

CIRCLEVILLE BOARD OF ZONING APPEALS MINUTES 5.13.24

The Board of Zoning Appeals convened in City Council Chambers Monday, May 13, 2024, at 6:30 pm. Roll call. Members present: Chair Kevin Driesbach, Vice Chair Dennis Garlington, and Board members present: Connie Kelly, and alternatives, Fred Kenndey. Clerk Linda Chancey.

Absent: Ken Greene, Misty Laxton and Tonya Winfield.

Invited Guests were Zoning Inspector Hannah Wynne and Tom Klitzka, Council Liaison,

Kevin Driesbach called the meeting to order at 6:30 pm.

Dreisbach motioned that the 3.11.24 minutes are approved as written. All Yeas.

Speakers sworn -in:

1. Jessica Warner, 702 South Court St Circleville
2. Jason Boltenhouse, 318 Sycamore Dr Circleville, OH
3. Hillary Boltenhouse, 318 Sycamore Dr Circleville, OH
4. Tom Taylor, 3200 Valleyview Dr. Columbus, OH
5. Tom Taylor 502 Sycamore, Circleville, OH
6. Denice Taylor, 502 Sycamore, Circleville, OH
7. Brian Shonkwiler, 20700 London Grovport Rd.
8. Tom Dickinson, 319 Meadow Dr. Circleville, OH.

NEW BUSINESS -PUBLIC HEARING:

#1-24 Change or Continuation of Non -Conforming Use

Requested by Wesley Warner P.O. Box, 234 Ashville, OH 43103. Property address: Dairy Queen, 702 South Court St Circleville OH. Expansion: Canopy for outside seating area 10 X 20. Parcel# A 05-4098-00-011-00. Property Zoning District: IE.

Hannah Wynne -#3-24 Staff Notes

Per Wynne... the applicant is requesting an expansion of non-conforming use roof for a drive thru restaurant so customers can eat outside. This is in an IE district. the metal canopy is already installed.

DISCUSSIONS #1-24

Jessica Warner explained why they needed a canopy and agrees with the staff notes. The canopy was installed less than a month ago. The height does not affect any views.

MOTION-VOTE- ROLL CALL:

Kennedy motioned to approve #1-24 application as submitted. Garlington seconded. Roll call. (4 Yeas- 0 Nays). Motion carried.

#6-24 Variance/Appeal

Requested by Charles Taylor, 502 Sycamore Dr, Circleville, OH. Property address: 502 Sycamore Dr. Circleville, OH. Denial: Pool sidewalk less than 5 ft from property and house. Parcel# A 0511-48000-1800. Property Zoning District: LDR.

Hannah Wynne #6-24 Staff Notes.

Per Hannah the applicant is asking for a 5-foot setback required for pools and paved area surrounding the pool. The edge of pavement for the proposed pool is four feet from the house property line and four feet from the house. They are lacking one foot on each side and offset from the property line.

DISCUSSIONS #6-24

Tom Taylor explained why he needs the variance and agrees with staff notes, this is the design for a pool and structure. The sidewalks were reduced by a foot to meet the code. There are several properties in these areas that are fenced in the back yard with six-foot-high fences surrounding their pools and no one can see inside.

MOTION-VOTE- ROLL CALL:

Garlington motioned to approve #6-24 variance for 5-foot setback. Kelly seconded. Roll call. (4 Yeas- 0 - Nays). Motion carried.

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#7-24 Variance/Appeal

Requested by Custom Sign Center. Columbus, OH. Applicant Address: 3200 Valleyview Dr. Columbus, OH. Denial: 1.5 Sq ft per 2 lineal ft of building width, not to exceed 125 sq ft. Property owner: Tim Donut US Limited. Property address: 23923 St Rt 23 South, Circleville, OH. Parcel# A 05-0-0-151-00-001-00. Property Zoning District: GB.

Hannah Wynne #4-24 Staff Notes

Per Hannah...the applicant is requesting a variance from the maximum allowed size of a wall sign. In the GB district the max allows size is 1.5 sq ft per lineal ft of building width. The proposed sign is 47.78 sq ft and the building width is 36 ft, based on the width the maximum allowed size this sign is twenty-seven sq ft. It is the sign facing Rt 23 South.

DISCUSSIONS -#7-24

Tom Mann explained this is a standard sign for their buildings, it is for brand recognition. The proposed sign is bigger and better by 10%. the sign will be seen and can be seen at night, no extra lights in the backlite. the upgraded sign will be LED.

MOTION-VOTE- ROLL CALL:

Garlington motioned to approve #7-24 variance for a larger sign. Kennedy seconded. Roll call. (4 Yeas- 0 - Nays). Motion carried.

#8-24 Variance/Appeal

Requested by Hillary Boltenhouse 318 Sycamore Dr. Circleville, OH. property address: 318 Sycamore Dr. Circleville, OH. Denial: proposed patio exceeds allowed lot coverage percentage. Parcel # A 05-1151-000-6100. Property Zoning District: MDR.

Hannah Wynne #4-24 Staff Notes

Per Hannah...The issue is the total lot coverage surface. This is for proposed patio in the back of the home 36.4% over. The maximum coverage is 35%.

DISCUSSIONS

Hilly Boltenhouse explained they just wanted a small patio in the back yard. The neighbors have a patio or wooden deck throughout the neighborhood. It is only 4% above the city codes. Any comments from neighbor: no comments regarding actions. Its existing Heritage Pond for lot coverage.

MOTION-VOTE- ROLL CALL:

Kelly motioned to approve #8-24 setback. Kennedy seconded. Roll call. (4 Yeas- 0 - Nays). Motion carried.

Update from Brian Shonkwiler on the status of a permanent location for a men's shelter pursuant to the conditions of Variance #1-24.

Shonkwiler reported that the Presbyterian Church temporary housing is going smoothly and comfortably. I have met with the mayor and Council cmte chairs and explained the situation for a men's shelter. Zoning is still an issue for homeless shelters. We are asking you to extend our variance and conditional use for three months out. There is a property situated on Morris Road.

Hannah stated the biggest issue finding property zoned community service for shelter. The zoning process will take time and money for this to come about.

Tom Dickinson, Church Board Member, no negatives feedback within the church community and supportive.

Tom Duvall explained I live a block away and do not know it is there.

ANY OTHER BUSINESS: none was discussed.

Kelly motioned to adjourn the BZA meeting at 7:36 p.m., Kennedy seconded. Motion carried.

Respectfully submitted by: Linda Chancey, BZA Clerk.