

CIRCLEVILLE BOARD OF ZONING APPEALS MINUTES 10/28/2024

The Board of Zoning Appeals convened in City Council Chambers Monday, October 28, 2024, at 6:30 p.m. Members present: Chair Kevin Driesbach, Ken Greene, Dennis Garlington, alternate Fred Kennedy, and Clerk Melissa Burns. Absent members: Misty Laxton, Tonya Winfield, and Connie Kelly. Invited Guests present: Zoning Inspector Tyler Cobb and Planner Hannah Wynne.

Driesbach called the meeting to order at 6:30 p.m.

Greene motioned to approve the minutes from the BZA meeting on May 13, 2024. Kennedy seconded. Motioned carried.

Kennedy motioned to approve the minutes from the BZA meeting on June 10, 2024. Garlington seconded. Motioned carried.

Speakers sworn -in:

1. Tim Reeves, 200 North Court Street, Circleville, Ohio 43113.
2. Attorney Matt Tootle from Circleville Ohio, on behalf of Applicant Suzan and Tim Reeves.
3. Rick Hartinger from Washington Township, on behalf of the Historic Society.

Dreisbach stated he had a conflict of interest and will be recusing himself from the hearing.

PUBLIC HEARINGS:

#13-24 Variance/Appeal: Requested by Suzan Reeves, 200 North Court Street, Circleville, Ohio 43113

Property address: 200 North Court Street, Circleville, Ohio 43113.

Denial of Permit: Proposed fence is not one of the permitted types per section 1145.10 Table 14 of the Zoning Code. The fence also must be in line or behind the linear plane of the building.

Parcel# A051002003700 & A0510020003702

Property Zoning District: Downtown

DISCUSSION: the Zoning Inspector stated the applicant is seeking approval to install bollard fencing. The application was denied because bollard fencing is not on the list of permitted fences. Wynne stated the way the code is set up is, if the fence is not listed as expressly permitted it will be automatically denied. Wynne stated the bollards are removable and she doesn't foresee a reason the City would have an issue other than it wasn't included on the permitted list.

Matt Tootle spoke on behalf of the applicants. Mr. Tootle stated he reviewed the code and specifically the list of approved and prohibited. Bollards do not appear on either list. The fence will be on the northeast side of the lot. Tootle stated this will add safety for pedestrians because this will prevent cars from cutting through the lot to avoid the light. Mr. Tootle stated bollard fencing is the minimum type of fence the applicant can do.

Mr. Reeves spoke to state he has owned the property for four years. He has tried plastic cones, but he received complaints about the aesthetic. The bollard will only be a foot in the ground, removable and will be flush with the ground. Mr. Reeves stated there will be an aesthetic piece on the top. They will add reflective tape.

Mr. Hartinger spoke to state the Historic Society has two issues. Mr. Hartinger stated not all parties were served that were within a 100ft of the property. Mr. Hartinger also asked the bollards be installed at least 2 feet away from the property line.

Planner Wynne stated Legal Notice ran in the Herald and any missed parties would've been noticed that way.

MOTION-VOTE- ROLL CALL:

Greene motioned to approve Variance/Appeal Application #13-24 with the stipulation that the bollard fencing be installed 2 feet from the property line, with a chain. Seconded by Garlington. Roll call. (3- Yeas – 0 Nays.) Motion carried.

OTHER BUSINESS:

Greene motioned to adjourn the BZA meeting at 6:45 p.m. Seconded by Garlington. Motion carried.

Minutes prepared by: Melissa Burns, Clerk.