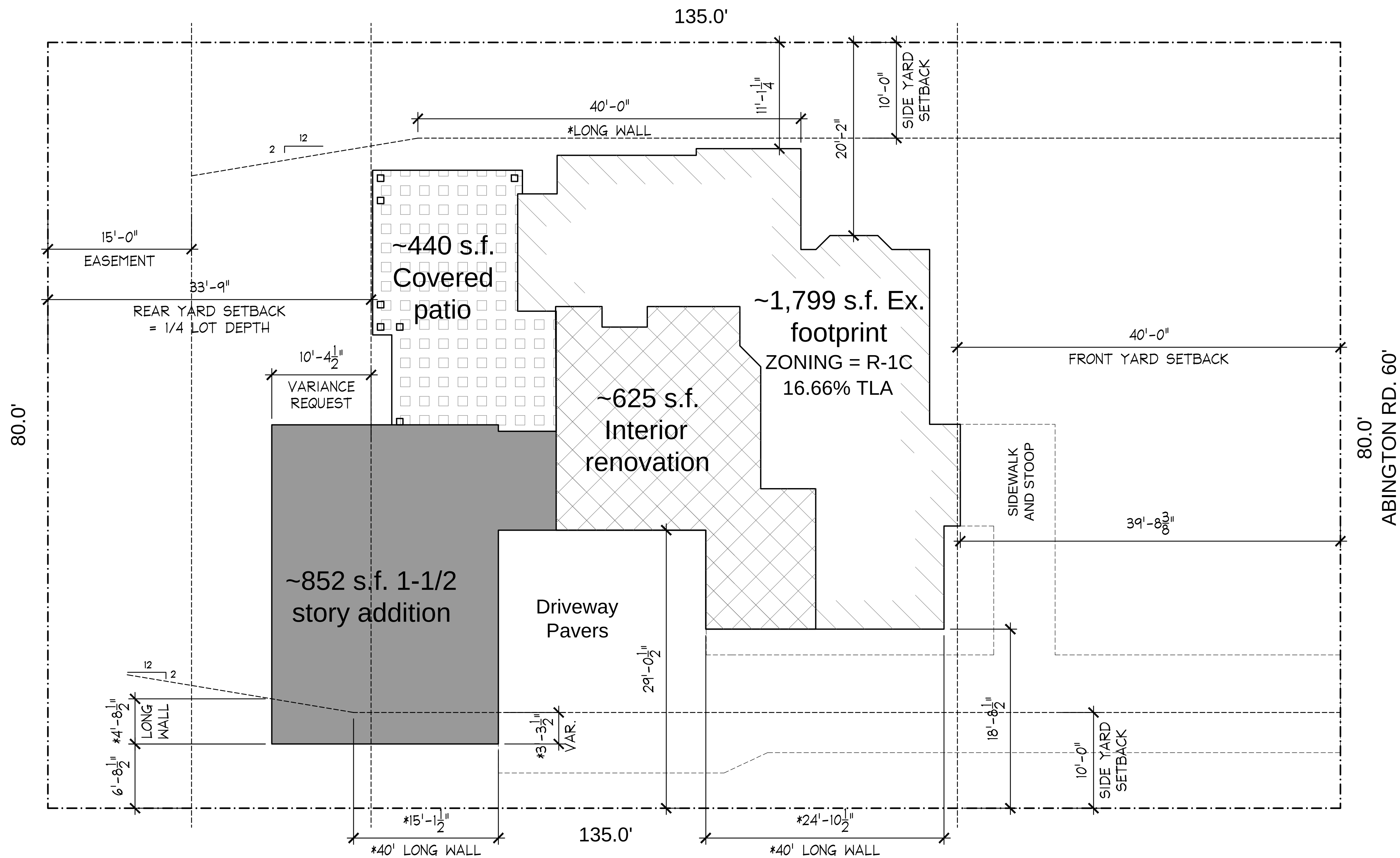
Attachments

1. 2241 Abington Rd - Revised Plans 5.12.23
2. 00_Riehl-Elevations_V4_Wed_May_3_2023_11-12-44
3. 2241 Abington Rd Variance App
4. BZAP Staff Report Pics - 2241 Abington Rd



RIEHL RESIDENCE ADDITION & RENOVATION

2241 ABINGTON RD., UPPER ARLINGTON, OH 43221



PARCEL # 070-002521-00	
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

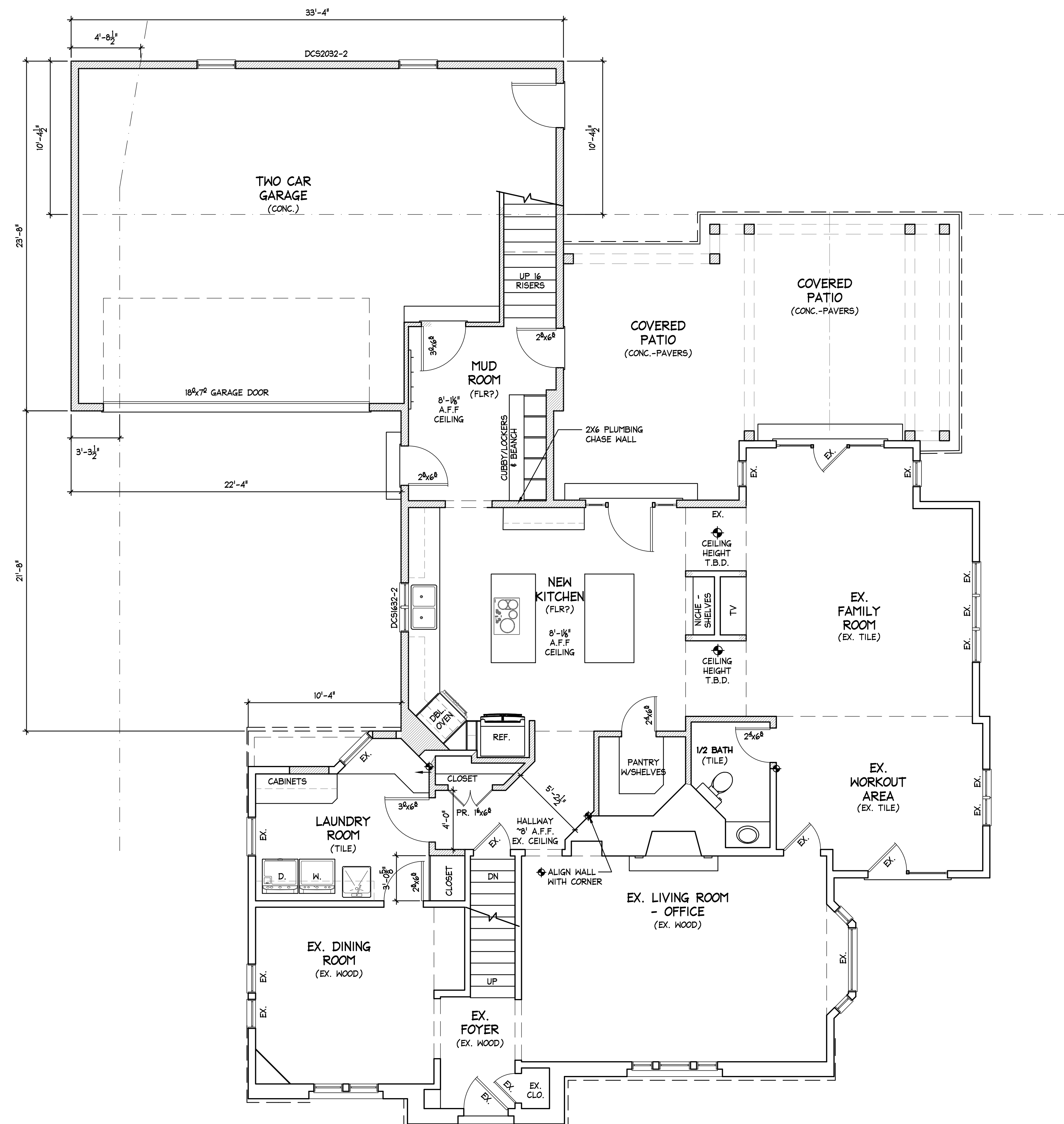
EXISTING	PROPOSED
10,800 SF	SAME
80'	SAME
39'-8 3/8"	SAME
10'	6'-8" to Property Line
29'-9 5/8"	17'-9 3/4"
33'-9"	23'-4 1/2"
22'-10"	22'-10"
3,514 s.f.=32.6%	4,477 s.f.=41.5%
16.66 TLA	28.2 TLA w/ covered Patio

A PARTIAL SITE PLAN
SCALE : NOT TO SCALE

PROJECT NAME: RIEHL ADDITION 2241 ABINGTON RD. UPPER ARLINGTON, OH 43221	PHASE: ZONING
SHEET TITLE: SITE PLAN	PROJECT NO.: 03-22-011
	DATE: 05-17-2023
	SHEET NO.: SP

NOT FOR
CONSTRUCTION

EXPIRES: 12/31/2023	
DATE	DESCRIPTION
02/08/2023	OWNER REVIEW
04/07/23	ZONING REVIEW
04/26/23	ZONING REVIEW
05/17/23	ZONING REVIEW



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

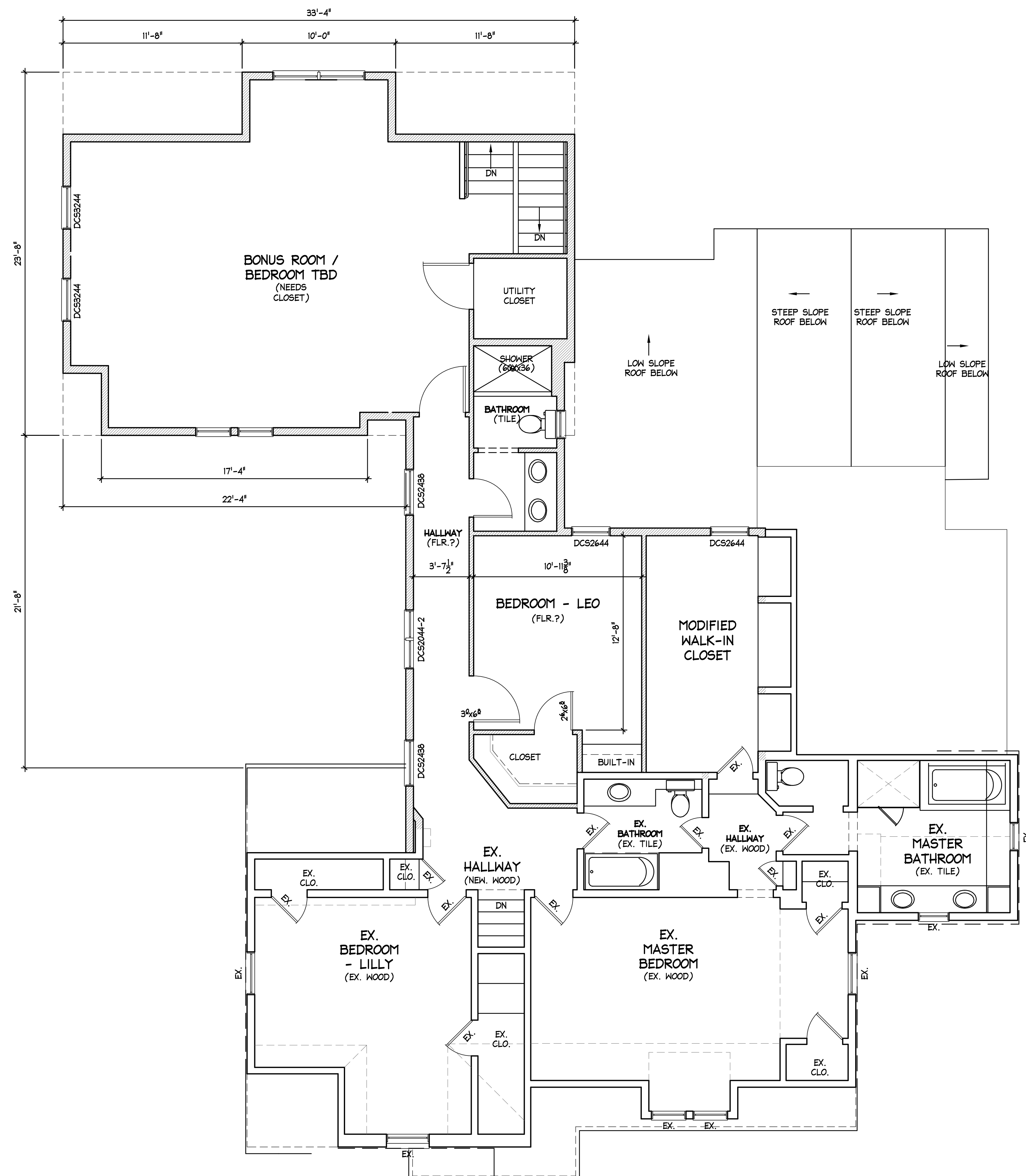


⊕ LAYOUT POINT FOR NEW
CONSTRUCTION TO EXISTING

NOT FOR
CONSTRUCTION

EXPIRES: 12/31/2023			
02/08/2023	OWNER REVIEW	.	
04/07/23	ZONING REVISION	.	
04/26/23	ZONING REVISION	.	
05/17/23	ZONING REVISION	.	
	.	.	
	.	.	

PROJECT NAME: RIEHL ADDITION 2241 ABINGTON RD. UPPER ARLINGTON, OH 43221		PHASE: ZONING PROJECT NO.: 03-22-011 DATE: 05-17-2023
SHEET TITLE: FIRST FLOOR CONSTRUCTION PLAN		SHEET NO.: A-3



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



⊕ LAYOUT POINT FOR NEW
CONSTRUCTION TO EXISTING

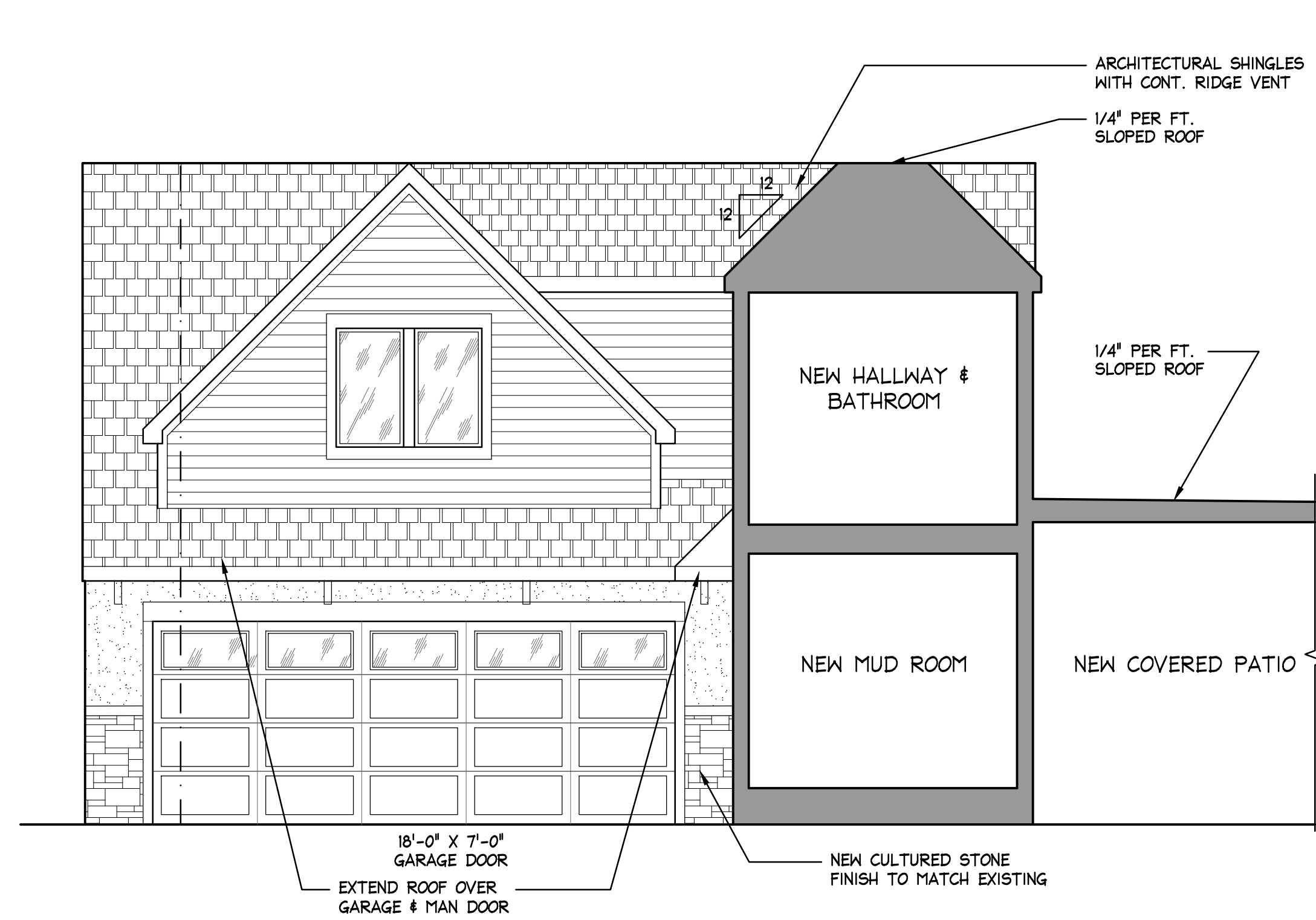
NOT FOR
CONSTRUCTION

REVISION	DESCRIPTION	DATE
.	OWNER REVIEW	02/08/2023
.	ZONING REVISION	04/07/23
.	ZONING REVISION	04/26/23
.	ZONING REVISION	05/17/23
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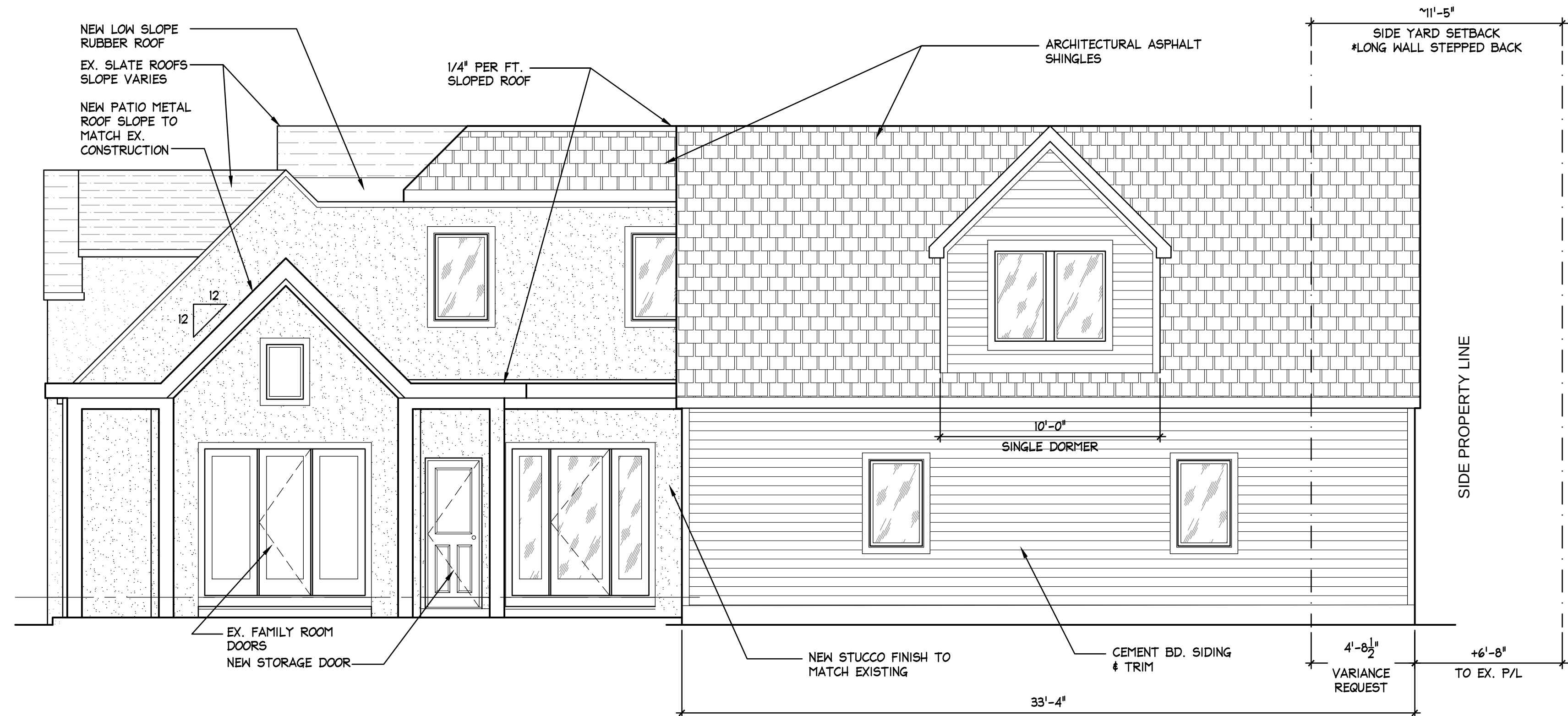
PROJECT NAME: RIEHL ADDITION 2241 ABINGTON RD. UPPER ARLINGTON, OH 43221	PHASE: ZONING PROJECT NO.: 03-22-011 DATE: 05-17-2023
SHEET TITLE: SECOND FLOOR CONSTRUCTION PLAN	SHEET NO.: A-4



NORTH ELEVATION
STREET VIEW



PARTIAL NORTH ELEVATION
GARAGE VIEW/SECTION



SOUTH ELEVATION
REAR VIEW

NOT FOR
CONSTRUCTION

EXPIRES: 12/31/2023

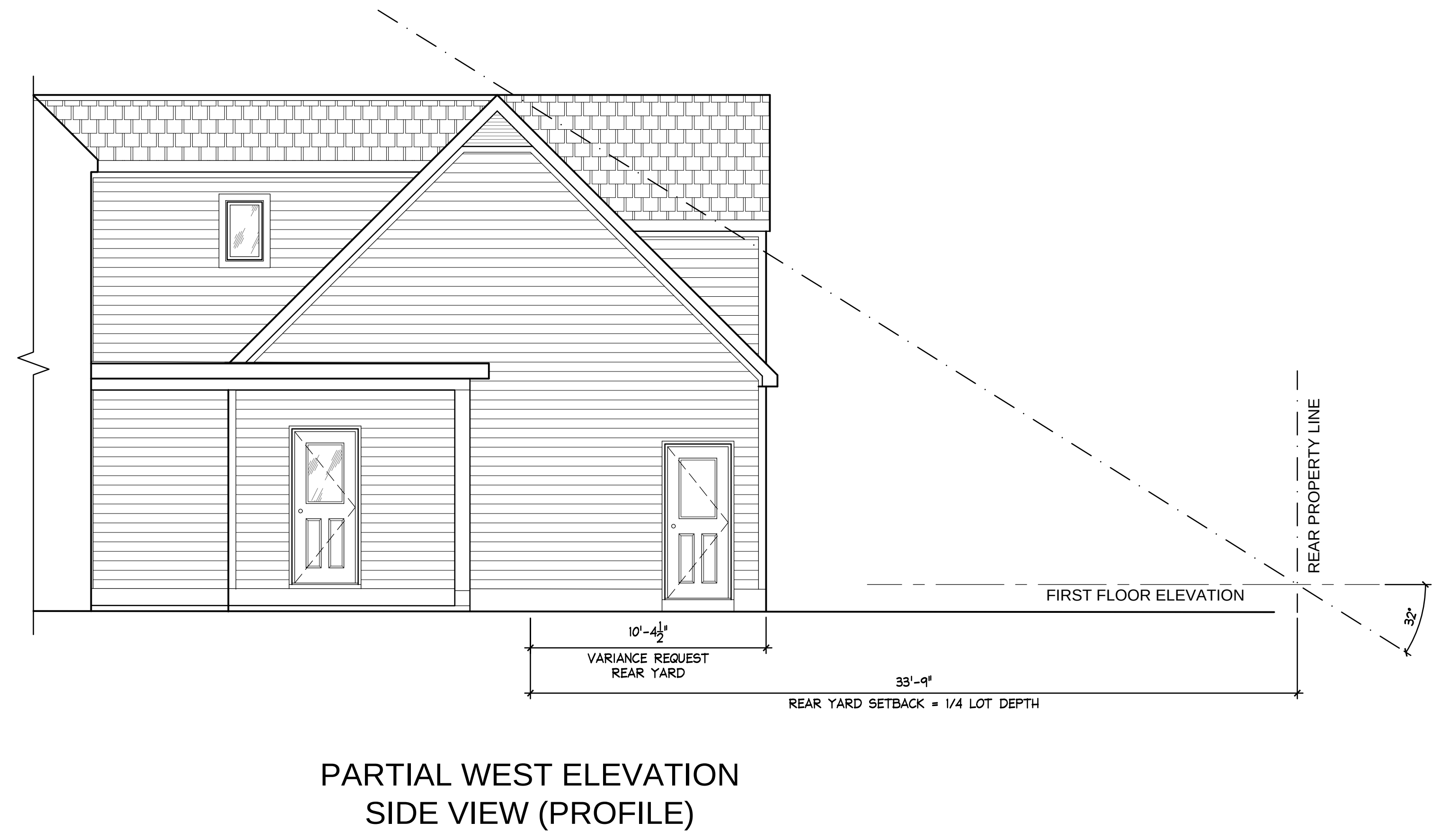
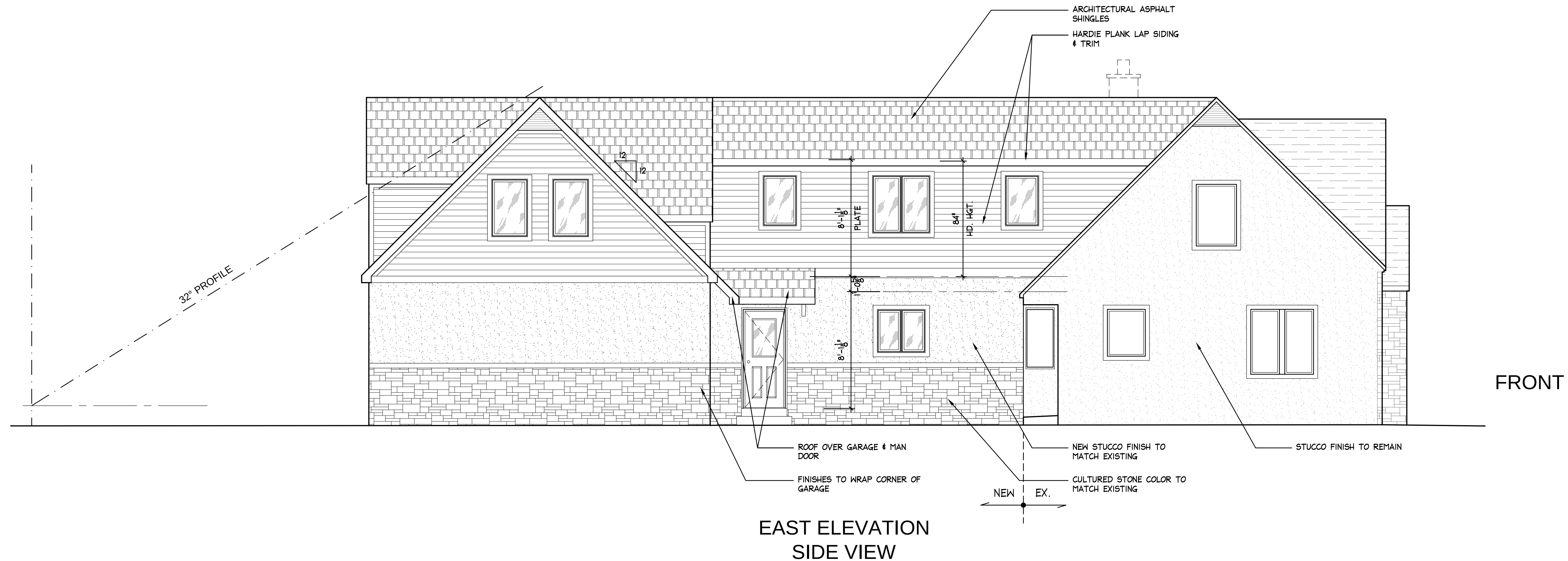
DATE	DESCRIPTION	REVISION
02/08/2023	OWNER REVIEW	
04/07/23	ZONING REVISION	
04/26/23	ZONING REVISION	
05/17/23	ZONING REVISION	

PROJECT NAME:
RIEHL ADDITION
2241 ABINGTON RD.
UPPER ARLINGTON, OH 43221

SHEET TITLE:
EXTERIOR ELEVATIONS

PHASE:
ZONING
PROJECT NO.:
03-22-011
DATE:
05-17-2023

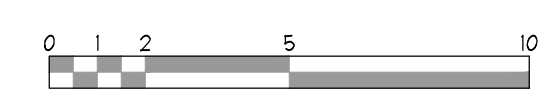
SHEET NO.:
A-5

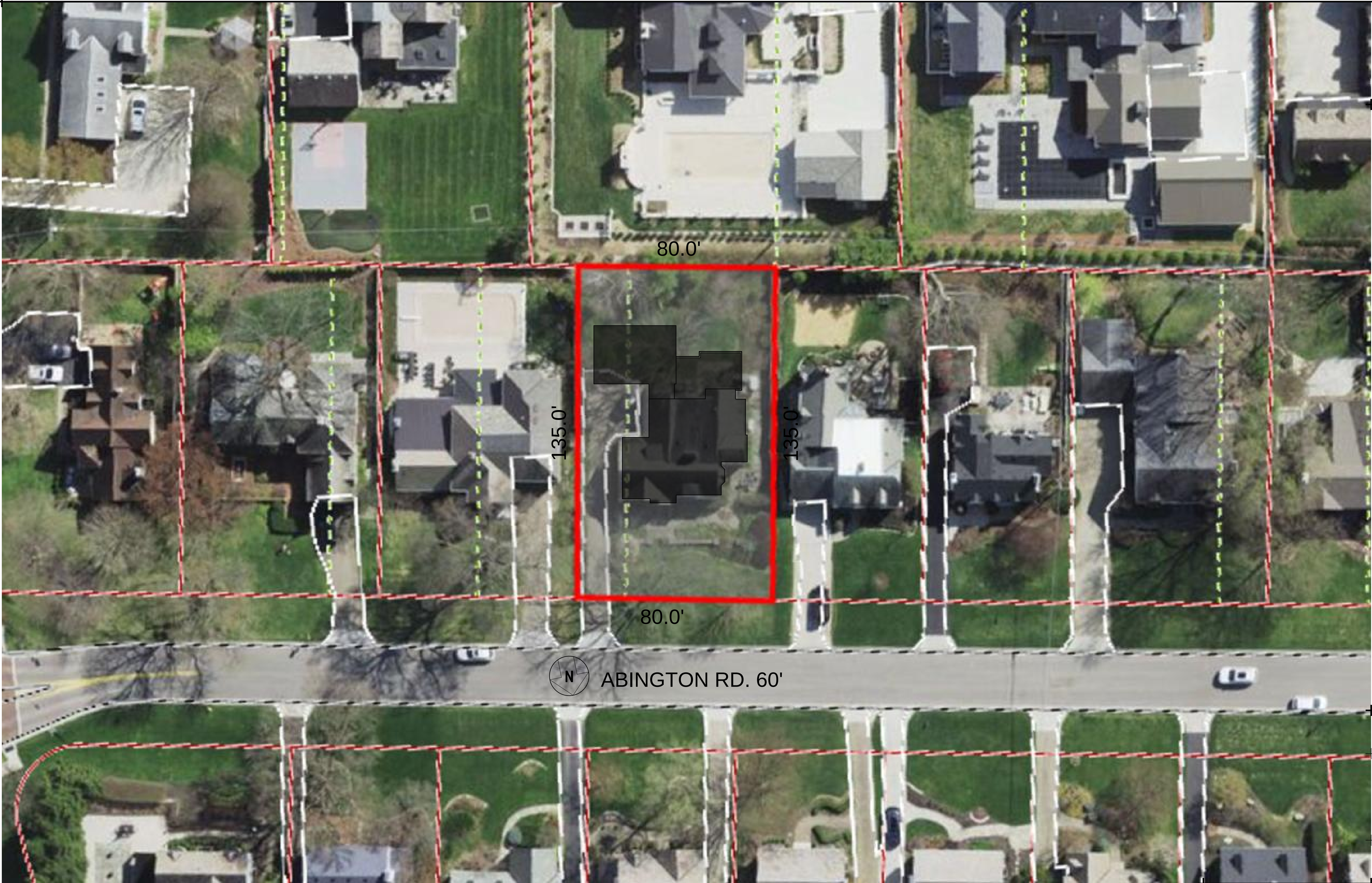


NOT FOR
CONSTRUCTION

EXPIRES: 12/31/2023	
DATE	DESCRIPTION
02/08/2023	OWNER REVIEW
04/07/23	ZONING REVISION
04/26/23	ZONING REVISION
05/17/23	ZONING REVISION

PROJECT NAME: RIEHL ADDITION 2241 ABINGTON RD. UPPER ARLINGTON, OH 43221	PHASE: ZONING
	PROJECT NO.: 03-22-011
	DATE: 05-17-2023
	SHEET NO.: A-6
SHEET TITLE: EXTERIOR ELEVATIONS	





NOT FOR
CONSTRUCTION

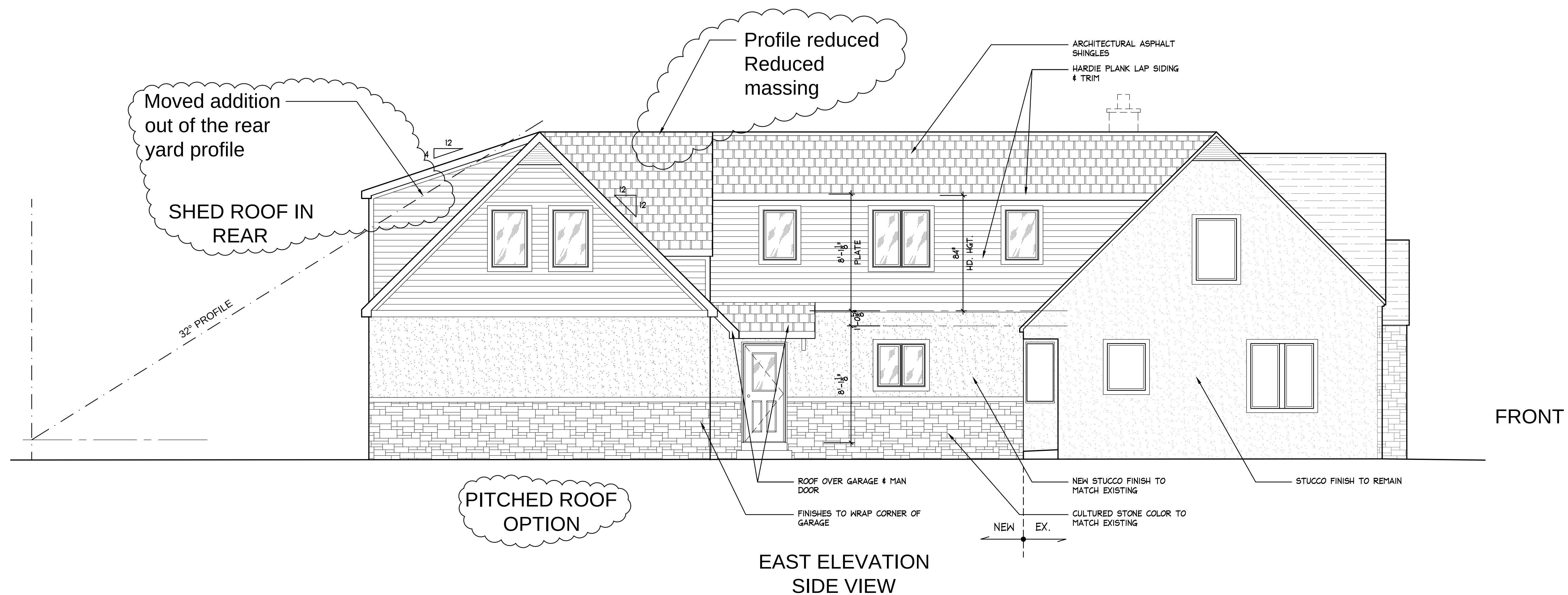
A AERIAL SITE PLAN
SCALE: NOT TO SCALE

PROJECT NAME: RIEHL ADDITION 2241 ABINGTON RD. UPPER ARLINGTON, OH 43221		PHASE: ZONING
PROJECT NO.: 03-22-011		SHEET NO.: A8
DATE: 05-17-2023		
SHEET TITLE: CONTEXT VIEW		

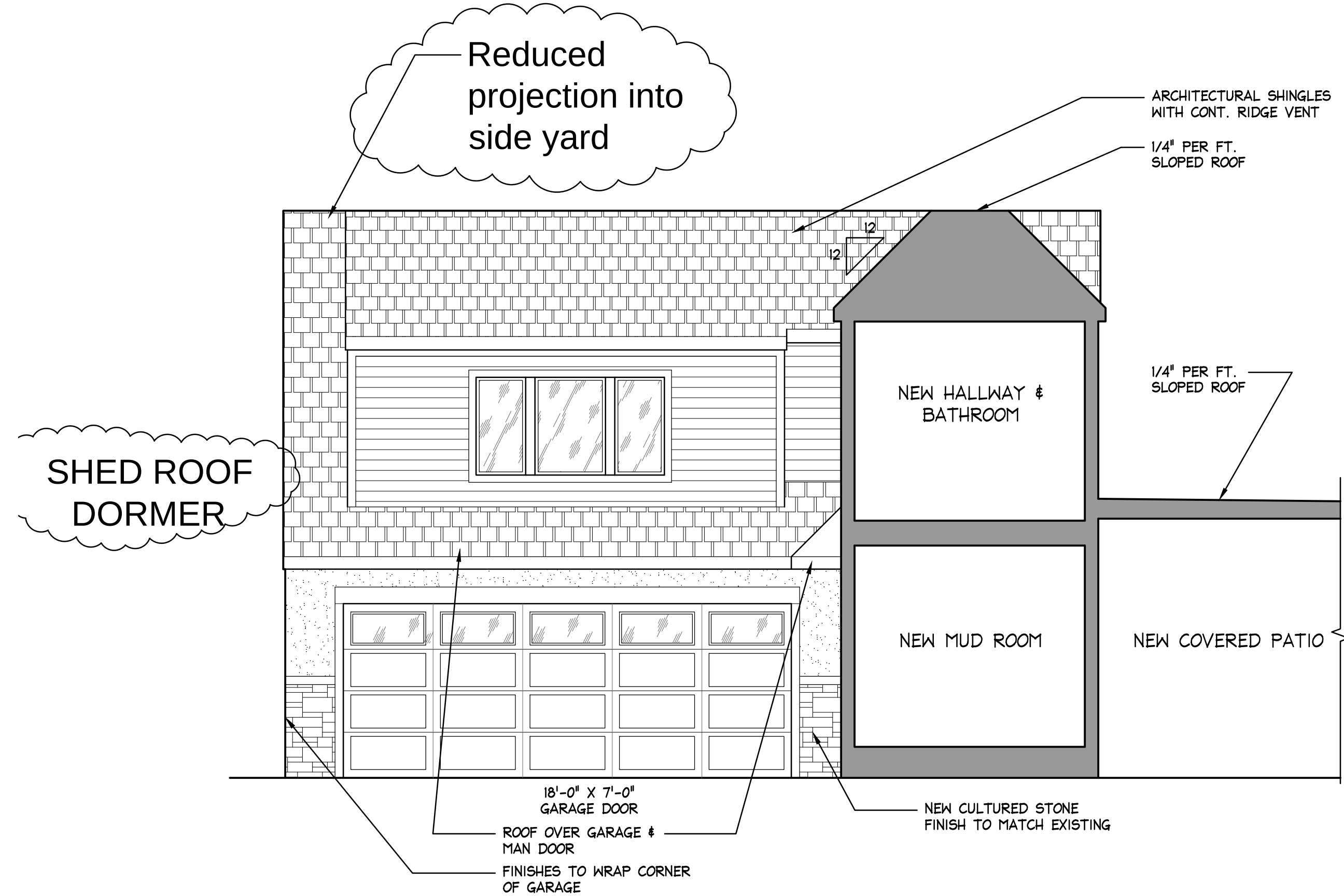
EXPIRES: 12/31/2023	
REVISION	DATE
OWNER REVIEW	02/08/2023
ZONING REVISION	04/07/23
ZONING REVISION	04/26/23
ZONING REVISION	05/17/23



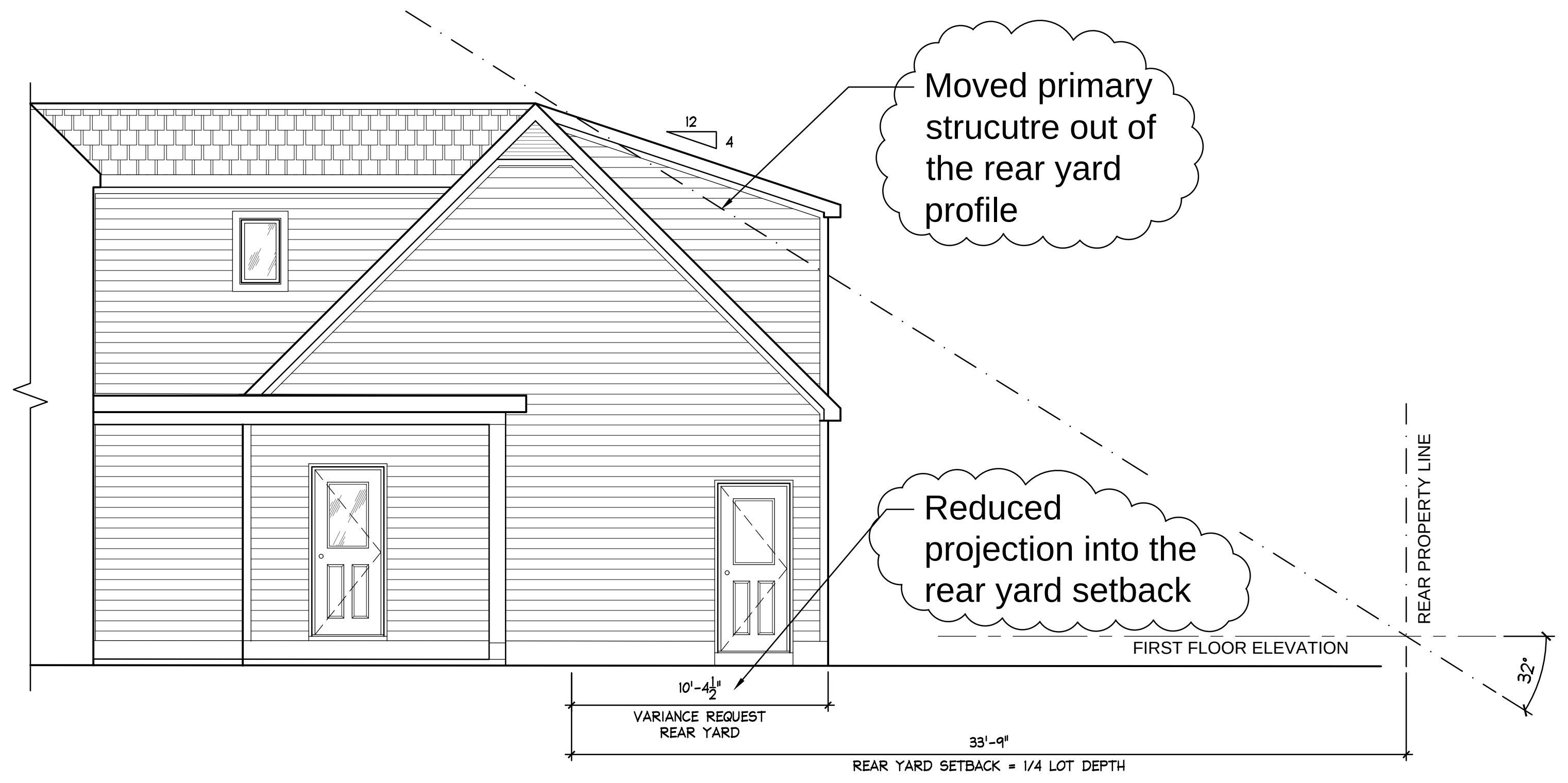
PROJECT NAME: RIEHL ADDITION 2241 ABINGTON RD. UPPER ARLINGTON, OH 43221	PHASE: ZONING PROJECT NO.: 03-22-011 DATE: 04-26-2023
SHEET TITLE: EXTERIOR ELEVATIONS	SHEET NO.: A-5



EAST ELEVATION
 SIDE VIEW

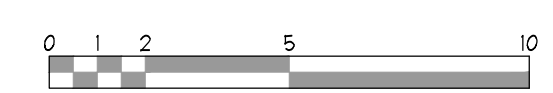


PARTIAL NORTH ELEVATION
 GARAGE VIEW/SECTION



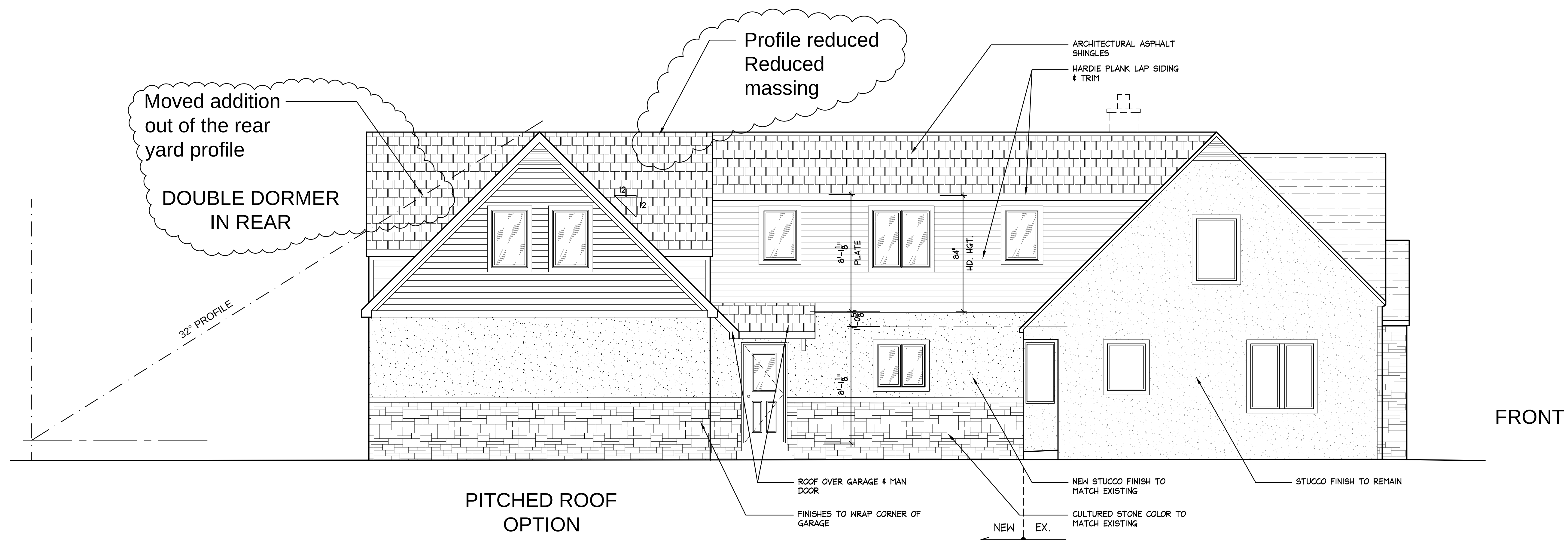
PARTIAL WEST ELEVATION
 SIDE VIEW (PROFILE)

NOT FOR
 CONSTRUCTION

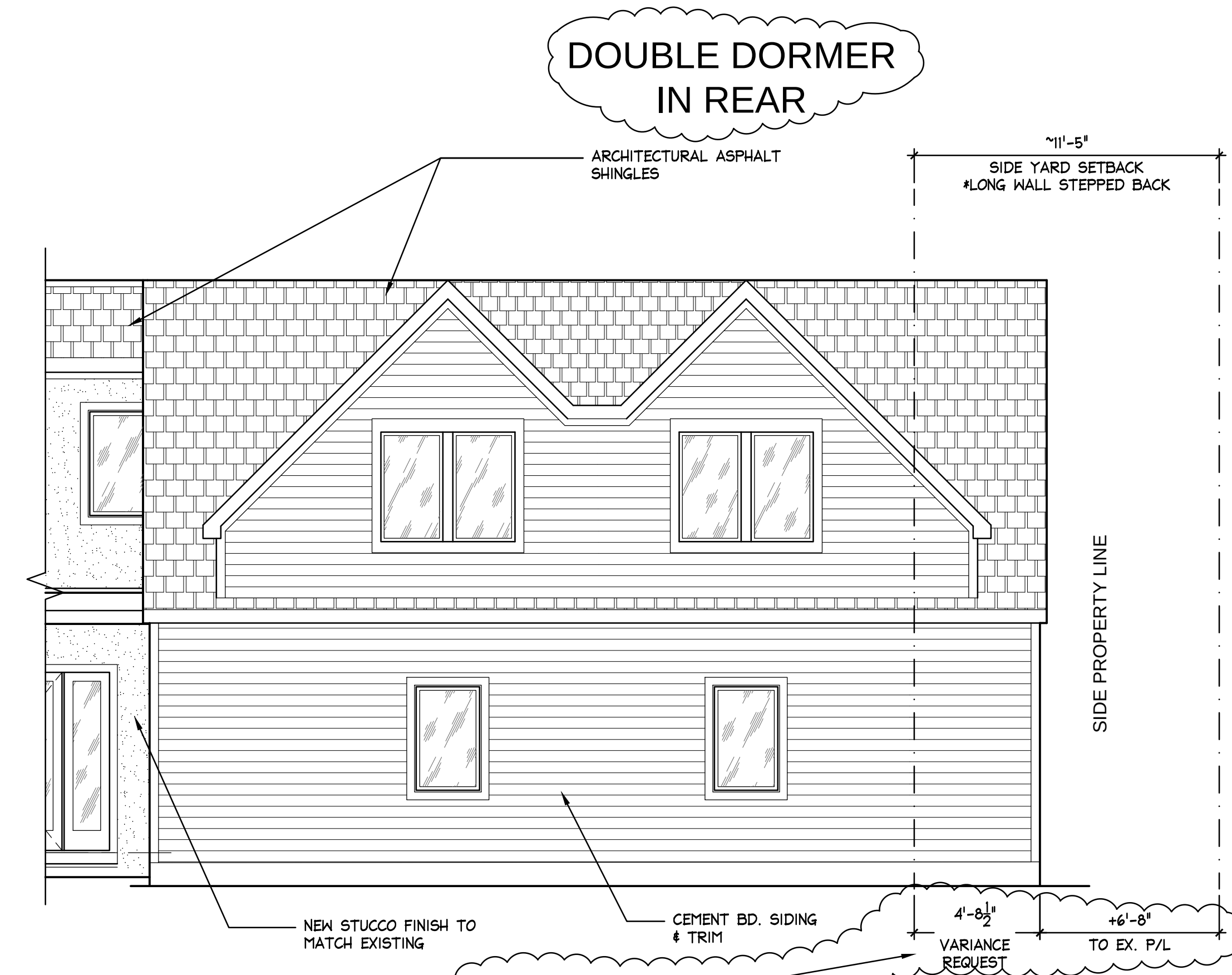


EXPIRES: 12/31/2023				
DATE	DESCRIPTION	REVISION	DATE	REVISION
02/08/2023	OWNER REVIEW		04/07/23	
04/07/23	ZONING REVISION		04/26/23	
04/26/23	ZONING REVISION			

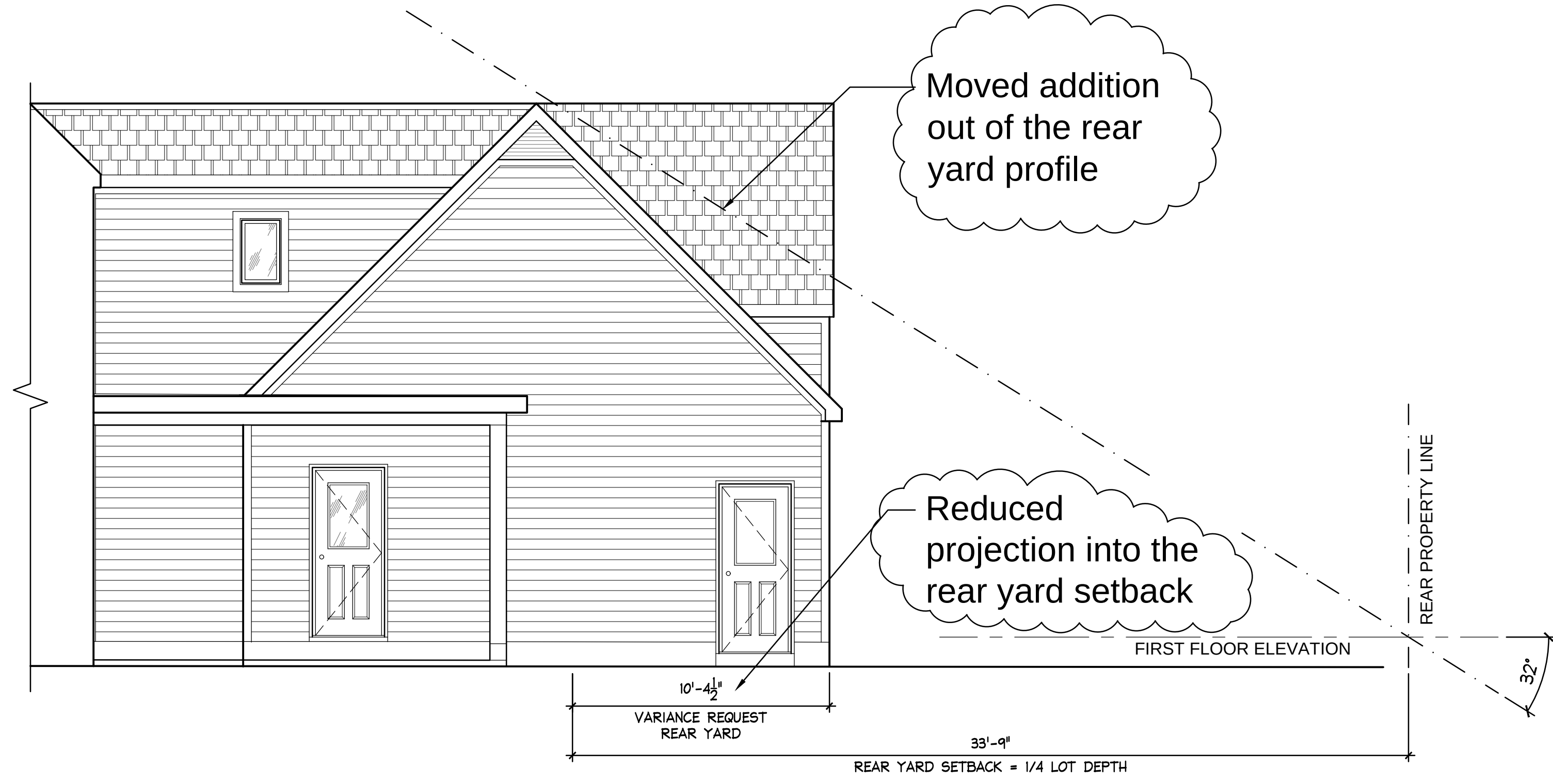
PROJECT NAME:	RIEHL ADDITION	PHASE:	ZONING
	2241 ABINGTON RD.	PROJECT NO.:	03-22-011
	UPPER ARLINGTON, OH 43221	DATE:	04-26-2023
SHEET TITLE:	EXTERIOR ELEVATIONS	SHEET NO.:	A-6



EAST ELEVATION
SIDE VIEW

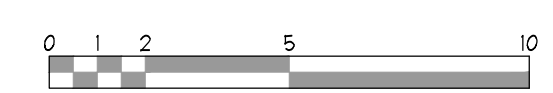


PARTIAL
SOUTH ELEVATION
REAR VIEW



PARTIAL WEST ELEVATION
SIDE VIEW (PROFILE)

NOT FOR
CONSTRUCTION



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

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 REAR DORMER OPTION	SHEET NO.:	A-6a



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?

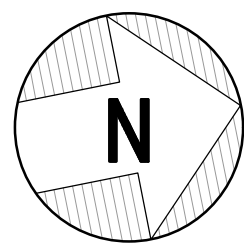
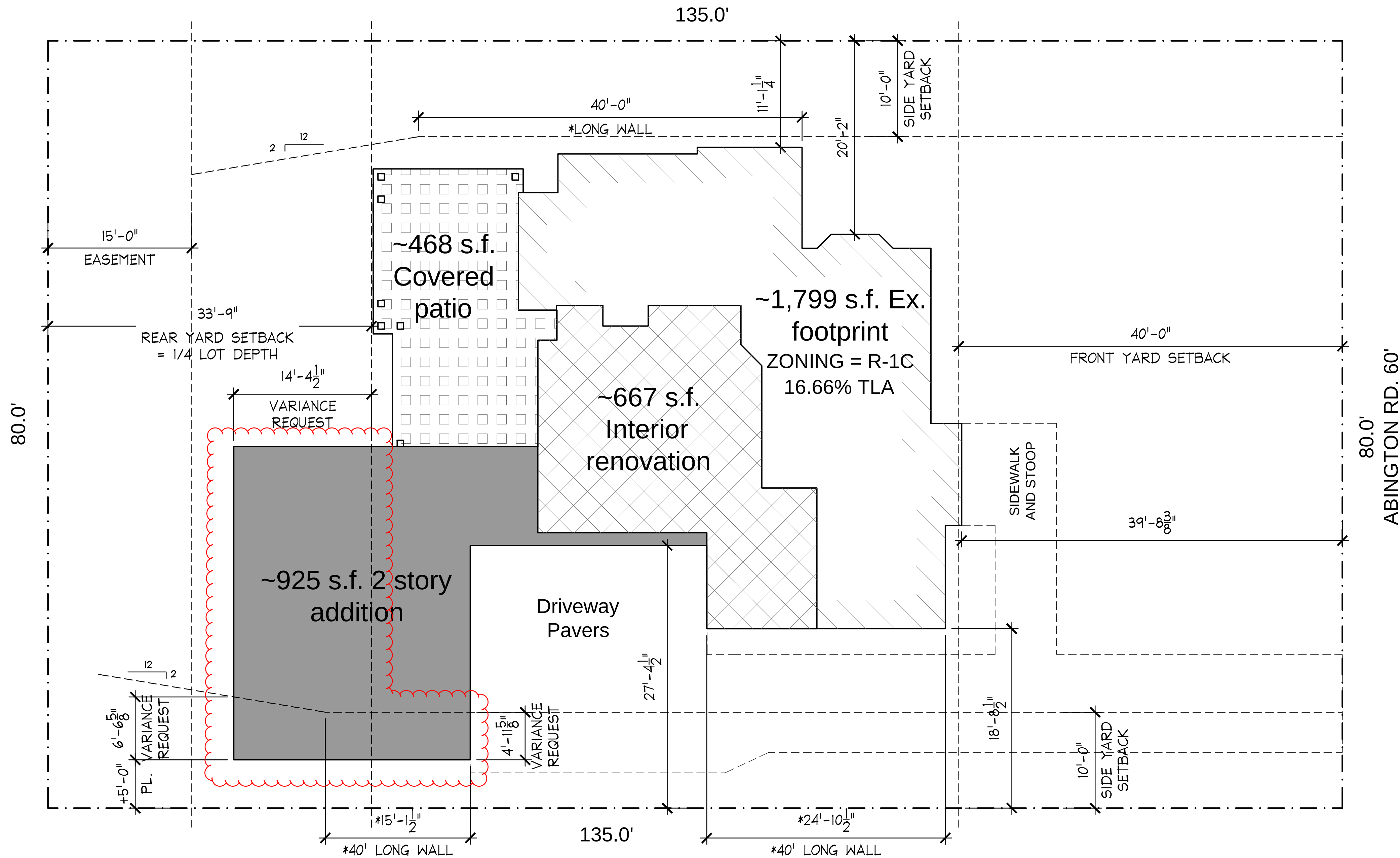
Yes, several configurations were developed and reviewed. This design checks all of the requirements of this growing family by providing additional bedrooms, a functional 2-car garage and new kitchen.

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	
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

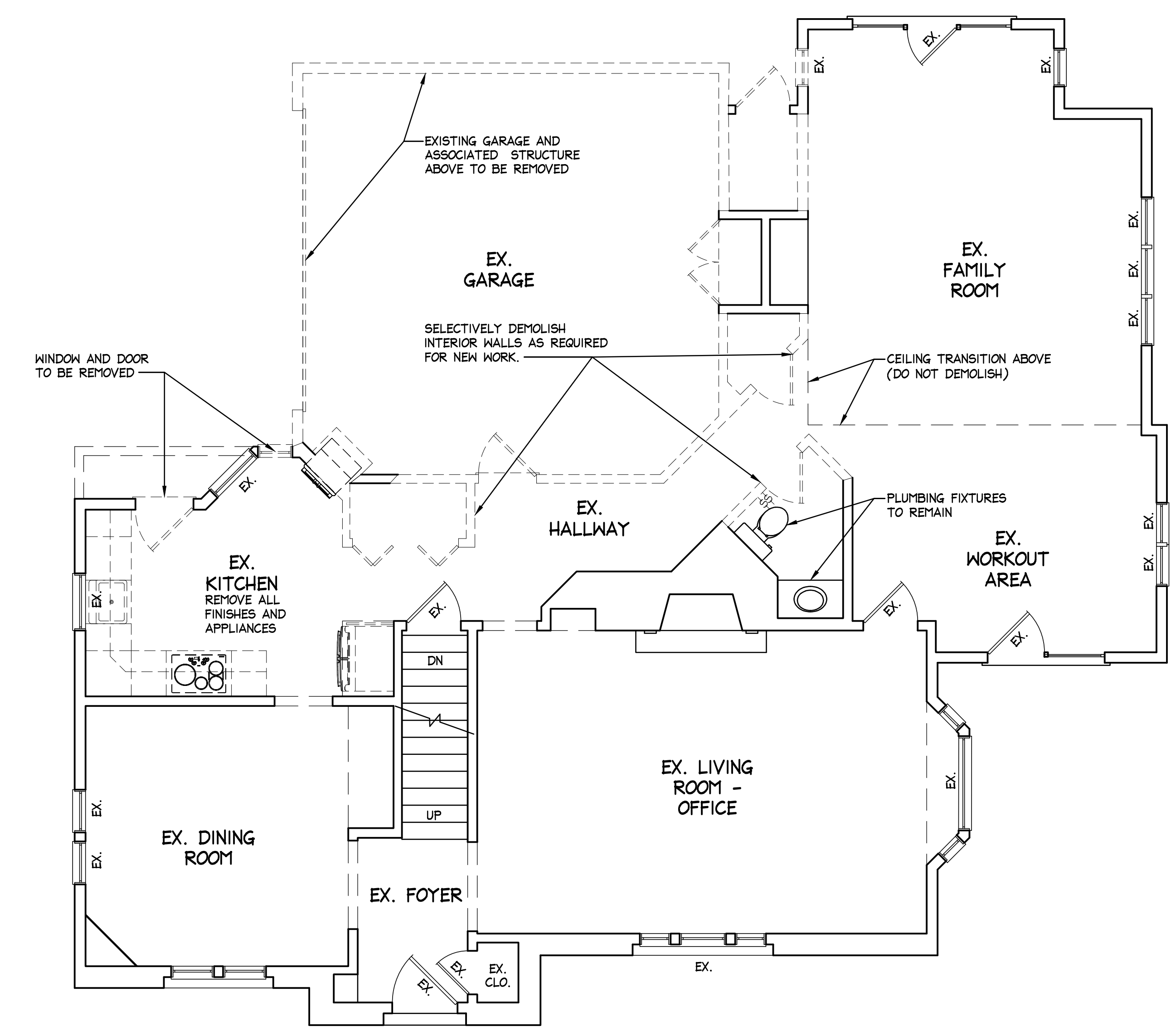
EXISTING	PROPOSED
10,800 SF	SAME
80'	SAME
39'-8 3/8"	SAME
10'	5' to Property Line
29'-9 5/8"	16'-1 5/8"
33'-9"	19'-4 1/2"
22'-10"	25'-6"
3,514 s.f.=32.6%	4,654 s.f.=43.1%
16.66 TLA	28.96 TLA w/ covered Patio

A PARTIAL SITE PLAN
SCALE : NOT TO SCALE

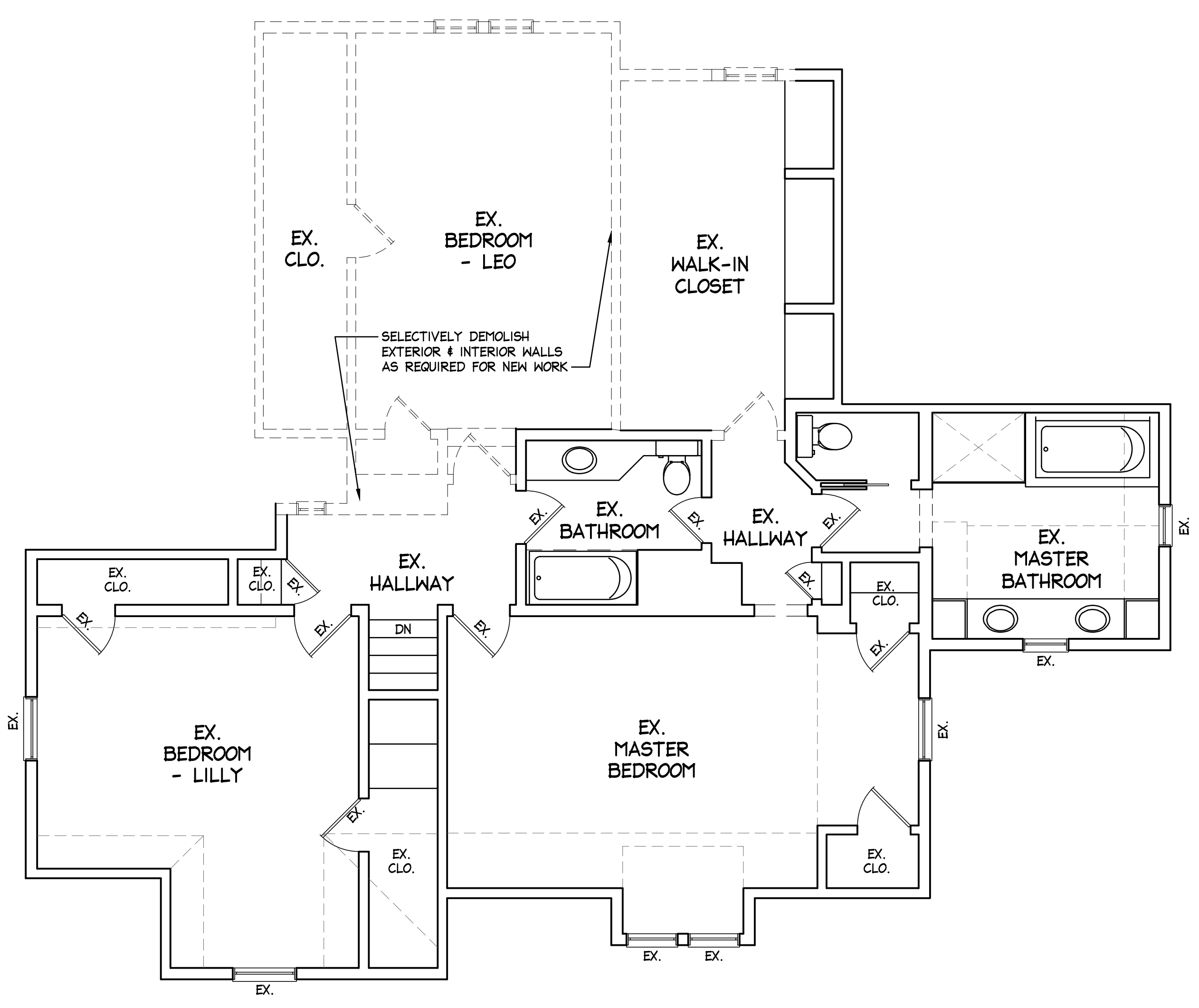
PROJECT NAME:	RIEHL ADDITION	PHASE:	ZONING
PROJECT NO.:	2241 ABINGTON RD. UPPER ARLINGTON, OH 43221	PROJECT NO.:	03-22-011
DATE:		DATE:	03-20-2023
SHEET TITLE:	SITE PLAN	SHEET NO.:	SP

NOT FOR
CONSTRUCTION

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



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



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

GENERAL DEMOLITION 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.	F. THE CONTRACTOR MUST MAINTAIN ADEQUATE SUPPORT INSULATION, WATERPROOFING, EMERGENCY LIGHTING, SECURITY, ALARMS, ETC. FOR ALL OR PART OF ITEMS WHICH ARE TO REMAIN.
B. EXISTING WORK TO REMAIN SHALL BE TEMPORARILY SECURED, BRACED AND STABILIZED UNTIL PERMANENT CONSTRUCTION IS IN PLACE.	G. TERMINATE AND CAP ANY UTILITY IN WALLS CEILINGS AND FLOORS TO BE REMOVED AND NOT INTENDED FOR REUSE.
C. VERIFY FIELD CONDITIONS PRIOR TO START OF DEMOLITION/CONSTRUCTION AND NOTIFY THE ARCHITECT OF ANY DISCREPANCIES.	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.
D. ERECT BARRICADES, FENCES OR OTHER SECURABLE MEANS TO PREVENT UNAUTHORIZED ACCESS INTO CONSTRUCTION ZONES.	I. MAINTAIN EXISTING FINISHES, OPERATIONAL CHARACTERISTICS, AND APPEARANCE OF ITEMS SCHEDULED TO REMAIN OR BE REUSED.
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.	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: DEMOLITION PLANS		SHEET NO.: A-1	

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

EXPIRES: 12/31/2023

Plot date: 6 April 2023

- 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 & 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.W.B. ON GARAGE CEILING AND HOLLOW COMMON WALL. GAGE MAIN 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 FRAMED WALLS SHALL BE BRACED WITH 1-INCH-BY-4-INCH LET-IN BRACES, OR APPROVED METAL SHAPED DEVICES INSTALLED IN ACCORDANCE WITH THE MANUF. SPECS.
- PROVIDE JOIST HANGERS AS RECOMMENDED BY OPEN WOOD FLOOR JOIST MANUFACTURER. TYP.
- PER M907.3, 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. PENETRATION U-FACTOR 0.3, GLAZED PENETRATION (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.

1. ALL DIMENSIONS ARE TO FACE OF CONCRETE FOUNDATION WALLS.
2. 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.
3. 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)
4. DESIGN STRENGTH FOR CONCRETE FOOTINGS SHALL BE 3000 PSI AT 28 DAYS.
5. DESIGN STRENGTH FOR INTERIOR CONC. BASEMENT SLABS AND INTERIOR SLAB ON GRADE, EXCEPT GARAGE SLABS, TO BE 3000 PSI AT 28 DAYS. IF SUBJECT TO FREEZING AND THAWING DURING CONSTRUCTION, CONC. SHALL BE AIR ENTRAINING ADMIXTURE TO YIELD 5% TO 7% AIR ENTRAINMENT.
6. 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.
7. DESIGN STRENGTH FOR GARAGE SLABS, TO BE 3500 PSI AT 28 DAYS, AND SHALL BE AIR ENTRAINMENT TO YIELD 5% TO 7% AIR ENTRAINMENT.
8. EXTERIOR CONCRETE TO HAVE BROOM FINISH.
9. ALL CONCRETE LINTELS TO HAVE MINIMUM 8" BEARING EACH END.
10. FOUNDATION ANCHORAGE: EXTERIOR WALL WOOD SOLE PLATE - 1/4" x 12" (MIN. 7' IN CMU CORE) LONG ANCHOR BOLT GROUDED 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.
11. BRACED WALL PANEL FOUNDATION ANCHORAGE: TO BE PLACED AS NOTED ON PLAN. SEE INAGE D THIS SHEET.

NOT FOR
CONSTRUCTION

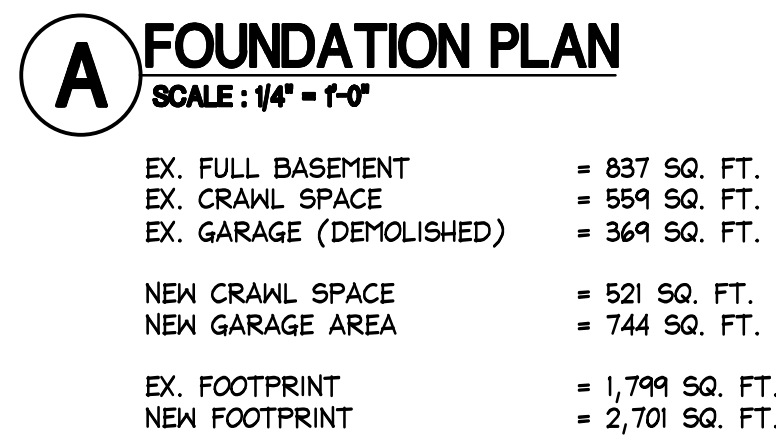
REVISION	DESCRIPTION	DATE
.	OWNER REVIEW	02/08/2023
.	ZONING REVISION	04/07/23
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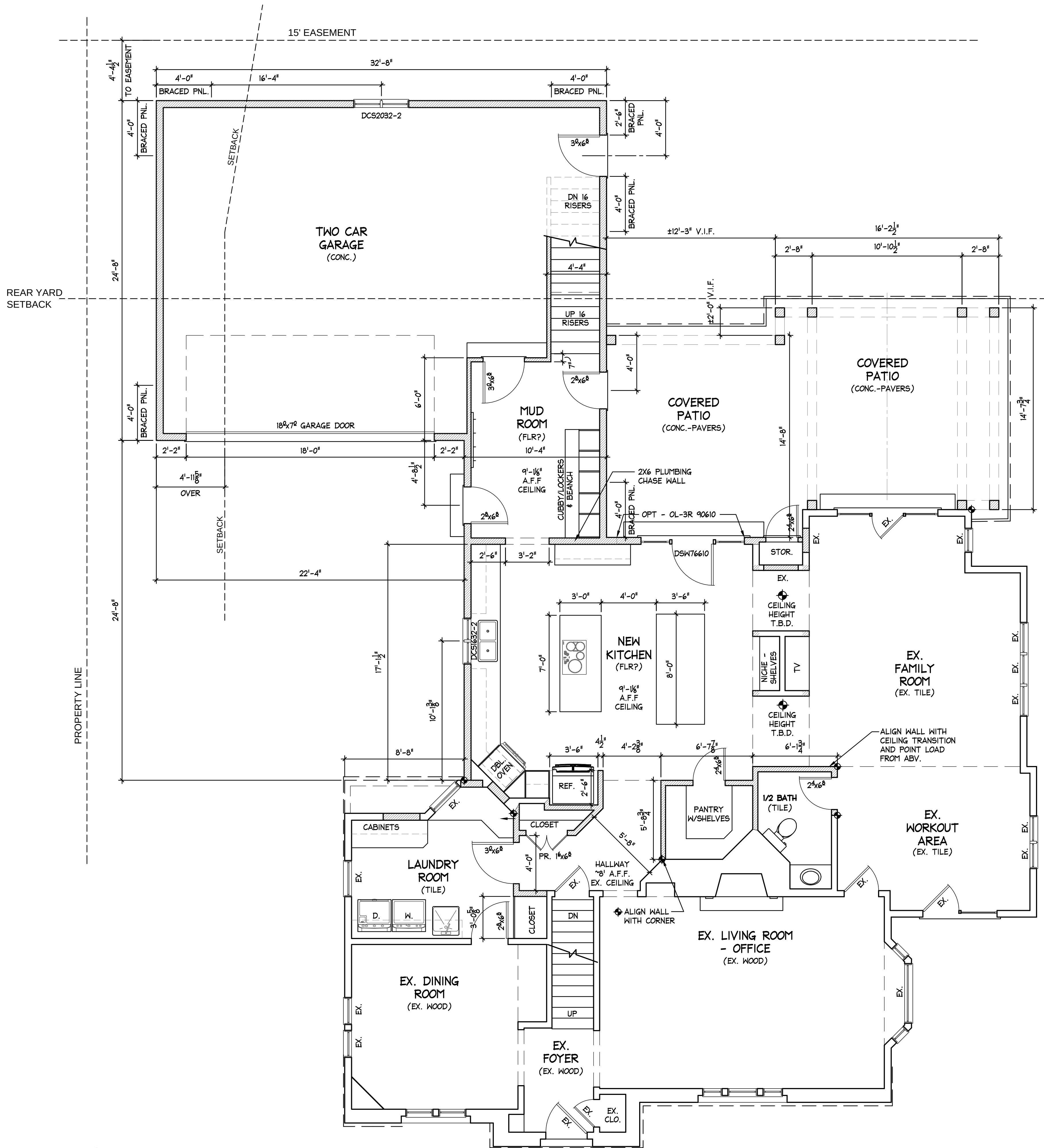
PHASE: ZONING

PROJECT NO.: 03-22-011

DATE: 03-20-2023

SHEET NO.:
A-2





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

LAYOUT POINT FOR NEW CONSTRUCTION TO EXISTING

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 DSH76610	---	30 3/4"	---	13 3/4"	---	1.49.S.F.	---	2.85.F.	---	7.49S.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
1/2 BATH ROOM	38	32" EXT. DR.	---	---	---	---	---	---	---	---	---	---	INSUL. EXTERIOR 1/2 LITE
		28" WD. DR.	---	---	---	---	---	---	---	---	---	---	INSUL. EXTERIOR 1/2 LITE
		36" EXT. DR.	---	---	---	---	---	---	---	---	---	---	UNDERCUT DOOR 1"
PANTRY	31	28" WD. DR.	---	---	---	---	---	---	---	---	---	---	
HALL CLOSET	N/A	DBL 18" DR.	---	---	---	---	---	---	---	---	---	---	
LAUNDRY	118	36" WD. DR.	---	---	---	---	---	---	---	---	---	---	
		32" WD. DR.	---	---	---	---	---	---	---	---	---	---	
EXT. STORAGE	6	28" EXT. DR.	---	---	---	---	---	---	---	---	---	---	INSUL. EXTERIOR

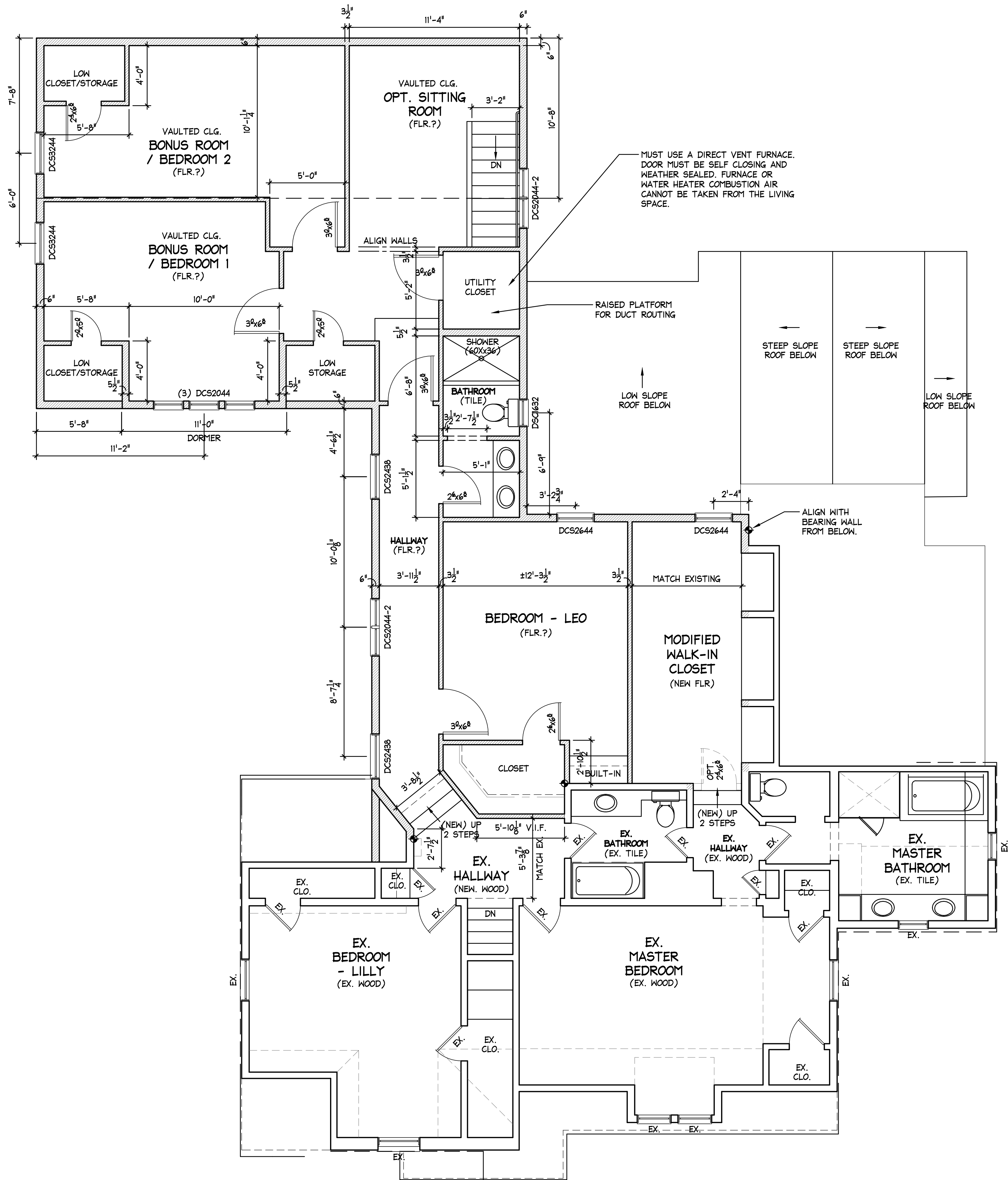
NOTE: - ALL WINDOW & PATIO DOOR CALLOUTS ARE BASED ON WINDSOR CLAD PINNACLE SERIES. IF ANOTHER WINDOW/DOOR MANUFACTURER IS SELECTED G.C. SHALL INSTALL THE CLOSEST MATCHING WINDOW/DOOR. IF SELECTED WINDOW IS INTENDED TO BE AN EGRESSIBLE WINDOW, G.C. SHALL NOTIFY THE ARCHITECT FOR VERIFICATION.
- SEE PLAN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

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

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



A 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	---	---	---	---	---	---	---	---	
		30" WD. DR.	---	---	---	---	---	---	---	---	
		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.	UNDERCUT DOOR 1"
		(3) DCS2044	---	---	---	---	---	---	---	---	
		36" WD. DR.	---	---	---	---	---	---	---	---	
BONUS ROOM / BEDROOM 2	229	DCS3244	24"	---	20"	---	5.705.F.	8.215.F.	9.765.F.	9.135.F.	LOW CLOSET DOOR
		36" WD. DR.	---	---	---	---	---	---	---	---	
		28"x80" WD. DR.	---	---	---	---	---	---	---	---	
OPT / SITTING ROOM	267	DCS2044-2	---	---	---	---	---	---	---	---	LOW STORAGE DOOR
		24"x60" WD. DR.	---	---	---	---	---	---	---	---	
WALK-IN CLOS.	127	28" 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.

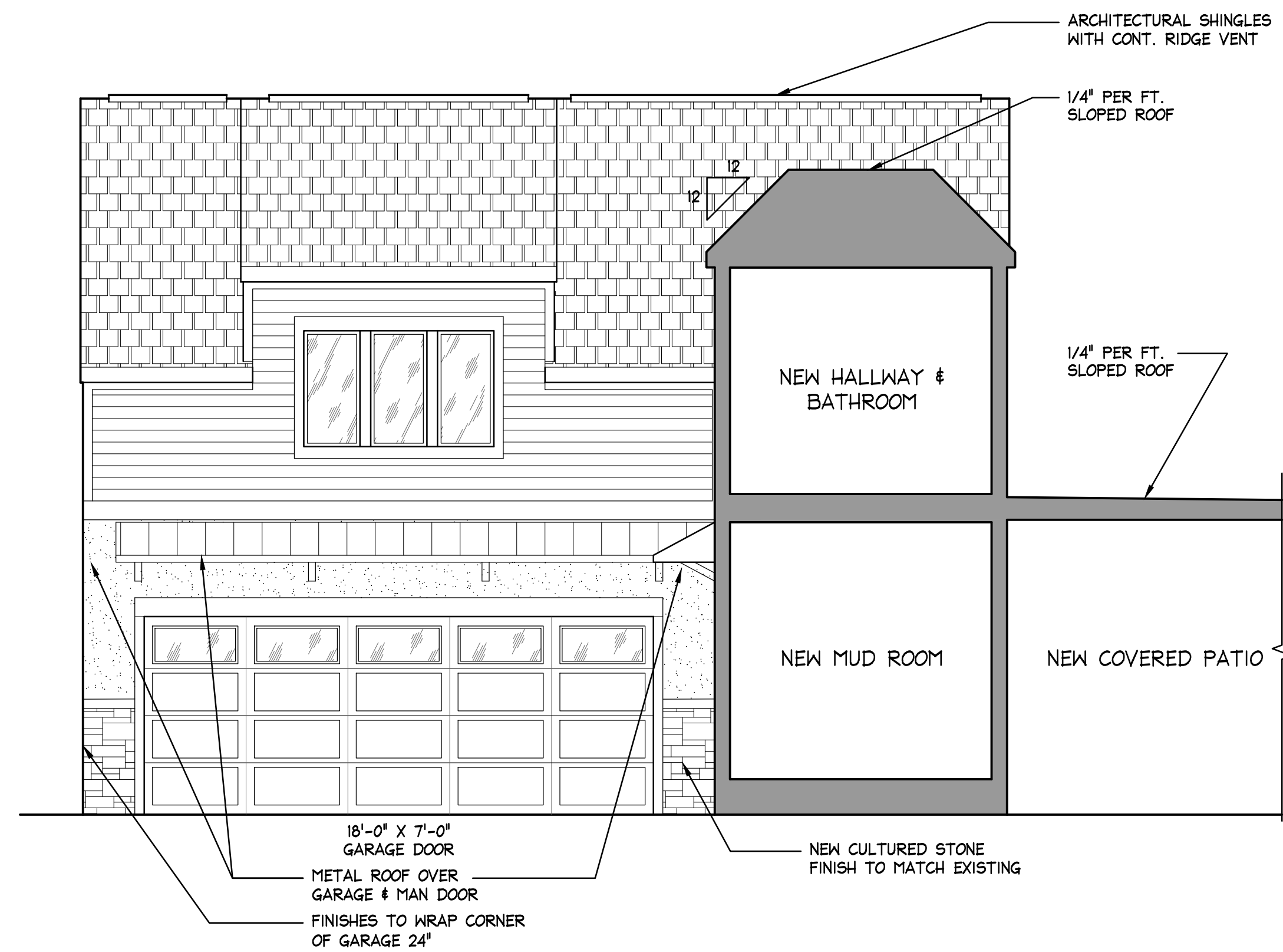
CDS
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PHONE 740.281.5121
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dschumacher@cdsarchitect.com

NOT FOR
CONSTRUCTION

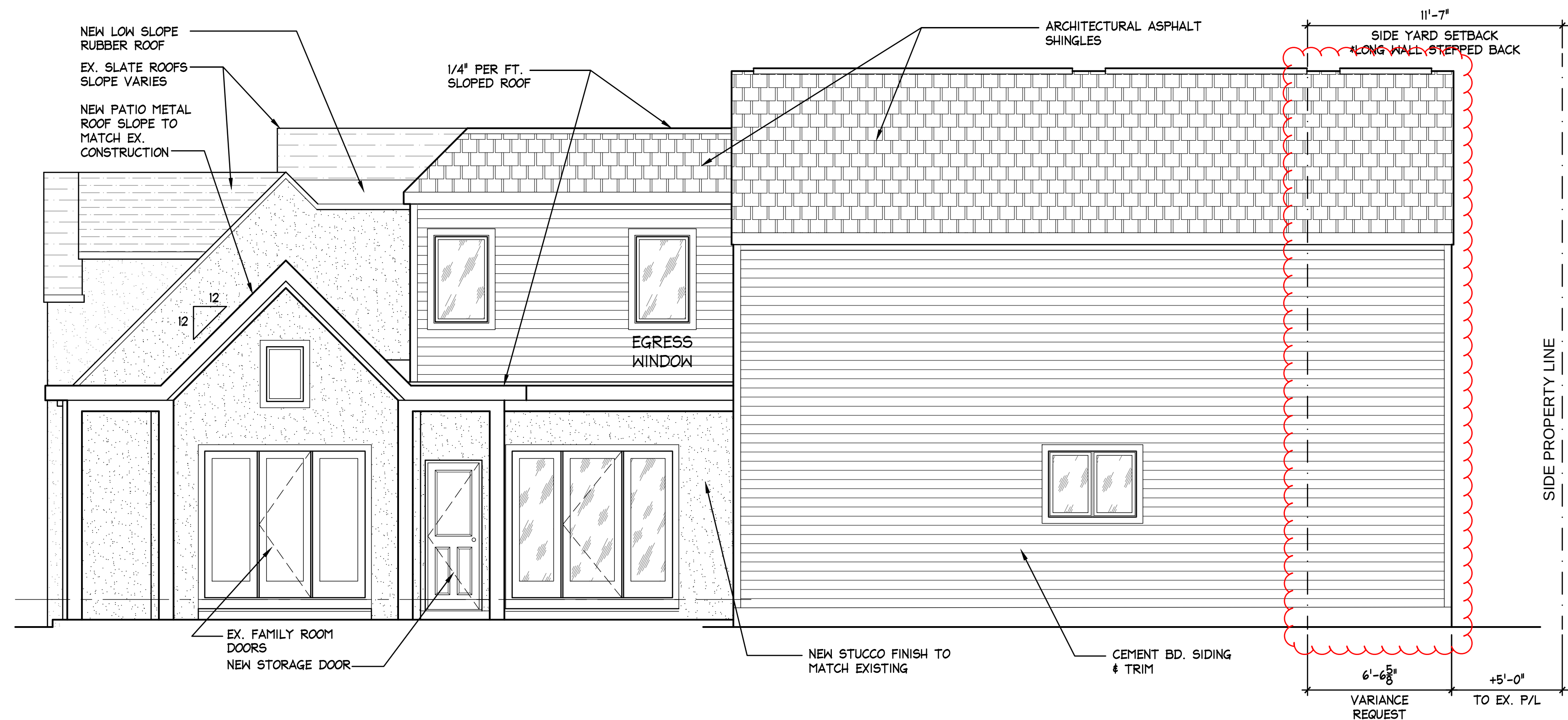
PROJECT NAME:		PHASE:	
RIEHL ADDITION		ZONING	
2241 ABINGTON RD. UPPER ARLINGTON, OH 43221		PROJECT NO.: 03-22-011	
DATE: 03-20-2023		SHEET NO.: A-4	
SHEET TITLE: SECOND FLOOR CONSTRUCTION PLAN		EXPIRES: 12/31/2023	
DESCRIPTION		DATE	
OWNER REVIEW		02/08/2023	
ZONING REVISION		04/07/23	
REVISION			



NORTH ELEVATION
STREET VIEW



PARTIAL NORTH ELEVATION
GARAGE VIEW/SECTION

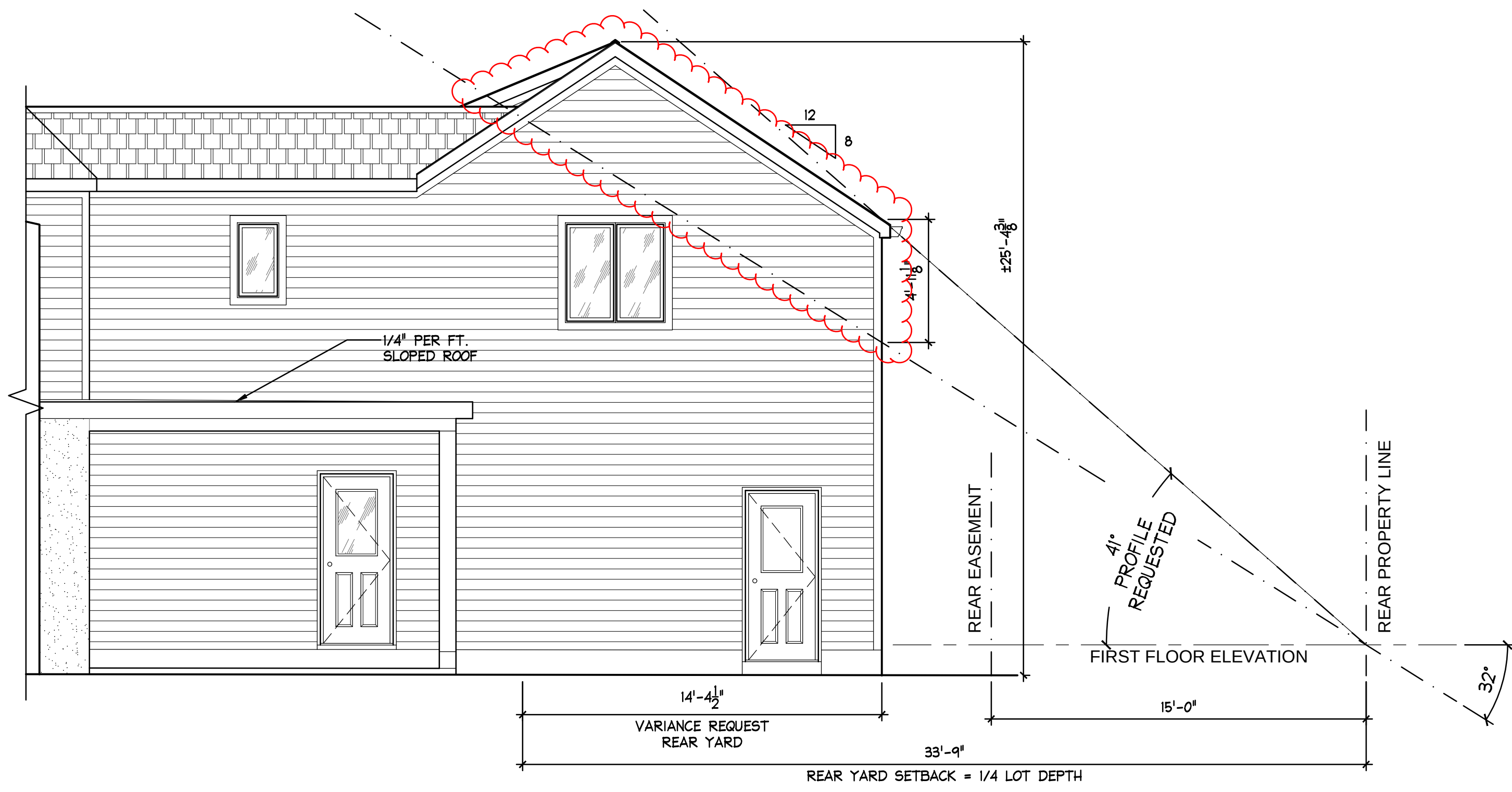
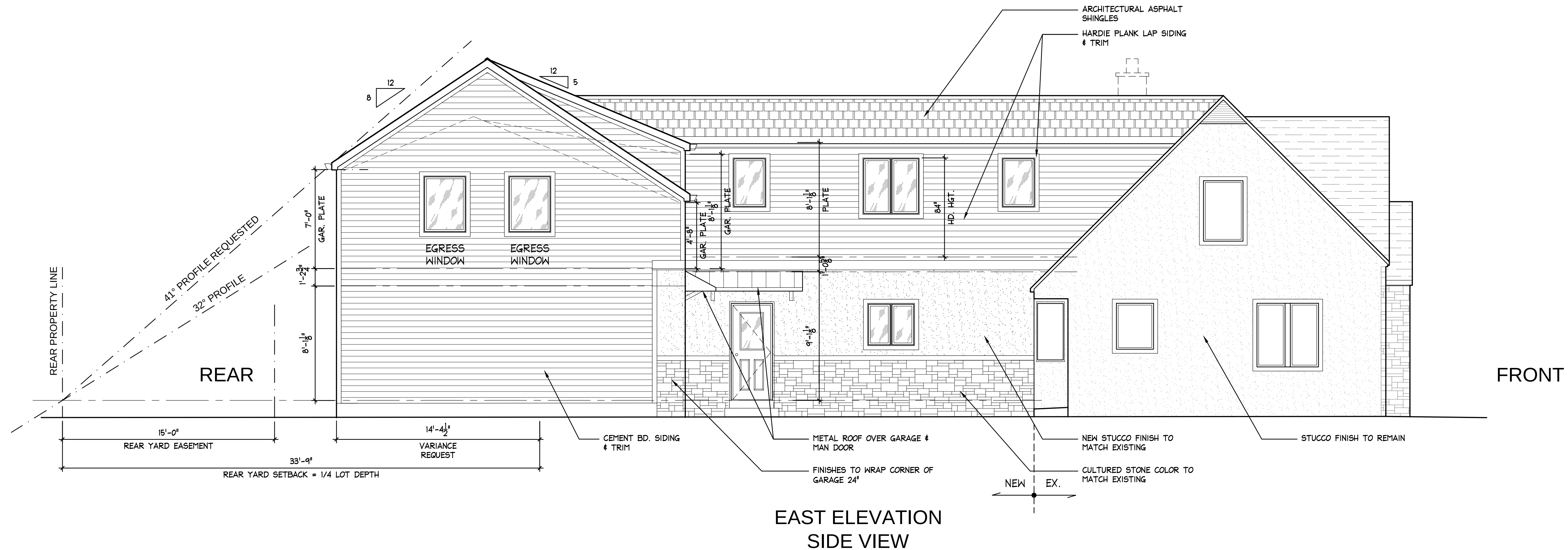


SOUTH ELEVATION
REAR VIEW

NOT FOR
CONSTRUCTION

PROJECT NAME:	RIEHL ADDITION 2241 ABINGTON RD. UPPER ARLINGTON, OH 43221	PHASE:	ZONING
SHEET TITLE:	EXTERIOR ELEVATIONS	PROJECT NO.:	03-22-011
		DATE:	03-20-2023
		SHEET NO.:	A-5

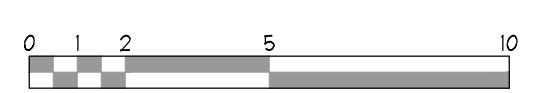
EXPIRES:	12/31/2023
DATE	02/08/2023
DATE	04/07/23
DESCRIPTION	OWNER REVIEW
DESCRIPTION	ZONING REVIEW
REVISION	
REVISION	
REVISION	
REVISION	

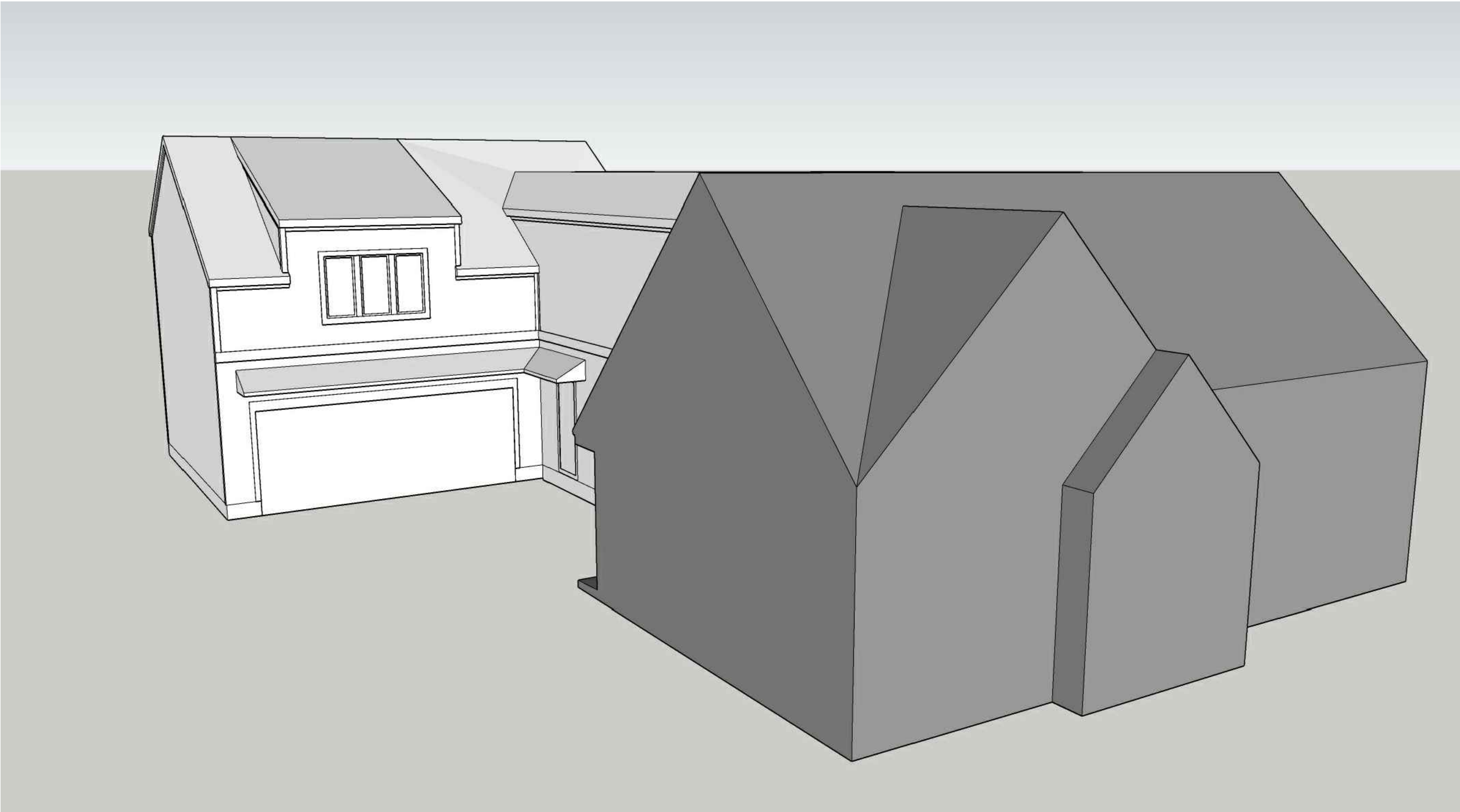


NOT FOR
CONSTRUCTION

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

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.:
EXTERIOR ELEVATIONS	A-6

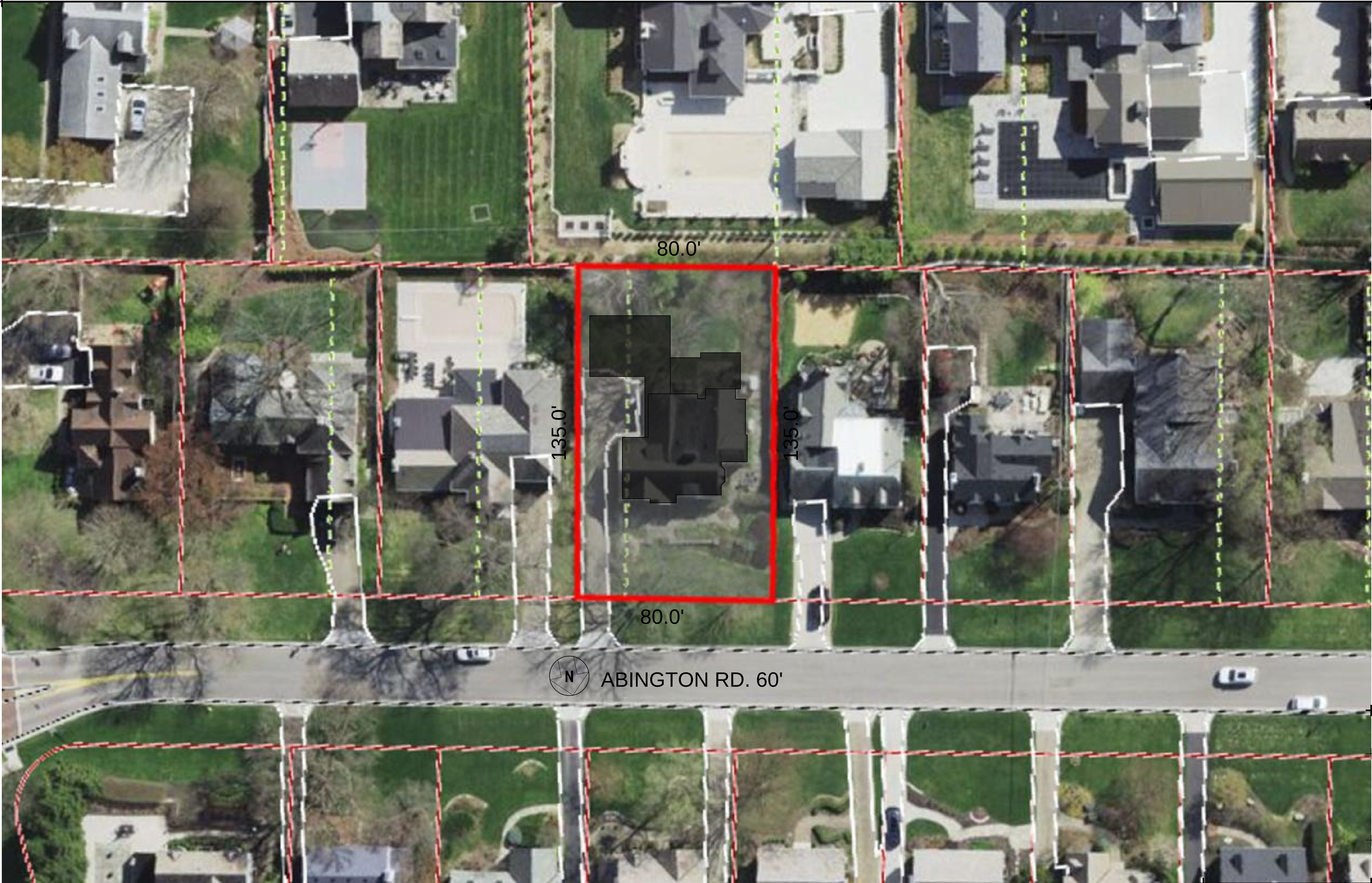




NOT FOR
CONSTRUCTION

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

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



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:

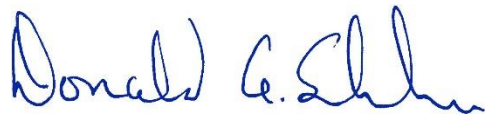
The undersigned has filed an application with the City of Upper Arlington Planning & Zoning Department for variance relief from the zoning requirements for the side yard and rear yard setbacks, together with any other variance, waiver or interpretation which may be necessary, appropriate or required 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

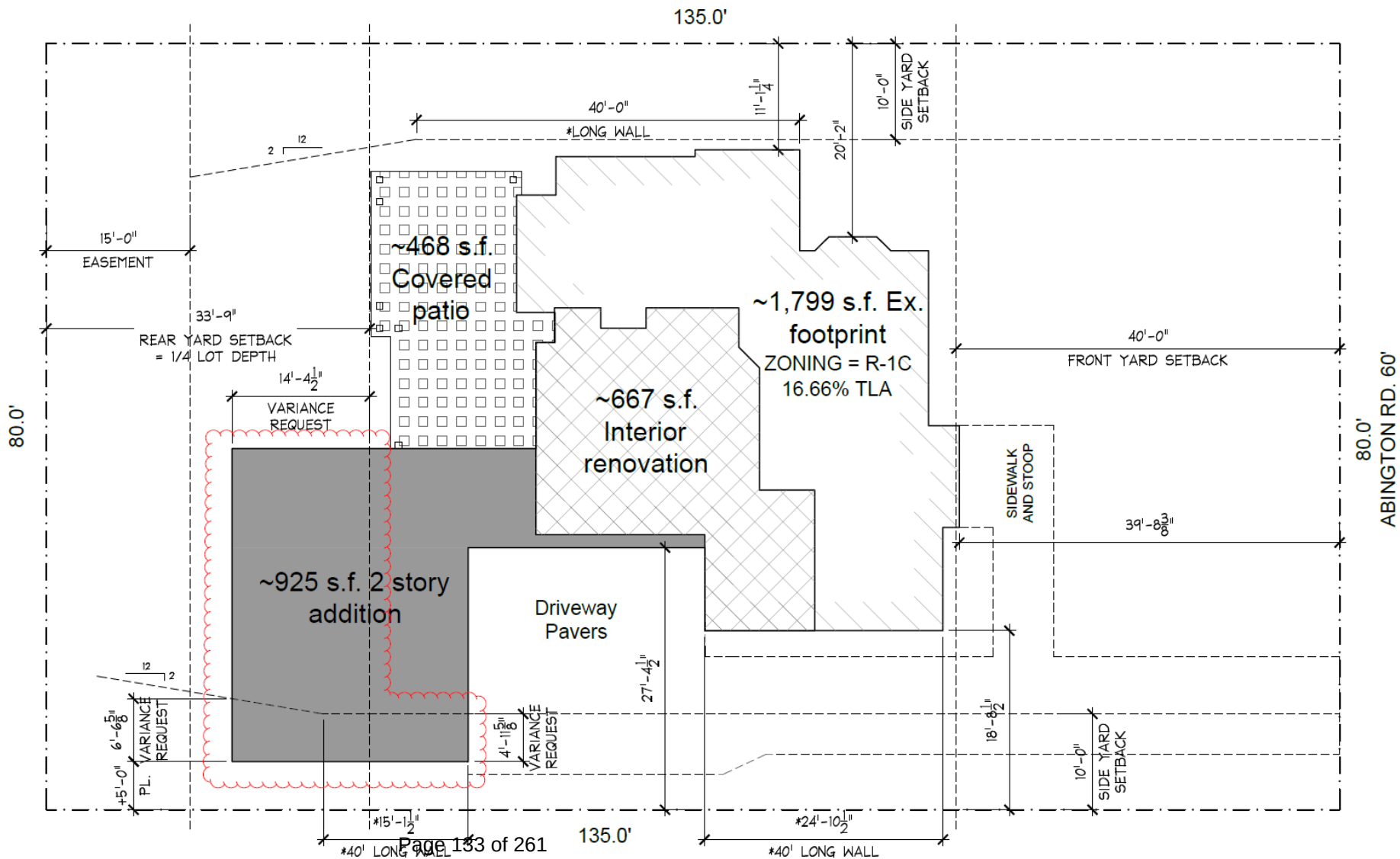
BZAP Staff Report Pictures

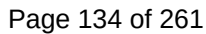


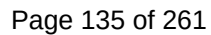
Google Maps ® Aerial – Looking North



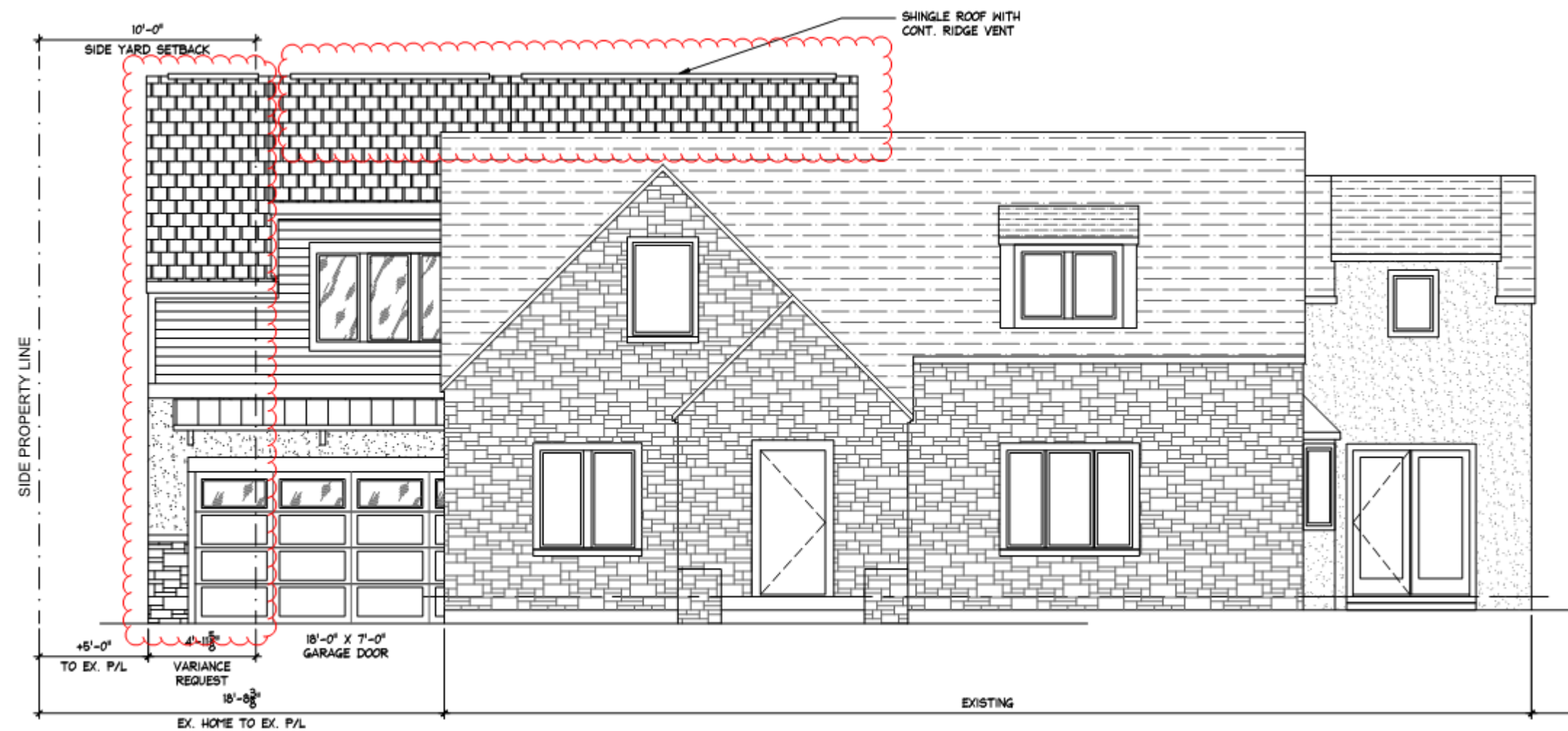
Proposed Site Plan



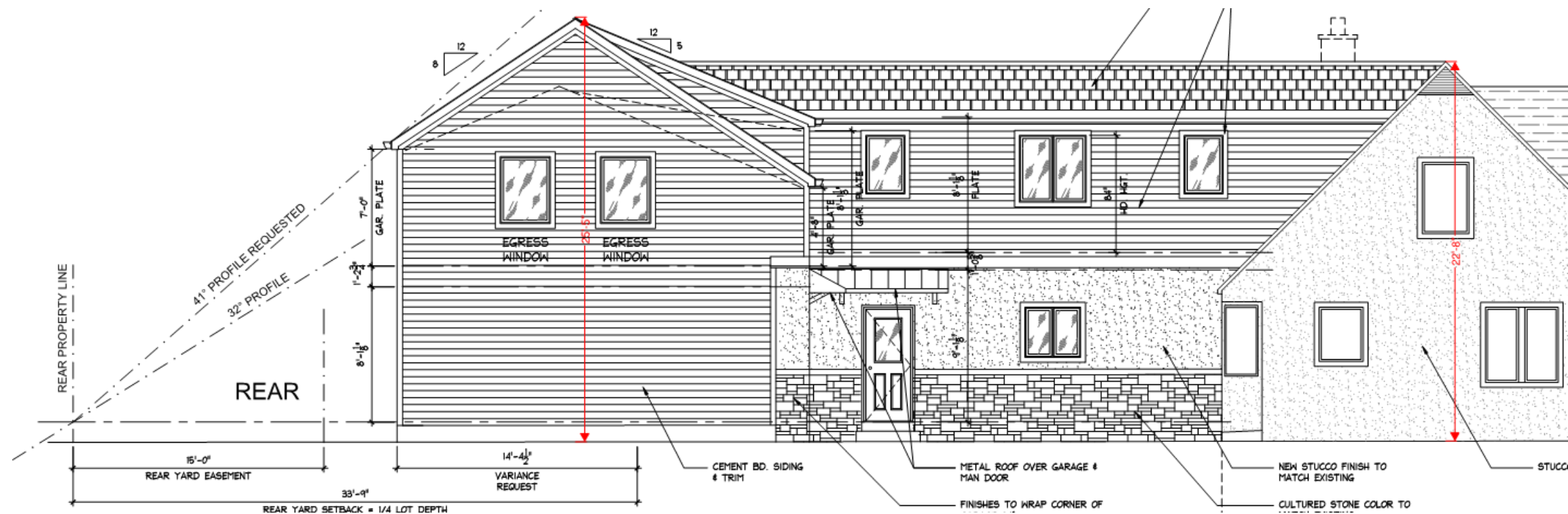




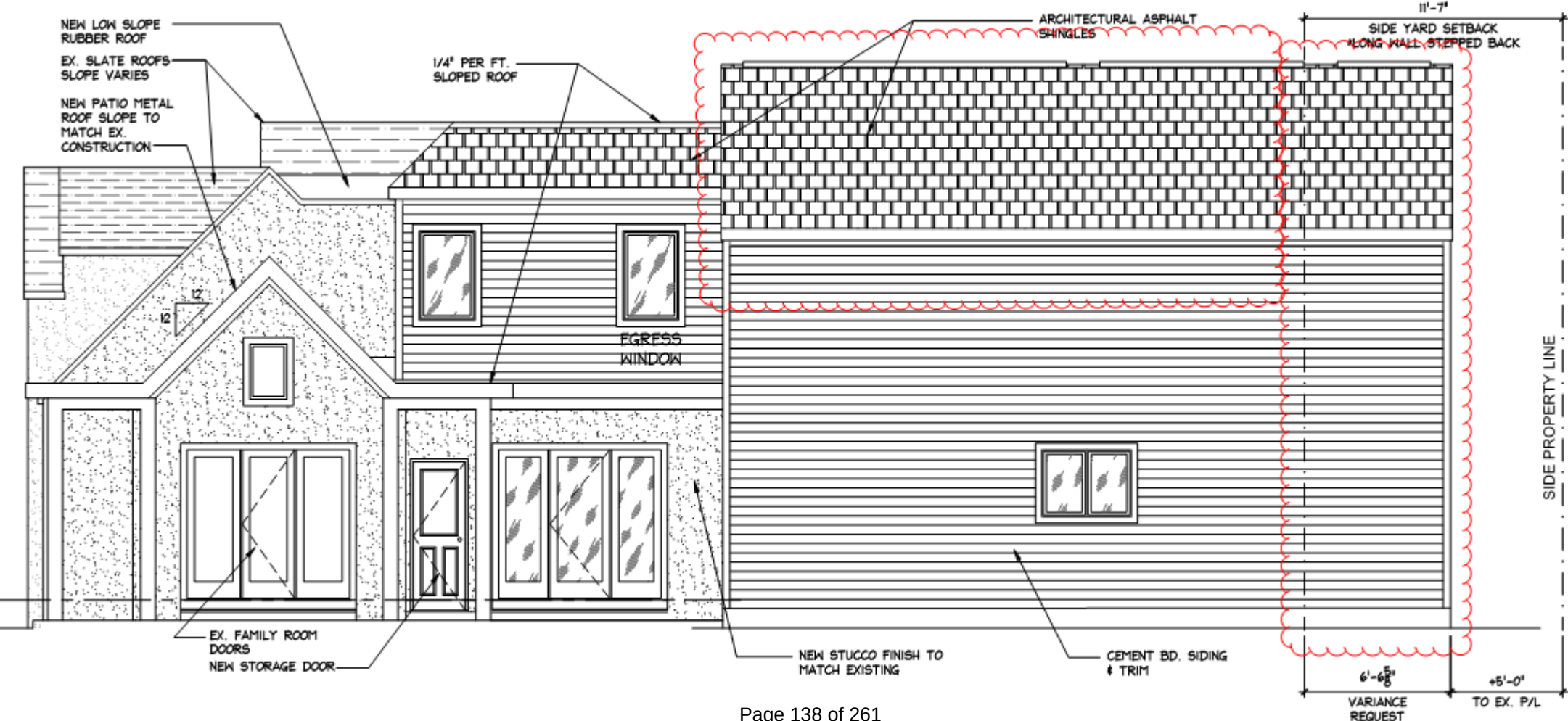
Proposed Front Elevation



Proposed Side Elevation



Proposed Rear Elevation



Existing Abington Road Elevation



Existing Rear Yard



Authors: Alyssa Kelly, AICP, Planning Officer

BZAP Meeting Date: May 17, 2023

Subject: 2231 Inchcliff Drive (VAR-17-23) - To allow a two-story addition to 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

Property owner, Mr. Eric Carine, will be present to share plans for an attached garage addition for Variance Application 17-23. The request was postponed prior to the April 19th BZAP meeting, so the applicant could explore additional options for the addition.

Proposal

Since the April meeting, the second-story portion of the addition has been removed from the plans. The new request includes an eight-foot addition onto the rear of the garage, as well as raising the roof on a portion of the existing garage and the new addition to 16'-7" (the existing garage is 14'-7" in height). The garage expansion would accommodate additional work space and storage, as well as a car lift.

Zoning Code Requirements

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

Alternatives

The applicant could continue to explore options to reduce the encroachment into the rear yard setback and the overall height of the garage. However this is the preferred alternative.

Requested Action and Findings

Staff has reviewed the revised plans and appreciates the applicant's efforts to explore options that better meet code requirements. The current request is more in line with previously approved requests, including the property directly to the south. Therefore, impacts on the character of the neighborhood are expected to be minimal (Finding #4). Given these considerations, Staff recommends approval of the revised application.

Attachments



1. 2231 Inchcliff Rd Revised Plans 4.27.23
2. 2231 Inchcliff Rd Variance App
3. BZAP Staff Report Pics - 2231 Inchcliff Drive
4. 2231 Inchcliff Rd Staff Report



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.

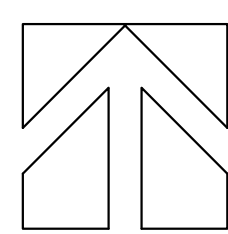
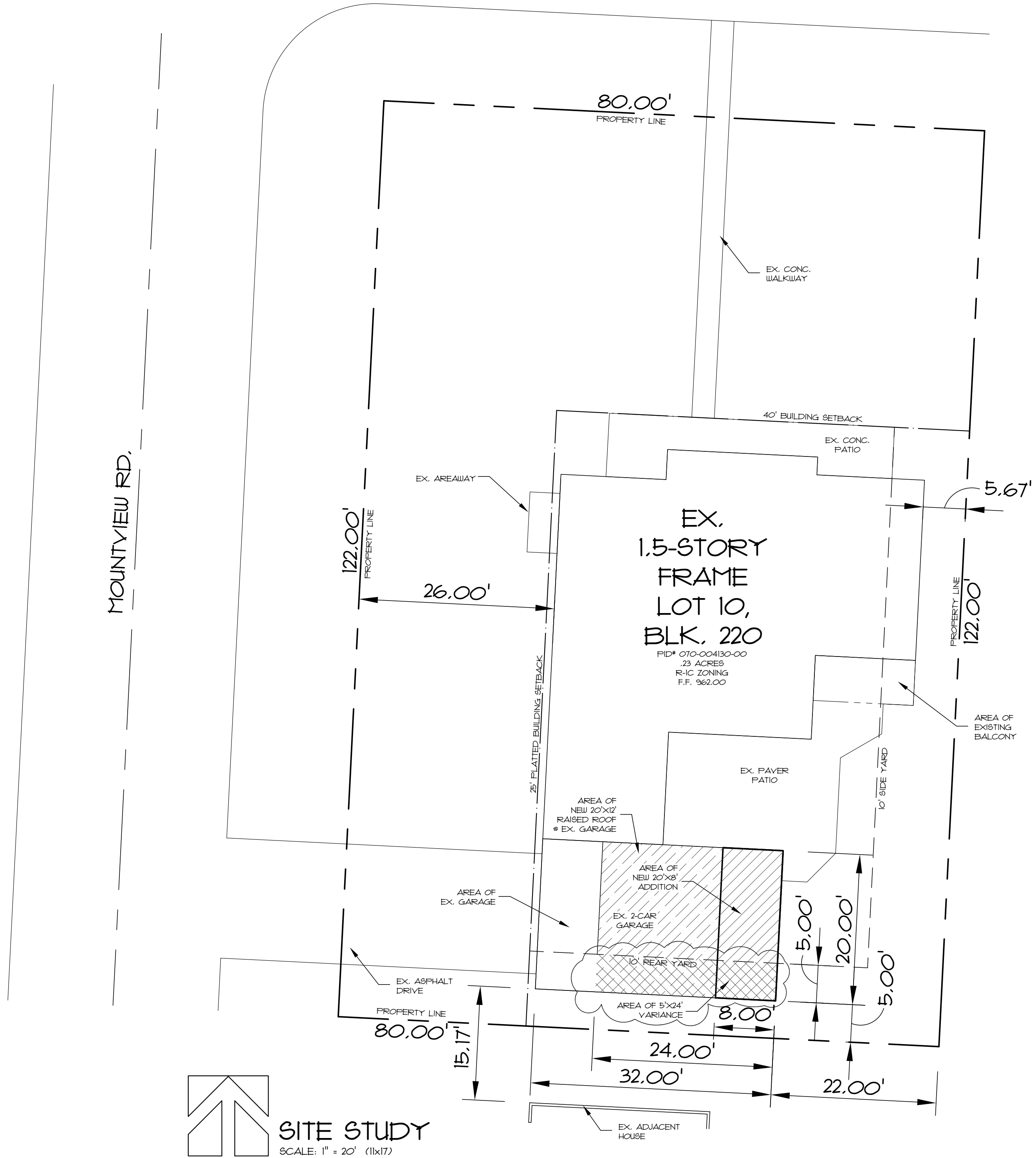
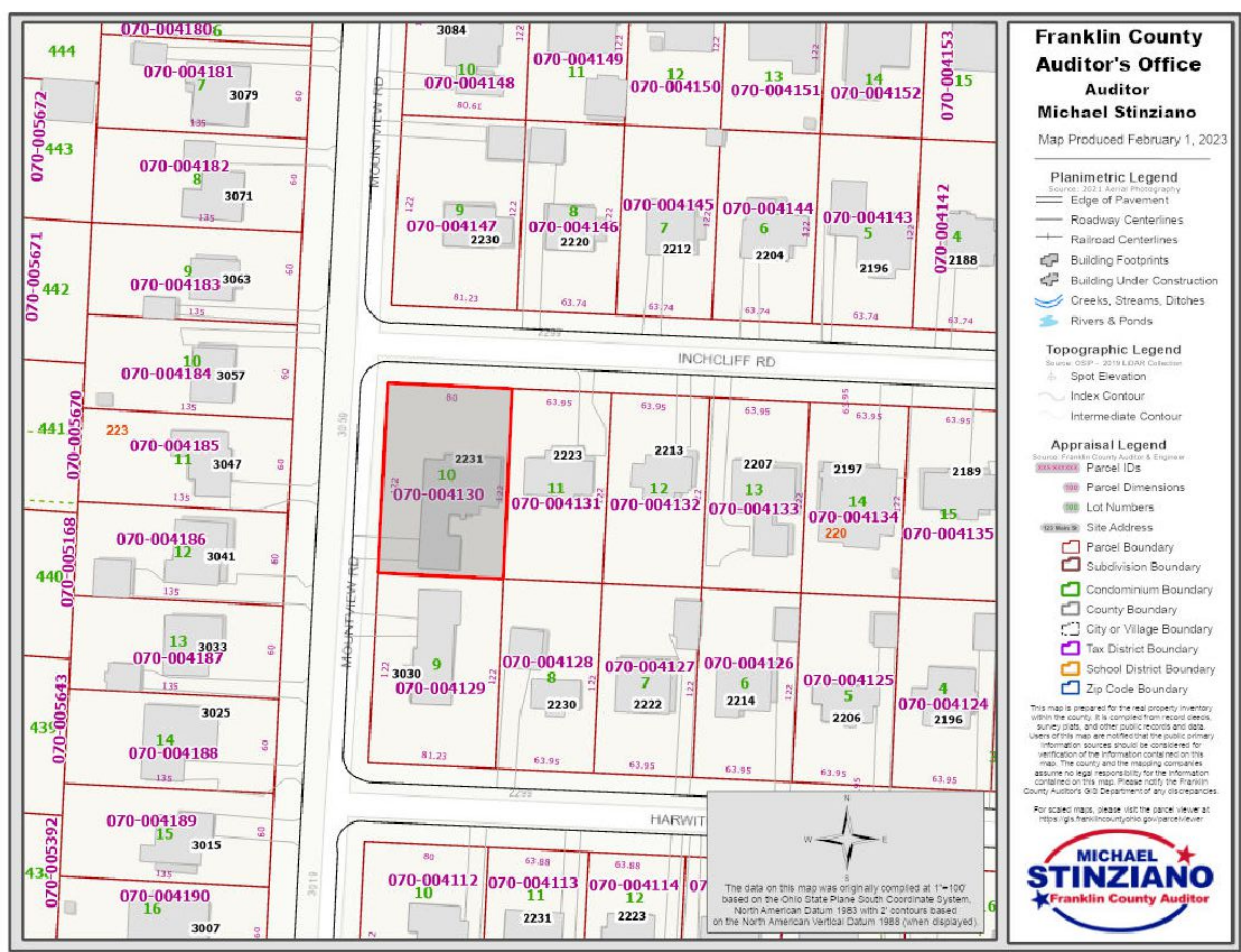
2019 RCO PLAN

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" lang, 9/32" head, OSB diam. gypsum board nails @ 7" o.c. (max.), or Tupe 'S' 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.

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.



SITE STUDY

SCALE: 1" = 20' (11x17)
2231 INCHCLIFF RD., COLUMBUS, OH 43221
FRANKLIN COUNTY, UPPER ARLINGTON

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 PAVER PATIO 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%)

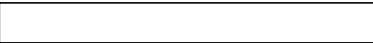
DESIGN CRITERIA	
ROOF LIVE LOAD	20 PSF
GROUND SNOW LOAD	25 PSF
ROOF DEAD LOAD	10 PSF
FLOOR LIVE LOAD	40 PSF
FLOOR DEAD LOAD	10 PSF
FLOOR BDRM. LOAD	30 PSF
WIND SPEED	115 MPH
SEISMIC CATEGORY	C
SOIL BEARING	1500 PSF
FRAMING LUMBER	SPF #2 OR BETTER
STEEL	ASTM A36
MIN. FROST DEPTH	36"

PLANS PREPARED BY:
CONDESGO
POWELL, OHIO 614.271.0393

CARINE RESIDENCE
2231 INCHCLIFF RD.
UPPER ARLINGTON, OH 43221

PRELIMINARY LAYOUT
04-24-23 PAGE 1 OF 7

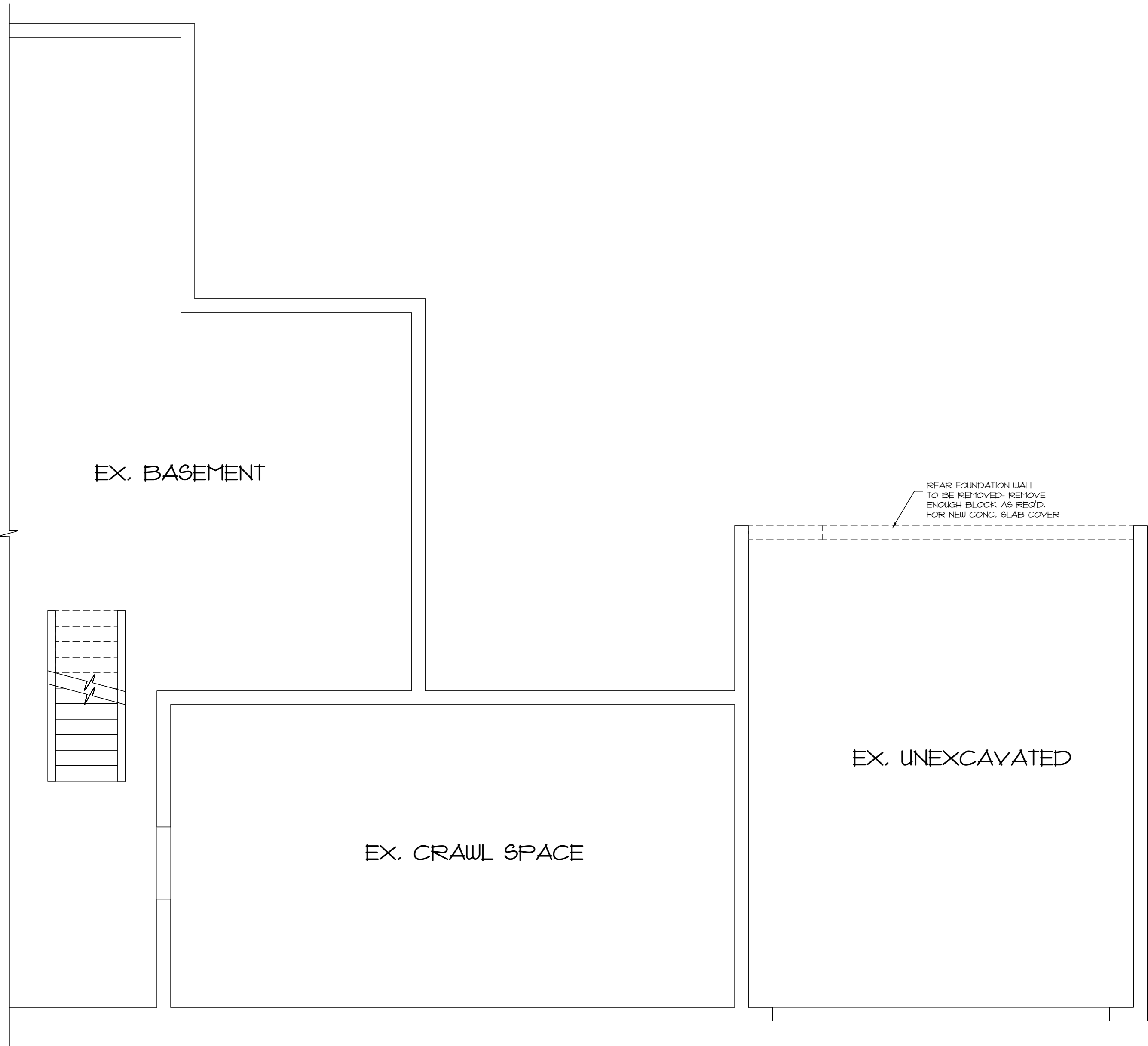
NOT FOR CONSTRUCTION-ZONING REVIEW

WALL FRAMING LEGEND

EXISTING WALLS

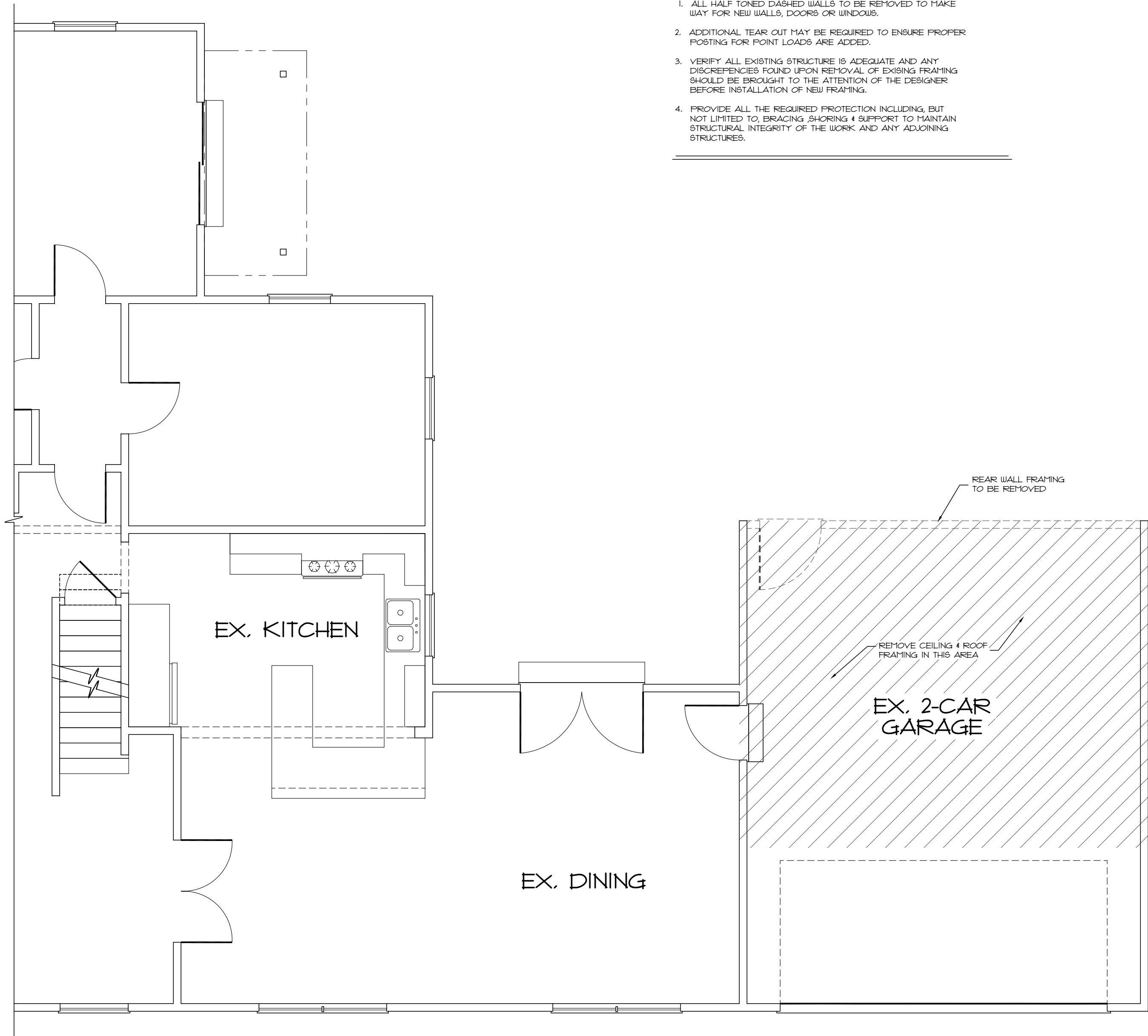
TO BE REMOVED

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.



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)

PLANS PREPARED BY:

CONDESGO

POWELL, OHIO 614.271.0393

CARINE RESIDENCE

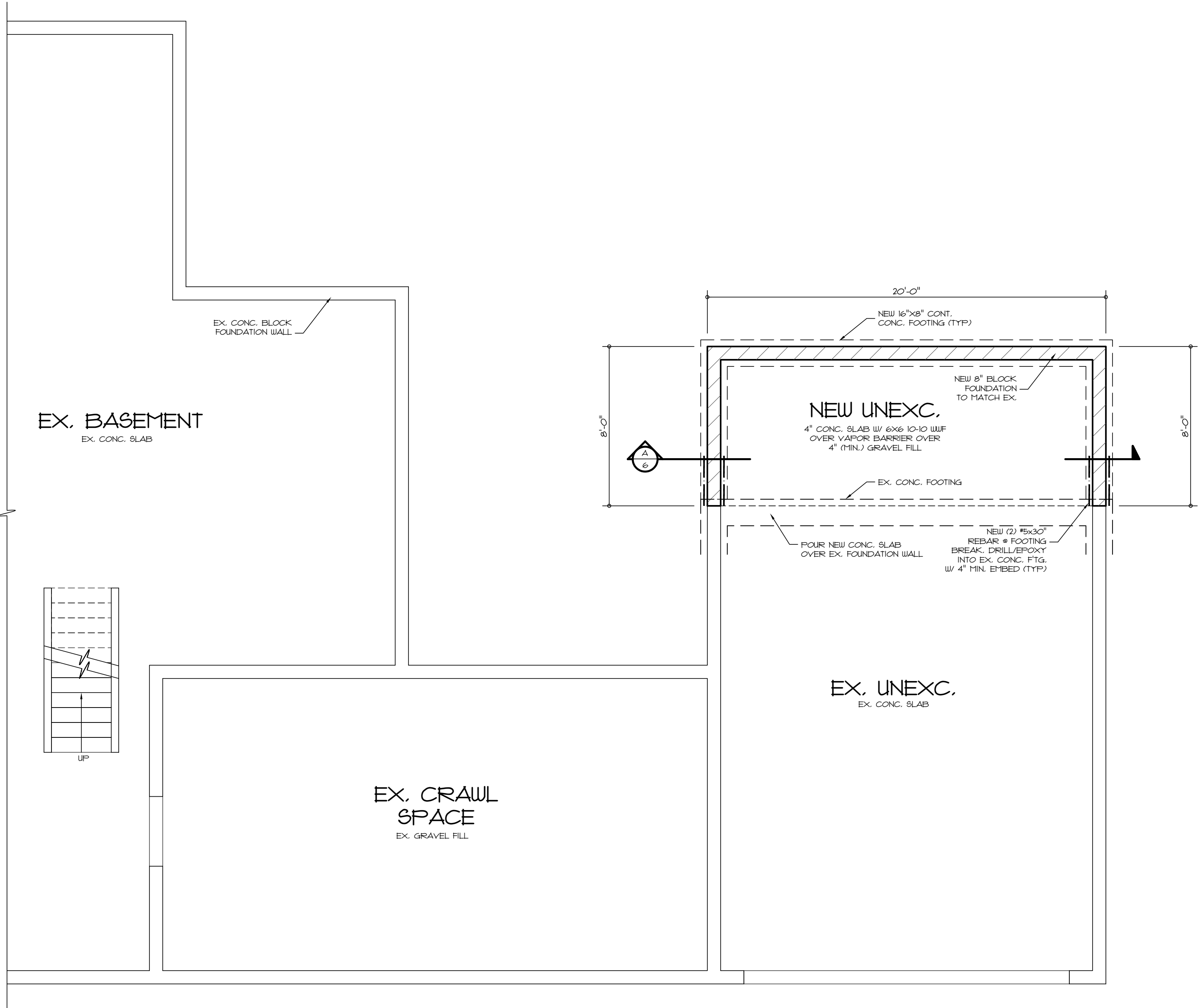
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UPPER ARLINGTON, OH 43221

PRELIMINARY LAYOUT

04-24-23 PAGE 2 OF 7

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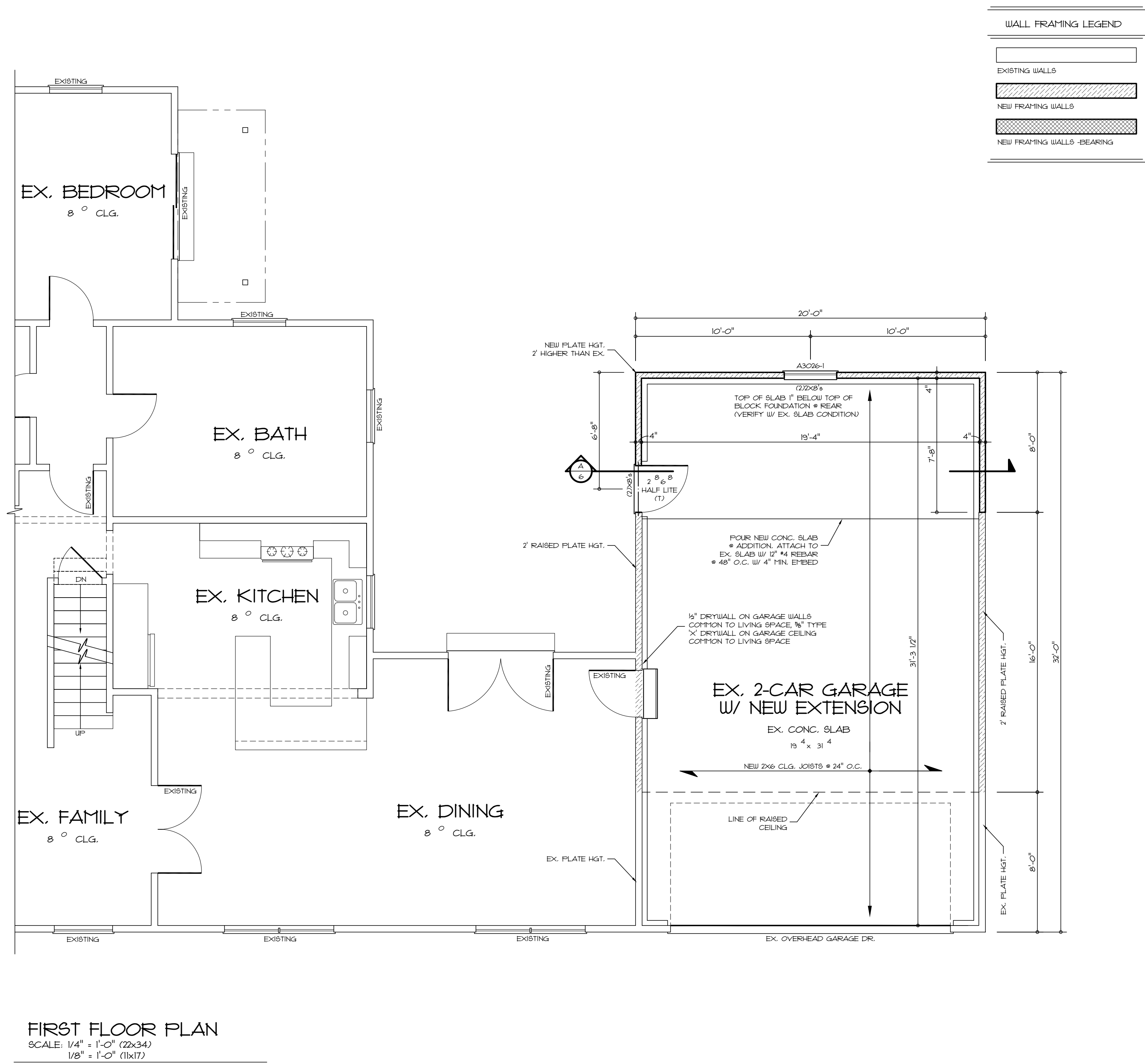


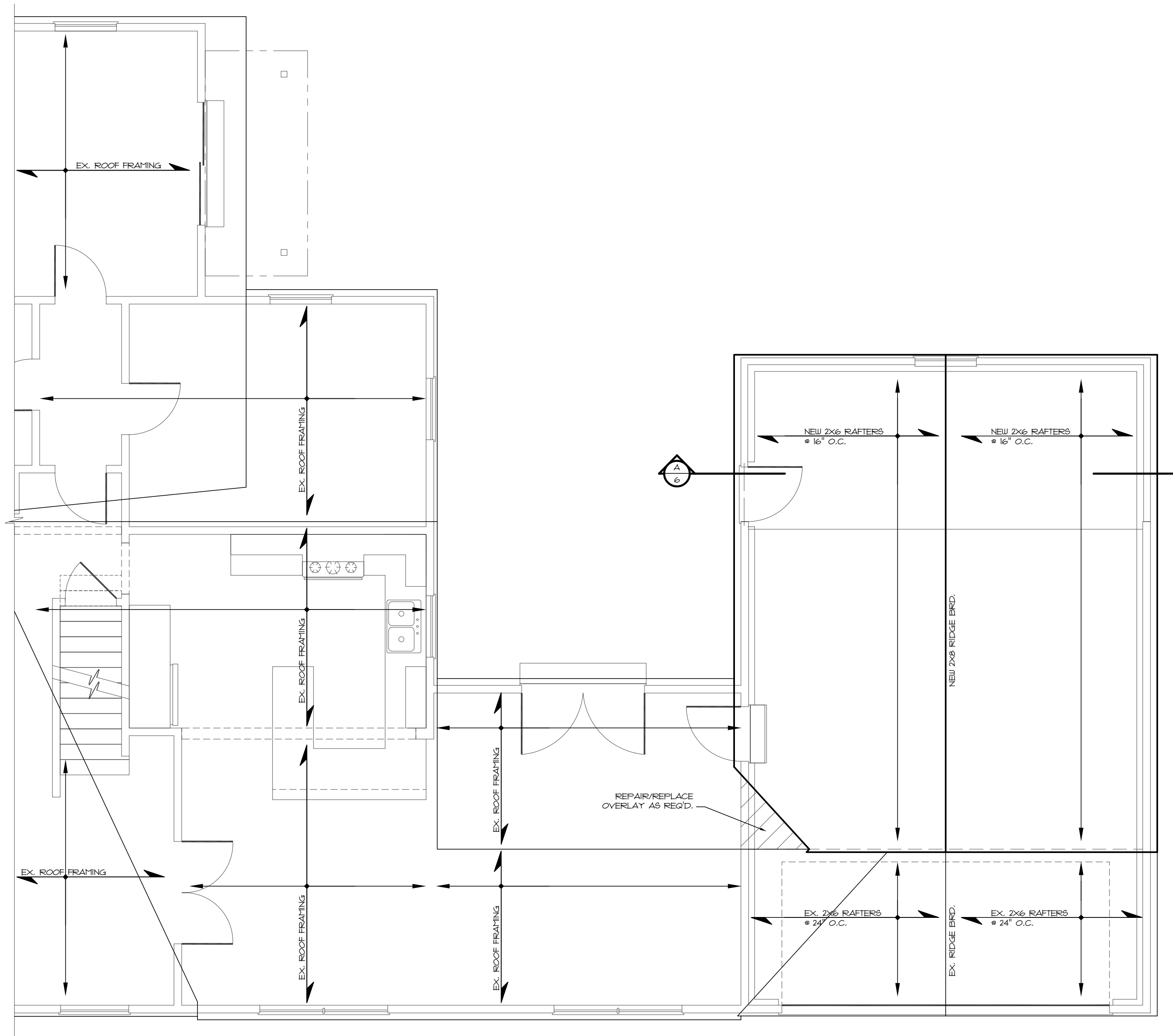
FOUNDATION PLAN
SCALE: 1/4" = 1'-0" (22x34)
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CARINE RESIDENCE
2231 INCHCLIFF RD.
UPPER ARLINGTON, OH 43221
PRELIMINARY LAYOUT
04-24-23 PAGE 3 OF 7

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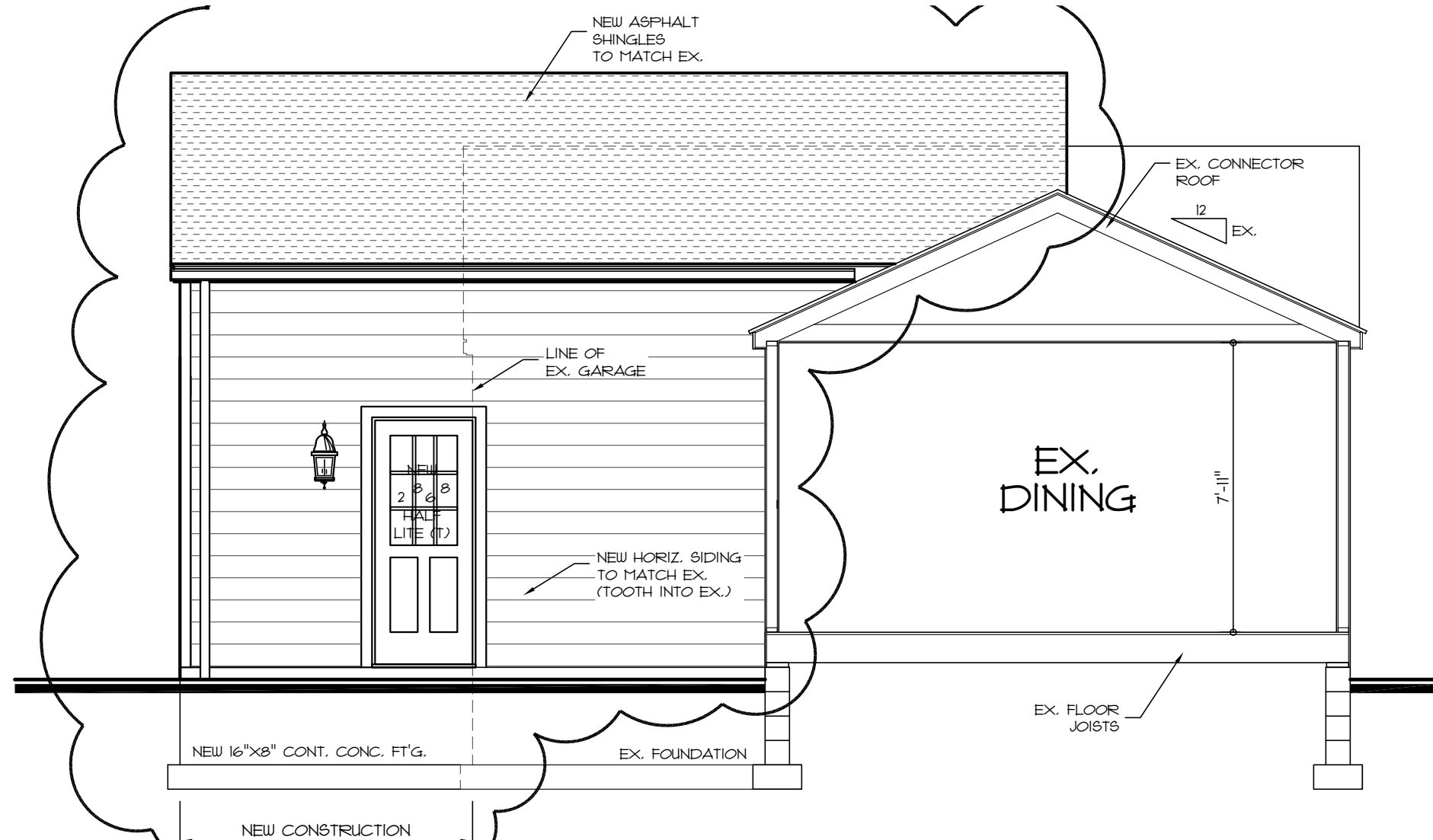


ROOF PLAN
SCALE: 1/4" = 1'-0" (22x34)
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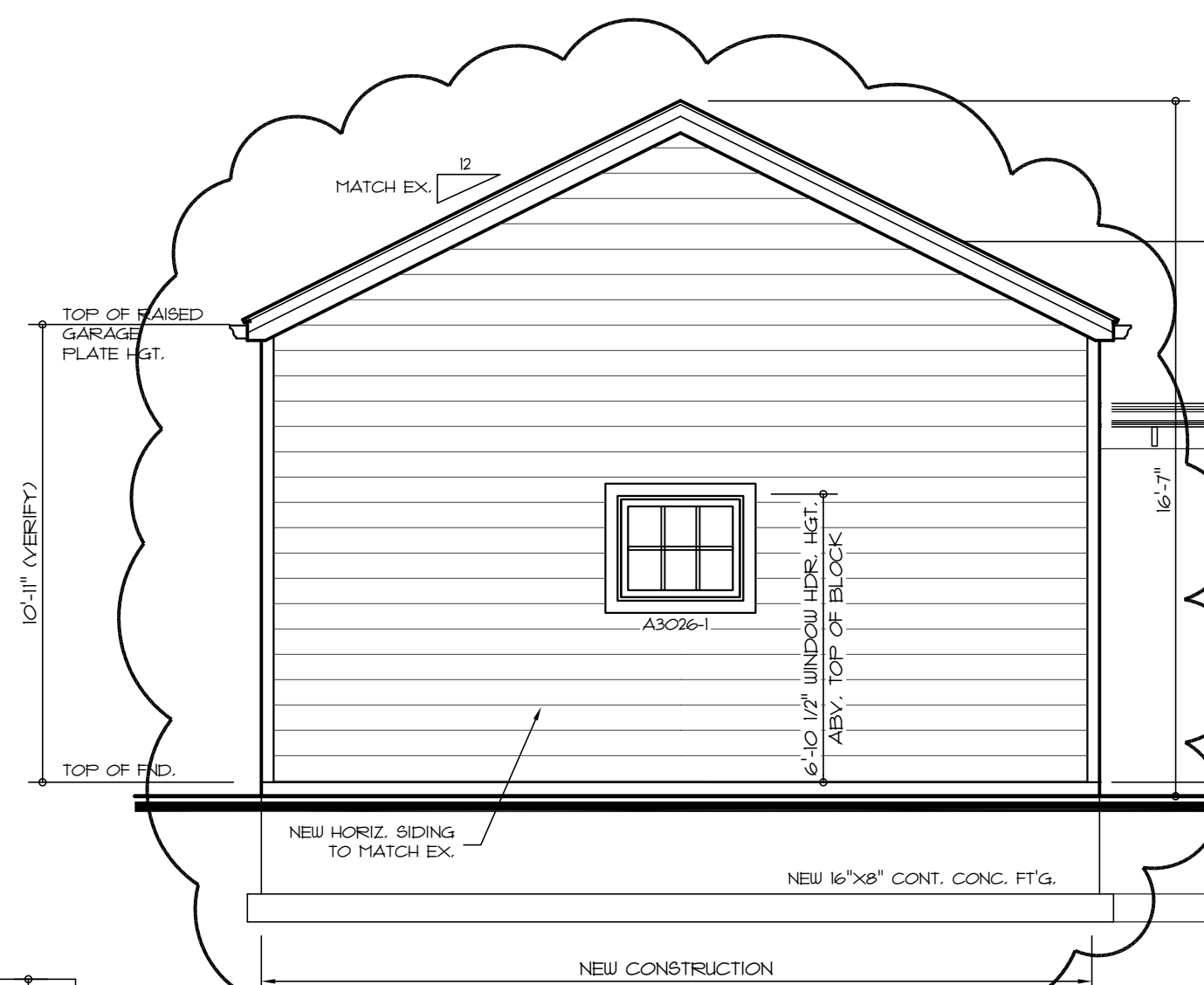
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CARINE RESIDENCE
2231 INCHLIFF RD.
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PRELIMINARY LAYOUT
04-24-23 PAGE 5 OF 7

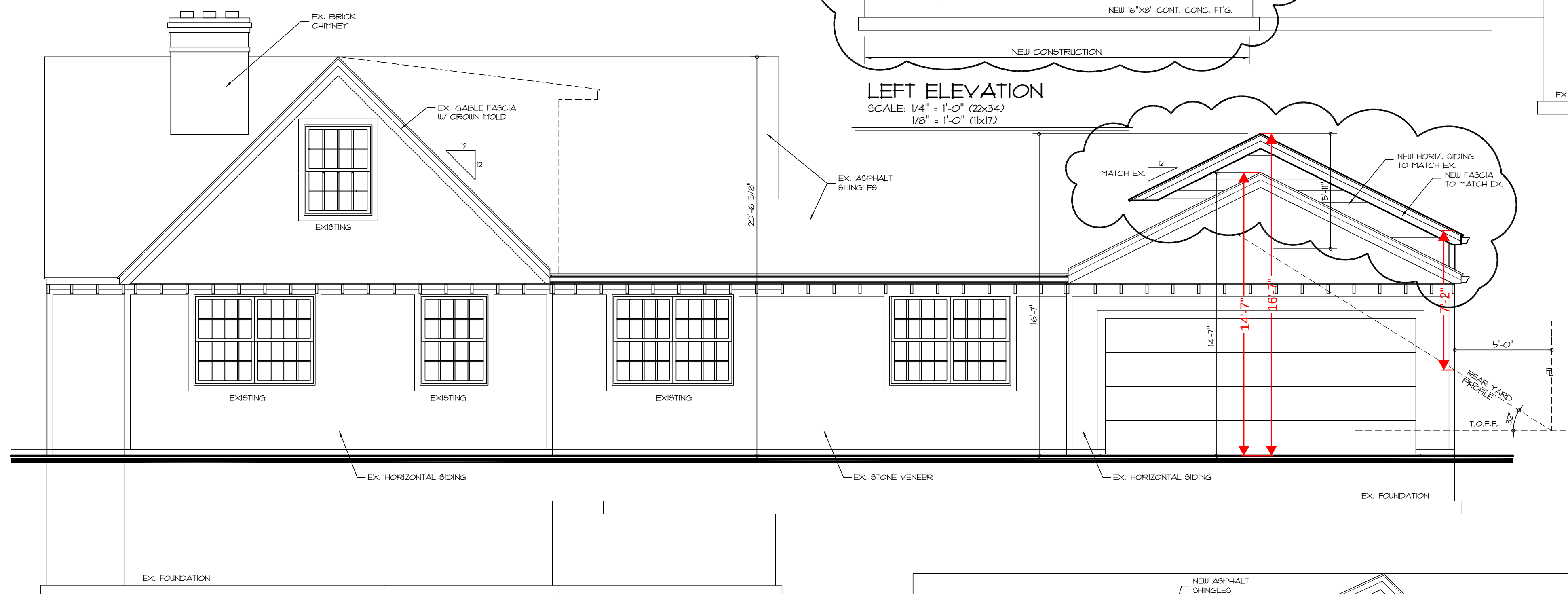
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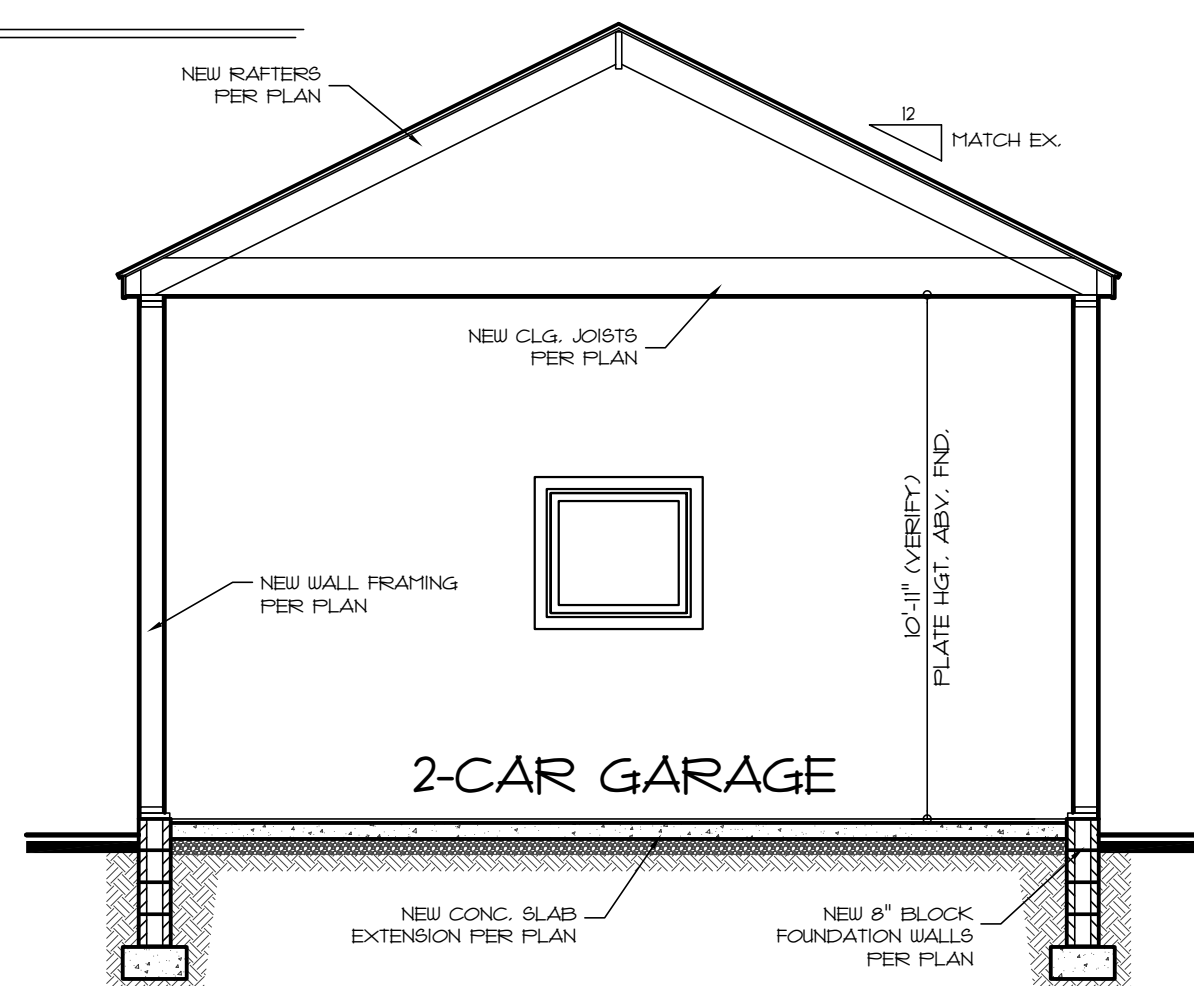
FRONT ELEVATION @ ADDITION
SCALE: 1/4" = 1'-0" (22x34)
1/8" = 1'-0" (11x17)



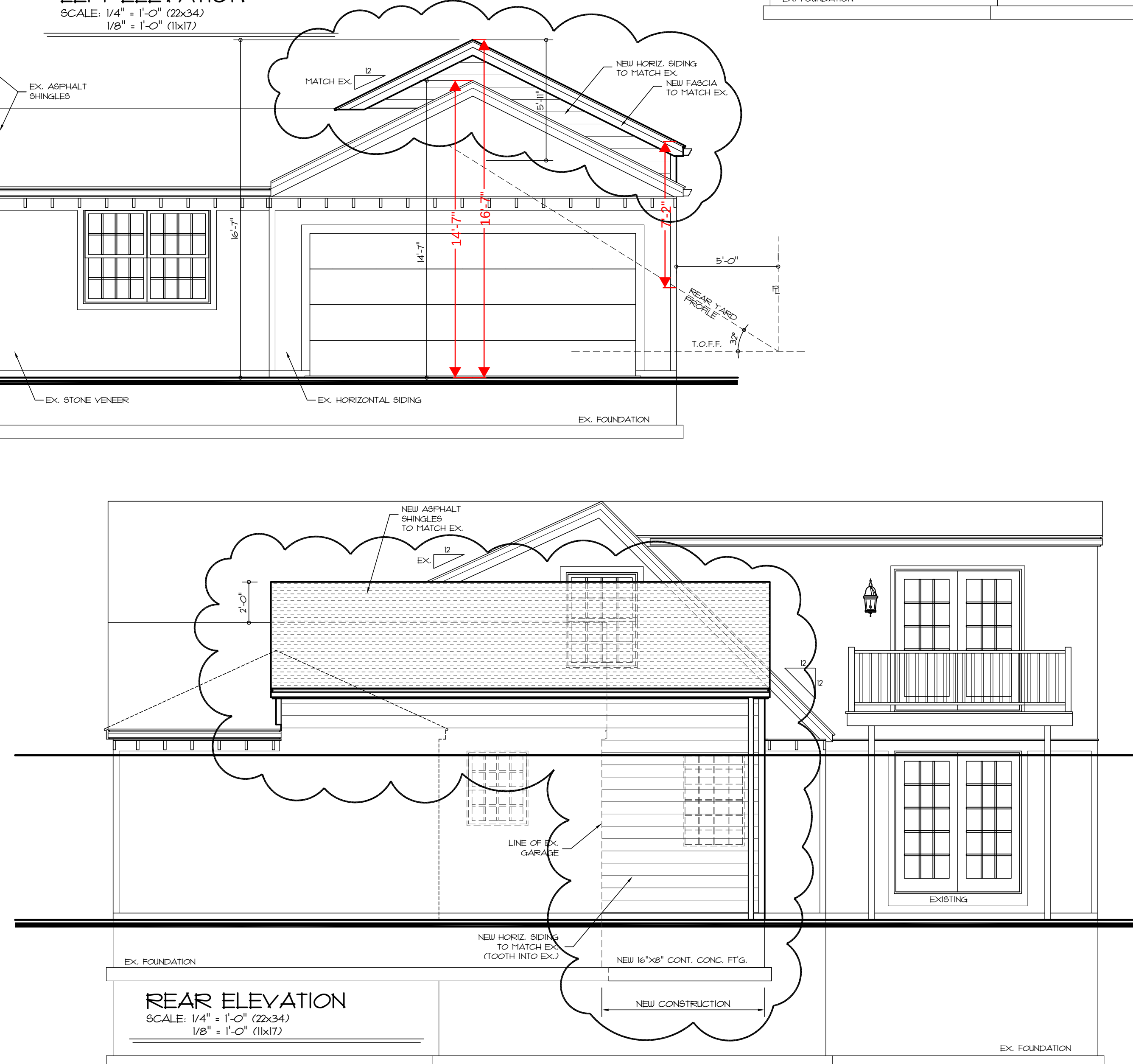
LEFT ELEVATION
SCALE: 1/4" = 1'-0" (22x34)
1/8" = 1'-0" (11x17)



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)

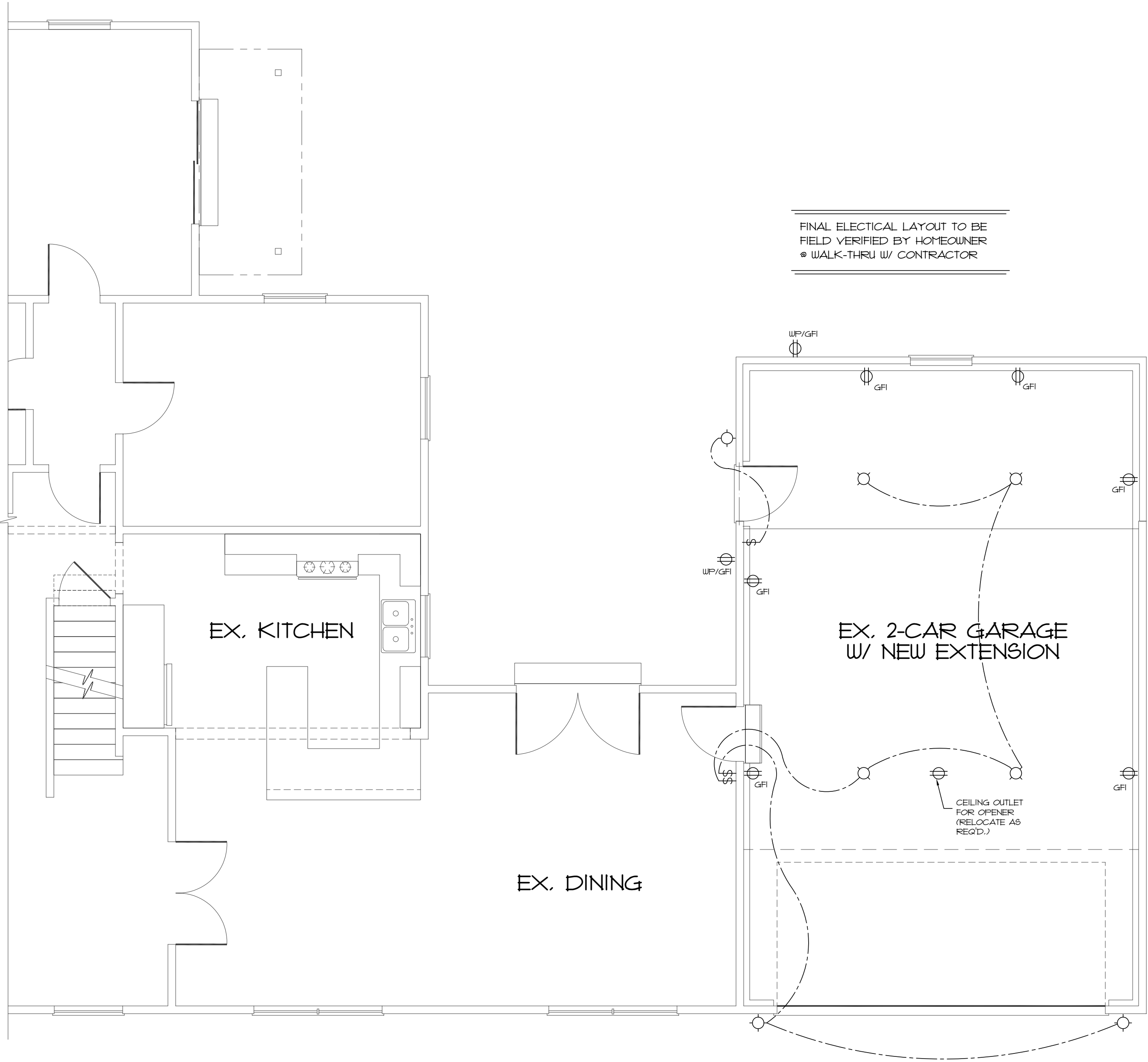
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CARINE RESIDENCE
2231 INCHLIFF RD.
UPPER ARLINGTON, OH 43221
PRELIMINARY LAYOUT

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
	FULLCHAIN 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



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

--

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

--

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.

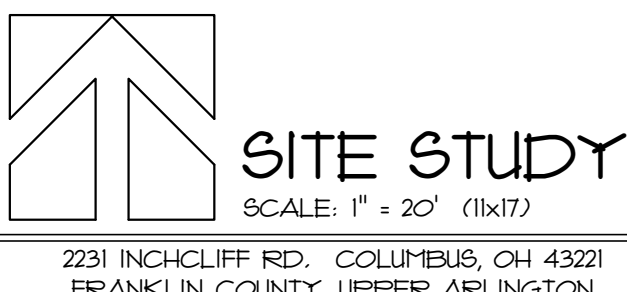
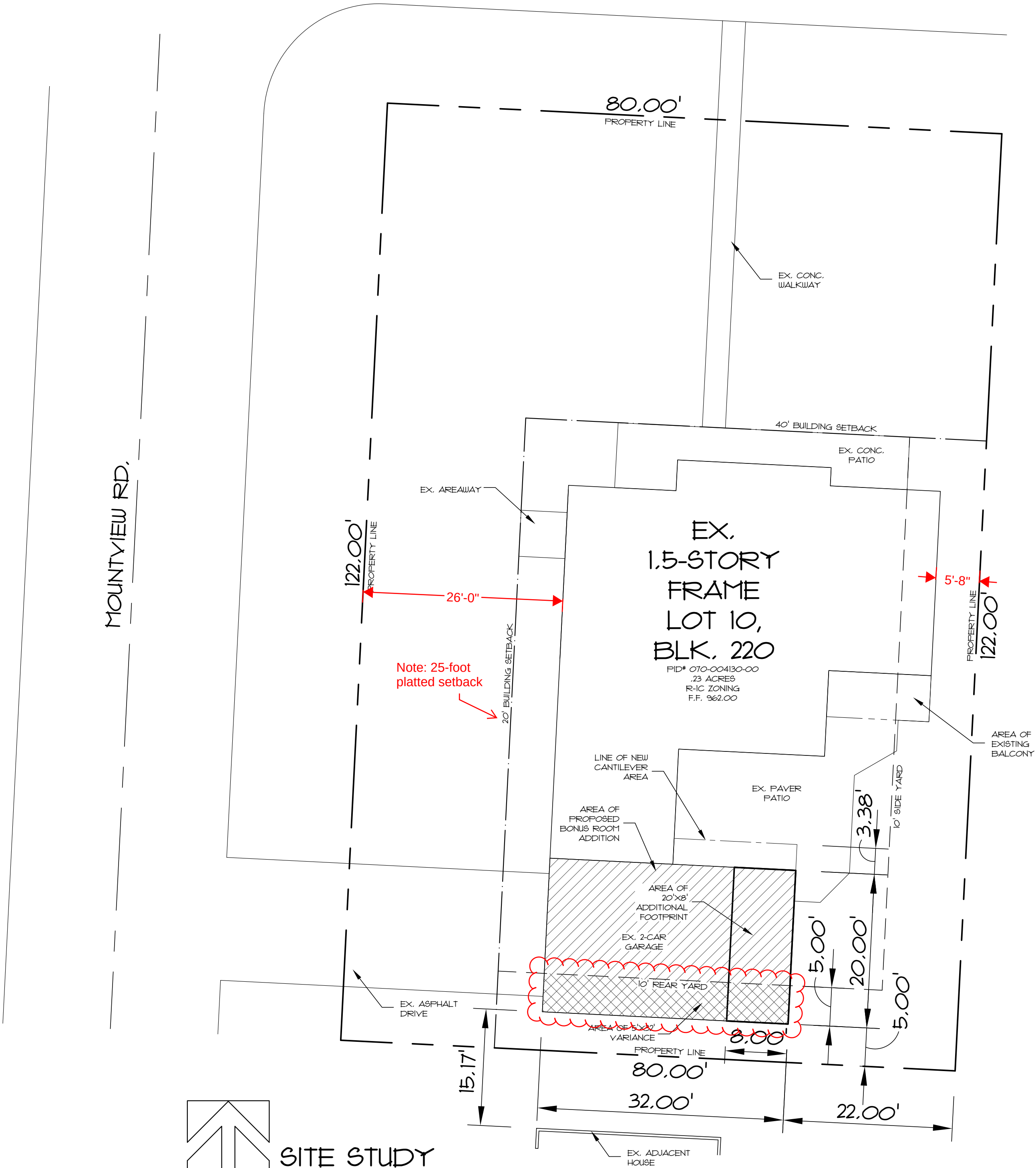
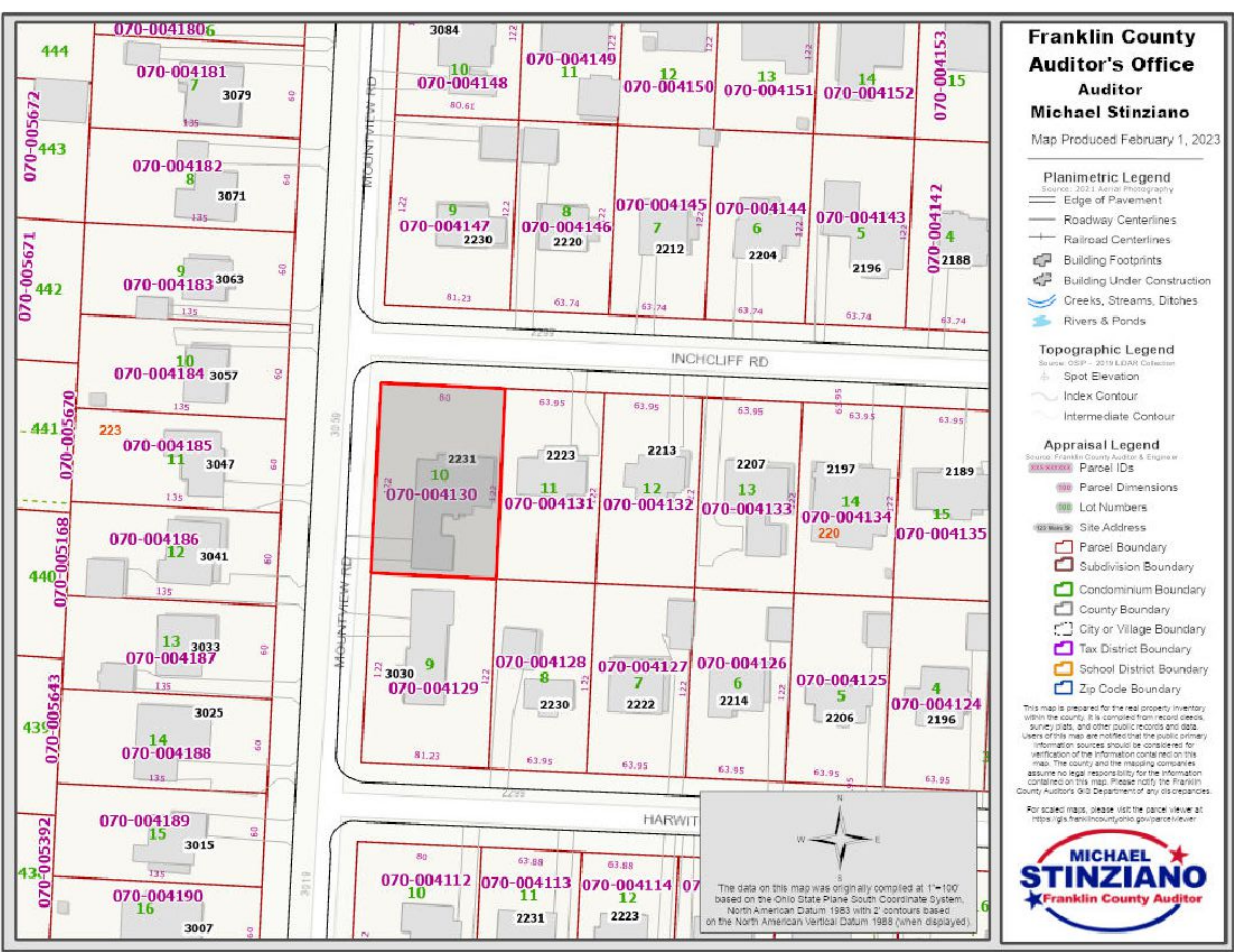
FOUNDATIONS & CONCRETE	
1.	The assumed soil bearing capacity shall be 1,500 psf U.N.O.
2.	All concrete shall have a minimum 28 day compressive strength of 3000 psi except as noted. Garage slabs and concrete exposed to the weather and in a sloped or horizontal position in the final structure shall have 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.

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

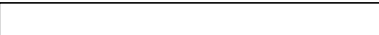
AREA CALCULATION	
EX. FIRST FLOOR AREA:	1815 SF
EX. SECOND FLOOR AREA:	1137 SF
NEW BONUS ROOM AREA:	619 SF
EX. TOTAL LIVING SPACE:	3571 SF
EX. 2 CAR GARAGE AREA:	480 SF
NEW 2 CAR GARAGE EXTENSION:	160 SF
EX. BASEMENT AREA:	1383 SF
REAR BALCONY AREA:	80 SF
REAR PAVEMENT AREA:	436 SF
FRONT PORCH AREA: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

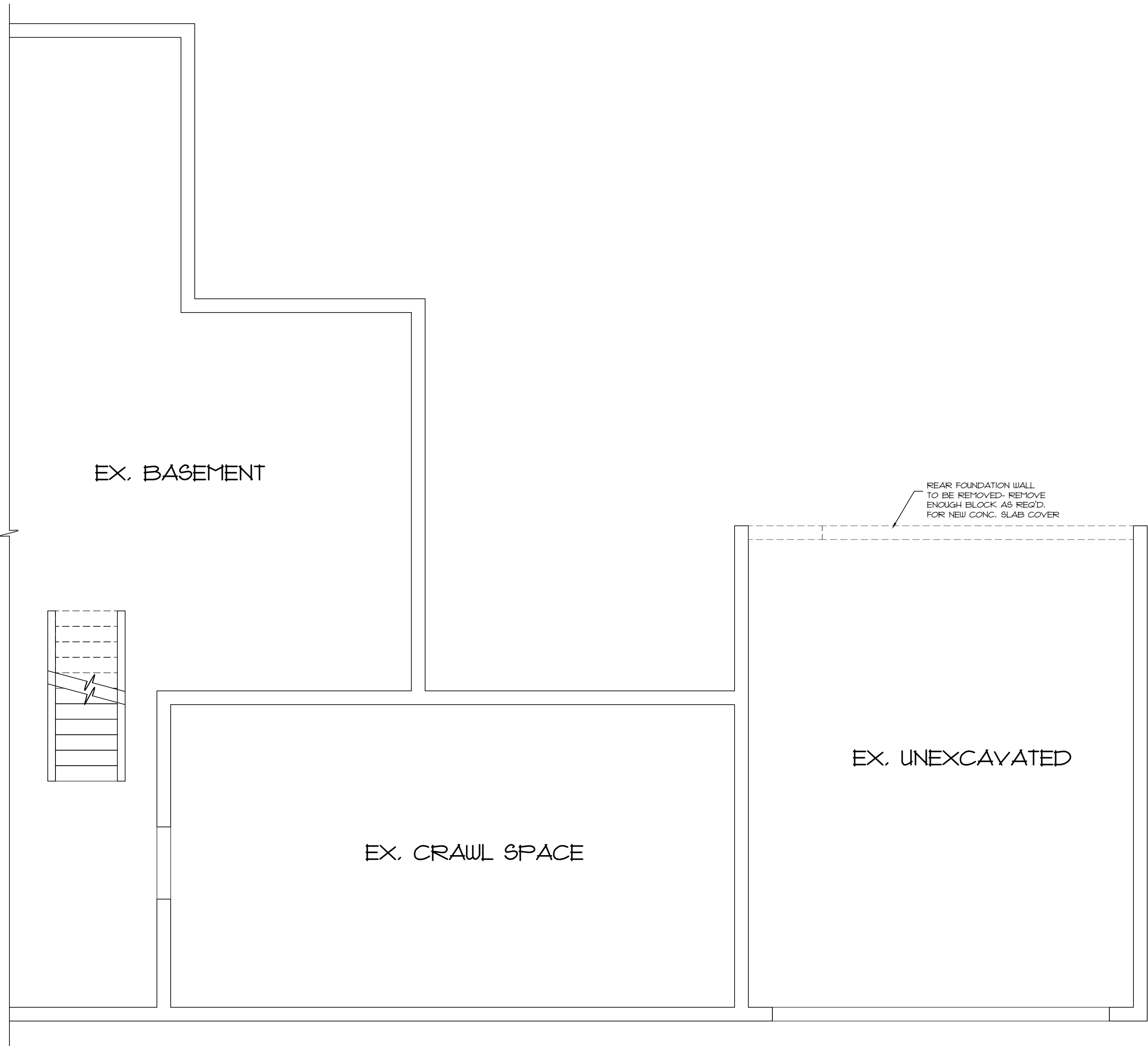
PLANS PREPARED BY:	CONDESGO
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CARINE RESIDENCE	
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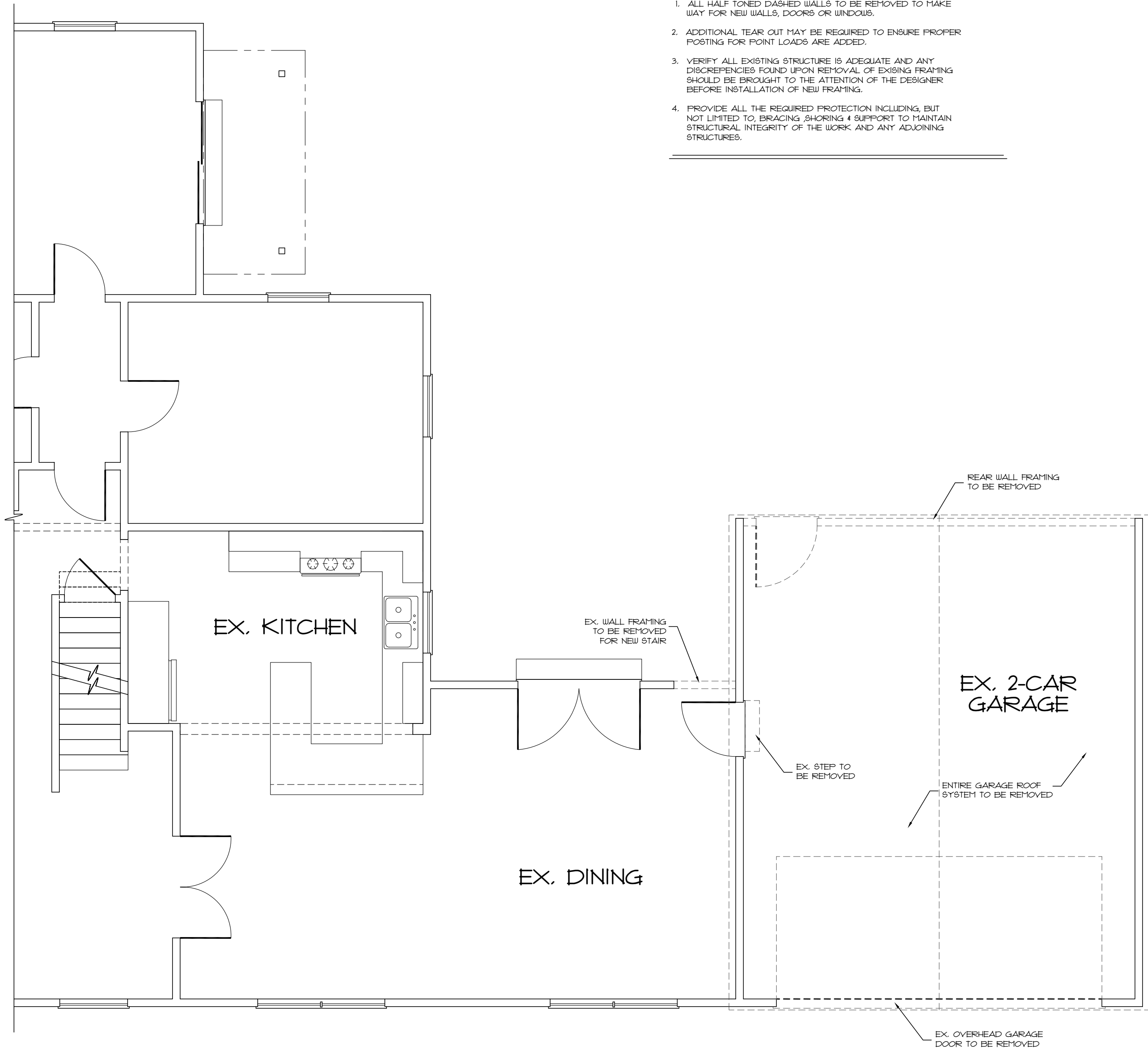
WALL FRAMING LEGEND	
	EXISTING WALLS
	TO BE REMOVED

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



FIRST FLOOR/ROOF AS-BUILT/DEMO PLAN
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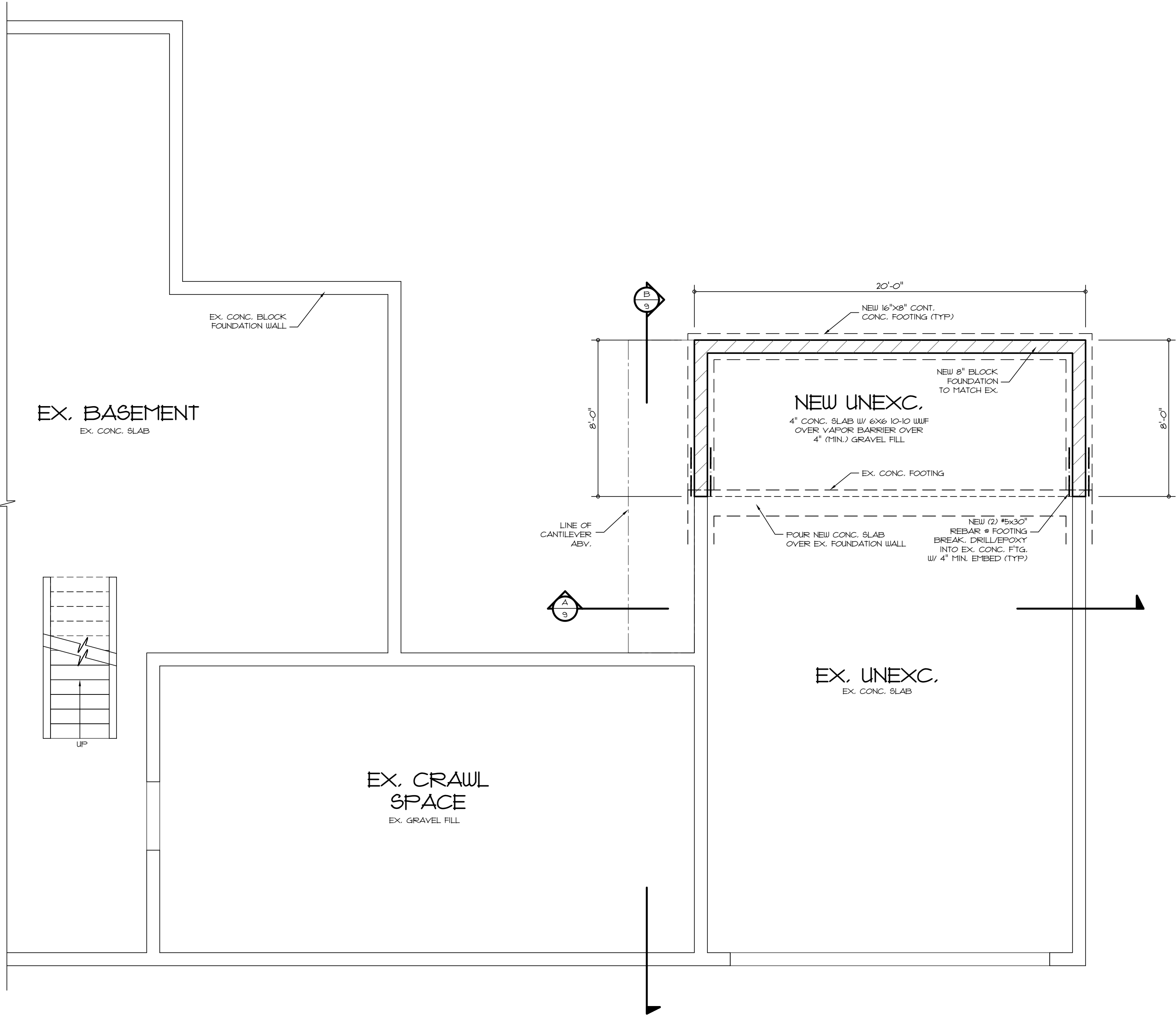
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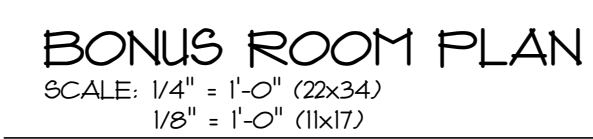


FOUNDATION PLAN
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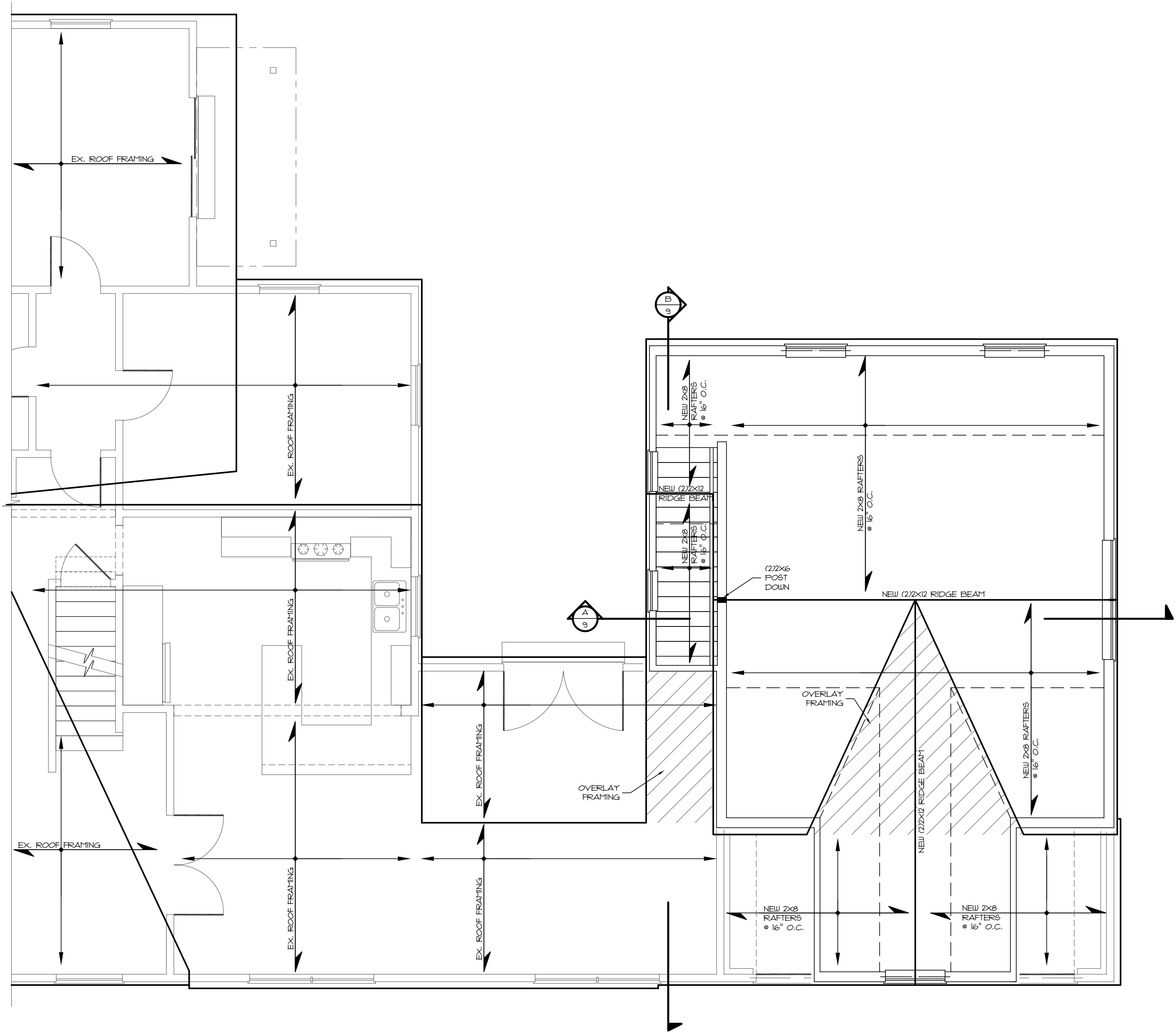
CARINE RESIDENCE
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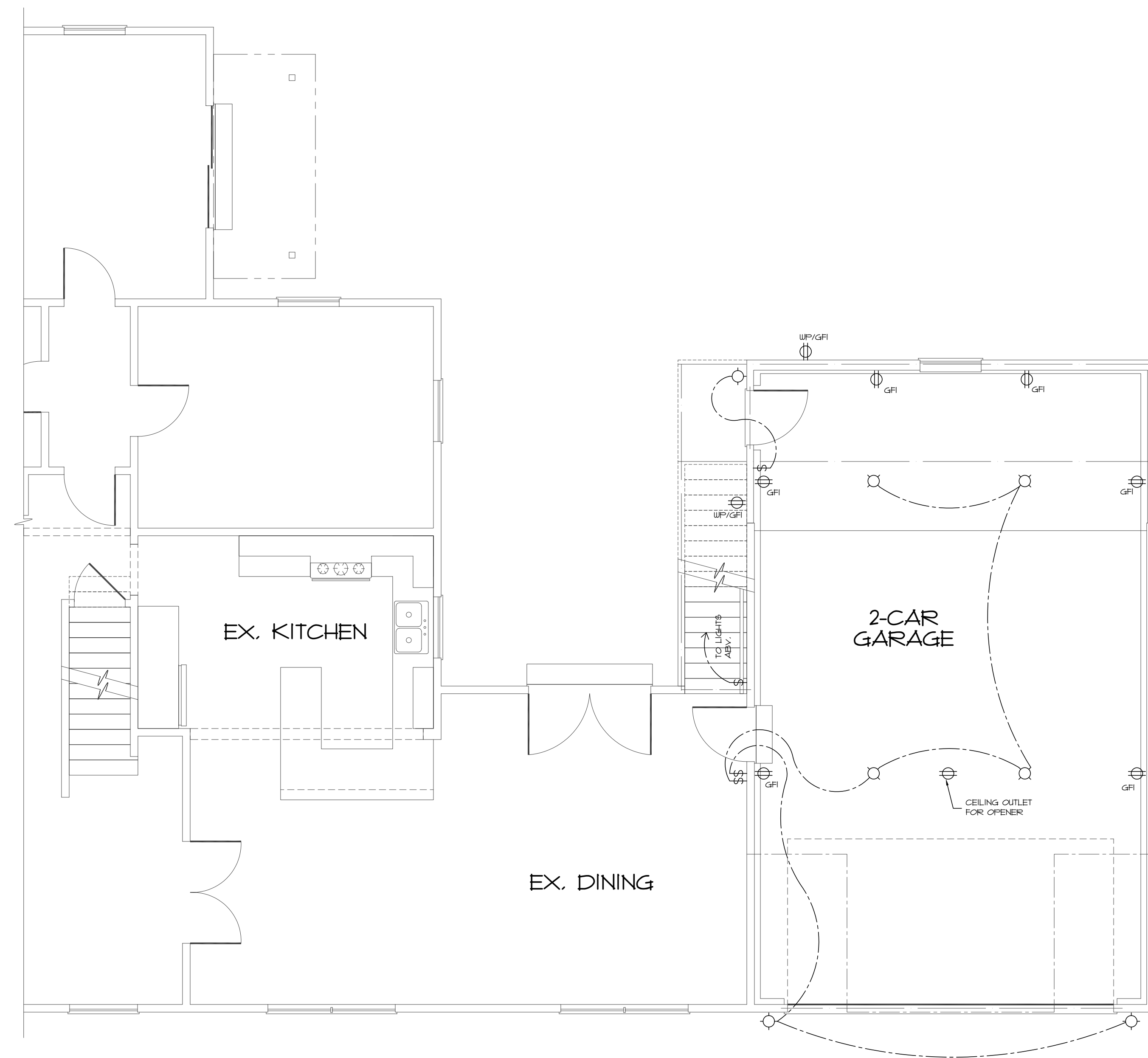


ROOF PLAN
SCALE: 1/4" = 1'-0" (22x34)
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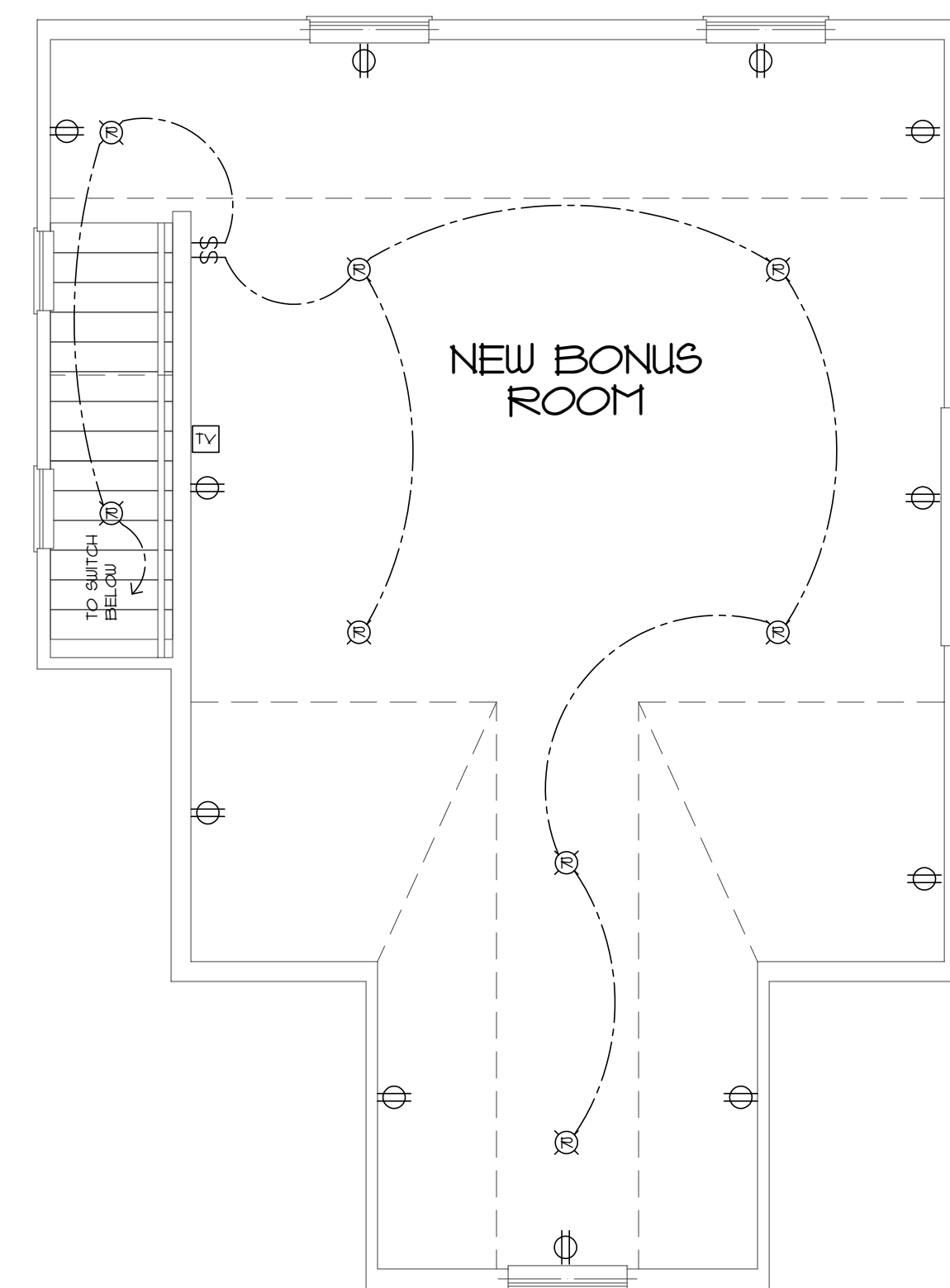
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CARINE RESIDENCE
2231 INCHCLIFF RD.
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03-20-23 PAGE 7 OF 10

NOT FOR CONSTRUCTION



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



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

	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- TRIAD
	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



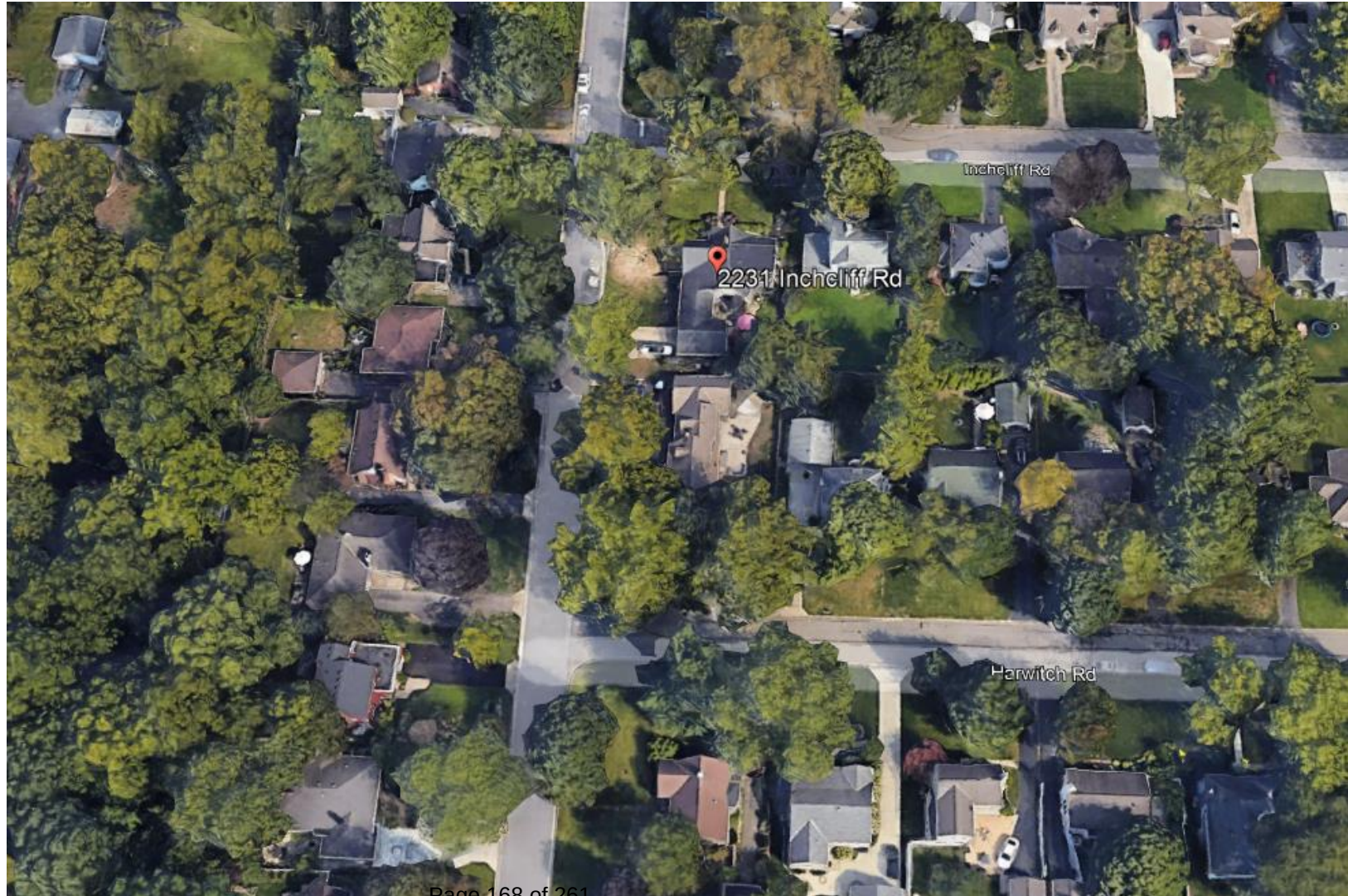


2231 Inchcliff Drive

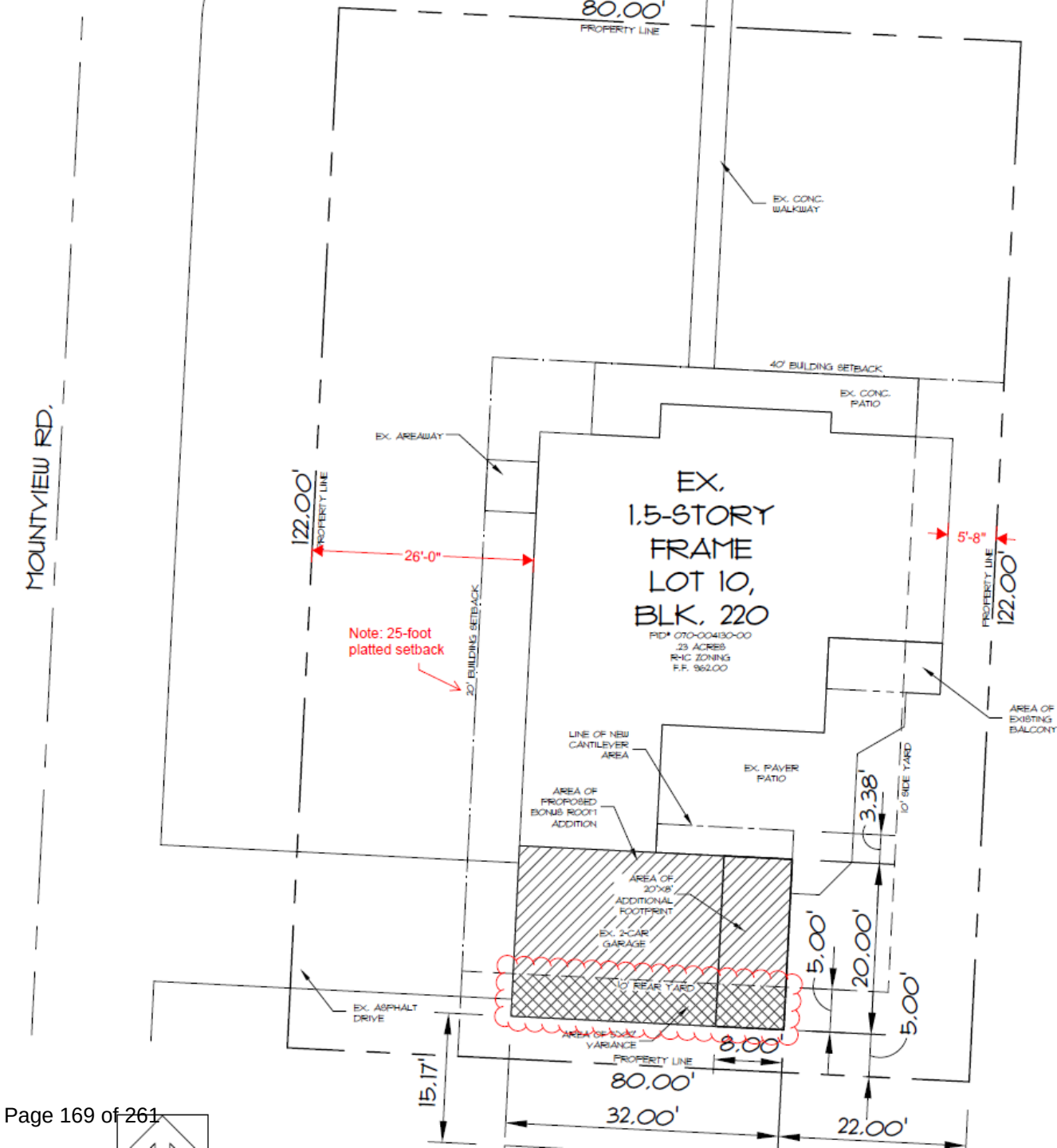
BZAP Staff Report Pictures

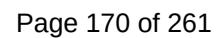


Google Maps ® Aerial – Looking North

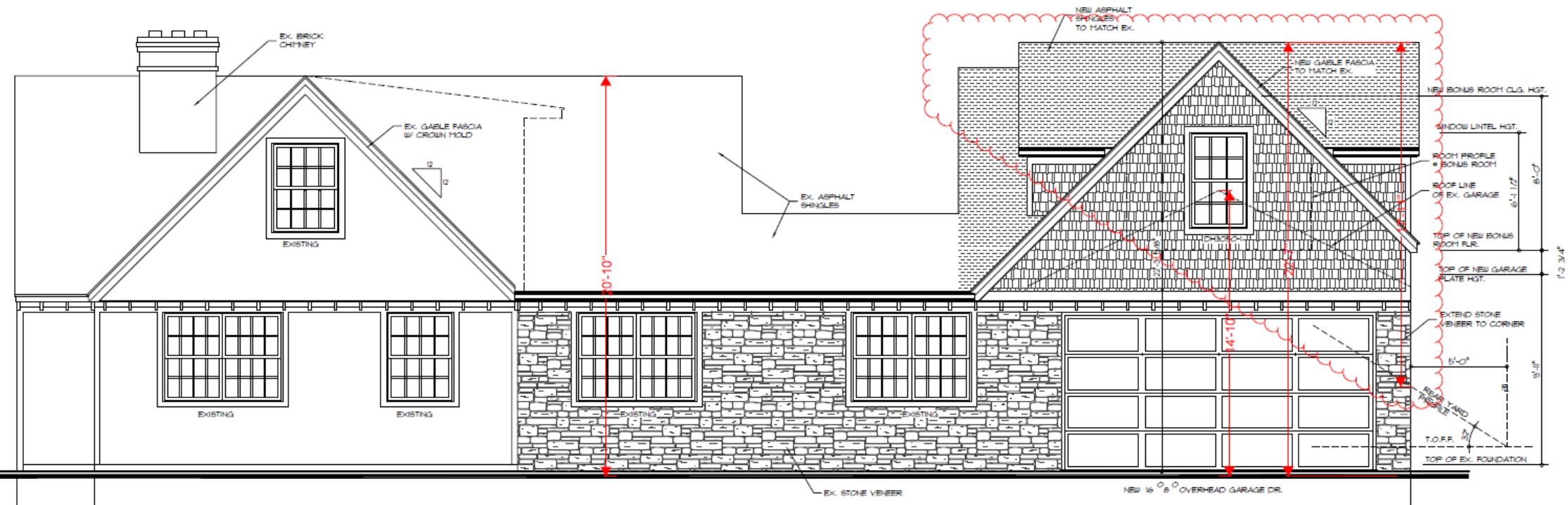


Proposed Site Plan

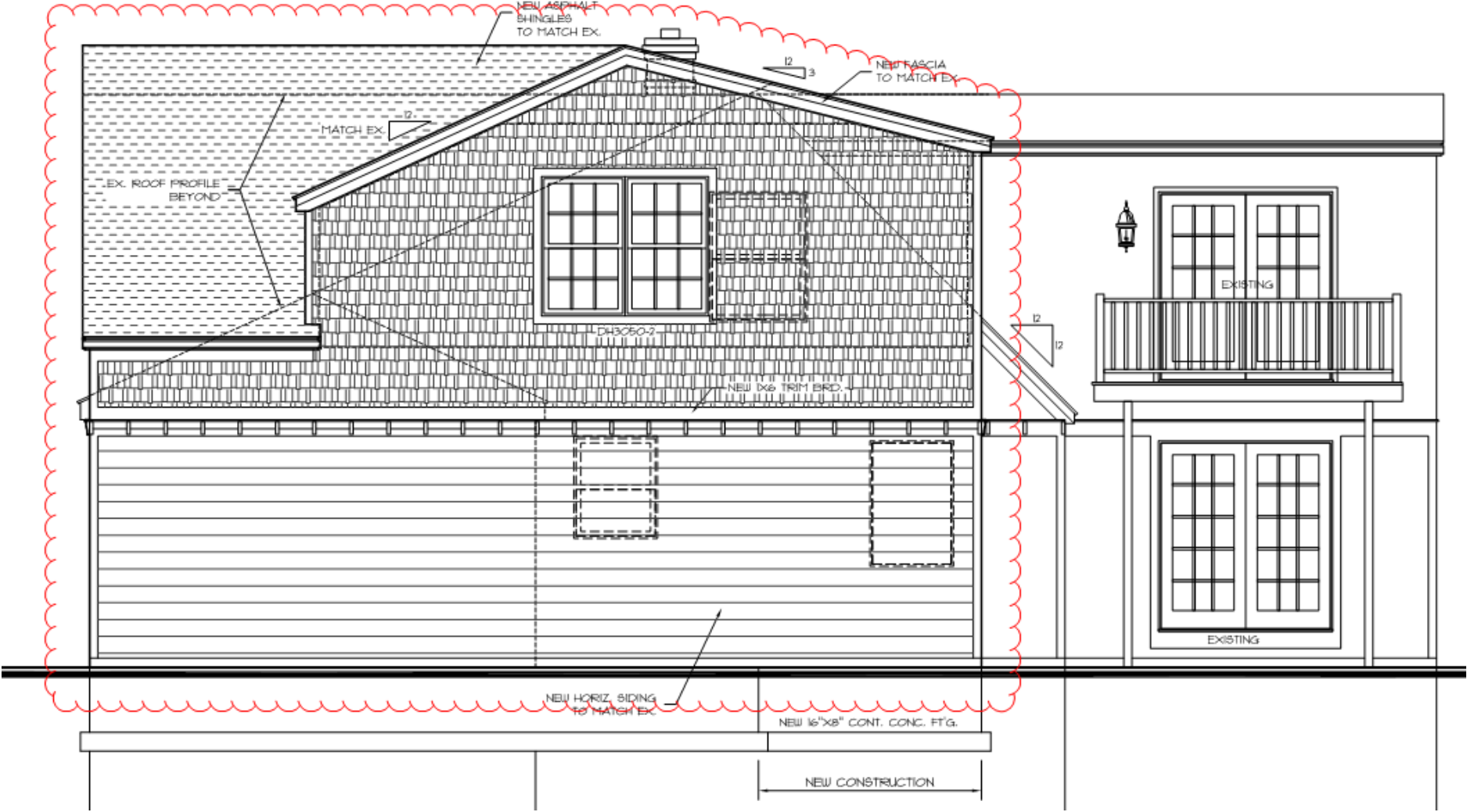


[illegible]

Proposed Front Elevation



Proposed Side Elevation



Existing Inchcliff/Mountview Elevations



Existing Rear Yard



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



Authors: Justin Milam, AICP, Senior Planner

BZAP Meeting Date: May 17, 2023

Subject: 2550 Chester Road (VAR-21-23) - To allow the construction of a detached garage that is 23'-6" tall, in lieu of the 17-foot height limit.

Site Description/History

The subject property, 2550 Chester Road, is located on the east of the street, between Wilshire Drive and Ted Staton Way, just north of W. Lane Avenue. The property is rectangular in shape with 60 feet of street frontage and 162 feet of depth, similar to others in the neighborhood. It is platted as Lot #63 in the College Hill subdivision and zoned R-1c, One-Family Residence District. A two-story Cape Cod home was built in 1953 and sits along a default 40-foot building setback line. An existing 336-square foot detached garage, also built in 1953, sits just behind the home and a new front porch was recently installed. The property includes several mature trees located along the rear property line. The property has been in the family since 1988.

Proposal

The proposal includes the demolition of the existing detached garage and its replacement with a larger one in a similar location. The new detached garage measures 28' x 22' (616 square feet) and would be located three feet from the north (side) property line and 22'-5" from the east (rear) property line. The garage measures 23'-6" tall and includes a second-floor storage area with stairs. The exterior includes wood siding and asphalt shingles to match the house. Building and development coverage ratios are compliant with City standards.

Zoning Code Requirements

- To allow a detached garage to be 23'-6" tall, in lieu of the 17-foot maximum (Article 6.09)

The City's third-party architect reviewed the plans per the City's neighborhood compatibility standards, and noted that the height could certainly be brought down by reducing the floor heights and adjusting the roof pitch to match the house. The applicant responded: *The architectural esthetic of the house has been set by the recently added front porch. The garage would have the same 12/12 pitch and have the same gable-end beam design as the front porch. There would be a strong interplay between the front porch and the front of the garage. Please see my uploaded Statement PDF for a photo of the house as it is now with the new*



garage photoshopped into scale. Also, the house across the street and 3 doors north has a 12/12 pitch and a very similar garage, albeit attached to the house. Please see my Statement PDF for a photo of that house also. As mentioned above, I have uploaded a PDF with additional photos and rationale for this new garage that makes these same points and many more.

Alternatives

There are several options available to the applicant that could eliminate the need for a variance:

- The applicant could reduce the height of the garage to be compliant with the 17-foot height limit, while still gaining storage space with either stairs or a pull-down ladder. Staff has approved hundreds of these types of detached garages in the past, and this alternative could certainly work here. The size of the detached garage could also be increased by 66 square feet, to the maximum area limit for the property, to account for additional storage space.
- The detached garage could be relocated so that it is within the buildable area of the property and a variance would not be needed. The garage would have to be at least eight feet from the side property line and 40 feet from the rear.

The application notes a pending code change for detached garages. If recommended by BZAP and approved by Council in late June, this would allow finished offices, studios and storage areas. No changes to the maximum height limit are proposed at this time.

Requested Action and Findings

Staff has reviewed the application and plans, visited the site, and shared messages with the applicant. As the Board is well aware, detached garages with heights exceeding 17 feet are rare and variance requests have historically been denied, especially when located close to adjacent property (Finding #4). Staff has offered the applicant an option to reduce the height of the proposed detached garage (Finding #7). With the other alternatives that are available, as noted above, and given that Staff has not identified anything unique or special about the property, Staff unfortunately cannot support this application as proposed. The June Work Session may be an option for the applicant to consider if the identified alternatives are not pursued.

Attachments

1. 2550 Chester Road variance app
2. BZAP Staff Report Pics - 2550 Chester Rd



**23-1583****Variance Application****Status:** Active**Date Created:** Apr 18, 2023**Applicant**

Eric Shinn
eric@ericshinn.com
2550 Chester Rd
UA, OH 43221
614-477-3177

Primary Location

2550 CHESTER RD
UPPER ARLINGTON, OH 43221

Owner:

SHINN ERIC
2550 CHESTER UPPER ARLINGTON, OH 43221

BZAP Information**BZAP Case #**

VAR-21-23

Status

Pending

BZAP Determination Date

05/17/2023

Vote Tally

--

Primary Variance

Detached garage

Findings of Fact for Approval/Denial

--

Variance Request

To allow the construction of a detached garage that is 23'-6" tall, in lieu of the 17-foot height limit.

BZAP conditions

--

Variance Information**Describe Variance Request**

We want to build new 2 car garage with a steeper pitch roof so that I can use the attic space for storage. At a maximum height of 17 ft, there is no possibility of being able to stand upright in the attic. This severely limits its usefulness for it's elderly owner. A steeper pitch roof will also greatly improve the appearance of the structure and allow it to match architectural features of the new front porch, added to the house this year.

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

The house has limited storage space and the tiny one car garage which is being used for storage rather than a car. We have two cars and a lot of stuff I'd like to have a place to store. I've just turned 75 and need to be able to move stored items in and out of the garage attic in an upright position. Stored items are not really accessible if you have to crawl around to find them.

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

I've heard that this particular height restriction for garages may be changed in the coming months. If this variance is not granted, I would feel that my privilege as a homeowner and tax payer have been denied should the code change in near future. Additionally just four properties to the South are highrise apartment buildings on Lane Ave.

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

The garage is a pretty traditional looking structure of one story. The treatment of the eaves echo the newly installed front porch. It is a building worthy of the effort and expense to build, which will visually enhance the property and the neighborhood. The pitch of the roof is greater than the average garage in this area, but this pitch is quite common on the houses in my neighborhood, including the rooflines of their attached garages.

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?

I don't see any alternative other than by incorporating the garage into a house addition which would be beyond my budget. I've place the garage further back on the property should we be able to afford a small addition to the back of the house some day. But the first step is to build a two car garage and useable storage space in one more affordable construction.

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

The property cannot currently accomodate our needs. But with this new garage it will yield a greater quality of life and increase the value of the property greatly.

Attachments

-  Eric_and_Patricia_Shinn-New_Garage_2-7-22.pdf
Uploaded by Eric Shinn on Apr 20, 2023 at 6:47 pm
-  Endorsements_from_neighbors.pdf
Uploaded by Eric Shinn on May 2, 2023 at 5:15 pm
-  Notification Signatures Scan.pdf
Uploaded by Eric Shinn on Apr 24, 2023 at 2:28 pm
-  TEMPLATE_Letter.pdf
Uploaded by Eric Shinn on Apr 20, 2023 at 6:51 pm
-  Variance_Application_23-1583_Support_Statement.pdf
Uploaded by Eric Shinn on May 2, 2023 at 5:17 pm

History

Date	Activity
Apr 12, 2023 at 3:40 pm	Eric Shinn started a draft of Record 23-1583
Apr 12, 2023 at 3:43 pm	Eric Shinn altered Record 23-1583, changed ownerEmail from "" to "eric@ericshinn.com"
Apr 12, 2023 at 3:43 pm	Eric Shinn altered Record 23-1583, changed ownerPhoneNo from "" to "6144773177"
Apr 18, 2023 at 3:05 pm	Eric Shinn submitted Record 23-1583
Apr 18, 2023 at 3:16 pm	completed payment step Application Fees on Record 23-1583
Apr 18, 2023 at 3:16 pm	approval step Application Complete & Scheduled for BZAP Reviewwas assigned to Justin Milam on Record 23-1583
Apr 20, 2023 at 8:52 am	Alyssa Kelly changed Describe Variance Request from "Called in today to see if we could submit this Variance Request a day late and was told it would " to "We want to build new 2 car garage with a steeper pitch roof so that I can use the attic space for" on Record 23-1583
Apr 20, 2023 at 8:54 am	Alyssa Kelly assigned approval step Application Complete & Scheduled for BZAP Review to Alyssa Kelly on Record 23-1583
Apr 20, 2023 at 3:59 pm	Alyssa Kelly changed BZAP Case # from "" to "VAR-21-23" on Record 23-1583
Apr 20, 2023 at 3:59 pm	Alyssa Kelly changed Status from "" to "Pending" on Record 23-1583
Apr 20, 2023 at 3:59 pm	Alyssa Kelly changed BZAP Determination Date from "" to "05/17/2023" on Record 23-1583
Apr 20, 2023 at 3:59 pm	Alyssa Kelly changed Primary Variance from "" to "Detached garage" on Record 23-1583
May 2, 2023 at 5:17 pm	Eric Shinn added attachment Variance_Application_23-1583_Support_Statement.pdf to Record 23-1583
May 3, 2023 at 10:04 am	Justin Milam changed Variance Request from "" to "To allow the construction of a two-story detached garage that is 23'-6" tall, in lieu of" on Record 23-1583
May 3, 2023 at 10:05 am	Justin Milam changed Variance Request from "To allow the construction of a two-story detached garage that is 23'-6" tall, in lieu of" to "To allow the construction of a detached garage that is 23'-6" tall, in lieu of the 17-fo" on Record 23-1583

Timeline

Label	Status	Activated	Completed	Assignee	Due Date
 Application Fees	Paid	Apr 18, 2023 at 3:05 pm	Apr 18, 2023 at 3:16 pm	-	-
 Application Complete & Scheduled for BZAP Review	Active	Apr 18, 2023 at 3:16 pm	-	Alyssa Kelly	-
 Board of Zoning & Planning Review	Inactive	-	-	-	-
 BZAP Result	Inactive	-	-	-	-



Certification of Notice

Applicant Name: Eric & Patty Shinn_____

Location of property subject to BZAP request: 2550 Chester Rd. Upper Arlington, OH 43221_____

Describe activity which requires Board of Zoning and Planning review:

We would like to build a new single story two car garage taller than code height to allow for household storage in the attic area. The pitch of the roof would be increased from 6x12 to 12x12, resulting in a 6ft higher peak that would allow standing upright in the attic space of the garage.

This application will be heard by the Board of Zoning and Planning on: ___ May 17, 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:
2566 CHESTER RD	TIFFANEE C MOHLER		4/20/23
2558 CHESTER RD	HOWARD A EPSTEIN		4-20-2023
2542 CHESTER RD	RANDOLPH H BLACK		4-20-2023
2534 CHESTER RD	BROOKE A SANDY		4/20/2023
2537 CHESTER RD	JEFF ROBISON		4/20/2023
2545 CHESTER RD	DANIEL A GESLER		4/20/2023
2553 CHESTER RD	JONATHAN T DORMO		4/20/23
2561 CHESTER RD	ANDREW HARDY		4/21/23
2569 CHESTER RD	DEAN BRING		4/20/23
2527 WESTMONT BLVD	JOHN SWITHERS		4/20/23
2535 WESTMONT BLVD	CHRISTINE L FRASCA		4/22/23
2543 WESTMONT BLVD	THOMAS J RYAN		4/24/23
2551 WESTMONT BLVD	STEPHEN M KENNEDY		4-20-23
2559 WESTMONT BLVD	AARON S CAVE		4/20/2023
Applicant Signature:			

Eric & Patricia Shinn

your neighbors at

2550 Chester Rd. Upper Arlington, OH 43221

April 19, 2023

NAME

STREET

UPPER ARLINGTON OH ZIP

Dear Neighbor,

This letter is to let you know about our application for a building code variance for construction of a new single story, two car garage behind our house at 2550 Chester Rd.

We would like a useable storage space in the attic of the garage that will allow us to stand upright. With an increase in the pitch of the roof from 6 x 12 to 12 x 12 it will be possible. Upper Arlington Building code limits the height of the garage to 17 feet. The peak of the garage would be 6 feet higher than code permits.

If the variance is allowed, we will have the room we need for household storage in addition to our two cars. Additionally, we feel that the new garage will enhance the value of our home and add to the overall appearance of the neighborhood.

This application will be heard by the Board of Zoning and Planning on May 17, 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.

The city has required us to properly notify our immediate neighbors of the request. You are encouraged to attend any and all meetings regarding this matter.

Sincerely yours,

Eric Shinn

ph: 614-477-3177

Project Endorsement

Date: 4-20-23

Dear BZAP,

We would like to tell the city that Eric Shinn has shared his plans for a new garage with us in detail. As next door neighbors we will be effected by this building project more than any other of the homes within 100 feet. Eric has shown us the plans and explained the building code, the variance and all details of the new construction.

We would like to let the city know that we have no reservations about endorsing this building project and the required variance.

Thank you,



RANDOLPH H BLACK
2542 CHESTER RD
UPPER ARLINGTON OH 43221-3306

Project Endorsement

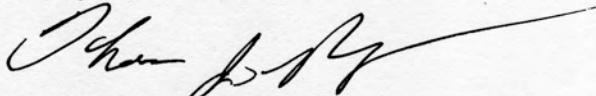
Date: 4-24-23

Dear BZAP,

We would like to tell the city that Eric Shinn has shared his plans for a new garage with us in detail. As next door neighbors we will be effected by this building project more than any other of the homes within 100 feet. Eric has shown us the plans and explained the building code, the variance and all details of the new construction.

We would like to let the city know that we have no reservations about endorsing this building project and the required variance.

Thank you,

A handwritten signature in black ink, appearing to read 'Thomas J. Ryan', with a long horizontal flourish extending to the right.

THOMAS J RYAN
2543 WESTMONT BLVD
UPPER ARLINGTON OH 43221-3332

2550 CHESTER ROAD, UPPER ARLINGTON, OHIO

NEW 2-STORY GARAGE



ARCHITECTURAL RENDERING

MID-CITY CLADIATORS, LLC.
5462 WESTERVILLE CROSSING, WESTERVILLE, OHIO 43081

PROJECT NEW 2-STORY GARAGE
LOCATION 2550 CHESTER ROAD, UPPER ARLINGTON
ARCHITECT
CUSTOMER ERIC & PATRICIA SHINN (OWNER)

DRAWN	PTJ	DATE	2-7-22	DWG. NO.	1	OF	22
PROJECT NO.		SECTION:					

REV. NO.	DATE	DESCRIPTION



SITE PLAN - SATELLITE VIEW

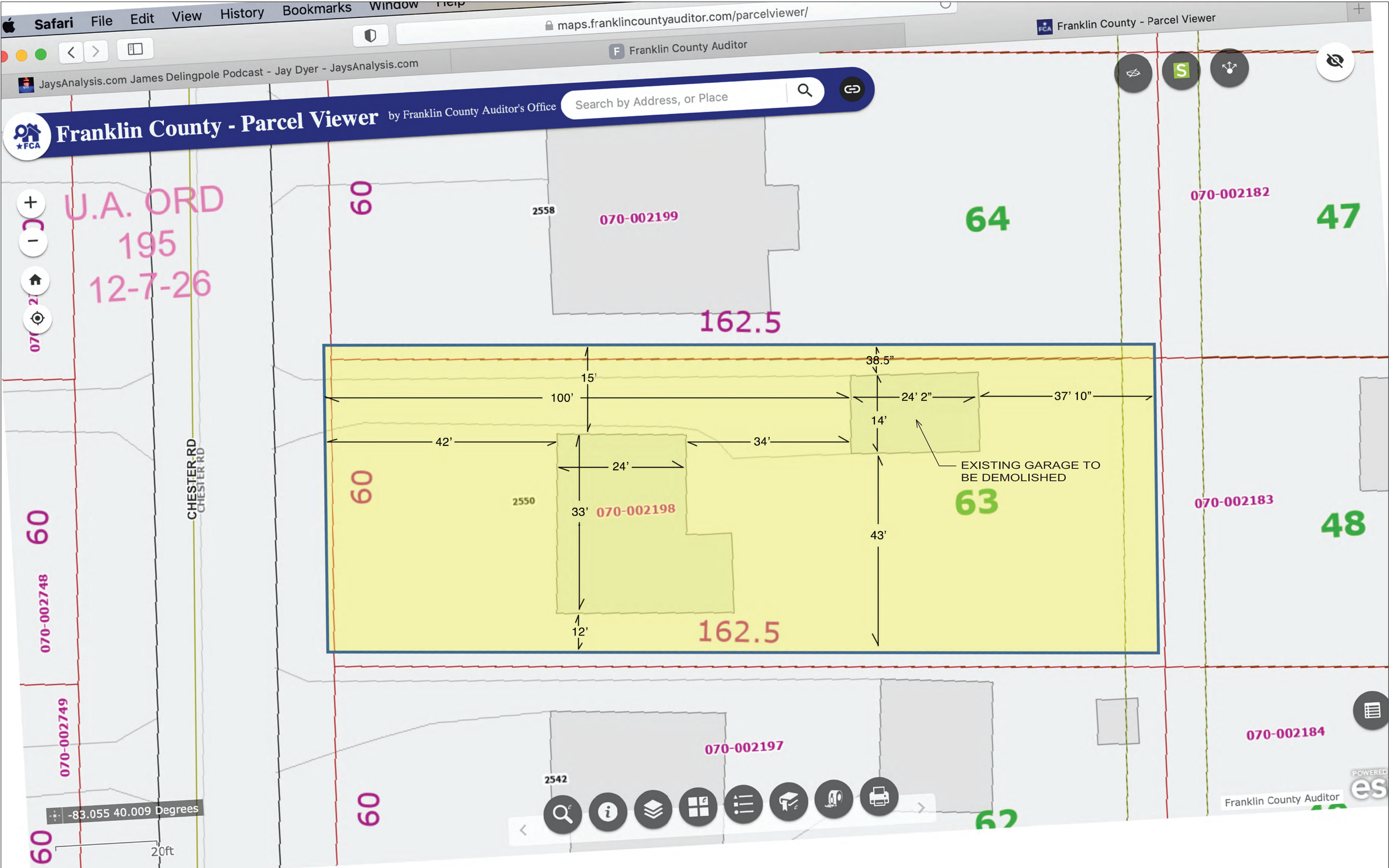


MID-CITY CLADIATORS, LLC.
5462 WESTERVILLE CROSSING, WESTERVILLE, OHIO 43081

PROJECT NEW 2-STORY GARAGE
LOCATION 2550 CHESTER ROAD, UPPER ARLINGTON
ARCHITECT
CUSTOMER ERIC & PATRICIA SHINN (OWNER)

DRAWN	PTJ	DATE	2-7-22	DWG. NO.	2	22
PROJECT NO.	SECTION:	BY				

REV. NO. DATE DESCRIPTION



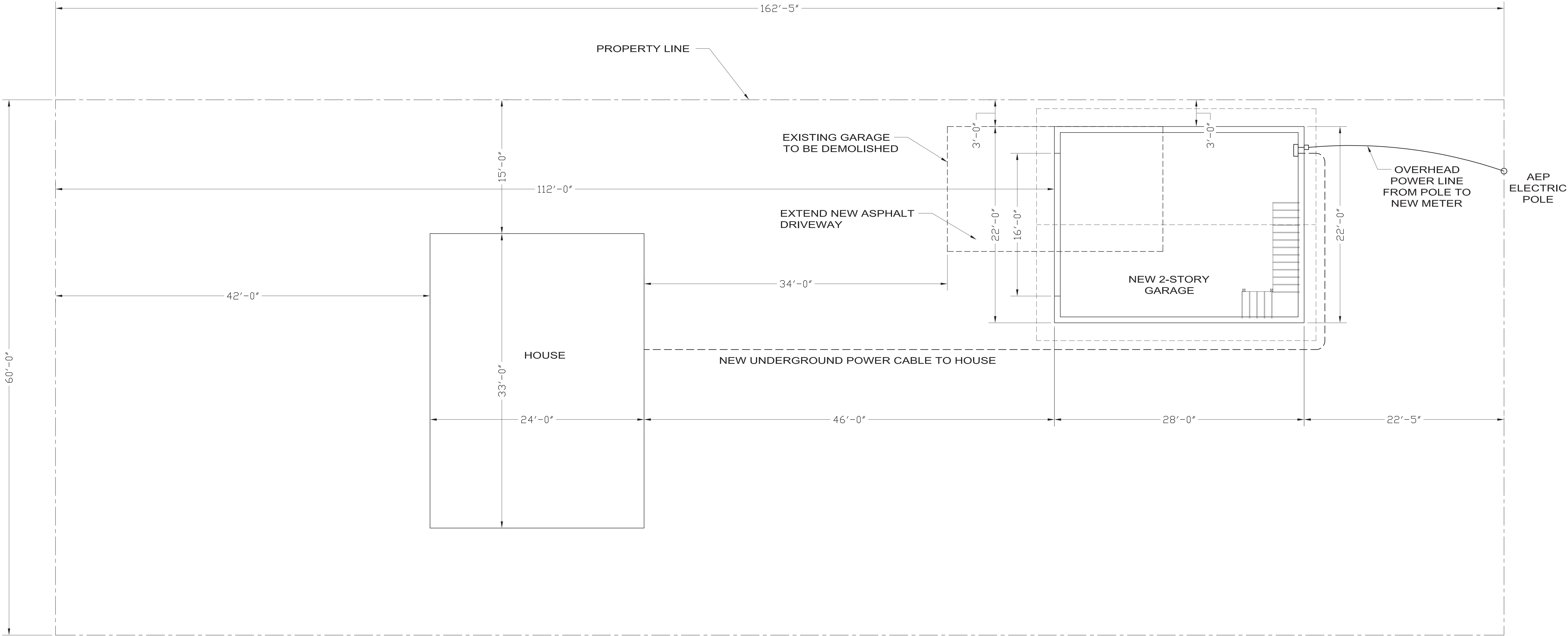
SITE PLAN - PARCEL VIEW

MID-CITY CLADIATORS, LLC.
5462 WESTERVILLE CROSSING, WESTERVILLE, OHIO 43081

PROJECT NEW 2-STORY GARAGE
LOCATION 2550 CHESTER ROAD, UPPER ARLINGTON
ARCHITECT
CUSTOMER ERIC & PATRICIA SHINN (OWNER)

DRAWN	PTJ	DATE	2-7-22	DWG. NO.	3	OF	22
PROJECT NO.		SECTION:					

REV. NO.	DATE	DESCRIPTION	BY



SITE PLAN - NEW GARAGE

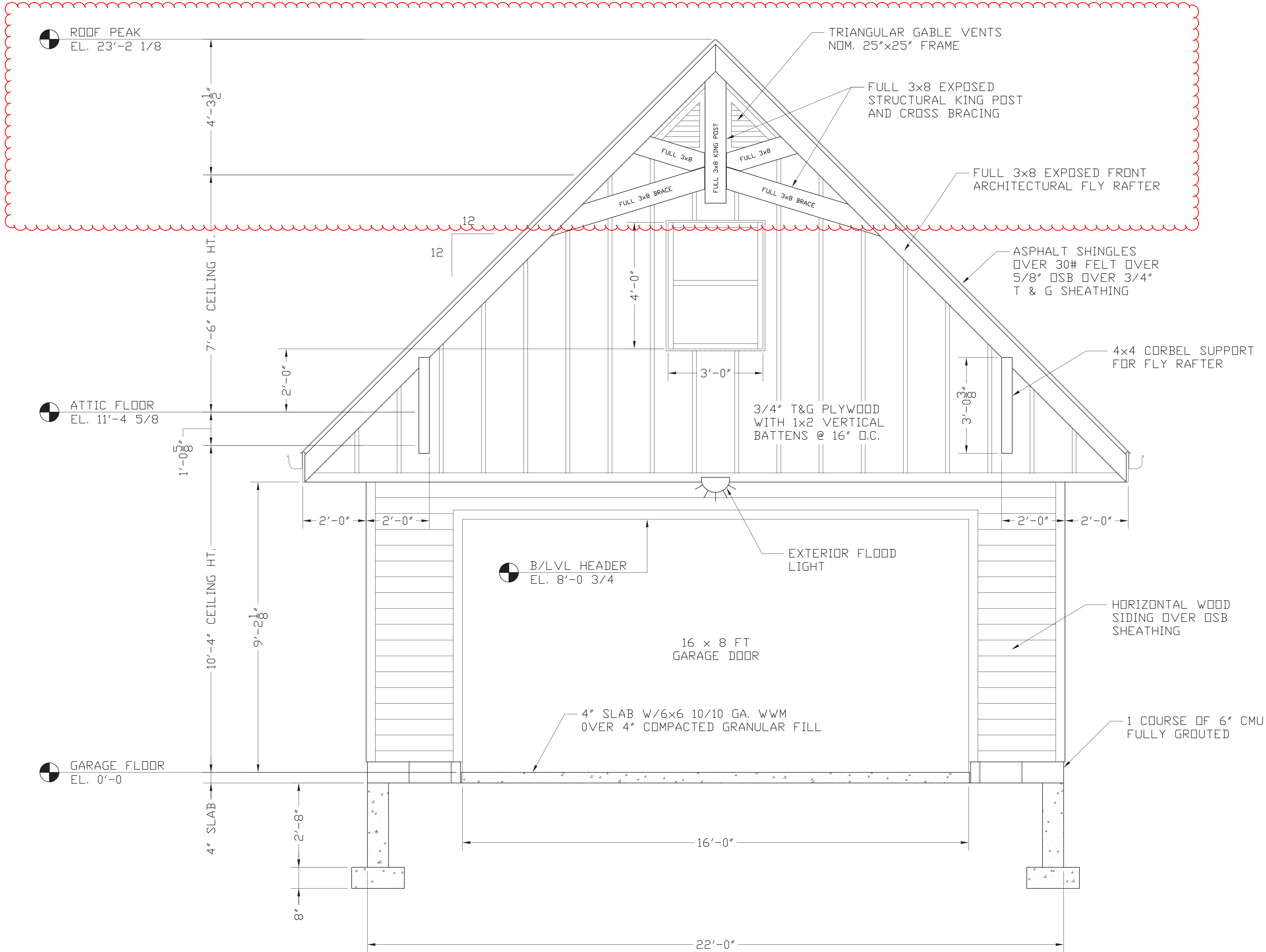


MID-CITY CLADIATORS, LLC.
5462 WESTERVILLE CROSSING, WESTERVILLE, OHIO 43081

PROJECT NEW 2-STORY GARAGE
LOCATION 2550 CHESTER ROAD, UPPER ARLINGTON
ARCHITECT
CUSTOMER ERIC & PATRICIA SHINN (OWNER)

DRAWN PTJ DATE 2-7-22 DWG. NO. 4 OF 22
PROJECT NO. SECTION:

REV. NO.	DATE	DESCRIPTION	BY



GARAGE FRONT GABLE END



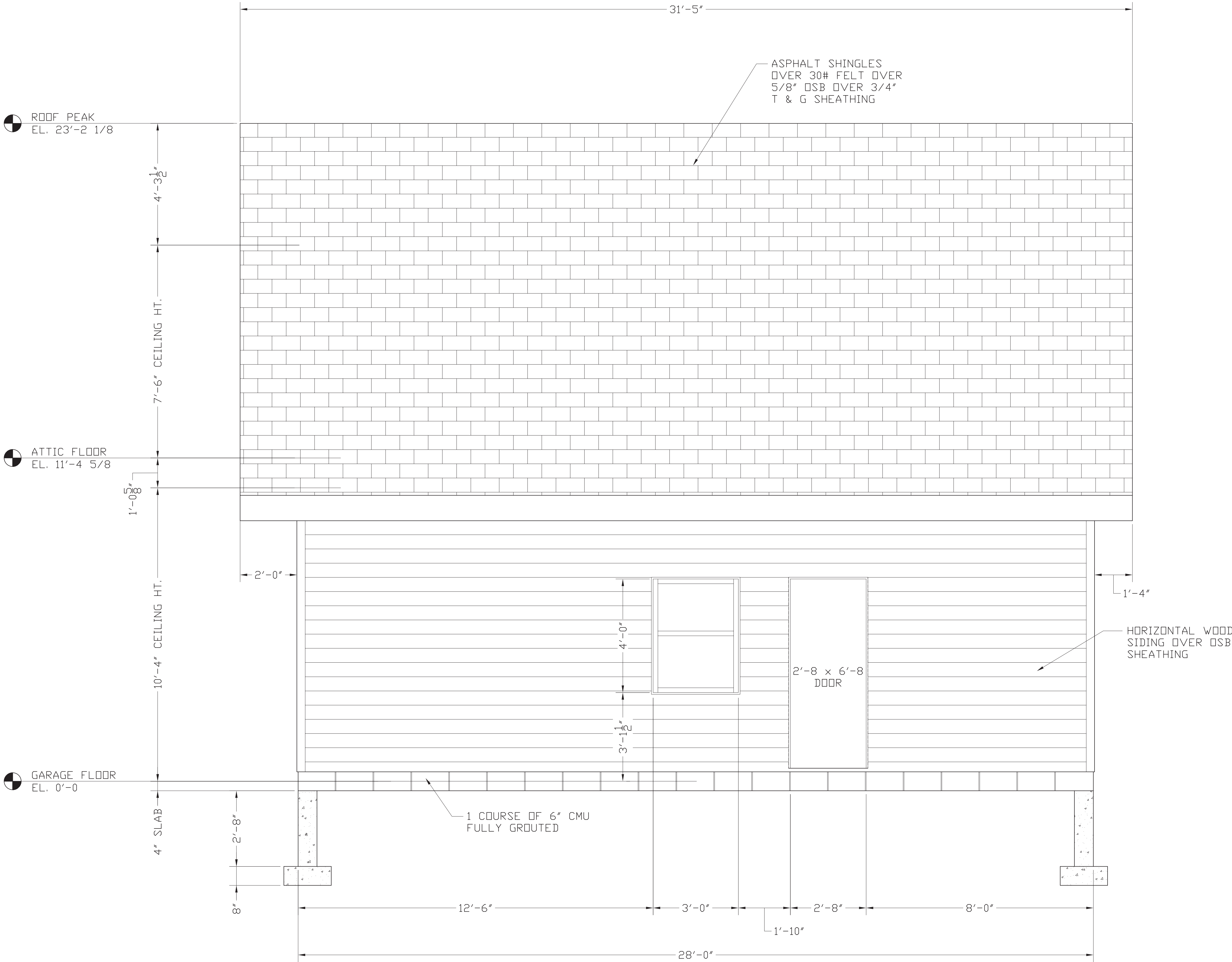
MID-CITY CLADIATORS, LLC.
5462 WESTERVILLE CROSSING, WESTERVILLE, OHIO 43081

PROJECT NEW 2-STORY GARAGE
LOCATION 2550 CHESTER ROAD, UPPER ARLINGTON
ARCHITECT
CUSTOMER ERIC & PATRICIA SHINN (OWNER)

DRAWN PTJ	DATE 2-7-22	DWG. NO. 5 OF 22
PROJECT NO.	SECTION:	

REV. NO.	DATE	DESCRIPTION

BY



GARAGE RIGHT SIDE



MID-CITY CLADIATORS, LLC.
5462 WESTERVILLE CROSSING, WESTERVILLE, OHIO 43081

PROJECT	NEW 2-STORY GARAGE		
LOCATION	2550 CHESTER ROAD, UPPER ARLINGTON		
ARCHITECT			
CUSTOMER	ERIC & PATRICIA SHINN (OWNER)		

DRAWN	PTJ	DATE	2-7-22	DWG. NO.	6	OF	22
PROJECT NO.				SECTION:			

REV. NO.	DATE	DESCRIPTION

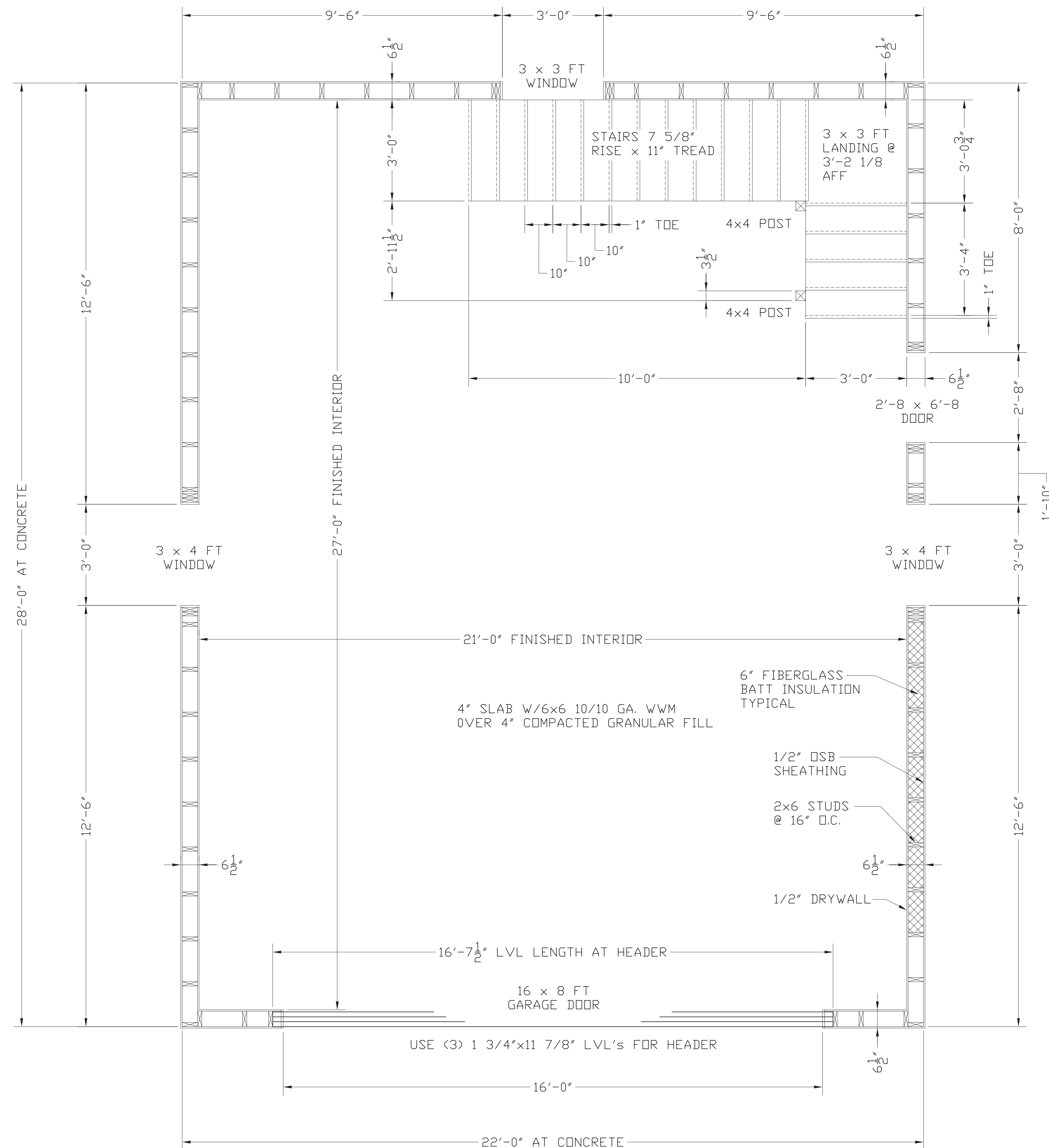


				BY	ARCHITECT _____					
					CUSTOMER _____					
					DWG. NO.					
					7 OF 22					
REV. NO.	DATE	DESCRIPTION			DRAWN	PTJ	DATE	2-7-22	PROJECT NO.	SECTION:

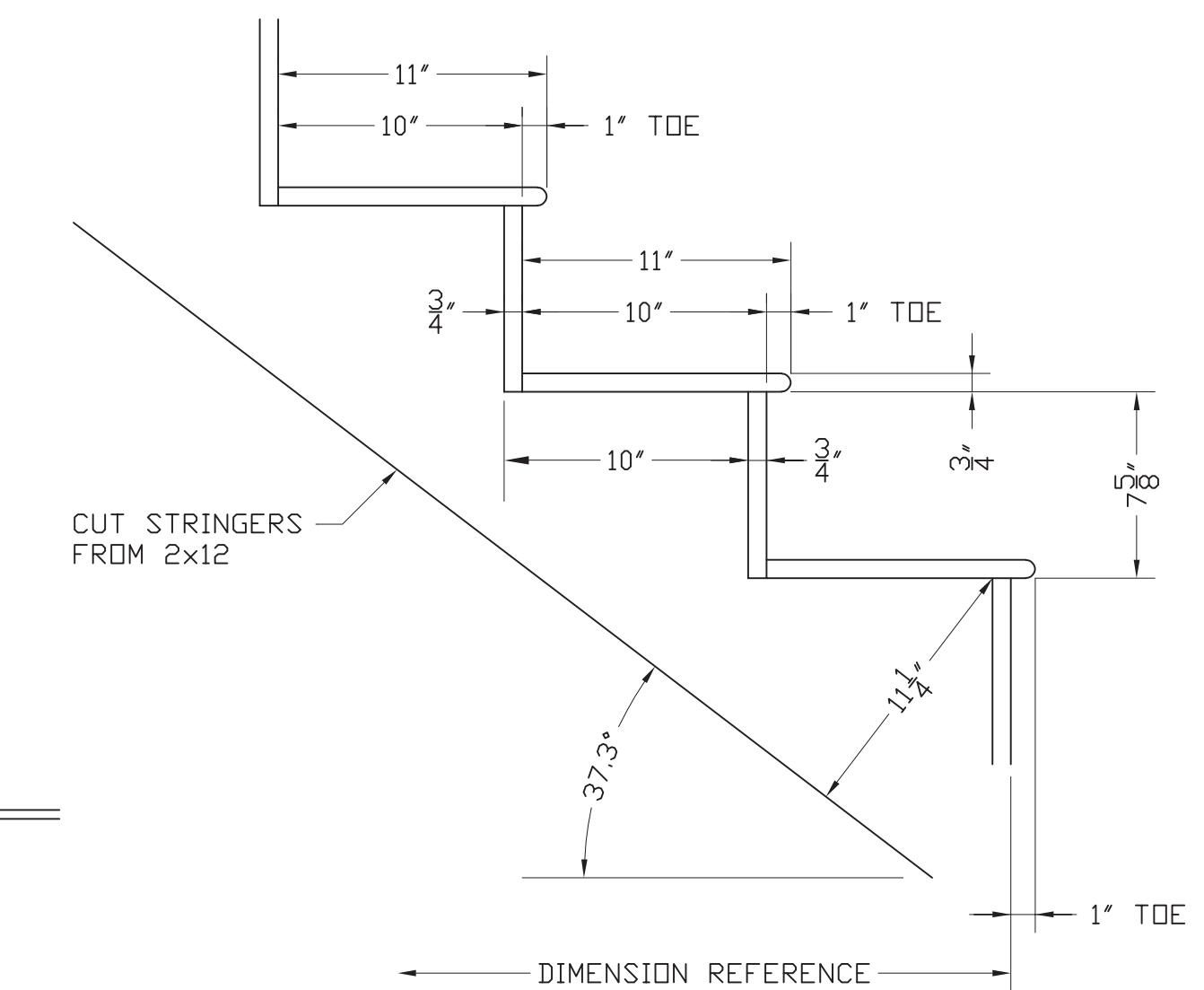


MID-CITY CLADIATORS, LLC.
5462 WESTERVILLE CROSSING, WESTERVILLE, OHIO 43081

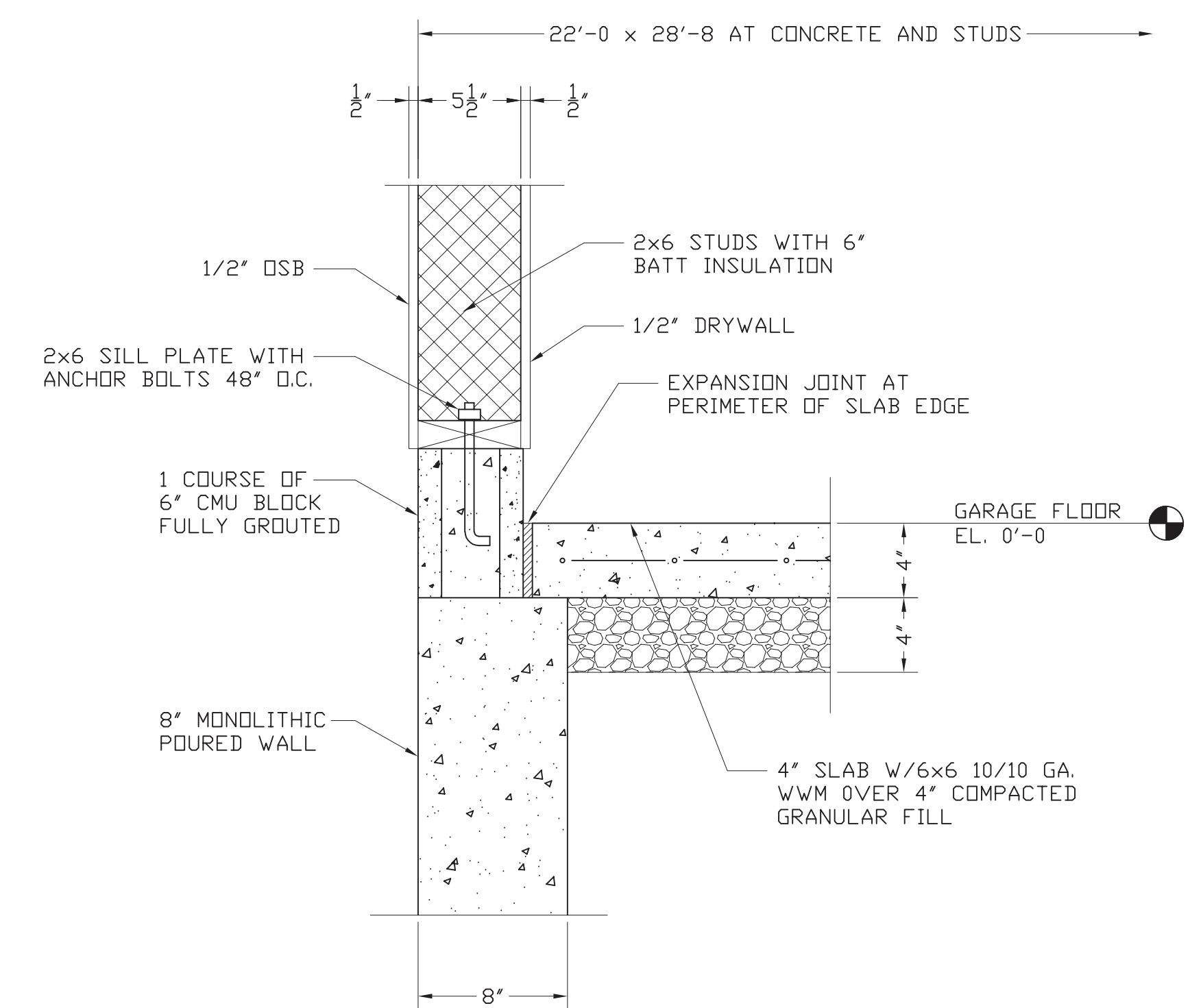
DRAWN PTJ		DATE 2-7-22	DWG. NO. 8 OF 22
PROJECT NO.	SECTION:		



GARAGE FLOOR PLAN



STAIR GEOMETRY



TYPICAL BASE DETAIL



MID-CITY CLADIATORS, LLC.

5462 WESTERVILLE CROSSING, WESTERVILLE, OHIO 43081

PROJECT NEW 2-STORY GARAGE

LOCATION 2550 CHESTER ROAD, UPPER ARLINGTON

ARCHITECT _____

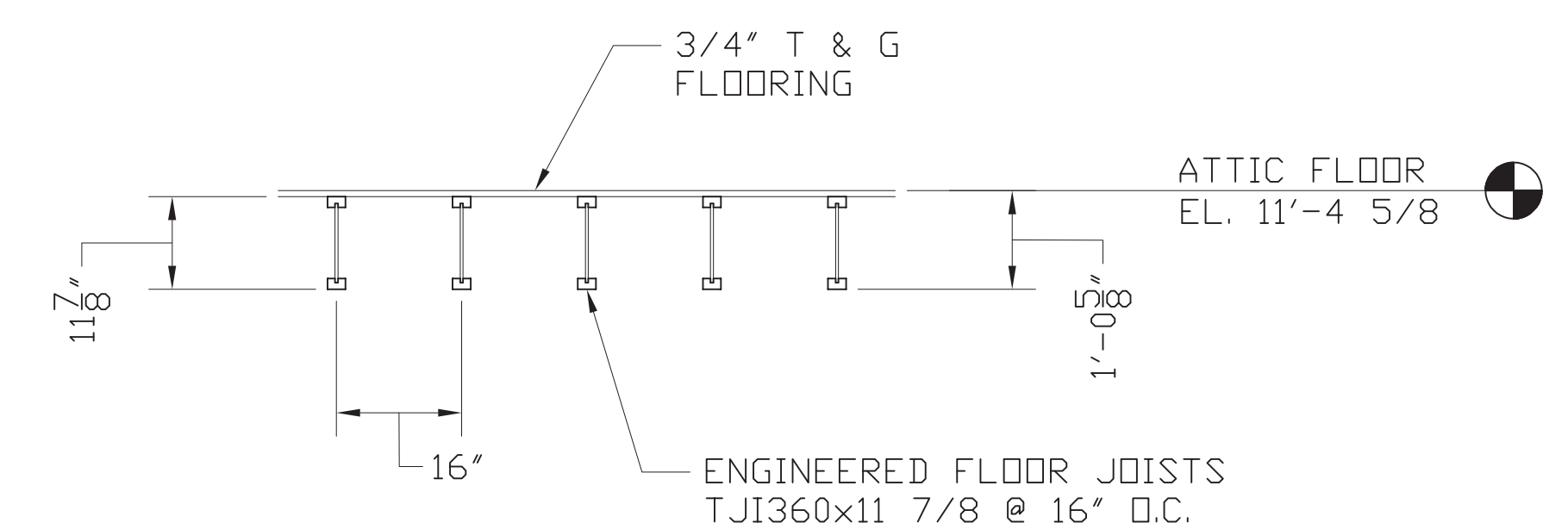
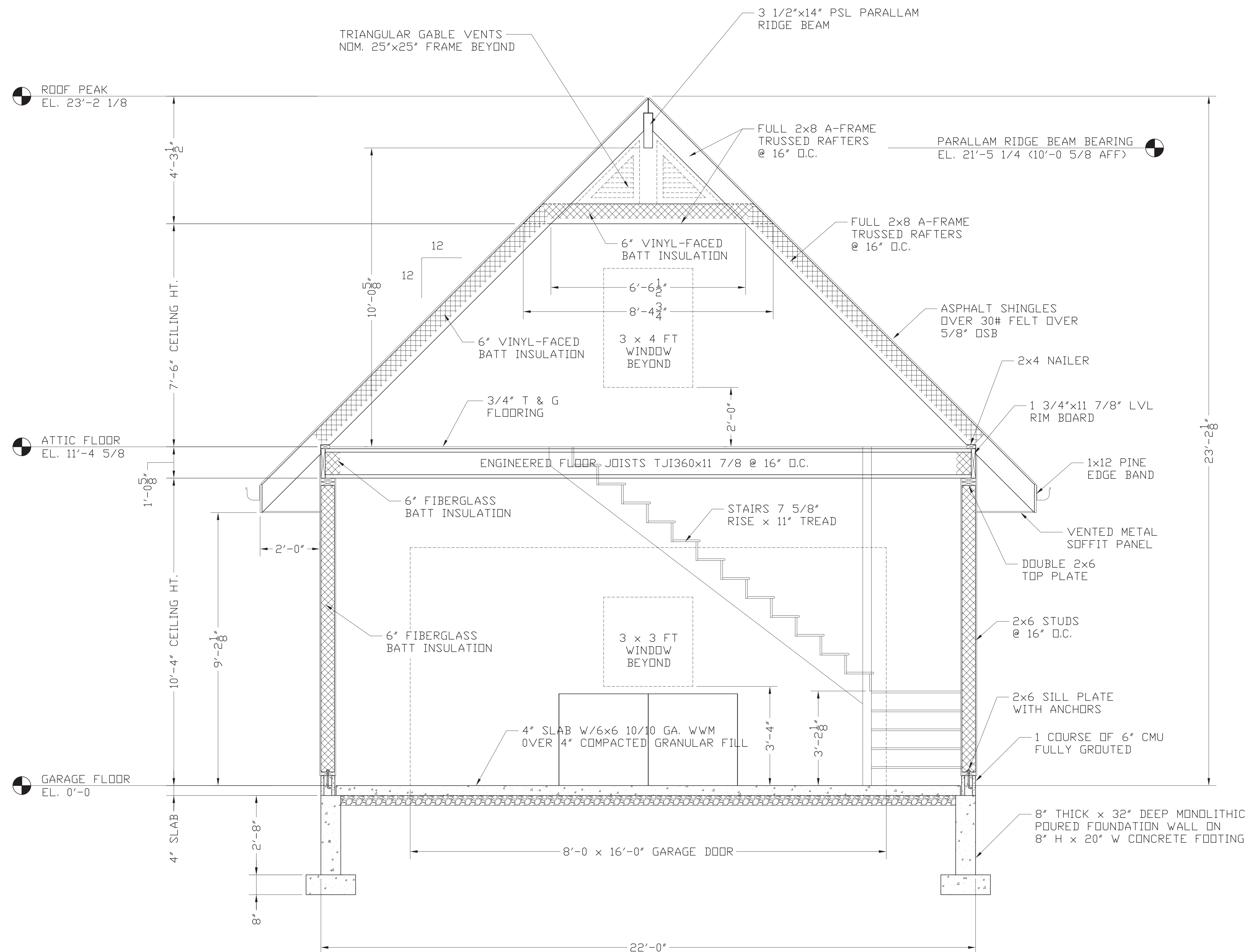
CUSTOMER ERIC & PATRICIA SHINN (OWNER)

DRAWN	PTJ	DATE	2-7-22
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PROJECT NO.	SECTION:
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DWG. NO. 9 OF 22

REV. NO.	DATE	DESCRIPTION
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MID-CITY CLADIATORS, LLC.

5462 WESTERVILLE CROSSING, WESTERVILLE, OHIO 43081

PROJECT	NEW 2-STORY GARAGE
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LOCATION	2550 CHESTER ROAD, UPPER ARLINGTON
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ARCHITECT _____

CUSTOMER ERIC & PATRICIA SHINN (OWNER)

DRAWN	PTJ	DATE	2-7-22
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DWG. NO.

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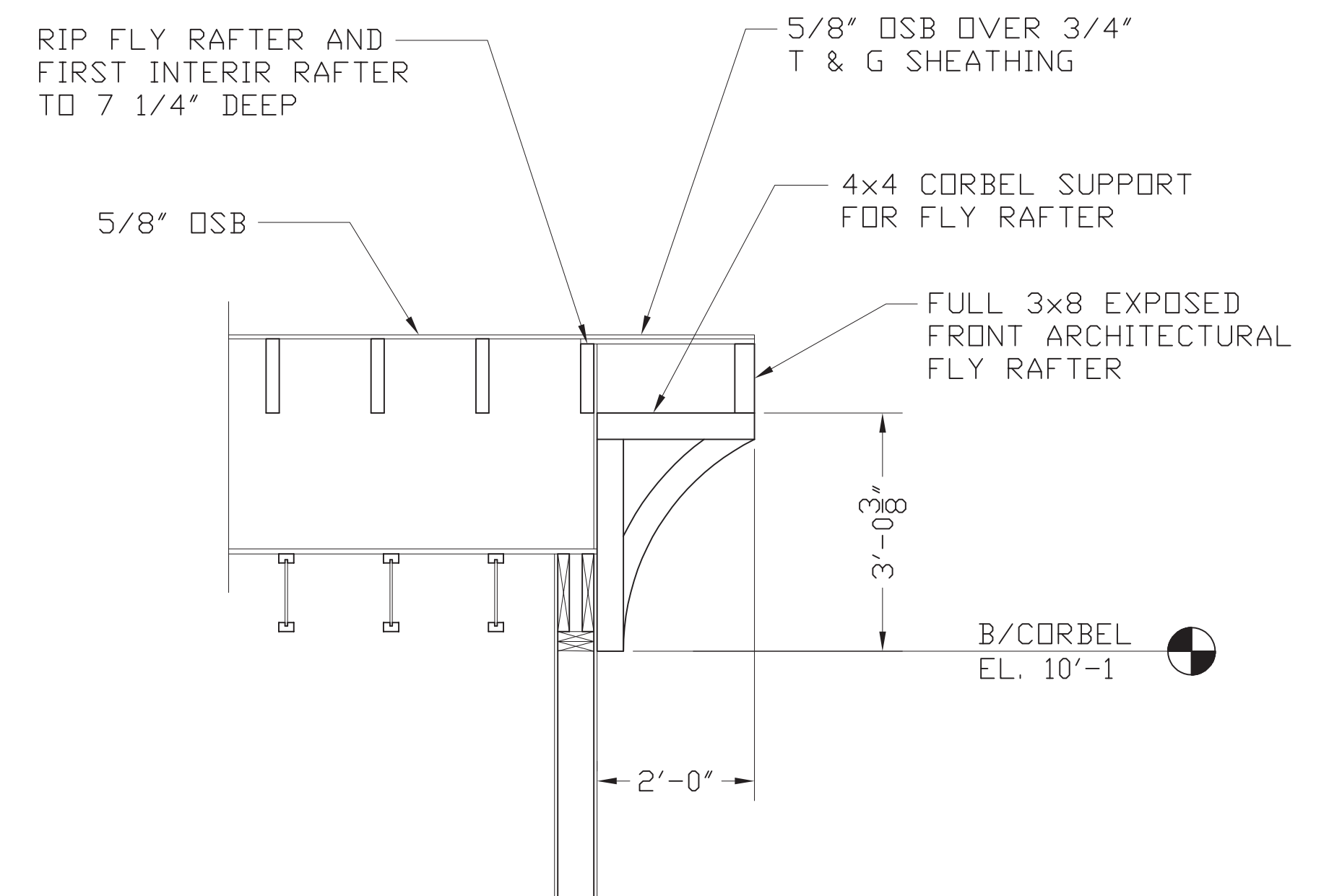
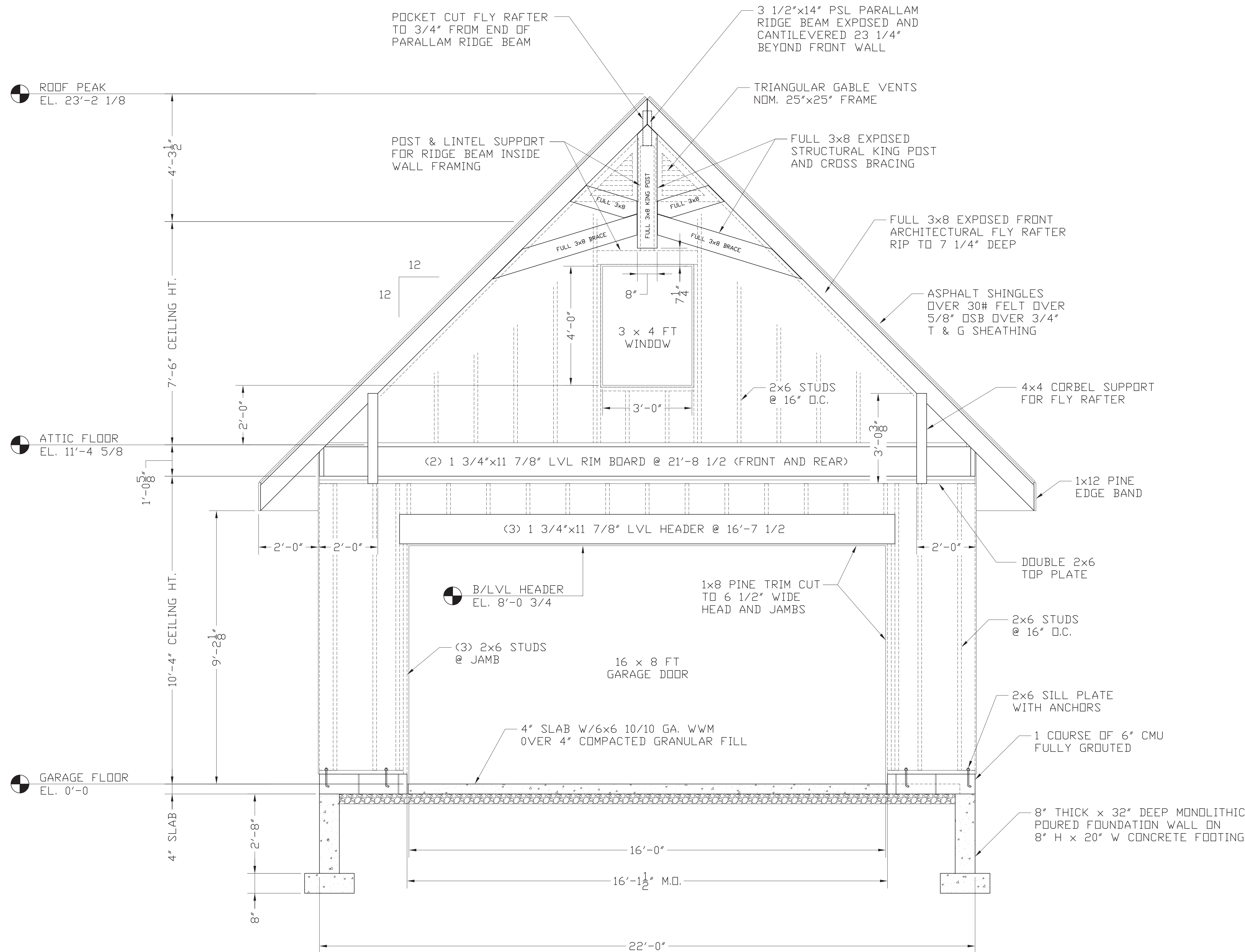
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REV. NO.

DATE _____

DESCRIPTION



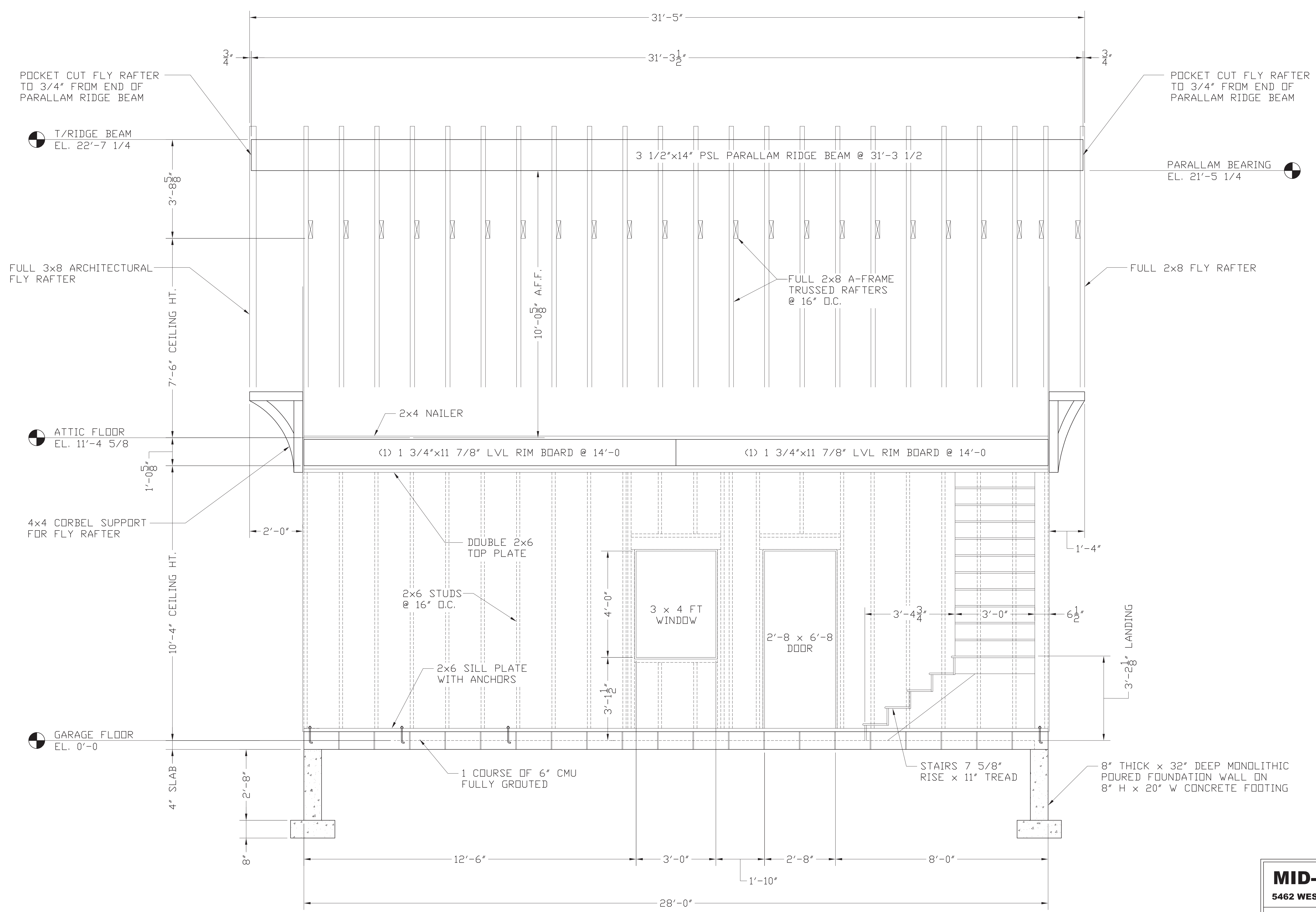
GARAGE FRONT GABLE END FRAMING

REV. NO.	DATE	DESCRIPTION

BY		PROJECT NO.		SECTION:	
DRAWN		DATE		DWG. NO.	
PTJ		2-7-22		11 OF 22	
PROJECT NO.		SECTION:		11 OF 22	

MID-CITY CLADIATORS, LLC.
5462 WESTERVILLE CROSSING, WESTERVILLE, OHIO 43081

PROJECT NEW 2-STORY GARAGE
LOCATION 2550 CHESTER ROAD, UPPER ARLINGTON
ARCHITECT
CUSTOMER ERIC & PATRICIA SHINN (OWNER)



GARAGE RIGHT SIDE FRAMING

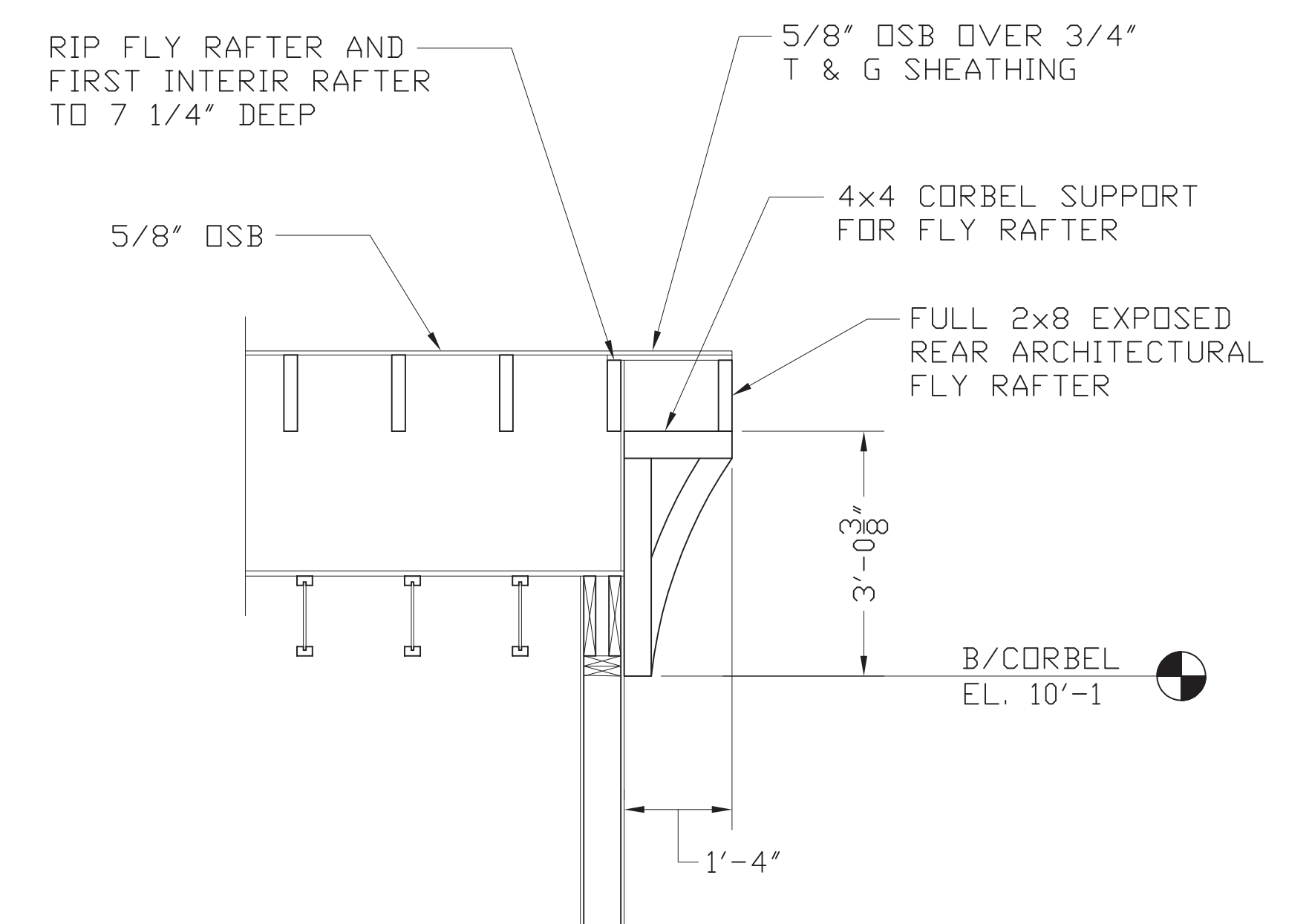
REV. NO.	DATE	DESCRIPTION	BY

MID-CITY CLADIATORS, LLC.			
5462 WESTERVILLE CROSSING, WESTERVILLE, OHIO 43081			
PROJECT	NEW 2-STORY GARAGE		
LOCATION	2550 CHESTER ROAD, UPPER ARLINGTON		
ARCHITECT			
CUSTOMER	ERIC & PATRICIA SHINN (OWNER)		
DRAWN	PTJ	DATE	2-7-22
PROJECT NO.		SECTION:	

STATE OF OHIO
PATRICIA SHINN JOHNSON
E-51838
REGISTERED
PROFESSIONAL ENGINEER

2-7-22

12 OF 22



BY



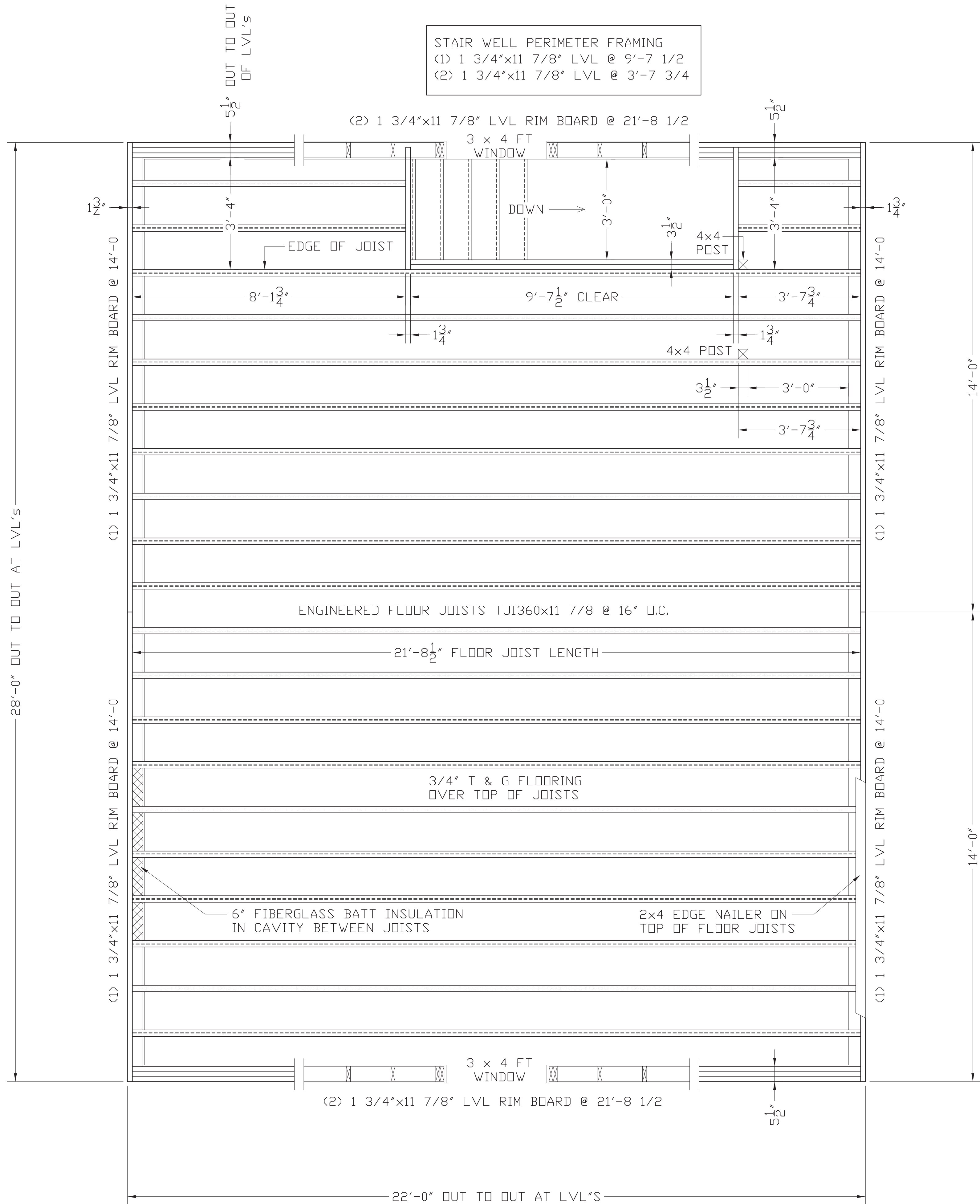
5462 WESTERVILLE CROSSING, WESTERVILLE, OHIO 43081

CUSTOMER ERIC & PATRICIA SHINN (OWNER)

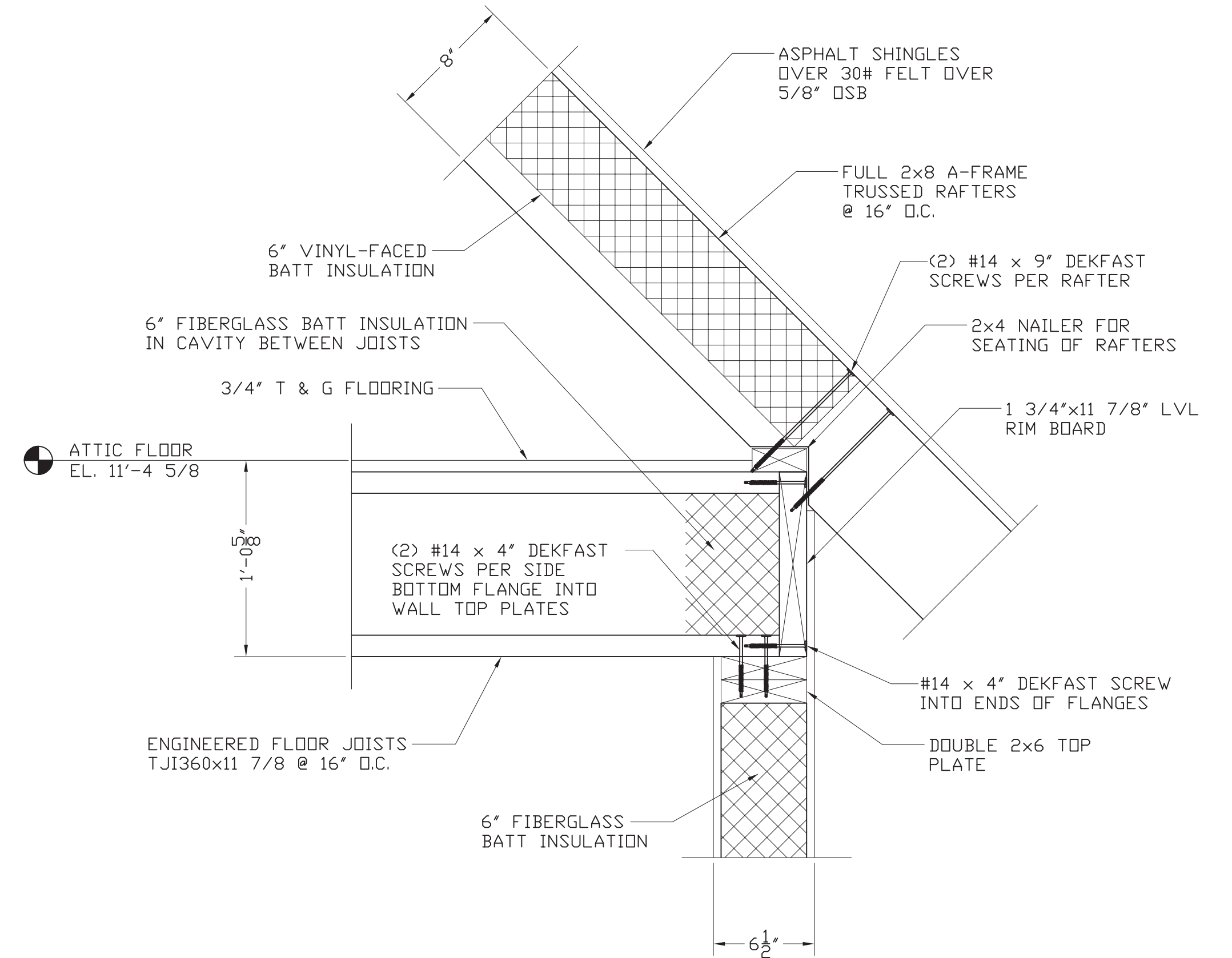
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PROJECT NO.	SECTION:
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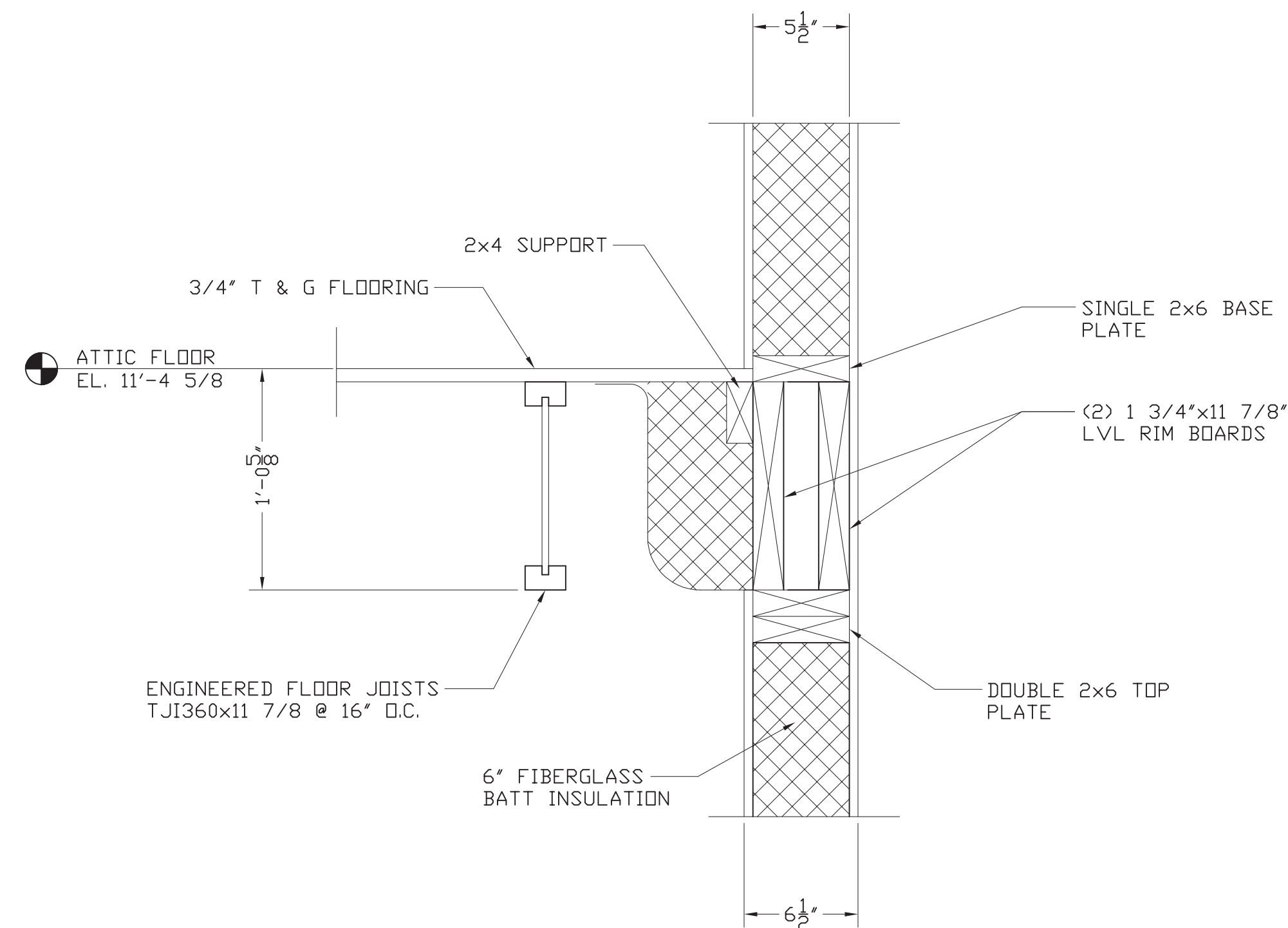
BY



ATTIC FLOOR PLAN



ATTIC FLOOR EDGE AT EAVE



ATTIC FLOOR EDGE AT GABLE WALL



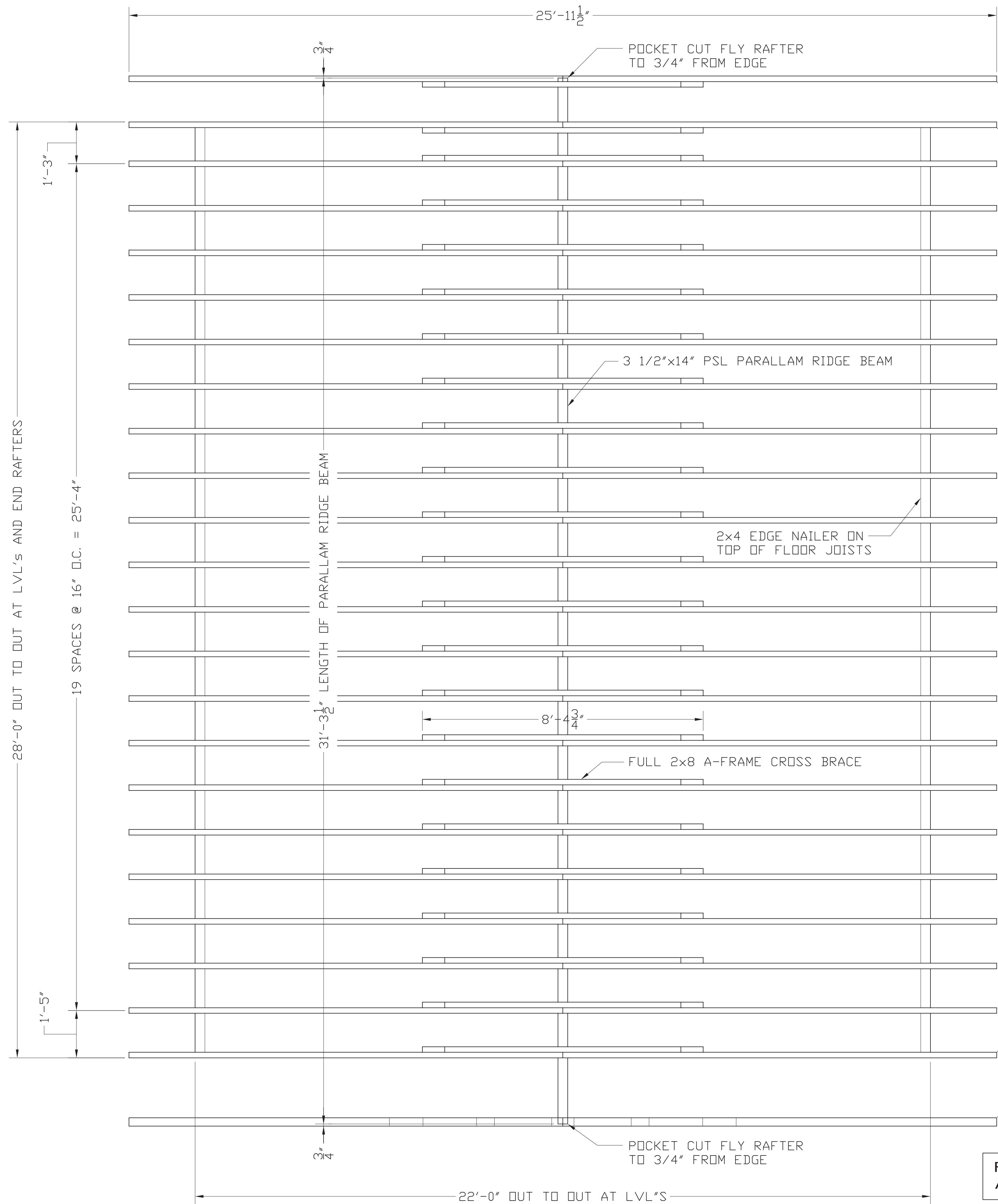
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5462 WESTERVILLE CROSSING, WESTERVILLE, OHIO 43081

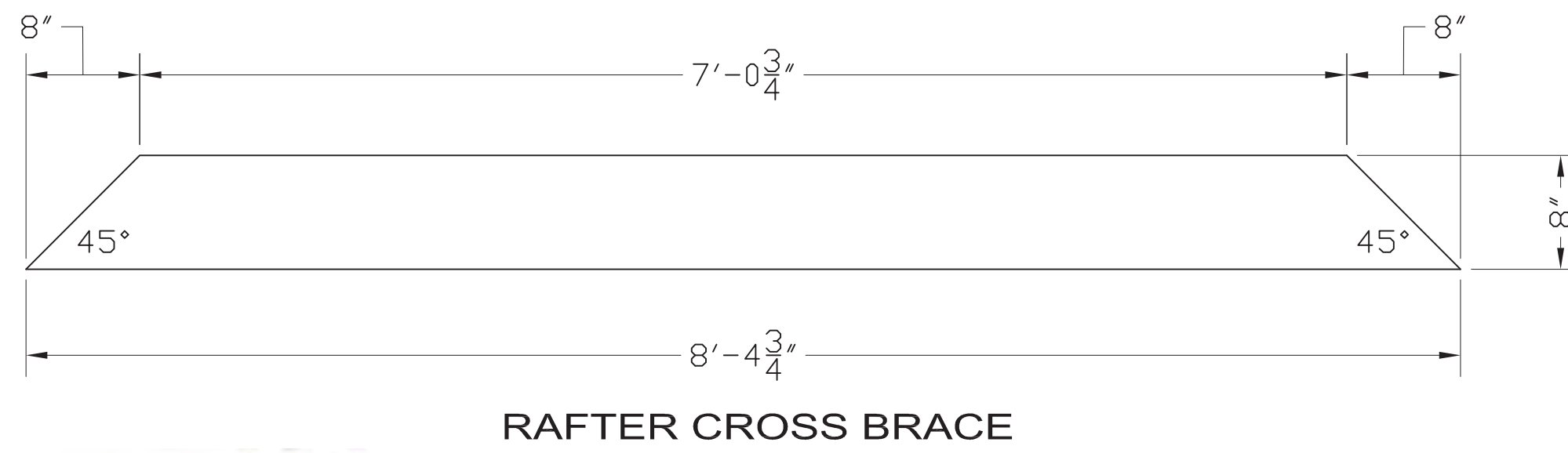
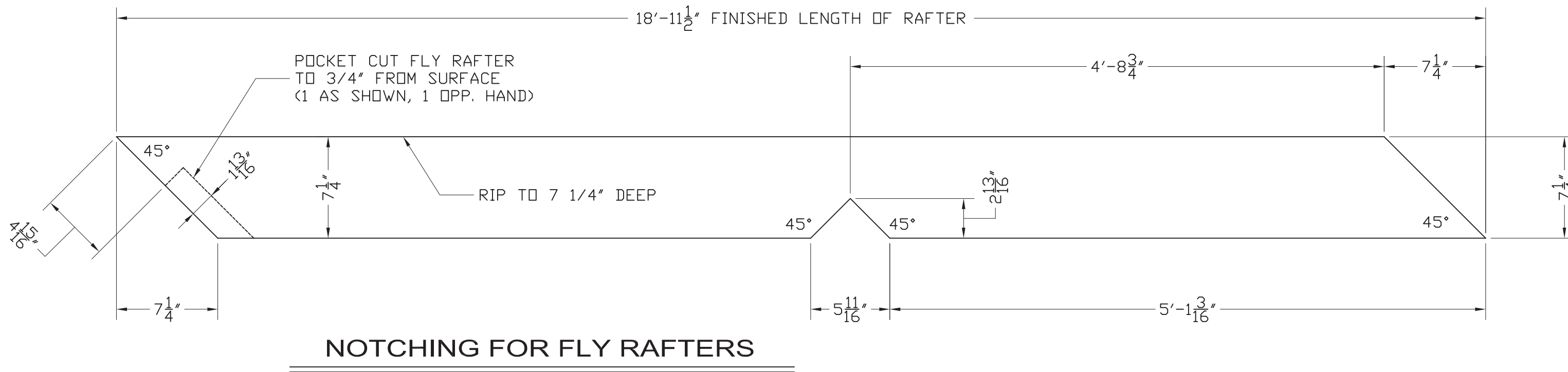
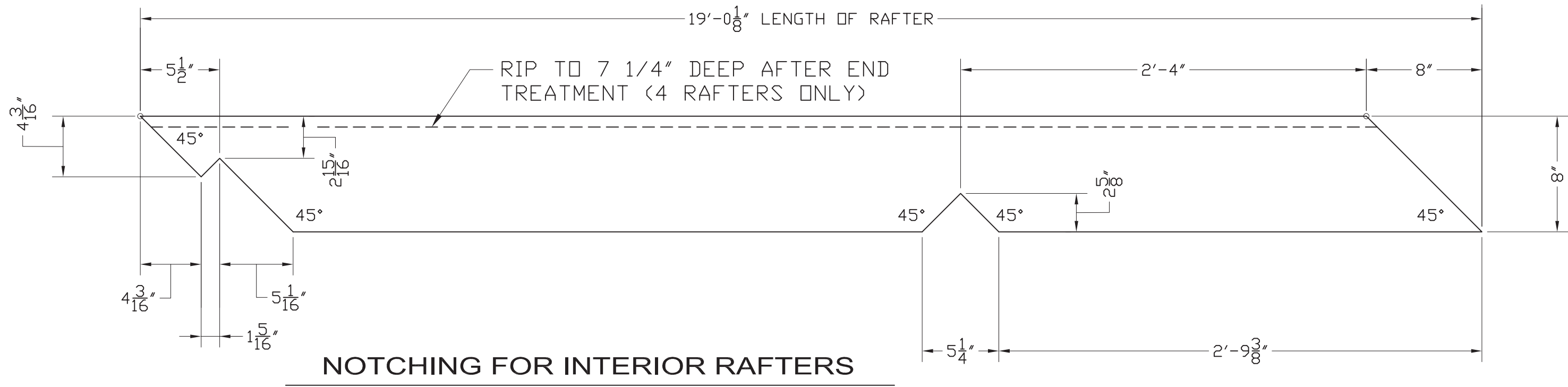
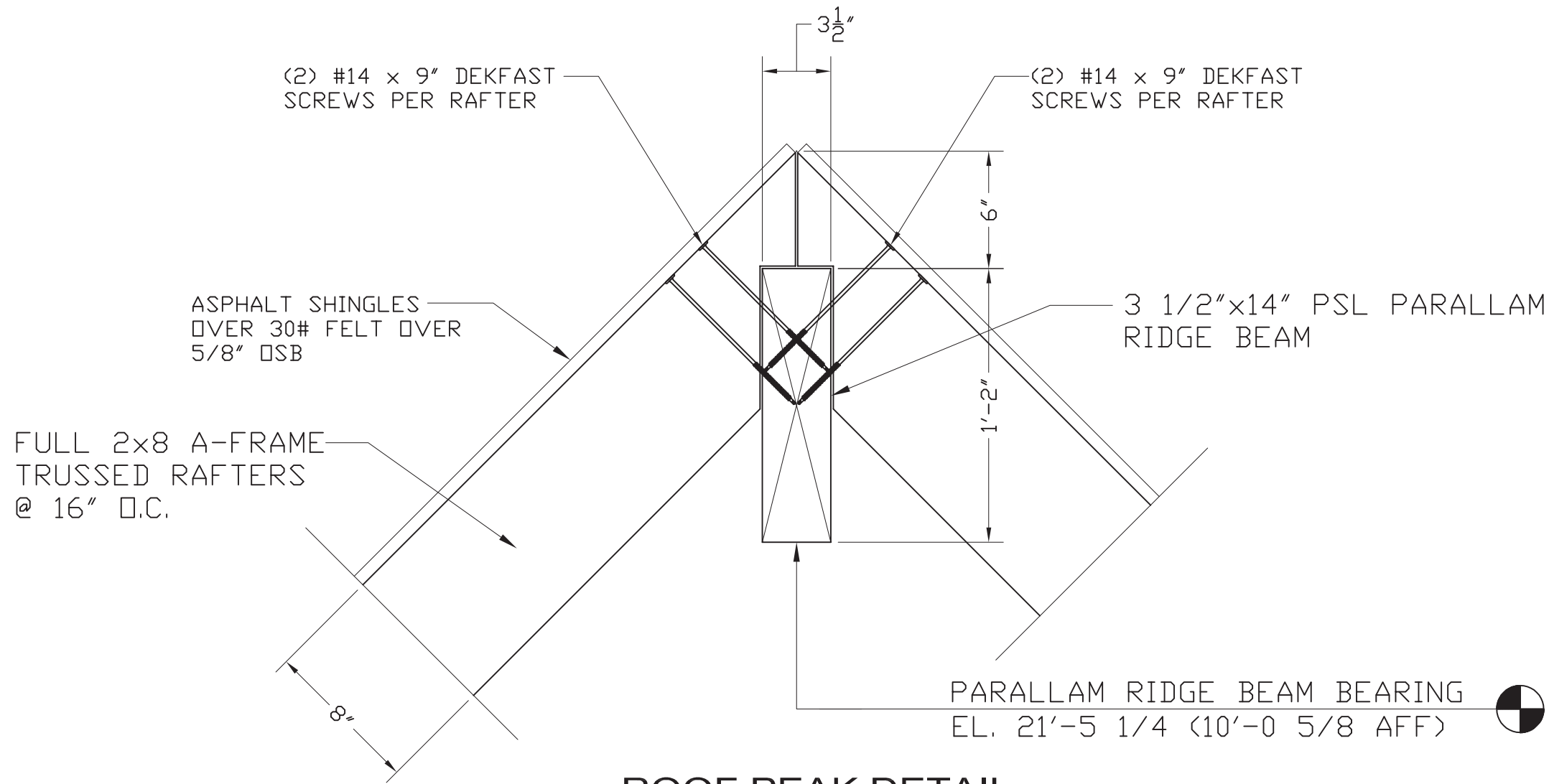
PROJECT	NEW 2-STORY GARAGE		
LOCATION	2550 CHESTER ROAD, UPPER ARLINGTON		
ARCHITECT			
CUSTOMER	ERIC & PATRICIA SHINN (OWNER)		

DRAWN	PTJ	DATE	2-7-22	DWG. NO. 15 OF 22
PROJECT NO.		SECTION:		

REV. NO.	DATE	DESCRIPTION	BY



ROOF CONSTRUCTION PLAN



MID-CITY CLADIATORS, LLC.

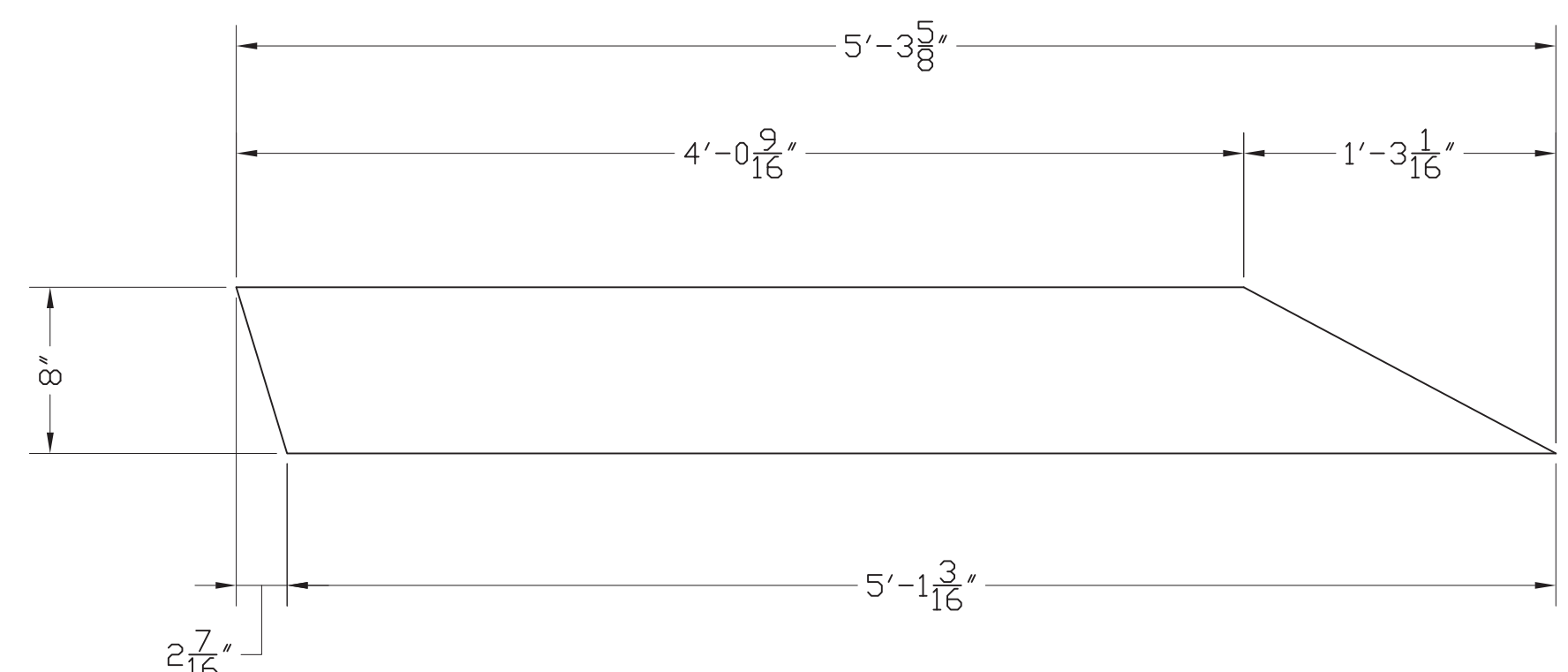
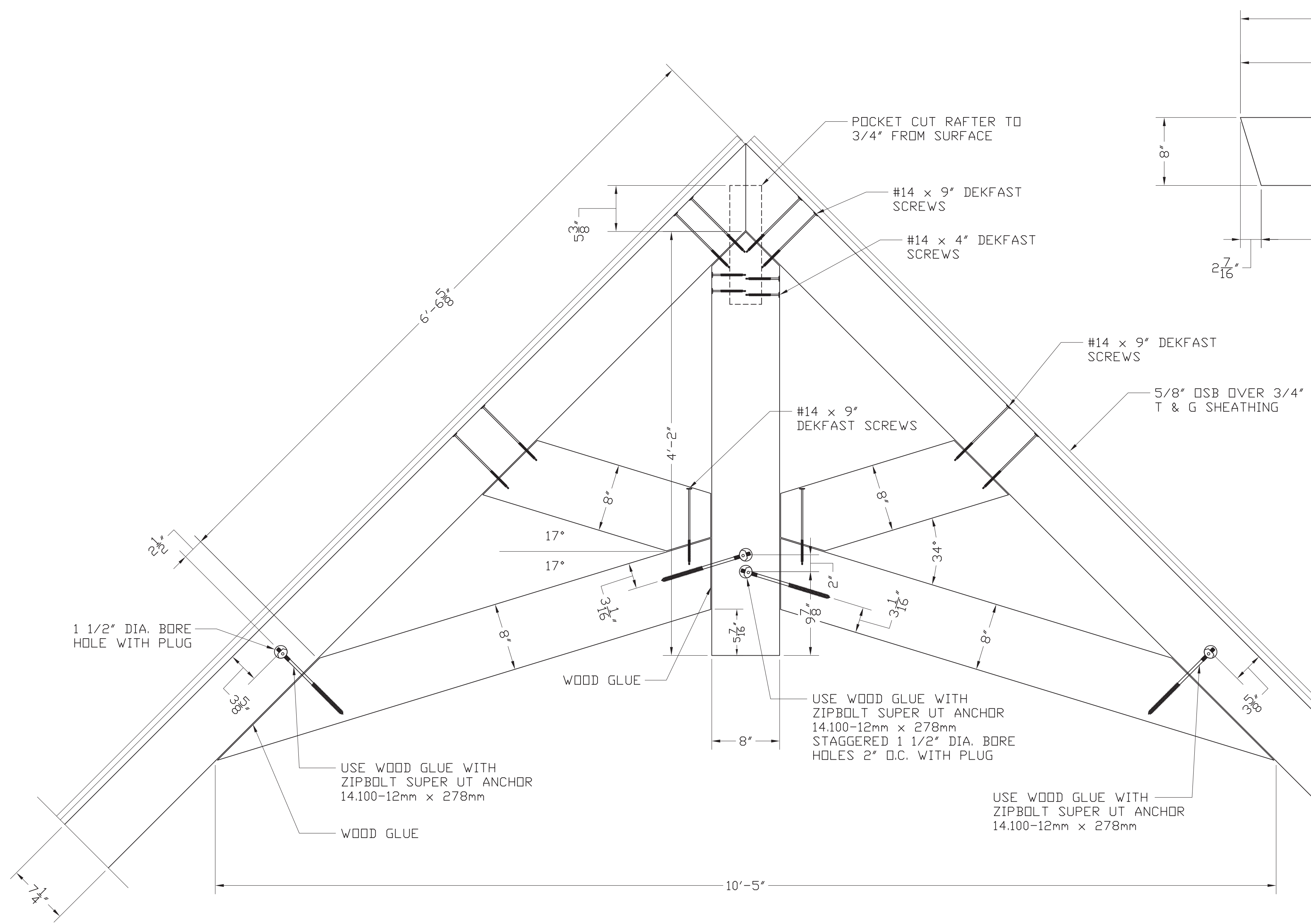
5462 WESTERVILLE CROSSING, WESTERVILLE, OHIO 43081

PROJECT	NEW 2-STORY GARAGE
LOCATION	2550 CHESTER ROAD, UPPER ARLINGTON
ARCHITECT	
CUSTOMER	ERIC & PATRICIA SHINN (OWNER)

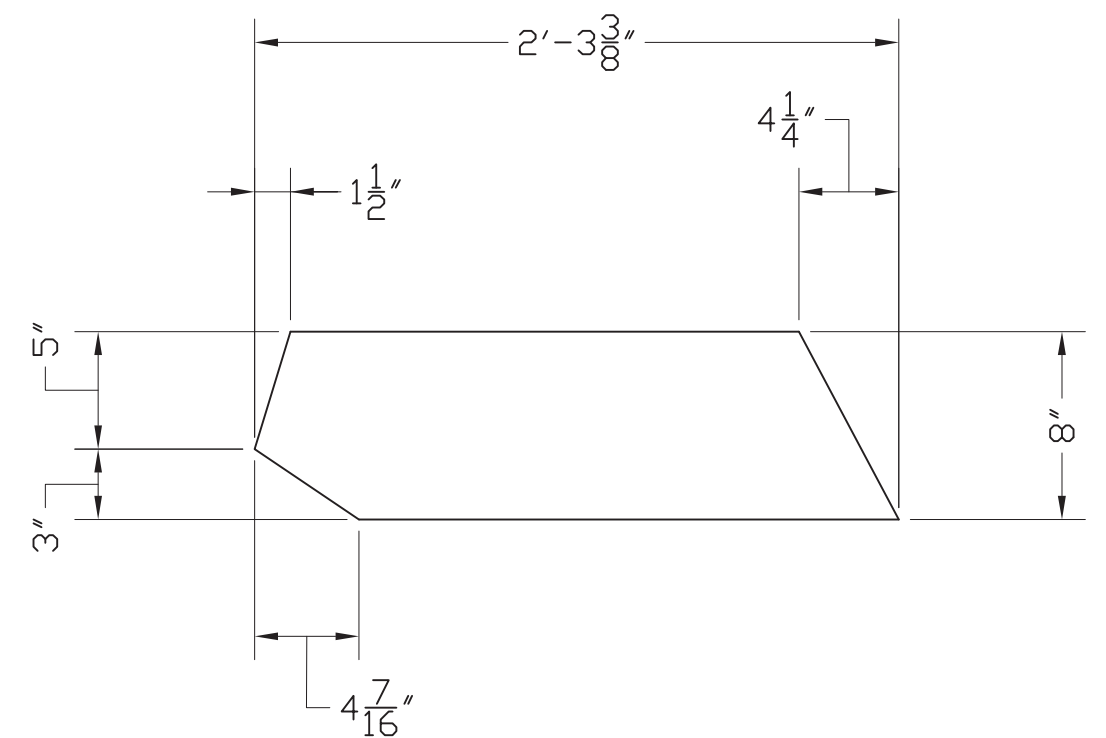
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PROJECT NO.		SECTION:					

REV. NO. DATE DESCRIPTION

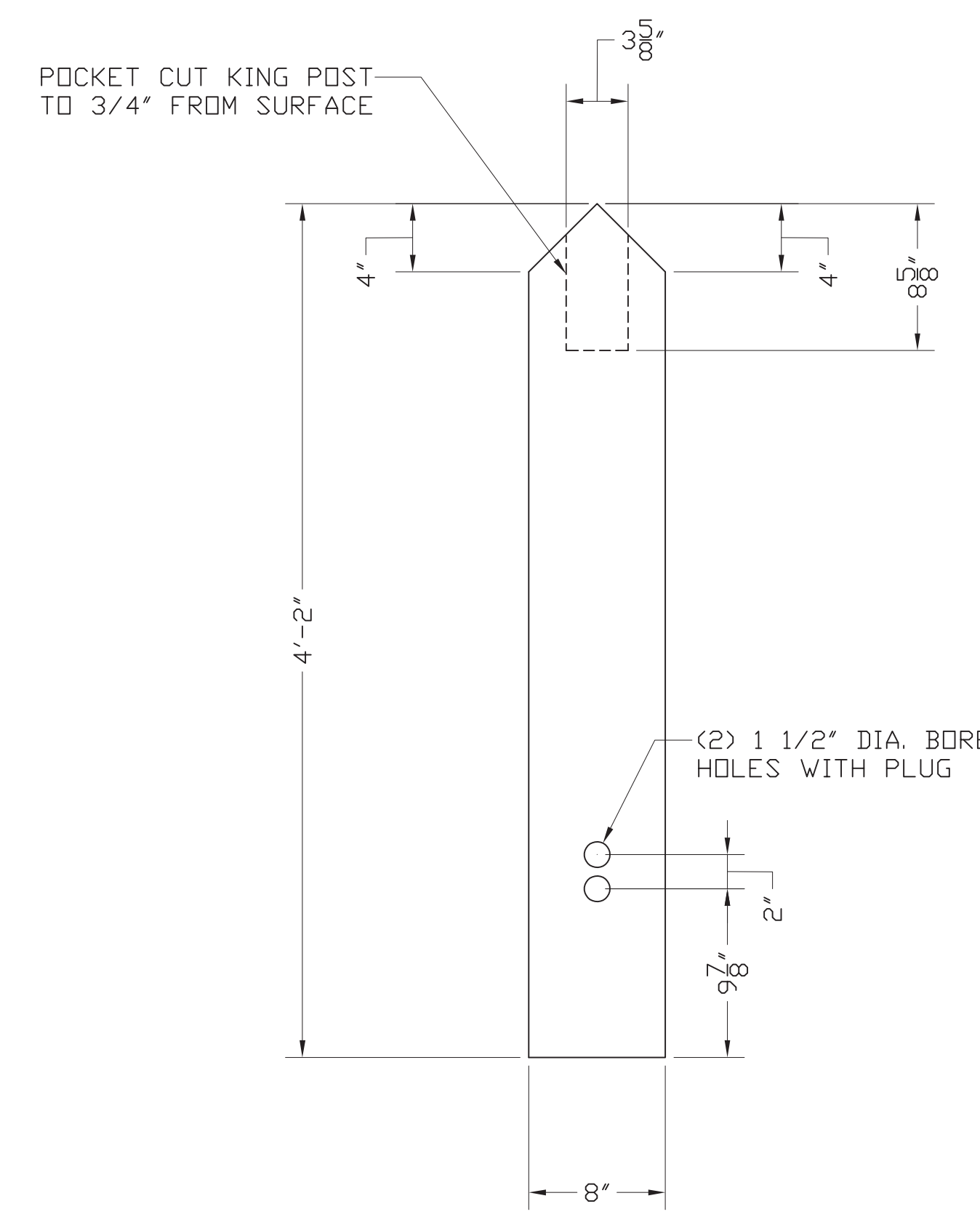
BY



LOWER CROSS-BRACE



UPPER CROSS-BRACE



KING POST

KING POST AND CROSS-BRACE

AT FRONT FLY RAFTER

ALL MEMBERS THIS SHEET ARE FULL 3 x 8
RAFTERS ARE RIPPED TO 7 1/4"

INSTALLATION SEQUENCE

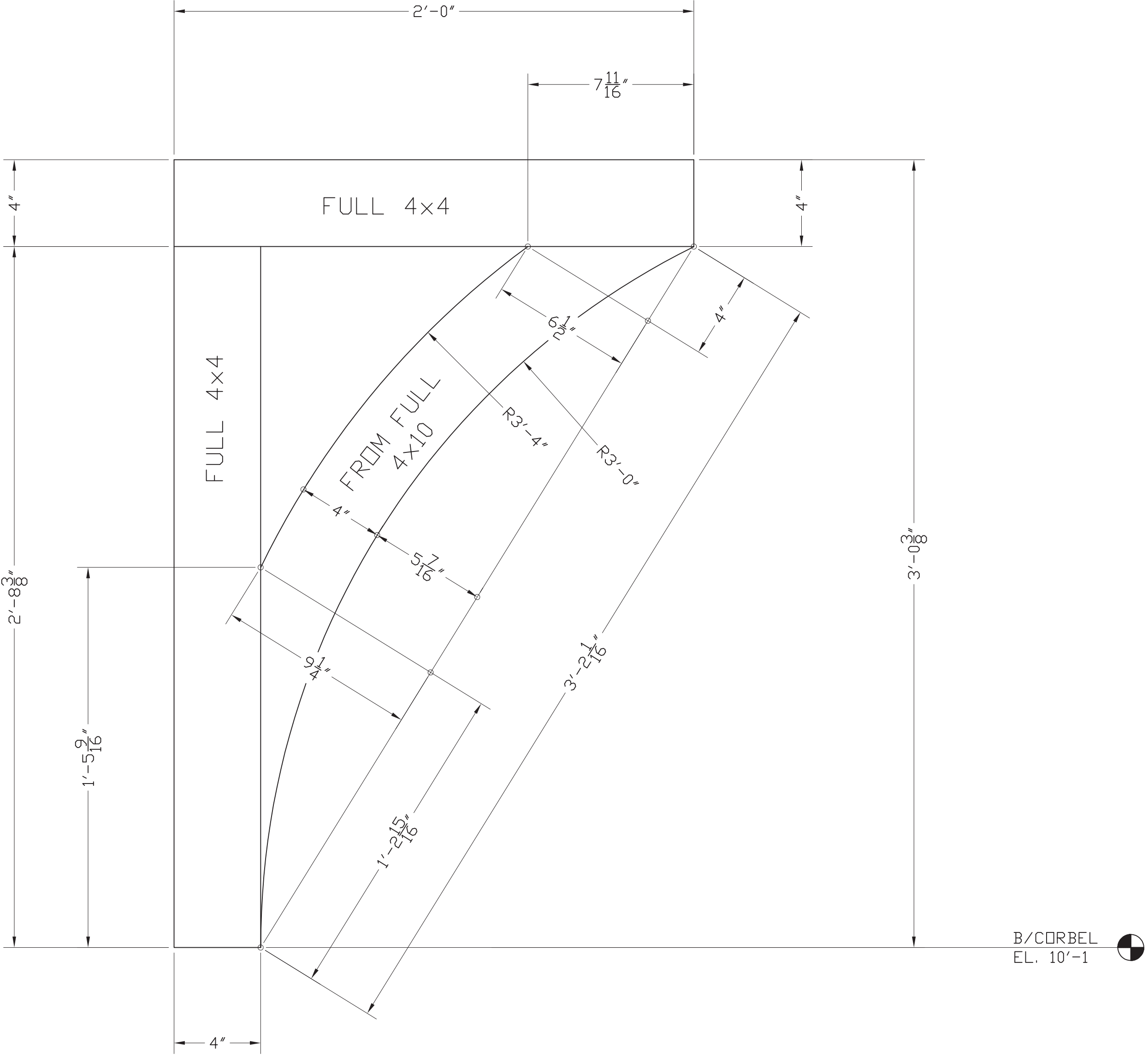
1. CONNECT LOWER CROSS BRACES TO KING POST USING WOOD GLUE AND ZIPBOLT SUPER UT ANCHOR.
2. SECURE KING POST TO END OF PARALLAM RIDGE BEAM USING (2) #14 x 4" DEKFAST SCREWS PER SIDE.
3. INSTALL 3 x 8 RAFERS. CONNECT RAFTER TO LOWER CROSS BRACE USING WOOD GLUE AND ZIPBOLT SUPER UT ANCHOR. SECURE TOP OF RAFTER TO PARALLAM RIDGE BEAM AND TO KING POST USING (2) #14 x 9" DEKFAST SCREWS PER SIDE.
4. INSTALL THE SHORT UPPER CROSS BRACES USING #14 x 9" DEKFAST SCREWS.



				BY	ARCHITECT							
					CUSTOMER							
					ERIC & PATRICIA SHINN (OWNER)							
REV. NO.	DATE	DESCRIPTION			DRAWN	PTJ	DATE	2-7-22	DWG. NO.	17	OF	22
					PROJECT NO.	SECTION:						

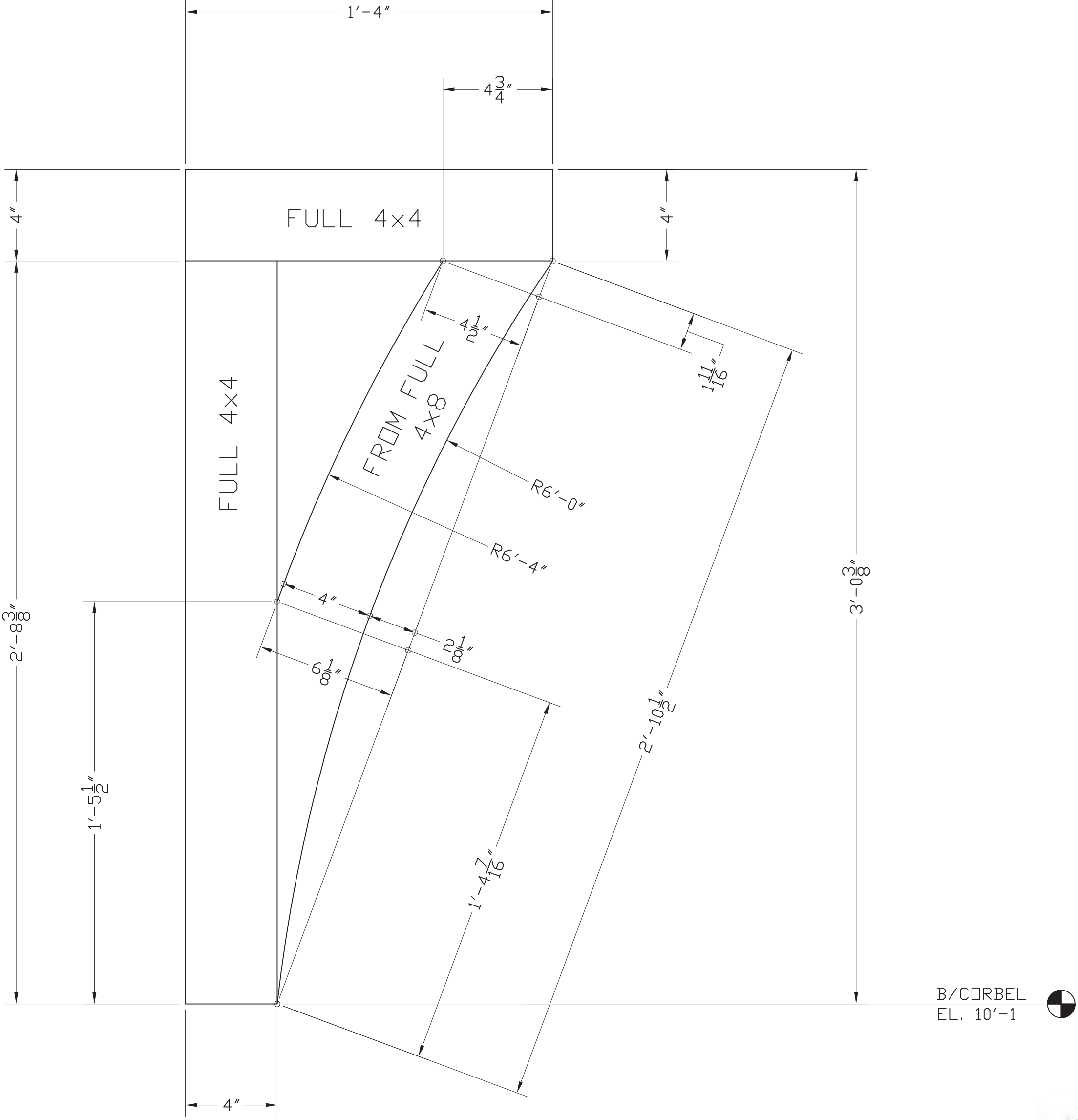
MID-CITY CLADIATORS, LLC.
5462 WESTERVILLE CROSSING, WESTERVILLE, OHIO 43081

PROJECT NEW 2-STORY GARAGE
LOCATION 2550 CHESTER ROAD, UPPER ARLINGTON
ARCHITECT
CUSTOMER ERIC & PATRICIA SHINN (OWNER)



FRONT CORBEL

AT FRONT FLY RAFTER



REAR CORBEL

AT REAR FLY RAFTER

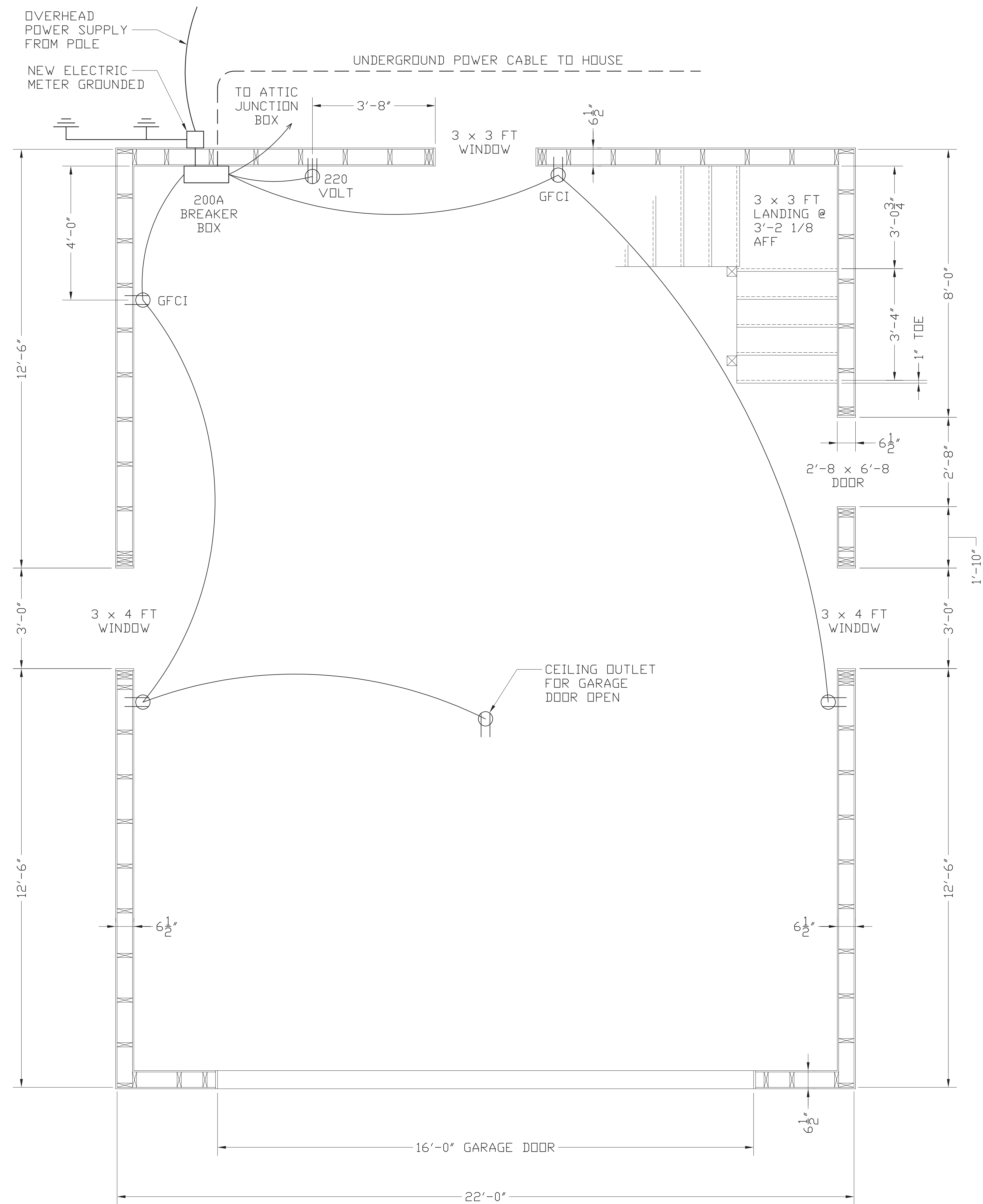


MID-CITY CLADIATORS, LLC.
5462 WESTERVILLE CROSSING, WESTERVILLE, OHIO 43081

PROJECT	NEW 2-STORY GARAGE		
LOCATION	2550 CHESTER ROAD, UPPER ARLINGTON		
ARCHITECT			
CUSTOMER	ERIC & PATRICIA SHINN (OWNER)		

DRAWN	PTJ	DATE	2-7-22	DWG. NO. 18 OF 22
PROJECT NO.		SECTION:		

REV. NO.	DATE	DESCRIPTION	BY



1. ALL WALL OUTLETS TO BE 48" OFF SLAB
2. ALL WALL OUTLETS TO BE WIRED WITH 12-2 CABLE
3. LIGHT CIRCUITS MAY BE WIRED WITH 14-2 CABLE
4. NEW METER TO BE GROUNDED WITH 2 SOLID COPPER DRIVEN RODS, MINIMUM 8 FT LONG SPACED 6 FT O.C.



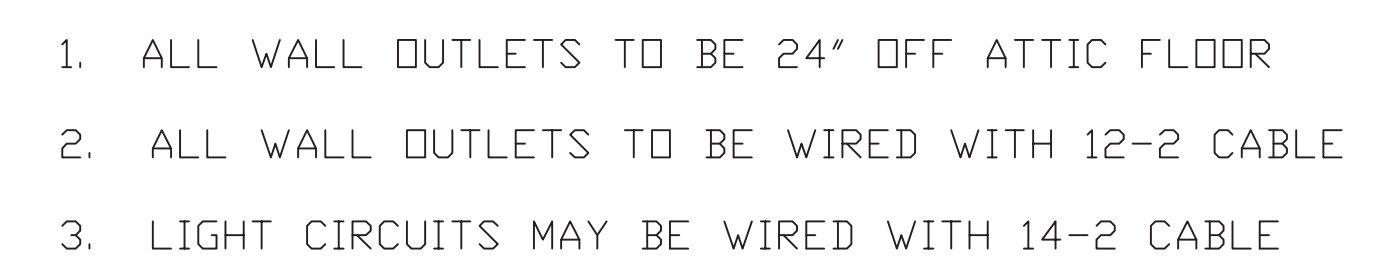
GARAGE FLOOR ELECTRICAL PLAN

OUTLETS

REV. NO.	DATE	DESCRIPTION	BY

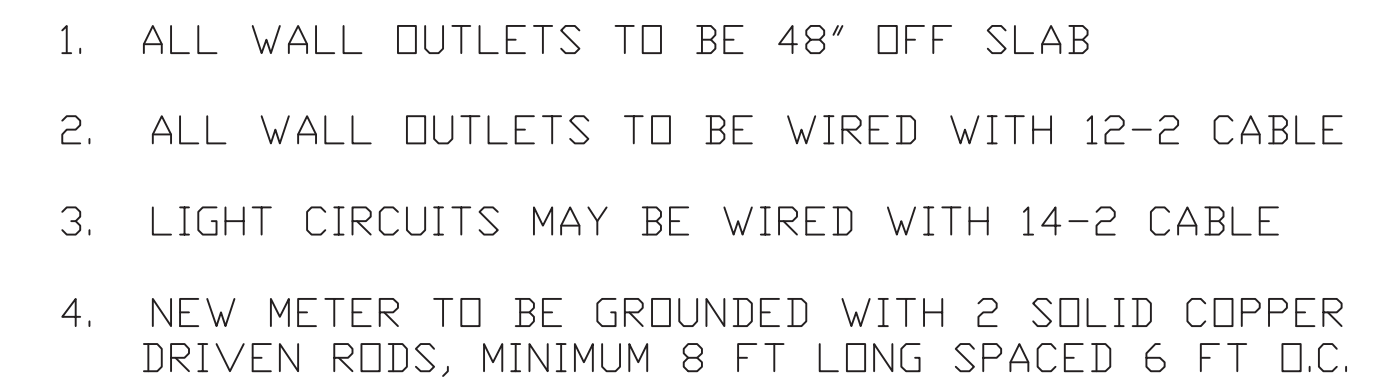
DRAWN	PTJ	DATE	2-7-22	DWG. NO.	19	22
PROJECT NO.		SECTION:				

MID-CITY CLADIATORS, LLC.	
5462 WESTERVILLE CROSSING, WESTERVILLE, OHIO 43081	
PROJECT	NEW 2-STORY GARAGE
LOCATION	2550 CHESTER ROAD, UPPER ARLINGTON
ARCHITECT	
CUSTOMER	ERIC & PATRICIA SHINN (OWNER)



PROJECT	NEW 2-STORY GARAGE
LOCATION	2550 CHESTER ROAD, UPPER ARLINGTON
ARCHITECT	
CUSTOMER	ERIC & PATRICIA SHINN (OWNER)

DRAWN		PTJ	DATE	2-7-22	DWG. NO.
PROJECT NO.		SECTION:		20 OF 22	



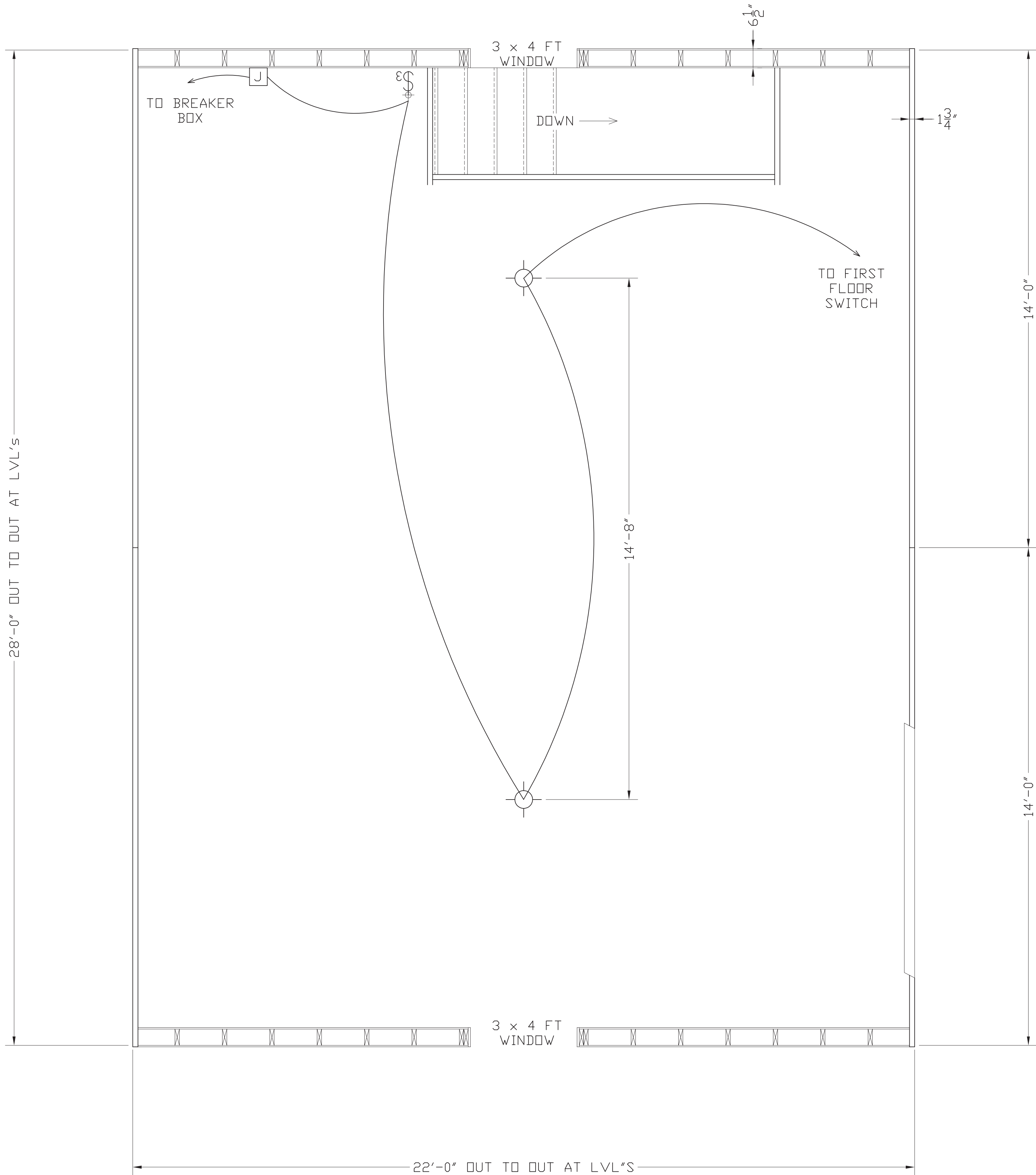
ARCHITECT _____

CUSTOMER ERIC & PATRICIA SHINN (OWNER)

21 OF 22

PROJECT NO.	SECTION:
--------------------	-----------------

BY



- 1. ALL WALL OUTLETS TO BE 24" OFF ATTIC FLOOR
- 2. ALL WALL OUTLETS TO BE WIRED WITH 12-2 CABLE
- 3. LIGHT CIRCUITS MAY BE WIRED WITH 14-2 CABLE



ATTIC FLOOR ELECTRICAL PLAN
SWITCHES AND LIGHTS

REV. NO.	DATE	DESCRIPTION	BY	PROJECT NO.	SECTION:	DWG. NO.
						22 OF 22

MID-CITY CLADIATORS, LLC.
5462 WESTERVILLE CROSSING, WESTERVILLE, OHIO 43081

PROJECT	NEW 2-STORY GARAGE		
LOCATION	2550 CHESTER ROAD, UPPER ARLINGTON		
ARCHITECT			
CUSTOMER	ERIC & PATRICIA SHINN (OWNER)		
DRAWN	PTJ	DATE	2-7-22
PROJECT NO.		SECTION:	

A Statement in Support of Variance Application 23-1583

My name is Eric Shinn. I have lived most of my life in UA. Graduated UAHS Class of 66. I Have lived at my current address on Chester Rd for 35 years. I am 75 years old.

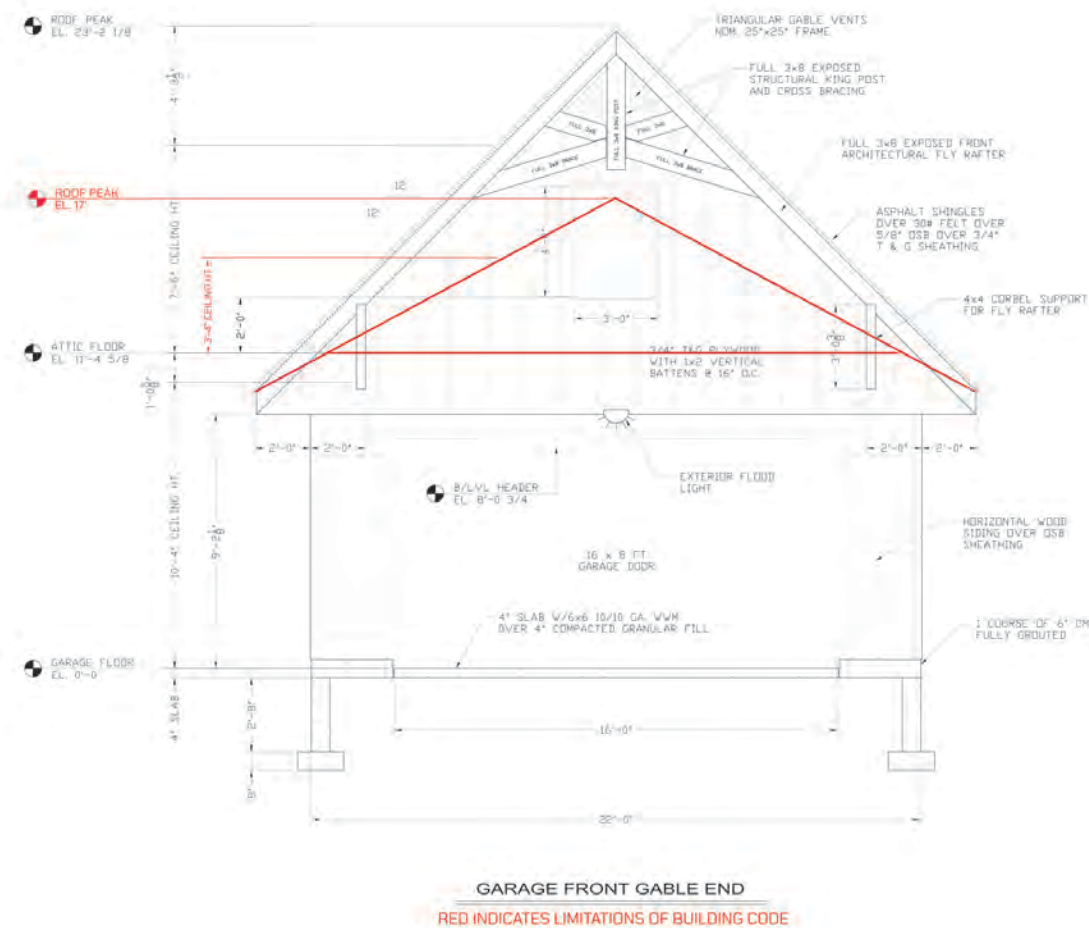


Current photo of Chester house & garage

I am here because I would like to build a new garage behind my house, but my building permit was turned down due to a height restriction for detached garages. I am seeking a variance so that the garage provides my family much needed storage space in the garage attic.



New_Garage_mockup_in_white



Current City code limits the height of the roof to 17 feet. This makes any storage in the attic of the garage unusable with a headroom of under 4 feet. I am a 75 year old who needs to be able to carry storables in an upright walking position. City code would limit my access to this space to crawling on hands and knees. By simply increasing the pitch of the roof, I can make this space useable.



I have recently built a new front porch utilizing design elements in the pitch of the roof and the gable that I would like to mirror in the new construction. This makes the garage a visually striking addition to the curb appeal of the property.

Mockup w/ new garage

Talking to building inspectors who have come to inspect my new porch construction, I have been told that the City is worried about the potential for Mother-in-law suites and Air B&B in detached garages. This seems to me a poor reason to limit the usability of my garage. Let me add that the garage will have no furnace or plumbing. (See building plans "Eric_and_Patricia_Shinn-New_Garage_2-7-22" uploaded separately)

I have gotten only positive reactions, from my neighbors while getting notification signatures. In my uploads to the City's website, I have included endorsements signed by two of the three neighbors who share a lot line with my property. (See Endorsements document uploaded separately)



Five doors South of my house is an apartment building which is 5 stories high. The six feet of additional height I'm requesting seems almost insignificant in comparison. Photo of view from my backyard and Apartments 5 doors South.



Across the street and 3 doors South is a newly constructed house that includes a connected garage very similar to my proposed garage. Photo of house across the street.

In summation, I would like to build a garage which improves the usability of my home and the increases the curb appeal of the house. This will enhance the look of the neighborhood in general.

Thanks to BZAP for considering this application.

2550 Chester Road

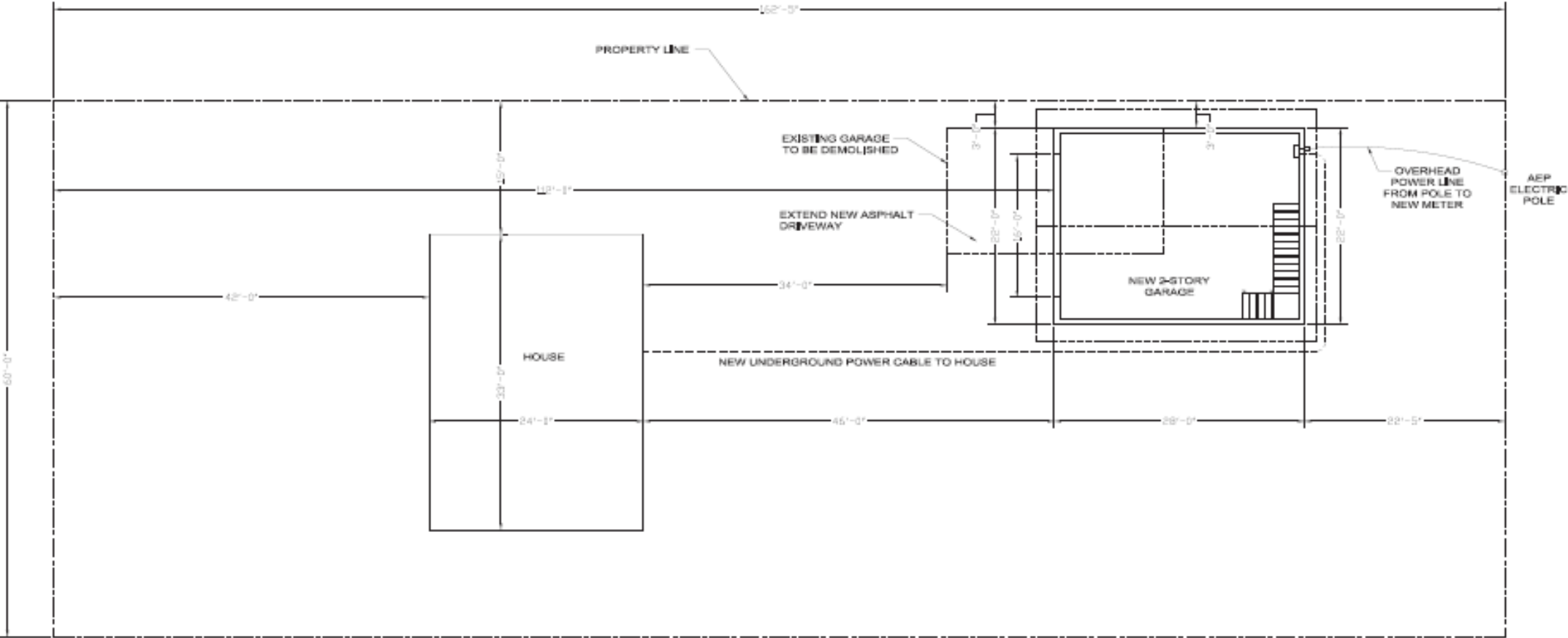
BZAP Staff Report Pictures



Google Maps ® Aerial – Looking North



Proposed Site Plan



Proposed Detached Garage and Existing Front Elevation



Authors: Justin Milam, AICP, Senior Planner

BZAP Meeting Date: May 17, 2023

Subject: 4532 Hull Farm Lane (VAR-23-23) - To allow the installation of a 48-inch tall aluminum fence that would encroach 20 feet into the 40-foot Lane Road front yard setback and be located within a landscape preservation easement and stormwater/utility easement.

Site Description/History

The subject property, 4532 Hull Farm Lane, is located at the northeast corner of Lane Road. It is irregular in shape with 120 feet of frontage along Hull Farm Lane and 180 feet of frontage on Lane Road, and is zoned R-1a, One-Family Residence District. The property was platted in 2013 as [Lot #1](#) in the Hull Farms subdivision and includes 40-foot building setback lines along both street frontages, as well as several easements: a 20-foot wide sanitary sewer easement, 10-foot wide utility easement, 20-foot wide utility and drainage easement, and 15-foot wide landscape preservation easement. A two-story home, built in 2017, sits near both building setback lines. The south and east sides of the property include mature evergreen landscaping that would screen views of any proposed fencing. There is an existing wire fence located along the east property line that would likely be removed.

Proposal

The proposal includes the installation of a 48-inch tall, black aluminum fence 20 feet into the 40-foot Lane Road front yard and within a sanitary sewer easement, and adjacent to an entryway feature easement that includes fencing and landscaping. Along the east property line, the fence would be located within a utility easement and also a landscape preservation easement. Along the north property line, it would be located in both of these easements, plus a utility and drainage easement. The proposed fencing would be installed behind existing mature evergreen landscaping. The applicant has obtained approval from the homeowner's association per the subdivision's regulations despite the general absence of fencing within the subdivision.

Zoning Code Requirements

- To allow a 48-inch tall aluminum fence that would encroach 20 feet into the 40-foot Lane Road setback, in lieu of the 42-inch tall and 15-foot projection permitted (Article 6.09).



The City has historically required BZAP review of any proposed fence located within a landscape preservation easement or planting strip to ensure the intent of the landscape area is maintained. Staff has permitted fences within floodplains or dedicated drainage areas as long as the fence is an "open-style" so as not to restrict the potential flow of water; it has prohibited fencing in 'do not disturb' areas. The code allows fencing within easements.

Alternatives

In order to avoid a variance, the fence height could be reduced by six inches and its location adjusted so that it is outside of any easement areas. This would, however, significantly reduce the enclosed/play area along the eastern side of the property.

Requested Action and Findings

Staff has reviewed the application and plans, visited the site, and discussed it with the applicant. The Board has approved front yard fences at this height when substantive landscaping is either present or is to be installed (Finding #4). This instance is no different as any fencing proposed, both in terms of height and style, and will hardly be seen due to existing mature evergreen landscaping. The 48-inch tall, open-style, black aluminum fence proposed here will largely blend into the existing landscape. As noted, the code allows fencing within easements, including drainage easements, when the flow of water will not be restricted. The Board is also careful when reviewing plans for new fencing in protected landscape areas, for that very reason, protection. With the proposed fencing to be installed behind existing landscaping, which will be maintained and not disturbed, Staff can support this encroachment (Finding #5). Staff would note that the application would not be precedent-setting due to the numerous encumbrances on the property that are not readily applicable elsewhere in the subdivision, it being a corner lot and supported by the homeowner's association, and being installed behind well-established mature evergreen landscaping. For these reasons, Staff recommends that this application be approved.

Attachments

1. 4532 Hull Farm Lane variance app
2. BZAP Staff Report Pics - 4532 Hull Farm Ln





23-1525

Variance Application

Status: Active

Date Created: Apr 16, 2023

Applicant

Brett Sleesman
bsleesman@gmail.com
4532 Hull Farm Lane
Upper Arlington , OH 43220
614-439-7890

Primary Location

4532 HULL FARM LANE
Upper Arlington, OH 43220

Owner:

Brett Sleesman
4532 Hull Farm Lane Upper Arlington , OH 43220

BZAP Information

BZAP Case

VAR-23-23

Status

Pending

BZAP Determination Date

05/17/2023

Vote Tally

--

Primary Variance

Fence

Findings of Fact for Approval/Denial

--

Variance Request

To allow the installation of a 48-inch tall aluminum fence that would encroach 20 feet into the 40-foot Lane Road front yard setback and be located within a landscape preservation easement and stormwater/utility easement.

BZAP conditions

--

Variance Information

Describe Variance Request

Add a perimeter 48 inch black aluminum fence in backyard. I have three young children and would like to fence in backyard for their protection away from busy Lane road.

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

There is a utility and lanscape preservation easement within my backyard.

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?

No.

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.

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

Without variance approval there would be loss of at least 1/3 of backyard.

Attachments



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Uploaded by Brett Sleesman on Apr 14, 2023 at 2:14 pm



C0C88529-2E11-44B7-BD92-3857F56179B5.jpeg

Uploaded by Brett Sleesman on Apr 14, 2023 at 2:14 pm



Sleesman Certification of Notice.pdf

Uploaded by Brett Sleesman on Apr 26, 2023 at 9:04 am



Letter.docx

Uploaded by Brett Sleesman on Apr 21, 2023 at 5:16 pm



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Uploaded by Brett Sleesman on Apr 16, 2023 at 11:47 am



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Uploaded by Brett Sleesman on Apr 16, 2023 at 11:49 am



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Uploaded by Brett Sleesman on Apr 20, 2023 at 10:57 am



IMG_2963.png

Uploaded by Brett Sleesman on May 3, 2023 at 11:12 am

History

Date	Activity
Apr 14, 2023 at 1:05 pm	Brett Sleesman started a draft of Record 23-1525
Apr 14, 2023 at 1:06 pm	Brett Sleesman altered Record 23-1525, changed ownerCity from "" to "Upper Arlington "
Apr 14, 2023 at 1:06 pm	Brett Sleesman altered Record 23-1525, changed ownerEmail from "" to "BSleesman@gmail.com"
Apr 14, 2023 at 1:06 pm	Brett Sleesman altered Record 23-1525, changed ownerName from "Tom Sakis" to "Brett Sleesman"

Date	Activity
Apr 14, 2023 at 1:06 pm	Brett Slesman altered Record 23-1525, changed ownerPhoneNo from " ____ - ____ - ____ ext. ____ " to "614-439-7890"
Apr 14, 2023 at 1:06 pm	Brett Slesman altered Record 23-1525, changed ownerPostalCode from "" to "43220"
Apr 14, 2023 at 1:06 pm	Brett Slesman altered Record 23-1525, changed ownerState from "" to "OH"
Apr 14, 2023 at 1:06 pm	Brett Slesman altered Record 23-1525, changed ownerStreetName from "" to "Hull Farm Lane"
Apr 14, 2023 at 1:06 pm	Brett Slesman altered Record 23-1525, changed ownerStreetNo from "" to "4532 "
Apr 16, 2023 at 11:47 am	Brett Slesman added attachment C7246879-0BD6-4094-A3A4-7CAE2E13E6F3.jpeg to Record 23-1525
Apr 16, 2023 at 11:49 am	Brett Slesman added attachment BDFC800B-124D-4890-8751-E9FA35F19CD4.jpeg to Record 23-1525
Apr 16, 2023 at 11:49 am	Brett Slesman added attachment 3CE625F0-0610-47FD-ABE4-8D9214FFC8AC.jpeg to Record 23-1525
Apr 16, 2023 at 11:49 am	Brett Slesman added attachment 3CE625F0-0610-47FD-ABE4-8D9214FFC8AC.jpeg to Record 23-1525
Apr 16, 2023 at 11:50 am	Brett Slesman removed attachment 3CE625F0-0610-47FD-ABE4-8D9214FFC8AC.jpeg from Record 23-1525
Apr 16, 2023 at 11:50 am	Brett Slesman added attachment 200F2472-61FC-4ACF-994F-57ABBF83054.jpeg to Record 23-1525
Apr 16, 2023 at 11:51 am	Brett Slesman added attachment D8637FB9-9586-4C3F-A781-F588DCBAD37A.jpeg to Record 23-1525
Apr 16, 2023 at 11:52 am	Brett Slesman submitted Record 23-1525
Apr 16, 2023 at 11:54 am	completed payment step Application Fees on Record 23-1525
Apr 16, 2023 at 11:54 am	approval step Application Complete & Scheduled for BZAP Reviewwas assigned to Justin Milam on Record 23-1525
Apr 20, 2023 at 10:24 am	Alyssa Kelly unassigned approval step Application Complete & Scheduled for BZAP Review from Justin Milam on Record 23-1525
Apr 20, 2023 at 10:24 am	Alyssa Kelly assigned approval step Application Complete & Scheduled for BZAP Review to Alyssa Kelly on Record 23-1525
Apr 20, 2023 at 10:54 am	Brett Slesman added attachment 1B3FD5CD-2985-4483-BD93-E6ABE9ADA1D0.jpeg to Record 23-1525
Apr 20, 2023 at 4:00 pm	Alyssa Kelly changed BZAP Case # from "" to "VAR-23-23" on Record 23-1525
Apr 20, 2023 at 4:00 pm	Alyssa Kelly changed Status from "" to "Pending" on Record 23-1525
Apr 20, 2023 at 4:00 pm	Alyssa Kelly changed BZAP Determination Date from "" to "05/17/2023" on Record 23-1525
Apr 20, 2023 at 4:01 pm	Alyssa Kelly changed Primary Variance from "" to "Fence" on Record 23-1525
May 3, 2023 at 11:12 am	Brett Slesman added attachment IMG_2963.png to Record 23-1525
May 3, 2023 at 2:31 pm	Justin Milam changed Variance Request from "" to "To allow the installation of a 48-inch tall aluminum fence that would encroach 20 feet into the 4" on Record 23-1525
May 3, 2023 at 2:32 pm	Justin Milam assigned approval step Application Complete & Scheduled for BZAP Review to Justin Milam on Record 23-1525
May 3, 2023 at 2:32 pm	Justin Milam approved approval step Application Complete & Scheduled for BZAP Review on Record 23-1525
May 3, 2023 at 2:32 pm	approval step Board of Zoning & Planning Reviewwas assigned to Justin Milam on Record 23-1525

Timeline

Label	Status	Activated	Completed	Assignee	Due Date
 Application Fees	Paid	Apr 16, 2023 at 11:52 am	Apr 16, 2023 at 11:54 am	-	-
 Application Complete & Scheduled for BZAP Review	Complete	Apr 16, 2023 at 11:54 am	May 3, 2023 at 2:32 pm	Justin Milam	-
 Board of Zoning & Planning Review	Active	May 3, 2023 at 2:32 pm	-	Justin Milam	-
 BZAP Result	Inactive	-	-	-	-



Revised: Jan 2021

Certification of Notice

Applicant Name: Brett Slesman

Location of property subject to BZAP request: 4532 Hull Farm Lane

Describe activity which requires Board of Zoning and Planning review:

Placement of a perimeter fence in backyard

This application will be heard by the Board of Zoning and Planning on: 5-17-2023

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:
2330 Lane Road	Derck Shane Kramer	9589 0710 5270 0701 2315 57	4-21-2023
4546 Hull Farm Ln	Joseph Henry	9589 0710 5270 0701 2315 64	4-21-2023
2350 Lane Road	Jonathan Thackeray	9589 0710 5270 0701 2315 40	4-21-2023
4310 Denae Ct.	Berandette Chen	9589 0710 5270 0701 2315 26	4-21-2023
2351 Lane Road	Charles Rynn	9589 0710 5270 0701 2315 33	4-21-2023
2341 Lane Road	Trudy McNeil	9589 0710 5270 0701 2315 19	4-21-2023
2321 Lane Road	Trudy Linda Hurdan	9589 0710 5270 0701 2315 02	4-21-2023
2281 Lane Road	Sunshine 168 LLC	9589 0710 5270 0701 2314 89	4-21-2023
92A Northwood BLVD.	Sunshine 168 LLC	7022 0410 0000 9836 21071	4-26-2023
4616 Hull Farm Lane	Hull Farms Owners Association	7022 0410 0000 9836 21089	4-26-2023
Applicant Signature: <u>Brett Slesman</u>			Date: <u>4-20-2023</u>



Revised: Jan 2021

Certification of Notice

Applicant Name: Brett Slusman

Location of property subject to BZAP request: 4532 Hull Farm Lane

Describe activity which requires Board of Zoning and Planning review:

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Address of Property to be notified:	Property Owner Name:	Property Owner Signature or Certified Mail No.:	Date obtained or Mail sent:
2330 Lane Road	Derek Shane Kramer	9589 0710 5270 0761 2315 57	4-21-2023
4546 Hull Farm Ln	Joseph Henry	9589 0710 5270 0701 2315 64	4-21-2023
2350 Lane Road	Jonathan Thackeray	9589 0710 5270 0761 2315 40	4-21-2023
4310 Denes Ct.	Bernadette Chen	9589 0710 5270 0701 2315 26	4-21-2023
2351 Lane Road	Charles Ruma	9589 0710 5270 0701 2315 33	4-21-2023
2341 Lane Road	Trudy McNeil	9589 0710 5270 0701 2315 19	4-21-2023
2321 Lane Road	Linda Hurdzan	9589 0710 5270 0701 2315 02	4-21-2023
2281 Lane Road	Sunshine 168 LLC	9589 0710 5270 0701 2314 89	4-21-2023
Applicant Signature: <u>Brett Slusman</u>			Date: <u>4-20-2023</u>

Neighbors,

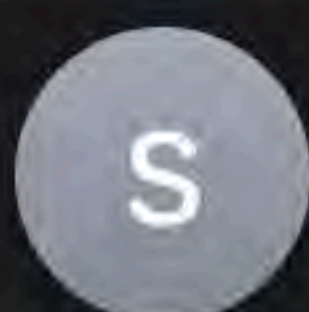
My name is Brett Sleesman and my family recently moved into 4532 Hull Farm Lane. The city of Upper Arlington wanted to me notify you that I am planning on putting a 48 inch black aluminum perimeter fence in my backyard. This fence may require a variance and I will be presenting at the BZAP meeting on May 17th at 6 pm at the Upper Arlington Municipal Services Center, 3600 Tremont Road, Upper Arlington, OH, 43221.

Sincerely,

The Sleesman family
4532 Hull Farm Lane
Upper Arlington OH 43220
614-439-7890

[All Inboxes](#)

3 Messages

**Sherri**

3/13/23

To: Brett Slesman >

Re: Fence

As long as you follow the guidelines, that's fine. You should let the Meury's know your plans in case they have any issues.

Thanks,
Sherri Pickett Noll

[See More](#)

Found in Gmail Sent Mailbox

**Brett Slesman**

3/12/23

To: Sherri Noll >

Thank you for the update. I am planning on putting a fence similar to 4621. Being the lot on lane road (which is very busy) makes me nervous for my children's safety long term without having an enclosed space. Let me know if we need to discuss more.



CERTIFIED TO TITLE FIRST AGENCY, INC & STEWART TITLE GUARANTY COMPANY

LENDER WESBANKO BANK, INC

BUYER SLEFSMAN

LEGAL DESC LOT 1 - HULL FARMS

P.B. 115 P.G. 88-89

CITY/TWP. UPPER ARLINGTON COUNTY FRANKLIN DRN. SAS CK. SJH DRAWING SCALE 1" = 30'

FEMA INFORMATION: FLOOD ZONE X MAP PANEL INFO 39049C 0162K MAP DATE 6-17-08

ENCROACHMENT INFORMATION
STONE AND FRAME GARAGE
OVER 13' BLDG. LINE BY 9.8'

1/WE HAVE RECEIVED A COPY OF THIS SURVEY
AND FIND THE CONDITIONS ACCEPTABLE.

BUYER/OWNER

BUYER / OWNER:

We hereby certify that the foregoing MORTGAGE LOCATION SURVEY was prepared in accordance with Chapter 4733-38, Ohio Administrative Code, and is not a Boundary Survey pursuant to Chapter 4733-37, Ohio Administrative Code. This plat is prepared for mortgage loan and title purposes only and is not to be construed as having been prepared for the owner and is not to be used to erect fences or other structures. Easements shown on this plat were taken from the subdivision plat of record. Additional easements affecting this property may exist.

LENDER WESBANCO BANK, INC

BUYER SLEESMAN

LEGAL DESC. LOT 1 - HULL FARMS

P.B. 115 P.G. 88-89

CITY/TWP. UPPER ARLINGTON COUNTY FRANKLIN DRN. SAS CK. SJH DRAWING SCALE 1" = 30'

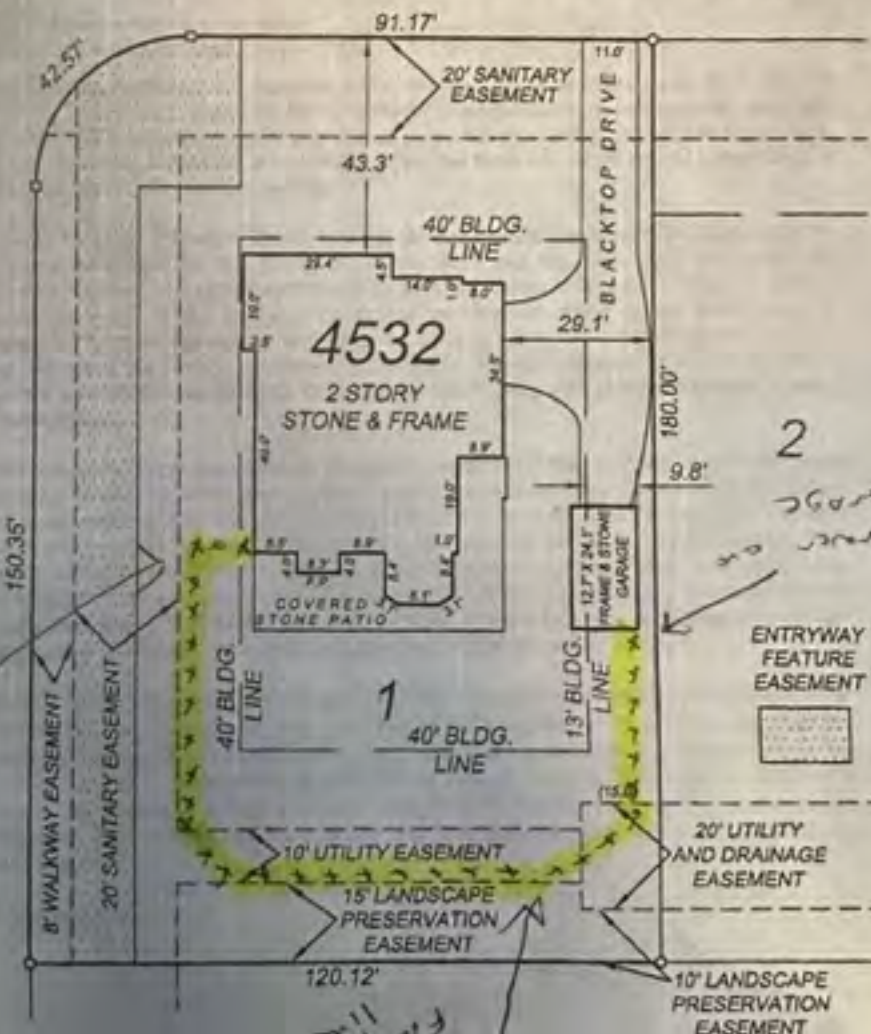
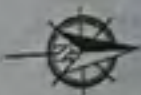
FEMA INFORMATION: FLOOD ZONE X MAP PANEL INFO 39049C 0162K MAP DATE 6-17-08

HULL FARM LANE 50'

#2

LANE ROAD

18' out from house



2

corner of

ENTRYWAY
FEATURE
EASEMENT



ENCROACHMENT INFORMATION

STONE AND FRAME GARAGE

OVER 13' BLDG. LINE BY 9.8'

IF WE HAVE RECEIVED A COPY OF THIS SURVEY
AND FIND THE CONDITIONS ACCEPTABLE

BUYER / OWNER

BUYER / OWNER

SELLER

We hereby certify that the foregoing MORTGAGE LOCATION SURVEY was prepared in accordance with Chapter 4733-38, Ohio Administrative Code, and is not a Boundary Survey pursuant to Chapter 4733-37, Ohio Administrative Code. This plat is prepared for mortgage loan and title purposes only and is not to be construed as having been prepared for the owner and is not to be used to erect fences or other structures. Easements shown on this plat were taken from the subdivision plat of record. Additional easements affecting this property may exist.













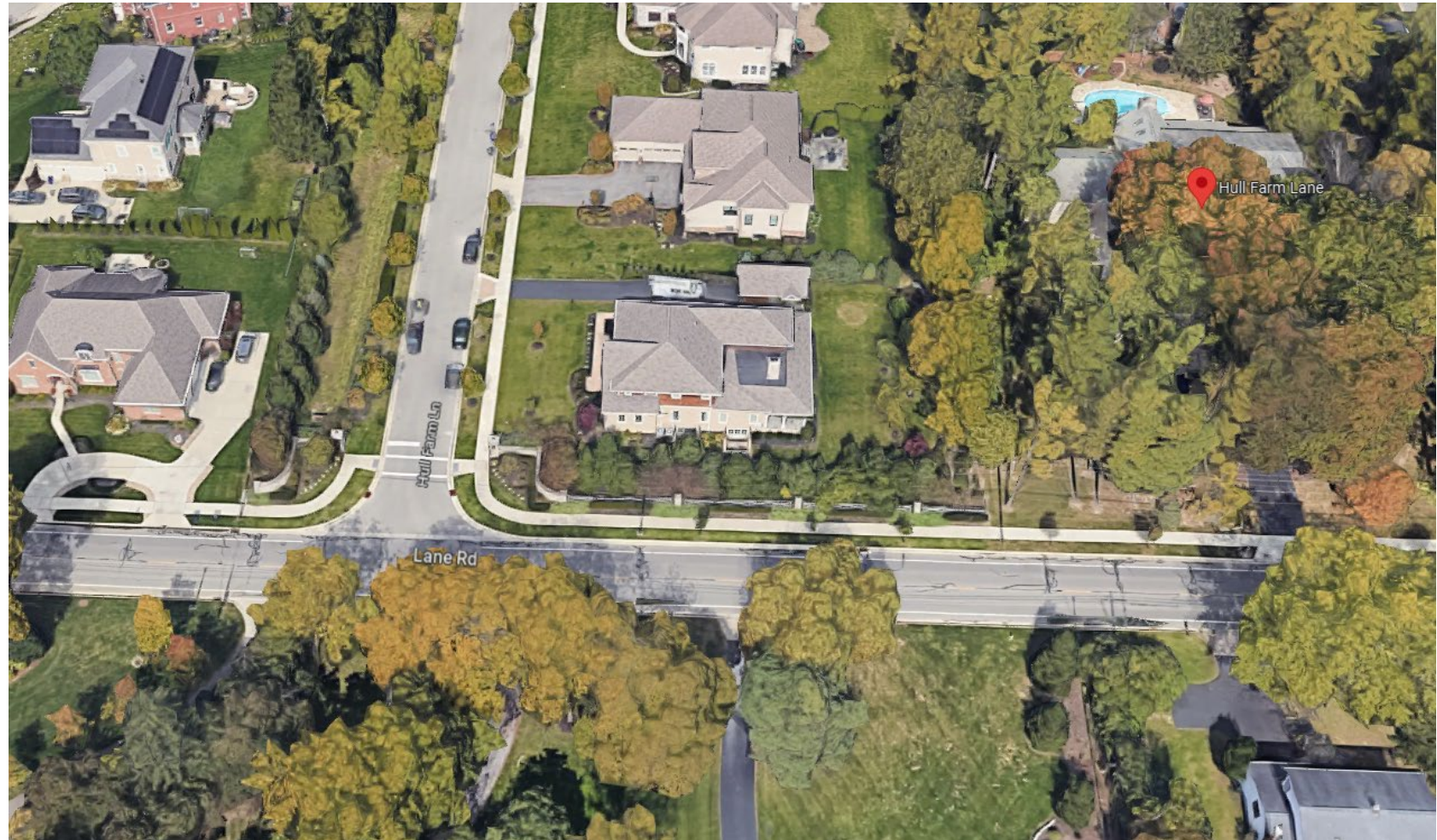


4532 Hull Farm Lane

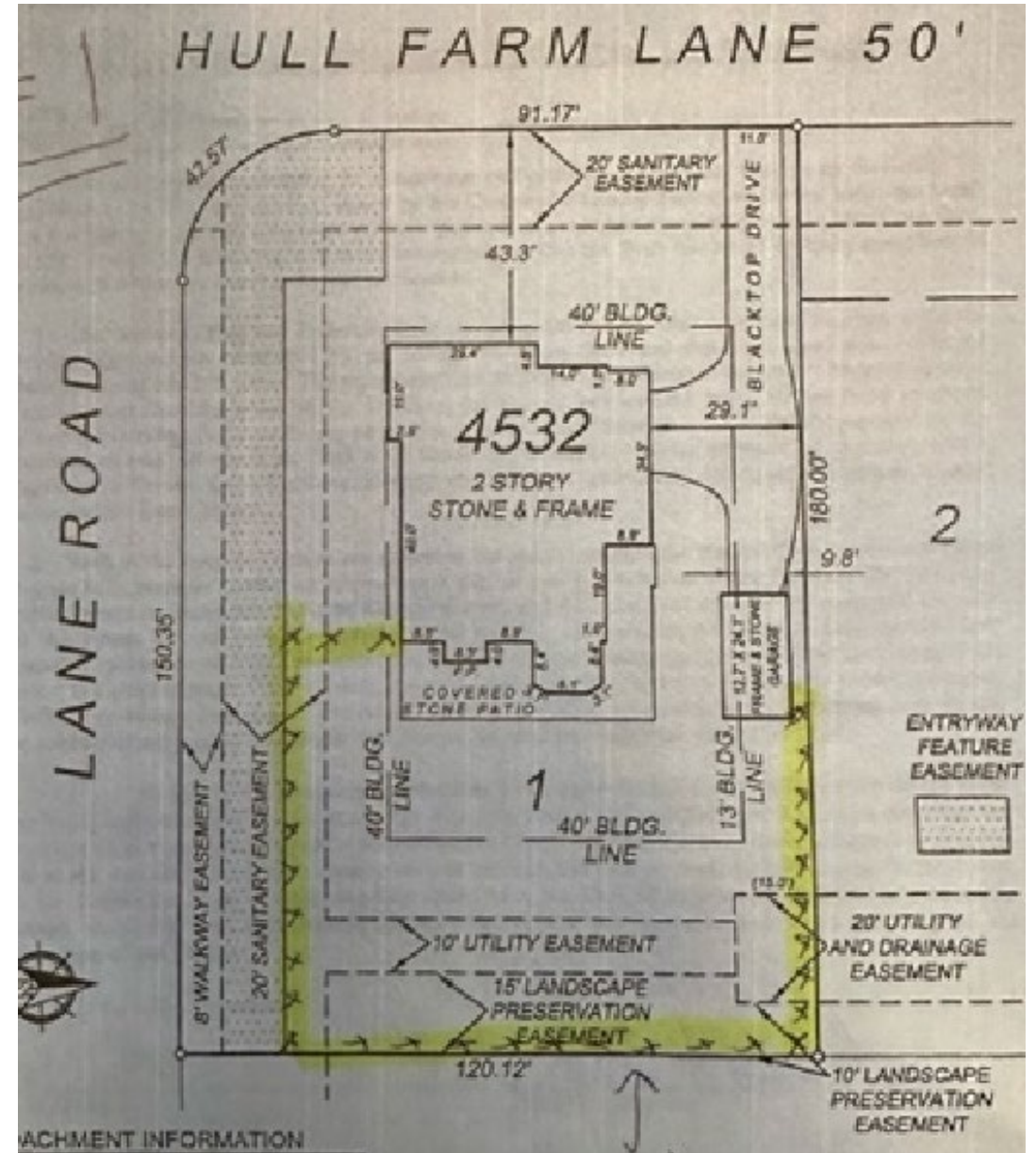
BZAP Staff Report Pictures



Google Maps ® Aerial – Looking North



Proposed Site Plan and View from Lane Road



Looking North and To/From the East





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; and
- 5) 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. Unless the required zoning compliance is properly within the two-year period, the approval shall be voided and a new final development plan shall be required, unless an application for time extension is submitted and approved.~~ A final development plan or amendment thereto shall expire two years after BZAP approval unless a Building Permit has been issued. The City Manager may grant an extension of BZAP's approval of the final development plan or amendment thereto pursuant to an economic development agreement approved by City Council.

Expired development plans shall require BZAP review as a new application.

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 landscape designer) 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. 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



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	R-S	R-1	R-2	R-3	RCD
<u>Accessory Structures (see Article 6.09)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
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 <u>or Senior</u> 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 ¹ <u>(see Table 5-B)</u>					
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 <u>including playground, recreation center</u>	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 <u>or medical</u> offices <u>and laboratories</u>	Pr
Dental technician with laboratory	P
Desktop publishing	P
Direct sale product distribution	<u>Pr</u>
Drafting and graphic services	P
Dressmaking, <u>laundry or sewing/tailoring services</u>	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 <u>(no more than 3 students at one time)</u>	P
Flower arranging	P
Furniture repair	P
General business office	P
Health salons, gyms, dance studios, aerobic exercise studios, <u>licensed</u> massage therapists with more than 2 <u>3</u> clients/customers present at the same time	Pr
House cleaning business, <u>locksmith</u>	P
Insurance agents, <u>real estate agents and brokers</u>	P
Interior design	P
Internet-based business	P
Jeweler <u>and jewelry making</u>	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 <u>clubs and organizations</u>	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



		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%		60%			
			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%		60%			
			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						5%		
		pre-1995 corner lot <75 width								
		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%	0%		
			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%			
	R-3b	OPU ³	1 to 2.5	4.17%		20%	60%	5%	40	25
		1 Family	1&1.5	6.39%	1.67% 3%		35%			
			2&2.5							
		2 Family	1&1.5	12.78%			55%			
			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%		50%			
		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	May project up to 6' 5' subject to the limitations in footnote 1



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			to the limitations 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 <u>May project up to 2', not to exceed 8' wide</u>	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, Keteleeri 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>	<u>Baldcypress, Catapala, Dawn Redwood, Ginkgo, Honeylocust, Kentucky Coffee Tree, Linden spp, Maple spp, Oak spp, Tupelo cv, Tulip tree, Zelkova</u>	<u>2.5" Cal</u>
<u>B</u>	<u>Deciduous tree that matures less than 40' height, single stem</u>	<u>Elm Hybrids, Hornbeam and Hophornbeam, Parrotia, Horsechestnut, Katsura, Aumur Maackia, Red maple, Miyabe maple, Flowering- non fruiting tree spp, Yellowwood</u>	<u>2" Cal</u>
<u>C</u>	<u>Deciduous tree that matures less than 30' height, multi stem</u>	<u>Serviceberry, Sweetbay Magnolia, Flowering Magnolia, Ornamental maple spp, Redbud, Fringtree</u>	<u>10' Ht</u>
<u>D</u>	<u>Evergreen tree that matures over 30' height</u>	<u>White Pine, Pine spp, Norway Spruce, Green Giant Arborvitae, White Fir, Serbian Spruce</u>	<u>10' Ht</u>
<u>E</u>	<u>Evergreen tree that matures less than 30' height</u>	<u>Arborvitae spp, Juniper spp, various Dwarf cultivars</u>	<u>8' Ht</u>
<u>F</u>	<u>Evergreen or deciduous shrub that matures over 6' height</u>	<u>Viburnum, Oakleaf Hydrangea, Panicle Hydrangea, Red Chokeberry, Spicebush, Witch Hazel, Butterfly Bush, Yew</u>	<u>3' Ht</u>
<u>G</u>	<u>Evergreen or deciduous shrub that matures less than 6' height</u>	<u>Spiraea, Itea, Fragrant Sumac, Beautyberry, Boxwood Panicle Hydrangea cv., Oakleaf Hydrangea cv., Butterfly Bush cv.</u>	<u>2' Ht</u>
<u>H</u>	<u>Evergreen or deciduous shrub that matures over 4' spread</u>	<u>Yew cv, Viburnum, Boxwood, Mops False cypress</u>	<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:~~



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- ~~(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	<u>See Table 5-F for Accessory Building, Building and Development Cover limits. Shall be measured from footprint of structure.</u>	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)	<u>See Table 5-F for Accessory Building, Building and Development Cover limits. Shall be measured from footprint of structure.</u>	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 generators</u> , 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 <u>12' or less in height.</u>	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 <u>10' or less in height.</u>	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.



RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON

STATE OF OHIO

ORDINANCE NO. 32-2023

TO AUTHORIZE THE CITY MANAGER TO PARTNER WITH THE UPPER ARLINGTON HISTORICAL SOCIETY ON A PROGRAM TO RECOGNIZE 100-YEAR OLD HOMES

- WHEREAS,** the City wishes to recognize homes that are in good condition and are 100 years or older; and
- WHEREAS,** the Upper Arlington Historical Society has a program to recognize 100-year-old homes with temporary signs and requested that the City recognize these centennial homes be identified and recognized with a plaque on the homes; and
- WHEREAS,** the City seeks to celebrate the significance of the preservation of 100-year-old homes in our established community; and
- WHEREAS,** the City recognizes that a plaque would provide a prominent recognition for 100-year-old homes, as these homes appear throughout the City and are not limited to the Historic District and may not be formally listed on the National Register of Historic Places; and
- WHEREAS,** the City Manager has determined that such plaque would be a civic and cultural benefit to the community to recognize these homes per Article 6.06(J) of the Unified Development Ordinance; and
- WHEREAS,** such plaque will not exceed one square foot in size, shall not conflict with house addressing numbers, and will be required to be mounted to the home.
- WHEREAS,** the City seeks to create a program to verify the eligibility of a home for recognition and create a standardized plaque that homeowners may purchase directly from the Historical Society; and
- WHEREAS,** the City will not be responsible for the installation or maintenance of such plaque; and
- WHEREAS,** the City intends to partner with the Historical Society to facilitate this program; and
- WHEREAS,** this program would be a more permanent version of the Historical Society's 100-year old historic home temporary sign recognition program;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Upper Arlington, Ohio:

SECTION 1. The City Manager is authorized to create a century home recognition program to commemorate homes at least 100-years old, which includes the following elements:

- A. Eligibility requirements for signage, which shall include but not be limited to, having no open code enforcement violations against the property;
- B. An application process for homeowners seeking recognition;
- C. Community Development Department verification of eligibility for the program;
- D. A standard approved recognition plaque design and size; and
- E. Permissible posting location for the approved plaque on the home, including locating it on a first-floor elevation and near an entrance.

SECTION 2. That the City Manager recognizes that this program to be related to government speech as a partnership with the Historical Society as a civic and cultural benefit to the community;

SECTION 3. Section 6.06(H) of the UDO is amended as follows:

R-Districts—Signs Prohibited: To preserve the residential character of R-districts, to maintain property values, and to avoid visual clutter in R-districts, except for temporary signs specifically permitted under Subsection 6.06(F), signs are prohibited in any R-district. Signs shall not be attached to any building, except that the Board may authorize signs attached to a building in the R-4 district upon finding that such signs are reasonably required in connection with the proposed use and that they will comply with the provisions of this Chapter and any conditions and restrictions as the Board may deem necessary for the protection and enjoyment of other property in or adjacent to such district. Signage issued through and in compliance with a City home recognition program is permitted.

SECTION 4. That the City Manager, Community Development Director, and the City Attorney are hereby authorized to take all actions, including the execution of all documents or amendments, necessary to implement the program and that are not substantially inconsistent with this Ordinance.

SECTION 5. That this ordinance shall take effect at the earliest date allowed by law.