

# Violet Township Board of Zoning Appeals

July 18, 2019

Mr. Collins called the meeting to order at 7:33 p.m. and roll was called.

Members present: Ms. Schirtzinger, Mrs. Cole, Mrs. Gillette, Mr. Kluczynski and Mr. Collins. Also present was Kelly Sarko, Zoning Inspector and Jennifer Huber, Township Legal Counsel

Mrs. Gillette volunteered to be the acting Secretary in Mr. Rector's absence.

Mr. Collins asked everyone to have a moment of silence for the sudden passing of John Eisel.

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

## **Case Number 21-VA-2019**

An application for variance filed by Bonnie and Gregory Armintrout for property located at 6515 Busey Place, Pickerington. This application requests a variance from the provisions of Violet Township Zoning Resolution Section 3A2-06 to allow the construction of an addition and deck which is to be placed closer to the rear property line than permitted.

This property is located on the east side of Busey Place. It contains 2.12 acres. Mr. and Mrs. Armintrout are seeking a variance to allow the construction of a porch enclosure and a deck to be placed 48' from the rear property line. The Township Zoning Resolution Section 3A2-06 requires each lot to have a rear yard of at least 50' between the rear lot line as well.

Gregory Armintrout, 6515 Busey Place said they are looking to get a variance for a sunroom and a deck on the rear of their house. The distance from edge of the deck to the rear property line is 48' 3" instead of 50 feet.

Mr. Kluczynski said in review of Mr. Armintrout's application he said home was built close to rear property line but apparently within the 50-foot standard. Mr. Armintrout said yes. He said the edge of the deck would be 10 feet from the back of the house. Originally it was 8.8'.

Mrs. Gillette asked if it had electric. Mr. Armintrout said it would have a ceiling fan.

Mr. Collins asked if there would be any exterior lighting. Mr. Armintrout said yes he would have a light on the back of it.

Ms. Schirtzinger asked if he was going to have steps into the yard. He said the deck would have one step and steps on the side.

Ms. Schirtzinger asked how high off the ground it would be. Mr. Armintrout said the height would probably be 2 feet off the ground.

Mrs. Cole asked if he was using treated lumber for the deck. Mr. Armintrout said he was.

Mr. Kluczynski made the motion to approve Case No. 21-VA-2019 a variance from the provisions of Violet Township Zoning Resolution Section 3A2-06 to allow the construction of an addition and a deck to be placed not closer than 47 feet to the rear property line as specified in the application. Ms. Schirtzinger seconded the motion. Roll call vote: Mr. Kluczynski, yes; Ms. Schirtzinger, yes; Mrs. Cole, yes; Mrs. Gillette, yes; Mr. Collins, yes. Motion carried.

## **Case Number 23-VA-2019**

An application for variance filed by Gary and Linda Waidner for property located at 9265 Blacklick-Eastern Road. This application requests a variance from the provisions of Violet Township Zoning Resolution Sections 3AA4-05(A)(2) to allow the construction of an accessory building whose floor area, in combination with those of one or more existing accessory building(s), exceeds the total

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floor area permitted for accessory buildings on a lot larger than one acre; and 3AA4-05(A)(4) to allow the height of an accessory building to exceed the height of the principal structure.

Ms. Sarko reported this property is located on the south side of Blacklick Eastern Road, east of Harmon Road. The property is zoned R-1, Single Family Residential. The property contains 1.8 acres. The home on the property, per the Fairfield County Auditor's website contains 1,630 square feet of living area. There is an existing 24' x 48' (1,152 sq. ft.) detached garage on the property.

Mr. Waidner is proposing to construct a 24' x 56' (1,680 sq. ft.) detached accessory building. The total floor area of the existing and proposed accessory buildings will be 2,496 square feet.

Section 3AA4-05(A)2) requires on lots larger than one acre in area, the total floor area of all accessory buildings on the property, when added together, shall not exceed the actual total gross floor area of the principal building

The height of the proposed accessory building will be 19'7". The height of Mr. and Mrs. Waidner's ranch home is 16'7".

Section 3AA4-05(A)(4) states: the height of the accessory structure shall not exceed the height of the principal use's roof's highest peak or ridge.

Gary Waidner, 9265 Blacklick-Eastern Road, Pickerington said he is asking for an additional accessory building. He said he is the caregiver for his wife. He said the existing garage is attached to the house and is full. He said he would install a ramp inside the garage so his wife can access their vehicle inside the garage so she is out of inclement weather. He needs the extra building to house equipment he has.

Mr. Kluczynski asked what the size of the garage was. Mr. Waidner said 20' x 22'. He asked what is stored in the existing garage. Mr. Waidner said he has two vehicles. He asked what is in the existing accessory building. Mr. Waidner said he has a truck, a boat, and a couple tractors. Mr. Kluczynski asked what kind of tractors they were. Mr. Waidner said they were utility tractors that can be used for farm use. Mr. Kluczynski asked what the new accessory building would be used for. Mr. Waidner said it would be used for storage for a boat, a truck and additional tractors. Mr. Kluczynski asked if he collected tractors. Mr. Waidner said he did and noted he currently has three. Mr. Kluczynski asked what is inside the existing garage. Mr. Waidner said it would be one car and a ramp.

Mr. Kluczynski asked what he would do with all his tractors if the application was not approved. Mr. Waidner said he might have to move even though he does not want to.

Mrs. Cole asked what kind of equipment he had. Mr. Waidner said tools, mowers, sprayers, a log splitter and storage racks. He said he really does not want to store anything off premises because it creates a hassle to go back and forth to get things. He does not want to put anything outside as he likes to take care of his equipment.

Mrs. Gillette asked if the tractors were antiques or historical. Mr. Waidner said yes one is a 1953, the other a 1946 and he is working towards restoring them.

Ms. Schirtzinger asked why the new building had to have an oversized door. He downsized the building to accommodate the variance. He needs the height because of the boat.

Mrs. Cole asked if the tractors that he stores are more collectible. Mr. Waidner said yes and he does not use them to mow.

Mr. Kluczynski asked if the peak of the existing accessory building was lower than the peak of the house. Mr. Waidner said it was and the peak of the new accessory building will be taller than the peak of the house.

Mrs. Gillette asked about security lights on the outside. Mr. Waidner said there would be.

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Mr. Kluczynski asked about driveway access to the building. He said he would extend the gravel. He said the building will actually sit down 1' to 1½' and it will be hidden behind the house and will not be visible from the street.

Ms. Schirtzinger asked if he would have electric or water service. Mr. Waidner said the only thing they will have is electric and possibly natural gas for a generator.

Mr. Waidner noted there would be approximately 25 feet between buildings.

Mrs. Cole asked if he would have to remove any trees. Mr. Waidner said he has had three trees removed – two were near the south property line and one was near the cul-de-sac.

Mr. Collins asked if there would be lights on the accessory building. He said there would be one that faces the house and one that faces the existing accessory building. He noted there is a floodlight on the house.

Mrs. Cole asked if the lights on the new accessory building cause any problems with any of the neighbors on either side. Mr. Waidner said no and they would not be directed that direction.

Mr. Waidner showed a photograph to the Board showing a ramp in front of the house and the relationship of the ramp compared to the attached garage.

Ms. Schirtzinger asked what colors the building would be. Mr. Waidner said mostly white. The roof will be beige.

Ms. Sarko said a neighbor asked about storm water. She asked Mr. Waidner if this building would have gutters and downspouts. Mr. Waidner said it would and the water would be directed onto his property and not the neighbor's property. He said all the storm water would be absorbed by his property. Mr. Waidner said the property is sloped from front to back so it will be directed more on his property going back. Mr. Kluczynski asked if there was any sloping to the side toward his neighbors. Mr. Waidner said there was not.

Ms. Sarko said she saw pictures of a recent storm where there was storm water at the side of the property. She asked if there was a drainage easement. He said his drainpipe in front was plugged and they put in a new culvert pipe

Ms. Schirtzinger asked what the size of the building was he was proposing in May, Mr. Waidner said it was 30' x 56'.

Referring to page 2, regarding topsoil, Mr. Collins asked if he had any plans for the additional soil. Mr. Waidner said the soil will be graded around the building.

Mr. Kluczynski made a motion to approve Case Number 23-VA-2019, a variance from the provisions of Violet Township Zoning Resolution Sections 3AA4-05(A)(2) to allow the construction of an accessory building containing 1,344 square feet, whose floor area in combination with an existing accessory building (1,152 square feet) exceeds the total floor area permitted for accessory buildings by 866 square feet on a lot larger than one acre; and a variance from Section 3AA4-05(A)(4) to allow the height of the new accessory building to exceed a height of the principal structure by not more than 4'. Mrs. Cole seconded the motion. Roll call vote: Mr. Kluczynski, yes; Mrs. Cole, yes; Ms. Schirtzinger, yes; Mrs. Gillette, yes; Mr. Collins, yes. Motion carried.

## **Case Number 24-VA-2019**

An application for variance filed by Suncraft Corporation, Inc., 122 W. Johnstown Road, Columbus for property located at 11371 Huntington Way, owned by Gregory and Sharon Stickney. This application requests a variance from the provisions of Violet Township Zoning Resolution Section 3B2-06 to allow the construction of an addition which is to be placed closer to the rear property line than permitted in the R-2 District.

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Ms. Sarko reported this property is located in the Huntington Hills subdivision and is zoned R-2, Single Family Residential. Suncraft Corporation and Mr. and Mrs. Stickney are requesting a variance to allow the construction of a 14' x 14' window porch onto the rear of their home. The proposed addition will be placed 29'± from the rear property line.

Section 3B2-06 require each lot shall have a rear yard of at least fifty (50) feet between the rear lot line and the dwelling.

Jim Knox, designer with Suncraft, 122 W. Johnstown Road, Gahanna, Ohio with Suncraft was present representing Mr. and Mrs. Stickney. He said the homeowners wish to remove a section of the deck on the back of the house and build a sunroom for an enclosed outdoor space outside of the home space. The property is a limited size for that subdivision. This property is on the west side of the subdivision. He said the majority of the lots in that subdivision are 150-foot deep or more. He said this lot is 128 feet deep on one side and 119.71 feet deep on the other. The front yard setback is 50 feet. The house is bigger so any additions in the rear would be in the rear setback.

Mr. Kluczynski asked if the existing deck was ever approved. Ms. Sarko noted there was a time when zoning permits were not required for decks. Mr. Kluczynski noted that Mr. Knox said that part of the existing deck was going to go away. Mr. Knox said they are taking off a section closer to the deeper side of the property. Mr. Knox said page 5 of 5 shows the removal of the deck.

Ms. Schirtzinger asked about the property owner's signature on the application form. Ms. Sarko said the owners did sign the application on a separate sheet.

Mr. Knox would like to amend the application to include a variance for the existing home and deck that extends beyond the rear setback.

Mr. Kluczynski asked about the encroachments. Mr. Knox said one side encroaches into the rear yard setback 12 to 14 feet; the other side encroaches between 6 and 8 feet. Mr. Knox said the existing deck is roughly 25' from the rear property line.

Mr. Kluczynski had a question on why they chose a 14 by 14' porch versus other sizes. Mr. Knox said that was the size that met their needs. Mr. Kluczynski asked if the properties along the property line are the same size. Mr. Knox said the properties southwest and north of this property are deeper.

Ms. Schirtzinger said the County Auditor shows the deck to be 24 feet wide and 16 feet deep; the side of the garage is 22 feet; and the left side of the home is 28 feet. Ms. Sarko said the drawing shows the room enclosure to be 14' x 14' and the deck is approximately 16 feet.

Mrs. Gillette asked if he was taking the floorboards up and replacing them on the deck. Mr. Knox said it is being removed and the porch is going to be closer to the end of the house. He said they are removing the bay window on the back of the house and creating an opening where the doors would go into the new porch.

Mr. Collins asked how the downspouts would tie in on the side of the enclosure closest to the deck. Mr. Knox said the part closest to the deck will drain to grade and the other side will tie into the existing downspouts.

Mr. Kluczynski asked if the interior would be pine and cedar. Mr. Knox said it would be a wood veneer.

Mr. Kluczynski asked about the location of the doors. Mr. Knox said there was an existing door on the back of the house that goes to the deck area, they are creating a new opening in the back of the house by removing a bay, and that has access to the porch. There will be an exit door from the porch to the yard where the steps are,

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Mrs. Gillette made the motion to approve Case No. 24-VA-2019, an application filed by Suncraft Corporation, Inc., 122 W. Johnstown Rd., Columbus for property located at 11371 Huntington Way, owned by Gregory and Sharon Stickney, to allow the home to remain as constructed and the deepest encroachments of the existing deck as constructed as well as a variance to allow the construction of a 14' x 14' addition not to be placed closer than 28 feet to the rear property line as submitted. Ms. Schirtzinger seconded the motion. Roll call vote: Mrs. Gillette, yes; Ms. Schirtzinger, yes; Mrs. Cole, yes; Mr. Kluczynski, yes; Mr. Collins, yes. Motion carries.

Mr. Kluczynski asked for an update on the motion for Allen Road. Ms. Huber said she will have a proposed decision for review in the next week. He asked what the sequence of events would be. Ms. Huber said she would circulate the decision for approval. Once the decision meets a majority of the Board's approval it will be up to the Board to announce a special meeting or set up a regular meeting to vote on it.

Mr. Kluczynski made a motion to adjourn the meeting at 8:59 p.m. Ms. Schirtzinger seconded the motion. Roll call vote: Mr. Kluczynski, yes; Ms. Schirtzinger, yes; Mrs. Cole, yes; Mrs. Gillette, yes; Mr. Collins, yes. Meeting adjourned.

Approved:

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Thomas Collins, Chair

Date: \_\_\_\_\_

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Donald Rector, Secretary

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Albert Kluczynski, Board Member

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Denise Cole, Board Member

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Cathy Schirtzinger, Board Member

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Stephanie Gillette, Board Member

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Rick Dellinger, Alternate Member