

PRAIRIE TOWNSHIP BOARD OF ZONING APPEALS
Minutes from August 8, 2023 Meeting

Members present: Mike McKay, Bruce Steele, Chrissie Grossholz, Matt Knight, Duane Dellinger

Others in Attendance: Alicia Armentrout and Cassady Critchfield from Zoning.

Chairman Mike McKay called the meeting to order at 7:00 P.M.

Mr. McKay asked for a motion to approve the minutes from the July 11, 2023 meeting. Motion from Matt Knight and second from Bruce Steele to approve the minutes. All members voted to approve.

Mr. McKay swore those in wishing to speak. Mr. McKay also stated that if you wanted to speak for or against, you had to be at the meeting in person. The virtual zoom presentation was for hearing the meeting only and all joining would be muted.

Old Business: **None**

New Business: A) Variance Application No. 701-VA-23

Applicant: Lawrence Pishitelli

580 Murnan Road
Galloway, Ohio 43119

Location: Parcel No. 240-000273

580 Murnan Road
Galloway, Ohio 43119

Request: To grant a Variance from the provisions of Section 937 (Height Limitation Exceptions), to allow the owner to construct at a greater height than the Resolution permits in the SER (Suburban Estate Residential) District.

Ms. Critchfield gave the facts and showed pictures of the Variance Application. The owner is Lawrence and Beverly Pishitelli, 580 Murnan Road, Galloway, Ohio 43119. The property is a .97-acre parcel located on the east side of Murnan Road just south of Kuhlwein Road. The property is zoned SER and is surrounded by SER on the north, south, east and west.

The owner is seeking a variance from Section 937 (Height Limitation Exceptions); to allow the owner to construct an accessory structure at a greater height than the Resolution permits in the SER (Suburban Estate Residential) District. The original request was to be 24' to peak. The applicant has modified the request to 21'8" to peak for a variance of 5'8".

Resolution Requirements under Section 937 (Height Limitation Exceptions) states the height of detached accessory buildings in residential districts shall not exceed fourteen (14) feet. Sixteen (16) feet to peak. Church spires, belfries, cupolas, and domes, monuments, fire and hose towers, observation towers, chimneys, smokestacks, flag poles, may exceed the height limitations, except where the height of such structures will constitute a hazard to the safe landing and take-off of aircraft at an established airport.

Speaking for was the owner Lawrence Pishitelli, 580 Murnan Road, Galloway, Ohio 43119. Mr. Pishitelli stated he wishes to construct a 30'x50'x21'8" pole barn with a gambrel roof design over the traditional pole barn design roof. He stated he wants this gambrel roof design for looks and to allow him to have a small loft in it for hobby and craft area to be used for photography. He also stated there are several trees close by that he does not want to tear out and that is the reason for this size building to give him the square feet he needed over a larger building with less height.

Also speaking for was Voitec Zoleski of 4756 Hilton Avenue, Columbus, Ohio 43228.

Speaking for was also Larry Krist of 635 Murnan Road, Galloway, Ohio 43119. Mr. Krist stated he felt the structure would look nice and help the looks of the area.

There were numerous questions and answers between the Board, staff and owner.

Mr. McKay stated that when determining whether or not to grant a variance, the Board is charged with considering all relevant factors including, but not limited to:

- | | |
|---|-----|
| 1) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance; | YES |
| 2) Whether the variance is substantial; | NO |
| 3) Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance; | NO |
| 4) Whether the variance would adversely affect the delivery of governmental services such as water, sewer, and garbage collection; | NO |
| 5) Whether the property owner purchased the property with the knowledge of the zoning restrictions; | YES |
| 6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and | YES |
| 7) Whether the spirit and intent behind the zoning requirements would be observed and substantial justice done by granting the variance. | YES |

Motion by Mr. Steele, seconded by Ms. Grossholz to approve the Variance as submitted.

**Roll Call: Ms. Grossholz For
Mr. Knight For**

Mr. Steele **For**
Mr. Dellinger **For**
Mr. McKay **For**

Motion is APPROVED

B) Variance Application No. 702-VA-23

Applicant: Allison Rubadue (MKC Architects)
161 N. 4th Street
Columbus, Ohio 43215

Owner: Goose Creek Properties
2645 Lane Road
Upper Arlington, Ohio 43220

Location: Parcel No. 240-006774, 240-006773 and 240-006672, 5257 and 5249 West Broad Street; and Parcel No. 240-006750, 5240 Green Street, Columbus, Ohio 43228.

Request: To grant a Variance from the provisions of Sections 930 Table 2 (Dimensional Requirements), 110 (Off Street Parking Space Design Standards), 1122 (Commercial Parking), 1124 (Institutional Parking), 1806 (Parking), 1808 (Architectural Standards), and 1811 (Accessory Structures and Service Facilities), to allow the owner to construct a new medical office facility with less window transparency, smaller and fewer parking spaces and a dumpster enclosure located on adjacent lots, and with less front setbacks than required by the Resolution in the West Broad Street Corridor Overlay District (WBSCOD).

Ms. Armentrout gave the facts and showed pictures of the Variance. The owner is Goose Creek Properties, LLC, 2645 Lane Road, Upper Arlington, Ohio 43220. The properties are between .15-.18-acre parcels that are located on the south side of West Broad Street just west of Norton Road in the Western Gateway of the West Broad Street Corridor Overlay District. The properties are zoned WBSCOD with underlying zoning of GB and are surrounded by WBSCOD on the north, east, and west, and by Rural (Prairie Norton Elementary) on the south.

The applicant is seeking a variance from Section:
930 Table 2 (Dimensional Requirements)
Section 1110.1 (Off Street Parking Space Design Standards)
Section 1122.13 (Commercial Parking)
Section 1124.4 (Institutional Parking)

Section 1806 (WBSCOD Parking)

Section 1808 (WBSCOD Architectural Standards)

Section 1811.2.a (WBSCOD Accessory Structures and Service Facilities)

The Application Request is to allow the owner to construct a new medical office facility (campus) with less window transparency, smaller and fewer parking spaces and a dumpster enclosure located on adjacent lots, and with less front setbacks than required by the Resolution in the West Broad Street Corridor Overlay District (WBSCOD).

The owner is proposing to join the two lots fronting West Broad Street into one lot. (5249 and 5257 West Broad Street-parcels 240-006773 and 240-006774).

The new single lot fronting West Broad Street will have three fronts: West Broad Street, East Street, and Franklin Street.

Section 930 (Dimensional Requirements) states the minimum front setback in the General Business District is 75'.

The proposal will meet the 20' front setback requirement on West Broad Street per Article 18.

Article 18 does not give setback requirements for secondary or tertiary street frontage, therefore the underlying zoning of General Business is used.

Proposed structure will be set back from East Street and Franklin Street by 5'. This measurement meets the side setbacks requirement if the property did not have three fronts.

Sections 1110.1a & 1110.1.b (Off Street Parking Space Design Standards) states the minimum parking space dimensions for spaces set at a 90-degree angle is 10' x 20'.

The proposal has parking spaces measuring 9' x 18'. This is the current size of the parking spaces located on the lot.

The Resolution parking requirement dimensions are currently going before the Board of Trustees to be changed from 10' x 20' to 9' x 18' to meet the standards in surrounding jurisdictions.

Sections 1122.13 and 1124.4 (Commercial and Institutional Parking) states the minimum amount spaces is determined by the use/uses of the principal structure. The proposal includes two uses (dental clinic and offices) occupying 50% of the building each.

The combined area would require the project to have 38 spaces for the dental clinic use and 13 spaces for office use for a total of 51 spaces (including 2 ADA spaces).

Dental clinics require one space for every 100sf of floor area.

Offices require one space for every 300 sf of floor area.

Proposing 36 spaces (including 3 ADA spaces): 30 spaces are pre-existing and grandfathered on a neighboring campus parcel, for a Variance of 15 parking spaces.

Section 1806.1 (Parking) states parking lots shall be located to the side or rear of the primary structure.

Section 1811.2s (accessory Structures and Service Facilities) states dumpsters and other solid waste receptacles shall be located behind the primary structure.

These requirements assume that the parking and dumpster enclosure for the primary structure are on the same lot as the principal structure.

This project is being presented as a “campus” where the owner has a total of four adjacent properties: two will be combined for the principal structure and 6 parking, one will continue to be used solely for parking, and one will be used for dumpster and open space.

Section 1808.5 (Window Transparency) states Non-retail ground floors spacing West Broad Street shall be comprised of at least sixty percent (60%) transparency.

Transparency is defined as the ability to see through, with clarity, and to allow in light through the use of a glass window, door, or storefront. Transparency measurements refer to the minimum amount of window glass required within a portion of a building façade.

Proposal includes approximately 40% transparency as half of the building will be used for dental clinic space for a variance of 20%.

The proposed principal structure plan includes architectural design elements to break up the horizontal and vertical planes of the exterior without sacrificing the need for privacy.

Ms. Armentrout stated the setbacks on East Street and Franklin would be about the same as they currently are now with the dental office, the house located at 5257 West Broad Street and the business currently operating on East Street adjacent to the current parking lot.

Speaking for the Variance was Jessica Horstkotte, 1705 Wyandot Rd. Ms. Horstkotte represented MKC Architects. Ms. Horstkotte stated the reasons for the variances are due to limited space. The request for less transparency has to do with client privacy when in the different offices while being treated by the dentist. The parking variance request has to do with limited space due to the green space and while waiting on Franklin County Drainage to determine their feasibility study to determine the amount of green space needed for water retention. She also stated the garage currently on the green space will be demolished allowing more green space. There was much discussion on parking. There was discussion if more parking could be added to the green space if Franklin County determines that the whole area is not needed for water retention.

Also speaking for the Variance was Voitec Zoleski of 4756 Hilton Avenue, Columbus, Columbus, Ohio 43228.

Mr. McKay stated that when determining whether or not to grant a variance, the Board is charged with considering all relevant factors including, but not limited to:

The following is for 930 Table 2, Section 1110.1, Section 1808, and Section 1811.2.a., (everything except the parking spaces).

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|---|-----|
| 1) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance; | YES |
| 2) Whether the variance is substantial; | YES |
| 3) Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance; | NO |
| 4) Whether the variance would adversely affect the delivery of governmental services such as water, sewer, and garbage collection; | NO |
| 5) Whether the property owner purchased the property with the knowledge of the zoning restrictions; | YES |
| 6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and | NO |
| 7) Whether the spirit and intent behind the zoning requirements would be observed and substantial justice done by granting the variance. | YES |

Motion by Mr. Knight, seconded by Mr. Steele to approve the Variances for 930 Table 2, Section 1110.1, Section 1808 and Section 1811.2.a. as submitted, (everything except the parking spaces).

Roll Call:

Ms. Grossholz	For
Mr. Knight	For
Mr. Steele	For
Mr. Dellinger	For
Mr. McKay	For

Motion is APPROVED

Mr. McKay stated that when determining whether or not to grant a variance, the Board is charged with considering all relevant factors including, but not limited to:

The following is for Section 1122.13, Section 1124.4 and Section 1806.

- | | |
|---|-----|
| 1) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance; | YES |
| 2) Whether the variance is substantial; | YES |
| 3) Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance; | NO |
| 4) Whether the variance would adversely affect the delivery of governmental | NO |

- services such as water, sewer, and garbage collection;
- 5) Whether the property owner purchased the property with the knowledge of the zoning restrictions; YES
- 6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and NO
- 7) Whether the spirit and intent behind the zoning requirements would be observed and substantial justice done by granting the variance YES

Motion by Mr. Knight, seconded by Ms. Grossholz to approve the Variances Section 1122.13, Section 1124.4 and Section 1806 as presented with the stipulation that after the Franklin County drainage feasibility study on the amount of green space needed for water retention, that any additional space not needed for water retention will be used for more parking spaces.

Roll Call:

Ms. Grossholz	For
Mr. Knight	For
Mr. Steele	For
Mr. Dellinger	For
Mr. McKay	For

Motion is APPROVED

Announcements: Next meeting September 12, 2023 with one item on the agenda.

Adjournment: 8:08 P.M.

Submitted by: Duane Dellinger