

PRAIRIE TOWNSHIP BOARD OF ZONING APPEALS  
Minutes of the September 10<sup>th</sup> , 2019 Meeting

Members Present: Mark O'Loughlin, Doug Owsley, Bill Gallaer, Bruce Steele and John Cardwell

Others in Attendance: Dana Scott and Alicia Armentrout from Zoning

Chairman O'Loughlin called the meeting to order at 7:00 P.M.

Mr. O'Loughlin asked for a motion to approve the minutes of the August 13<sup>th</sup> 2019 meeting.

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

Chairman O'Loughlin swore in those wishing to speak.

**Old Business: A) Appeal 132-AP-19**

**Applicant:** Phil Powers, 174 Postle Blvd., Columbus, Ohio 43228

**Location:** 178 Postle Blvd., Columbus, Ohio 43228

Request a review of a decision made by the Prairie Township Field Inspector in a violation letter dated 04/09/2019 which states the property is in violation of Sections 920 and 1015 of the Prairie Township Zoning Resolution; disputing that more than one Recreational Vehicle (RV) is being parked/stored on the property in the R-6 (Medium Density Residential) Zoning District.

Mr. Powers spoke first concerning his appeal. Mr. Powers stated that he only has one RV and at the time he had one flatbed trailer, one box trailer used for hauling donations and other items that were given to him or collected. He stated that the code that was given to him doesn't show that he is not allowed to have more than one trailer, just more than one RV.

Ms. Armentrout spoke on behalf of the Zoning Department concerning the violation that she wrote. She showed pictures of the R-6 zoned property. The applicant requested a review of a violation letter that was issued on 04/09/19 that stated that the property was in violation of Sections 920 (open storage) and 1015 (RV parking) of the Prairie Township Zoning Resolution. Applicant is appealing, saying that he only has one RV on the property per a definition defined by the Federal government.

Ms. Armentrout showed pictures that she said showed 3 RV's or recreational trailers on the property.

On 04/09/19 an inspection of the property was conducted. On 04/18/19 the letter of violation was sent to the owner as well as the resident of the property and instructions on what would need to be done to correct the violation and their right of appeal. On 04/25/19 the resident called the zoning department and expressed his disagreement with the findings and he was told again of his right to appeal. On 05/13/19 zoning

received his letter of appeal plus a federal definition of an RV vehicle from their website.

Ms. Armentrout read the Zoning Resolution definition of an RV and Webster's Dictionary definitions. Ms. Armentrout then showed pictures from July 9, 2019 where the resident was now parking the trailer on the road in the road right-of-way, which is prohibited in the code for an RV to be parked in the road right-of-way. The next picture was taken August 30, 2019 where he has now encroached on his neighbor's property and is partially in the alley.

Chairman O'Loughlin asked if this was a temporary thing and Ms. Armentrout replied that he moves them around the property. He also asked what has been done about the open storage and she replied that it is currently going through the nuisance abatement process.

Mr. Owsley asked that if there was a single RV and it was stored enclosed there would be zero problem and Ms. Armentrout answered correct. You can have one open stored RV as long as others are enclosed.

Speaking was Ranay Nunamaker (168 Postle) stated that the trailer is still there and quite a bit of debris on the property. She said that she is trying to rent her property and it is tough because of that property.

Mr. Powers came up to respond said that the trash in the pictures was all gone. He said that people put their trash out there all the time and it is picked up on a regular basis. Ms. Nunamaker said that the trash was still out there.

Ms. Armentrout said that this is not the first time that this property has been cited for trash storage.

Mr. Owsley made a motion to recess for private deliberations for the purpose of discussing the merits of this appeal. Mr. Gallaer was a second.

All in favor at 7:17pm.

Board returned at 7:28pm

Chairman O'Loughlin announced that the reason that we are here with this application tonight is to decide whether or not the zoning inspector followed protocol.

Mr. Owsley made a motion to deny the appeal on the premise that staff followed protocol. Mr. Gallaer was a second.

Roll Call Vote:	Mr. Steele	For
	Mr. Owsley	For
	Mr. Cardwell	For
	Mr. Gallaer	For
Chairman	Mr. O'Loughlin	For

## **The Appeal is denied**

### **New Business: A) Variance Application No. 639-VA-19**

**Applicant:** Thomas and Jennifer Smith  
8850 Crestwater Drive, Galloway, Ohio 43119

**Location:** 8850 Crestwater Drive, Galloway, Ohio 43119

**Request #1:** Seeking a variance from Section 1014 (Fences and Walls); to allow the applicant to maintain a fence that is closer to the front setback and greater in height than the Resolution requires in an R-6 Zoning District.

**Request #2:** Seeking a variance from Section 930 Table 2 (Dimensional Requirements) to construct a shed in the north corner of the lot that is 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 fence that is closer to the front setback and greater height than the Resolution permits in an R-6 district. A 6' fence is currently placed 13' from the road right-of-way and principal structure. They also request a variance from Section 930 to construct a shed in the north corner of the lot that is closer to the front setback than the Resolution permits. The property depth is 79' which is not deep enough to accommodate the required 75' setback for the shed. Being a corner lot there are two fronts. She showed pictures of the property.

The current fence has replaced the old fence that was grandfathered into the new Zoning Resolution and is in the same location as before.

Speaking for was Thomas and Jennifer Smith (applicants) who said that the old fence was falling down and looked awful. They have owned the house for 15 years and were just replacing fence.

Speaking for was Rita Pineda (789 Lakefield) said that original owner put fence in about 1980 and fence was falling down. She said fence is much better and an improvement to the neighborhood.

Speaking for was Amanda Roberts (8841 Crestwater) who stated that she agrees with everything that the other neighbor said, that the old fence was falling down and this is an amazing looking new fence that should help property values. She would rather see 6' fences instead of 4' fences when people have dogs and you would be walking down the street.

Several other neighbors spoke in favor of the new fence. (Anthony Rivers 8842 Crestwater), (Adam Truax 816 Lakefield), (Rodney Foley 788 Lakefield), (Melissa & John 781 Lakefield)

Nobody spoke against.

Mr. Owsley made a motion to approve the variance request with the stipulation that the shed be located in the North corner of the yard.

Mr. Steele seconded the motion.

Roll Call Vote:	Mr. Steele	For
	Mr. Owsley	For
	Mr. Cardwell	For
	Mr. Gallaer	For
Chairman	Mr. O'Loughlin	For

### **The Variance is Approved**

### **New Business: B) Variance Application No. 640-VA-19**

**Applicant:** Andy Vogel for Khaled Jahsham  
5097 Stonecraft Court, Hilliard, Ohio 43026

**Location:** Speedy Mart, 4736 Sullivant Ave., Columbus, Ohio 43228.

**Request:** To grant a Variance from the provisions of Section 930 Table 2 (Dimensional Requirements); to allow the owner to add onto the principal structure closer to South Grener Ave. for the purpose of a canopy.

Ms. Armentrout gave the facts of the variance request. Property is Speedy Mart, located on Sullivant Ave. The site currently maintains 3 access points into the lot. Property previously received a variance in 2016 to install a drive-thru window. Zoning is GB with R-6 to the North, South and East. The City of Columbus is located across the street to the South. The applicant is requesting a variance to allow the owner to add on to the existing structure closer to S. Grener than the resolution requires. The applicant proposes a new drive-thru awning at a 26' 8" setback from the right-of-way. The previous variance in 2016 was for a smaller drive-thru window or awning but it was destroyed recently by a truck. She showed pictures of the property.

Speaking for was Andy Vogel (architect for the applicant) who described what the new drive-thru awning would look like and the new location on the building. The awning would replace the previous awning and be in the same location. A truck hit the old awning and this is a replacement. The size would be a little larger to accommodate vehicles.

Nobody spoke against.

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

Roll Call Vote:	Mr. Steele	For
	Mr. Owsley	For
	Mr. Cardwell	For
	Mr. Gallaer	For

Chairman Mr. O'Loughlin For

**The Variance is Approved**

**Announcements:** 4 requests on the agenda next month.

**Adjournment:** 8:02pm

**Submitted by Bill Gallaer**