

**CITY OF CIRCLEVILLE
PLANNING AND ZONING COMMISSION
104 EAST FRANKLIN STREET
CIRCLEVILLE, OH 43113
(740) 477-8224**

City Hall Council Chambers
May 3, 2017
6:00 P.M.

MEMBERS PRESENT

Al Sedlak, Chairman
Don Sherman
Terry Leasure
Marsha Griebel Graham
Kim Hunter, Clerk

VISITORS PRESENT

Philip Tipton
Jerry Croston
Ron Dunn
Erica Tucker
Tony Robinson
Terry L. Frazier
Trent Stoddard
June Stoddard
Dale Bower
Mike Washington
David Winner
Tom Spring

Chairman Sedlak called the meeting to order shortly after 6:00 p.m.

The first item on the agenda was approval of the April Meeting Minutes. Terry Leasure motioned to approve as submitted, seconded by Marsha Griebel Graham. All in favor, motion carried.

The next item on the agenda was Variance #7-17, as requested by Faith Noble, 106 Rosewood Avenue, Circleville to construct a 24'x32'=768 square foot, detached garage, fronting on Brokaw Avenue and to vary the allowed use of an accessory structure in a front yard and the front yard setback from the approximate average of 13' to 2.1' in an area zoned R-4, Historic Neighborhood Single Family Residential District.

Ron Dunn, 106 Rosewood Avenue, was sworn in and stated he would like to come off of the fence line and come over 32' and come 4' off of the back fence line. From the front of the curb to the front of the building, would be about 60'. It will be about 10 ½' from the edge of the asphalt to where the fence line is now. I believe that I need to be 20' off of the center of the

road so I need to get the Variance for 4' just to get it right on the edge of the property. Then I could get it between the property line and the house.

Al Sedlak stated on the request it says to vary the allowed use of an accessory structure. What will be the intended use of this building?

Ron Dunn replied I have too much stuff and I need the building for storage. I am remodeling and putting new siding on the house to make it look nice. I am also building an old Chevy pickup truck and would like to have a place to store it along with my mowers to get everything out of the yard.

Al Sedlak stated one of the quarks in our zoning, which is true in most zoning, is when you have a house on a corner lot where it has frontage on two streets, it actually has two front yards. Even though you may look at it and you see the front of the house and this should be the front yard. The side yard which is on the side street is actually considered a front yard for zoning purposes. Basically there are different setbacks for front yards and side yards. This is very common that someone in this gentleman's situation will need a variance because of having two front yards. This is something we deal with quite a bit.

Don Sherman stated your drawing doesn't show how close you are to the house.

Ron Dunn stated it is 10' from the edge of the house to the building line.

Don Sherman stated while that is considered a front yard because of the zoning; if it was a side yard, it would only require 3'. Is there any way you could get 3' instead of the 2.1'? I didn't know if you had enough room between the proposed building and the house.

Also, the 32' is facing Rosewood Avenue. Are you going to put a driveway access?

Ron Dunn replied I would like to keep it as close to the alley as I can. Right now, I just have a gate to get the mowers in and out. I am not going to add a driveway. I just want to be able to pull my vehicle up through the grass and put it in the barn to work on it. I am not going to run a business out of it or anything like that, just using it for storage. I can go 4' off of the back side and put it up against the edge of the fence where it is now. It is actually 10 1/2' to the edge of the road. If I keep it as far back as I want to put it, it will be at least 60' off of Rosewood Avenue.

Don Sherman stated if it was 3', it would meet a normal side yard setback. Is there any way that you could move it over a little bit so that you could get your 3'? If it was not a corner lot, it would at least meet the general setback.

Ron Dunn asked do you want me to move it 3' off of the house or 3' off of the property line.

Don Sherman replied if you could change it from 2.1' to 3' at least it would be more consistent.

Ron Dunn stated I can bring it over 3' from the property line. That would still give me enough room to get the mower through. That would be fine.

Don Sherman stated that is why I was asking how far away the house was from it because if you were really close to the house that would be a difficult request.

Ron Dunn stated I can take it 3' off of the fence line and still have enough room to get over to the other side and get in to the back of the building.

Don Sherman stated my preference would be at least 3' so it would be a normal side yard setback.

Ron Dunn stated I will bring it 3' off of the back and 3' off of the side.

Marsha Griebel Graham asked you are considering the front as one of the sides, and that would make the side yard setback?

Don Sherman replied exactly, we still have to grant the variance to 3', but at least it is within the normal zoning code if it wasn't a corner lot.

Ron Dunn stated I just need 3' off of each side and we will be good.

Don Sherman motioned to approve Variance #7-17, with the condition that it is 3' instead of 2.1', seconded by Terry Leasure. VOTE ON MOTION: AL SEDLAK, YEA; DON SHERMAN, YEA; MARSHA GRIEBAL GRAHAM, YEA; TERRY LEASURE, YEA. 4 YEAS, 0 NAYS. MOTION CARRIED.

The next item on the agenda was Variance #8-17, as requested by Trent Stoddard, 381 Sycamore Drive.

Al Sedlak stated to my understanding that has been withdrawn.

Don Sherman replied yes.

The next item on the agenda is Variance #9-17, as requested by Mike Washington, Napa Auto and Truck Parts, 123 East Franklin Street, Circleville to install three signs totaling 163.64 square feet and to vary the maximum number of signs allowed from two to three and to vary the maximum square footage of signs allowed from 100 square feet to 163.64 square feet, in an area zoned DB, Downtown Business District.

Mike Washington, 123 East Franklin Street, was sworn in and stated we are a family run business. My dad started the business in 1977. My three brothers and two of our sons now help us run the family business. We are combining two local businesses in to one location. The Napa store that has been in town since the 1930's when the Clifton's started it, and Circle Auto Parts that has been here since the 1950's. We are combining them in to the Circle Auto Parts building

at 123 East Franklin Street. We are combining the sales, employees, inventories and we need to better properly identify ourselves. If you look at the competition we have, Auto Zone, Advanced Auto Parts and O'Reilly's. They all have newer buildings and are definitely identified much better than a lot of small businesses. We like the building we are in and that is the style like we operate. As a small business owner, we need to make sure people know what we do and where we are located. That is why we are trying to change some of the signage, so that we can properly identify where we are located and what we do.

Al Sedlak stated in looking at the photos that you submitted, the two little signs on the back and the side of the building would be new, is that correct?

Mike Washington replied yes. I wouldn't call it the back, I would call it the front. They are on the Franklin St. side of the building. Because of the east/west traffic flow that we have observed, which is quite strong. With the building being so close to the road, we would really look at those basic logo identifications to let people know we are there. As you are driving by without an intended stop, you are not going to know who we are without having that logo on the side of the building.

Al Sedlak stated I see now that the one sign is not on the back, but the east side of the building.

Mike Washington stated on the east and west side of the building.

Al Sedlak stated as far as the signage on the front of the building, it would essentially be a replacement for what is there now. You are just changing Circle Auto Parts to Napa?

Mike Washington replied yes. There is a neon "Circle" logo that has been there for quite a few years and is somewhat nostalgic. That sign will stay there because we want to be identified as Circle Napa. It is not in the rendition there, but it is existing and has been for many years. We would like to take down the existing block red letters that say Circle Auto Parts.

Al Sedlak stated even though there will probably be a little difference in the size, it is essentially a replacement.

Don Sherman stated we will need to get the actual diameter of that sign so we can add it to the permit, since it will be part of the square footage even though it is existing. To keep the permit clean, we will add it to that so if someone comes back in ten years, they can see it was listed on the permit.

Mike Washington stated I will get you the exact measurements.

Don Sherman stated we can look to see if we have it on file.

Al Sedlak asked if anyone in the audience had any questions or comments on this issue.

Tom Spring asked what the practical difficulties are in an area of variance on this application.

Al Sedlak replied it is a change in ownership and a change in name, so they have to change the signage. In the DB, Downtown Business District, you have to get approval no matter what you do.

Terry Leasure motioned to approve Variance #9-17, with the condition to include the square footage of the existing sign, seconded by Marsha Griebel Graham. VOTE ON MOTION: DON SHERMAN, YEA; MARSHA GRIEBEL GRAHAM, YEA; TERRY LEASURE, YEA; AL SEDLAK, YEA. 4 YEAS, 0 NAYS. MOTION CARRIED.

Al Sedlak stated the last item on the agenda is Conditional Use Permit # 7-17, as requested by Philip Tipton, 3351 McDowell Road, Grove City, Ohio, for the Community United Methodist Church, 120 N. Pickaway Street, to alter previously approved plans for an elevator room, in an area zoned SU, Special Use District.

Al Sedlak stated we had previously granted approval for Conditional Use Permit for renovations and additions to the premises in question and now there is a modification.

Philip Tipton, 311 Chadwell, was sworn in and stated that is correct. We made it all the way through construction documents, building permits and bids and the project ended up costing more than the church wanted to spend. I am sure you remember the previous addition was on the north side, going in to the existing parking lot. It was approximately 600 square feet and had an elevator, stairs, landings and a lot of nice windows. We have taken a step back and now the exterior portion of the project is simply removing their current elevator shaft and putting back a nicer, bigger one. That is the extent of the project. The rendering that you have in front of you shows what the elevator shaft and entry would look like. I also brought 11"x17" photographs with me of what it looks like today, for comparison. The entire new portion of the work is right there in the middle. The black window with the cross in it, with the elevator shaft to the right. We did try to add a little bit of detail. You might remember the prior project on the north side was quite detailed. This elevator shaft is in between the original 1920's building and the 1960's addition. We were trying to make it compliment both sides, so we have added a little bit of relief and a nice light fixture that will shine up and down on that wall.

Al Sedlak stated basically the renovations will be on the east side of the building instead of the north side, and as you indicated it will be scaled back?

Philip Tipton stated that is correct. We will be removing an existing shaft and replacing it with a new one.

Al Sedlak asked even though what you are contemplating now is less than what was previously approved, because it is in the SU, Special Use District, you have to come back before the board to amend the Conditional Use Permit.

Philip Tipton replied that is correct.

Terry Leasure motioned to approve Conditional Use Permit #2-17, seconded by Marsha Griebel Graham. VOTE ON MOTION: TERRY LEASURE, YEA; AL SEDLAK, YEA; DON SHERMAN, YEA; MARSHA GRIEBEL GRAHAM, YEA. 4 YEAS, 0 NAYS. MOTION CARRIED.

Marsha Griebel Graham motioned to adjourn, seconded by Terry Leasure. All in favor, motion carried.

Submitted by: Kim Hunter