Violet Township Board of Zoning Appeals

September 20, 2018

Ms. Schirtzinger called the meeting to order at 7:30 p.m. and roll was called.

Members present: Mr. Dellinger, Mr. Collins, Mrs. Cole, Mr. Kluczynski, Mrs. Gillette and Ms. Schirtzinger. Also present was Kelly Sarko, Zoning Inspector.

Ms. Schirtzinger swore in those wishing to speak. It was noted for the record that Ms. Sarko had also been sworn in.

**Case Number 27-VA-2018**

An application for variance filed by Allan and Karen Burtis for property located at 9650 Wagonwood Drive, Pickerington. This application requests a variance from the provisions of Violet Township Zoning Resolution Section 3A2-04 and Section 3A2-10 to allow the construction of a front porch addition which is to be placed closer to the front property line than permitted in the R-1 District.

Ms. Sarko reported this property is located in the Haaf Farms subdivision. Mr. and Mrs. Burtis want to construct a 6’ 9” x 4’ 9” front porch addition 46.3 feet from the front property line. The front building setback is 50 feet. The Zoning Resolution in Section 3A2-04, requires each lot shall have a front yard of not less than 50 feet from the dedicated right-of-way line, a right-of-way easement and the front line of any building. Additionally, Section 3A2-10 requires entrance steps, porticos and eaves of three (3) feet or less projection may extend into front, sides and rear yards. Porches, roofed terraces and other building projections shall not extend beyond the setback lines.

Allen and Karen Burtis, 9650 Wagonwood Drive were present. Mr. Burtis explained the home was constructed in 1993 and they purchased the home in 2000. He said they considered putting an overhead over the porch but found out it violated the code. They are requesting a variance so they can construct the porch. He said it would provide weather protection and protect their new front door from the sun. He said the front door was a major investment. He said the sun is strong as his house faces southeast. He measured the temperature of the front door with a digital thermometer and it was 170 degrees. Mrs. Burtis said driving through their neighborhood, there are 30 homes on Wagonwood Drive and of the 30 homes, 21 of them have porches. Mr. Burtis said this will enhance the value of the house and it will match the house. He said it would look like it has been there all along. Mrs. Burtis said they received Homeowners Association approval for the project.

Mr. Kluczynski thanked the Burtis’ for providing answers to the Duncan v Middlefield factors. He asked if the two posts would go in the corners of the existing porch and would be a little rooftop that would conform to the existing design of the home. Mr. Burtis said this was correct and noted they would be removing brick and attaching the roof to the house structure with three attachment points.

Mr. Dellinger asked if when Mr. Burtis measured the temperature of the door was it the main door or the storm door. Mr. Burtis said it was the handle on the storm door. He said they leave the screen up all the time so it does not create heat between the main door and the screen door.

Mrs. Gillette referred to the Duncan v Middlefield factor responses that they provided and noted they have a 3’7” variance and in another place, she sees 3’3”. It was noted they are requesting is for 3’7”.

Mr. Dellinger asked if they had any plans to enclose the porch. Mr. Burtis said no.

Mrs. Cole asked if they had other cedar trim around their house. Mrs. Burtis said the overhangs and around the garage and the porch would be built to match.

Mr. Collins asked if the porch light would be moved to a different location. Mr. Burtis said it was not necessary.

Mr. Kluczynski made the motion to approve Case No. 27-VA-2018 a variance from the provision of Violet Township Zoning Resolution Section 3A2-04 and Section 3A2-10 to allow the construction of a front porch addition which is to be placed 3’7” closer to the front property line than.
An application for variance filed by Ray Ihm for property located at 11020 Milnor Road, Pickerington. This application requests a variance from the provisions of Violet Township Zoning Resolution Section 3AA4-05(A)(1) to allow the floor area of a detached accessory building to exceed the area permitted for an accessory building on a lot containing one acre or less in area; and Section 3AA4-05(A)(4) to allow the height of a detached accessory building to exceed the height of the home’s highest peak or ridge.

Ms. Sarko reported this property is located on the east side of Milnor Road north of the intersection of Milnor and Center Street. The County Auditor’s Office website indicates the property contains one acre. The home on the property contains 1,248 square feet of living space. It indicates the home is a single story home that was built in 1965. Mr. Ihm is proposing to construct a 32’x 48’ (1,536 square feet) detached accessory building. Mr. Ihm has indicated the pole building will be taller than the roofs highest peak or ridge. The plot plan submitted with the application indicates the structure will be placed 15 feet from the side and rear property line.

The Violet Township Zoning Resolution requires in Section 3AA4-05(A)(1), on lots of one acre or less in area, the total floor area of all accessory buildings on the property, when added together, shall not exceed fifty percent (50%) of the actual gross floor area of the principal building. Section 3AA4-05(A)(4) states the height of the accessory structure shall not exceed the height of the principal use’s roof highest peak or ridge.

Mr. Ray Ihm, 11020 Milnor Road, Pickerington said he wanted to build a bigger building than what he is allowed. He said he has a pickup truck that is 8 feet long. If he builds a smaller building, he said he would have hardly any room to walk around the vehicle. He said they purchased a camper a few years back and the storage is costing him more than he likes. He said the camper is the reason for the request for the height. He said he has four kids, one will soon to have a driver’s license, and he does not like the vehicles sitting outside. He said he feels it would help the neighborhood.

He said he was able to get a better color scheme than he submitted with the application. He said the picture he submitted is exactly how the building will look without the cupola. The color scheme is going to be a Burnished Slate roof with Colony Green siding with a white outline and gutters. He said it is very close to what his house is now but it is aluminum siding and has been painted in the past. If he gets approval and builds it, he will take the paint color, have it matched, and paint the house. He said the side window on the drawing would not be there. There will be three doors and he is thinking about putting brick on the front of the building.

Exhibit “A”, two pictures (2 pages) of pictures of the proposed accessory building (colors) was entered into the record.

Mr. Kluczynski asked if Mr. Ihm had an existing accessory building. Mr. Ihm said he did but it was just a 10’ x 10’ and would be removed. Mr. Kluczynski asked Ms. Sarko if the measurements and the capacity included the old accessory building. Ms. Sarko said it did not.

Mr. Collins asked if the building would still exceed the height of the house with the cupola removed. Mr. Ihm said yes, even without the cupola. He said his house has 10-foot ceilings. The proposed building will have 12-foot walls and a 10-foot door.

Mrs. Gillette asked if 10-foot doors give him room for his camper. Mr. Ihm said yes.

Mr. Dellinger asked if the three doors would all be the same. Mr. Ihm said they would.

Mr. Kluczynski asked if the three doors would face to the south. Mr. Ihm said they will face west like his house. You will see the three doors from the street and not the side. It will sit on his property the same way his house sits and access will be a gravel driveway.
Mr. Dellinger said he drove by the property and he noticed he has a couple large trucks as well as a trailer; he asked if they were going to go somewhere else or are some of them going in the garage. Mr. Ihm said there is room to get all of them in the pole barn. Mr. Dellinger asked if he looked at smaller sizes and Mr. Ihm said they would not work for what he wants to do. Ms. Sarko showed the location of the property on the map and said Mr. Ihm’s house is behind the salt barn.

Mrs. Cole asked if Mr. Ihm was going to extend his driveway from the turnaround all the way back. Mr. Ihm said that was correct.

One Board member asked if any of his vehicles were commercial vehicles. Mr. Ihm said no they were not.

Mr. Collins asked if the elevation at the rear of the property was higher or lower than his home. Mr. Ihm said it is a little higher, maybe 6” to 8” higher and that water drains forward.

Mrs. Cole asked if he had any houses behind him. Mr. Ihm said no, just the Township building.

Mr. Collins asked with the build up in the back corner of the yard is he still expecting the building to be higher than the house. Mr. Ihm said he put the number as a guesstimate. He would have to measure his house and get with the builder for the actual height of the building. Ms. Sarko said she did a rough guesstimate based upon the width of the building. It appears that the peak of the roof would be at about 18’ with using a 12:4 pitch.

Mr. Dellinger asked if he had a septic tank or well on his property. Mr. Ihm said he did in the front yard. He said the well is on the south side of the property. Mr. Dellinger asked where his leech bed was. Mr. Ihm said he believed it was out front but he was not certain.

Mrs. Gillette asked Ms. Sarko if he would have the accessory building situated 15 feet from the rear and 15 feet from the side property lines. Ms. Sarko said yes.

Mrs. Cole asked if the building would have three bays. Mr. Ihm said one for the camper, one for the crew cab and one bay for whatever else he can squeeze in there. Mr. Dellinger said he counted six vehicles when he drove by the house and he was trying to figure out where everything will go. Mr. Ihm said a couple of the vehicles would be gone. Occasionally there might be one vehicle sitting outside.

Ms. Schirtzinger suggested that Mr. Ihm could continue the hearing to next month so he can give the Board a better idea of what it is or he could amend his application to say no more than a certain amount feet taller than the house. She explained the Board like to know how much as it makes it easier to make a decision.

Mr. Ihm asked the Board if they could continue the public hearing to next month’s meeting on October 18.

Mrs. Gillette made the motion to continue Case No. 28-VA-2018 to Thursday, October 18, 2018 at 7:30 p.m. at the Violet Township Administrative Offices. Mr. Kluczynski seconded the motion. Roll call vote: Mrs. Gillette, yes; Mr. Kluczynski, yes; Mrs. Cole, yes; Mr. Collins, yes; Ms. Schirtzinger, yes, Motion carried.

Ms. Sarko reported that she had received one new application for next month’s meeting and then the continuance of the application from this evening.

Mrs. Cole made a motion to adjourn the September 20, 2018 BZA meeting at 8:16 p.m. Mr. Kluczynski seconded the motion. Roll call vote: all ayes.
Respectfully submitted,

___________________________________
Donald Rector, Secretary

Date: ________________

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Cathy Schirtzinger, Chair