

PRAIRIE TOWNSHIP BOARD OF ZONING APPEALS
Minutes of the August 13th , 2019 Meeting

Members Present: Doug Owsley, Bill Gallaer, Bruce Steele, John Cardwell, Sherry Henning

Members Absent: Mark O'Loughlin

Others in Attendance: Dana Scott and Alicia Armentrout from Zoning

Acting Chairman Owsley called the meeting to order at 7:00 P.M.

Mr. Owsley asked for a motion to approve the minutes of the July 9th, meeting. A correction was made to change Mr. Owsley's name from Dog to Doug in the member's present portion.

Mr. Steele made a motion to approve and a second from Mr. Cardwell. All members voted in favor to approve.

Mr. Owsley swore in those wishing to speak.

Old Business: None

New Business: A) Variance Application No. 636-VA-19

Applicant: Nicholas W Krontras/Olympic Realty, 4739 Hilton Avenue, #B15, Columbus, Ohio 43228

Location: 4632 Hilton Avenue, Columbus, Ohio 43228

Request: To grant a Variance from the provisions of Section 930 Table 2 (Dimensional Requirements); to allow the owner to maintain a shed on on the property closer to the rear setback than the Resolution requires in an MFR-12 Zoning District.

Ms. Armentrout gave the facts of the Variance request. Property located at 4632 Hilton Avenue and is located on the North side of Hilton Avenue between South Murray Hill and Darien Avenue. Property is zoned MFR-12 and is surrounded by MFR-12 on the south, east and west with the West Broad Street Overlay District to the north. Seeking a variance to allow the owner to maintain a shed closer to the rear setback than the Resolution requires. They are requesting that an 8' x 12' storage shed be placed one foot from the rear lot line. The Resolution requires five feet in order to be mowed around. The shed is currently being used to store maintenance equipment. Ms. Armentrout showed pictures of the property and placement of the shed.

Speaking for was Nicholas Contras (Applicant) who said that he did not know there were setback restrictions but should have checked, but did not. He stated that he stores equipment, salt etc. for maintenance of the property. The shed keeps them from hauling items in and out of the shop every time that they need something. The shed is painted in colors to match the rest of the complex. The shed is built on a concrete slab. He stated that it enhances the property he wanted it to be visually pleasing to his tenants It was built within the last year. He is able to clear the weeds behind the shed. Ms. Henning asked how he knew that the shed was not in compliance and Mr. Contras replied that somebody must have complained and turned him in.

Nobody spoke against.

Chairman Owsley said that he had read through the findings of fact and didn't see anything that stood out concerning the variance request and Board members agreed.

Chairman Owsley, finding no unusual finding of fact, asked for a motion on the variance request.

Mr. Steele made a motion to accept the Variance request as presented.

Mr. Gallaer seconded the motion.

Roll Call Vote:	Ms. Henning	For
	Mr. Steele	For
	Mr. Cardwell	For
	Mr. Gallaer	For
Chairman	Mr. Owsley	For

The Variance is Approved

New Business: B) Variance Application No. 637-VA-19

Applicant: Brian & Bonnie Henry, 748 Cordelia Drive, Galloway, Ohio 43119

Location: 748 Cordelia Drive, Galloway, Ohio 43119

Request: To grant a Variance from the provisions of Section 930 Table 2 (Dimensional Requirements) and Section 935 #2 (Architectural Projections into the Required Yards); to allow the owner to maintain a newly constructed front porch/deck closer to the front setback than the Resolution requires in an R-6 Zoning District.

Ms. Armentrout gave the facts of the variance request. Property is located in the Lake Darby Subdivision. Property is zoned R-6 and is surrounded by R-6 on all sides. Applicants are seeking a variance to maintain a front deck on the property that is deeper than the Resolution requires. Applicant is requesting to maintain an 8.9' deep porch on the front of the house. The Resolution requirements allow a 5' deep porch projecting into the front yard. Ms. Armentrout showed pictures of the property and the deck that has been built.

Zoning received a complaint and came out to inspect the property and saw that the deck was more than 5 feet and left a door hanger for the owners. The owners did call and said that they didn't realize the requirement and asked what they could do to keep the deck.

Speaking for was Brian Henry (Applicant) said that he built the deck the first part of June with the intention of making easier access into the house because steps had sunk down and it would be easier for parents and themselves to get into the house. They have lived in the house for 30 years and always wanted a nice porch. He thought a nice new porch would be nicer and cheaper than moving to a new

house. He stated that had he known about the requirements he would have scaled back the project a little bit. He is asking for the about 46" additional for the deck. He stated that they have received compliments on how good the deck looks and really adds to overall property.

Mr. Gallaer asked if the applicant did the work or did an outside contractor do the work? Mr. Henry stated that it was a gentlemen who he had hired in the past and had been around the neighborhood doing construction work. He said it might have been a communication issue and the contractor thought Mr. Henry was going to get the permit and he didn't think about it.

Speaking for was John Lambert (749 Cordelia Drive) who said that deck looks nice and makes the neighborhood look a little more classy. He said it was a nice addition to the house.

Speaking for was Brian Hackett (740 Cordelia) said the deck looks nice and the same guy did his fence and does nice work in the neighborhood.

Nobody spoke against.

The Board discussed the determining factors on whether or not to grant the request.

Chairman Owsley, finding no unusual finding of fact, asked to entertain a motion on the Variance request.

Mr. Cardwell made a motion to accept the Variance request as presented

Ms. Henning seconded the motion.

Roll Call Vote:	Ms. Henning	For
	Mr. Steele	For
	Mr. Cardwell	For
	Mr. Gallaer	For
Chairman	Mr. Owsley	For

The Variance is Approved

New Business: C) Variance Application No. 638-VA-19

Applicant: Eric Ward, Homes on the Hill, 3659 Soldano Blvd, Columbus, Ohio 43228

Location: 271 Evergreen Terrace, (Parcel No. 240-002248), Columbus, Ohio 43228

Request: To grant a Variance from the provisions of Section 930 Table 2 (Dimensional Requirements); to allow the construction of a new single family home that will exceed lot coverage and placed closer to the front, side and rear setbacks than the Resolution requires in an R-6 Zoning District.

Ms. Scott gave the facts of the variance request. The owner is Homes on the Hill. Current Resolution requires at least 60' of road frontage making this parcel a legal nonconforming lot. Property is zoned R-6 and is surrounded by R-6 on all sides. Proposed new home would be a 1200 sq. ft. ranch with an attached garage. They are proposing that the house be placed 25' from the front, 5' from the sides and 26' from the rear property lines. 930 Table 2 requires that all principal structures in the R-6 zoning district must be set back from the front and rear right of way lines at least 30', at least 5' from one side and a sum of both sides to be 15'. Ms. Scott showed pictures of the property.

Speaking for was Jeff Hartnell (for Applicant HOH) who stated this property is similar to other properties that HOH has built in the neighborhood. Given the lot size they decided to go with an attached garage. They wanted to keep it as similar to nearby homes as possible.

Ms. Henning asked if most houses on the street were ranch houses and he replied that for the most part they are.

Mr. Owsley asked what else could be done on the property and keep it in compliance? Mr. Hartnell replied that given the size of the lot and minimum size requirement, the house would be in excess of the 30% maximum ratio. If they applied for a variance for size they could meet that ratio.

Nobody spoke against

Mr. Owsley stated the determining factors of whether or not to grant the request:

- 1) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a Conditional Use YES
- 2) Whether the Conditional Use is substantial (creates nonconforming property) YES
- 3) Whether the essential character of the neighborhood be altered (all of the current properties are similar or the same) NO
- 4) Whether the Conditional Use adversely affect governmental services NO
- 5) Whether property owner purchased the property with knowledge of zoning restrictions. (Owner did not know but restriction was in place) YES
- 6) Whether the property owner's predicament be obviated through some other method. NO
- 7) Whether the spirit and intent behind the zoning requirement would **be observed and substantial justice done by granting the conditional use.** **YES**

Chairman Owsley asked to entertain a motion on the Variance request.

Mr. Steele made a motion to accept the Variance request as presented

Mr. Gallaer seconded the motion.

Roll Call Vote:	Ms. Henning	For
	Mr. Steele	For
	Mr. Cardwell	For
	Mr. Gallaer	For
Chairman	Mr. Owsley	For

The Variance is Approved

Announcements; Ms. Scott asked that everyone look over the packet of amendments that the Zoning Commission will be going though. If we want to get something to Dana before their meeting, maybe she can get that to them for discussion. Their meeting is on August 27th . Next month we have 2 requests and an appeal.

Adjournment: 7:40pm

Submitted by Bill Gallaer

