

Meeting Notes from Monday, June 5, 2017 meeting of the UAC Zoning Committee:

6:00 PM – Business/administrative session.

- Review of demolition request procedures
 1. Demolitions will take place, with or without commission recommendation
 2. Commissions can deny requests for early demolition, but this could be seen as an obstructionist action if a project's variances have already been approved
- Susan reported that Rambling House outside patio construction did not apply for variance & did not obtain building permit. City Code Enforcement is investigating
- Discussion and recommendation that variance requests that are not under UARB design review also appear before Planning Committee for their comments & recommendation. Will discuss at Planning Committee meeting

PRESENT: Susan Keeny, Pasquale Grado, Craig Bouska, Rory Krupp, Aaron Marshall, Brian Williams, Seth Golding

EXCUSED/ABSENT: Craig Bouska left after the business meeting due to illness.

VISITORS:

6:30 PM – Applicant(s):

1. **84 E. 15th Avenue, ZTA House** – Preliminary presentation of proposed demolition of the existing ZTA Sorority house and proposed new build. Presenters were Josh Cummings from the Columbus office of EMHT and Kristie Eaton.

Project Information/Applicant Presentation:

- This is a new build for this sorority on the existing site.
- Building needed to be ADA-compliant.
- Renovation versus new build was studied and compared. Engineers said renovations would be more costly than a new build. Building equipment systems outdated. Sorority determined better to tear down and build new rather than renovate existing structure
- **Project Data:**
 - Existing building = 7,386 Sq. Ft.; Proposed new building = 16,332 Sq. Ft.
 - Existing bedrooms = 9; Proposed bedrooms = 20
 - Exist. parking = 16 spaces; Proposed parking = 9 spaces
 - Exist. max. occupancy = 26 people; Proposed max. occupancy = 42 people
 - Exist. outdoor patio = 420 Sq. Ft.; Proposed patio = 620 Sq. Ft.
 - Exist. lot coverage = 19.2%; Proposed lot coverage = 27.5%
- Proposed new build would make this building similar in size & quality to other fraternities/sororities.
- **Possible variances:**
 - Sect. 3372.562(A) – Building Square Footage: To allow a new building to be 16,332 Sq. Ft. rather than the max. code-permitted 10,200 Sq. Ft.
 - Sect. 3372.564(B) – Parking Spaces: to allow 8 parking spaces rather than the code-required 38 spaces.
 - Sect. 3372.585(1)(h) – Rear Patio Square Footage: to allow a rear patio of 602 Sq. Ft. rather than the code-permitted 200 Sq. Ft.
 - Dumpster location is within side yard setback
- Building is a contributing structure, built in 1920:



Discussion/Comments/Observations:

- Question: Does this new building comply with OSU's STEP program to house sophomores? Information from OSU Student Life is that STEP program is not a mandate. Response: New building will have guest room for visiting faculty and study rooms
- Question: Why 20 bedrooms? Response: Determined after studying other campuses and the programmatic requirements of the client.
- Pasquale noted that previous discussions were held with OSU Student Life, and suggestion to create new zoning district for sororities & fraternities; if applicant would like to build more than the code-allowed 10,200 Sq. Ft., should work to change the zoning district rather than request a variance.

- Question on why so little parking. Response: Expectation is that sorority girls will use public transportation.
- Rory noted the size of the building is too much for the property
- Susan clarified that UAC has approved only 1 previous request for variances for a sorority/fraternity building project. Reason: the new building was only slightly larger than the existing with no increase in the number of bedrooms.
- Aaron noted that project proposes doubling the size of the building and halving the parking spaces
- Comment that popularity of sororities ebbs and flows, but a big building remains.
- Question: How does this proposed project contribute to the community? Response: Building becomes accessible, saves energy, and upgrades the learning environment.
- Question: Can't those goals be accomplished in a smaller building? Response: Building size is in response to owner's program. If building is smaller, would have to reduce the number of bedrooms
- Comment that OSU splits up incoming pledge classes equally among sororities, and all sorority members do not have to live in the house; building size appears to be more of an income generator. Response: Building is bigger to accommodate members that do not live on campus – larger meeting & dining rooms, etc.
- If building size reduced, will still need variances.
- Parking will become issue because of more permit parking; this causes parking to 'spill over' into the neighborhood.
- Applicants were advised to look again at program and determine how building size and scale could be reduced. Also, recommend showing elevations of adjacent buildings to show how proposed building fits character of neighborhood.

This is a preliminary discussion. No vote was taken at this time.

2. **1200 Hamlet** – Requests for Council Variance and Rezoning for 4 new single family dwelling units proposed on multiple parcels on Hamlet near 5th Avenue.

No presentation was made this evening. Case is postponed until next month.

3. **2060 Tuller** – council variances for multiple variances to allow 2 existing dwelling units (residence plus carriage house) on one lot. Presenters were David Neiderhiser and Doug Graff.

Project Information/Applicant Presentation:

- Existing house and garage with an existing apartment above – 5 bedrooms total.
- Intent of request is to legitimize existing condition.
- Apartment above garage was created in 1940's without any record of a building permit.
- There is **no parking on site**. Stairs built inside the garage to provide access to 2nd floor apartment eliminated a parking space.
- Property is in Indianola Forest Historic District & under Historic Resources Commission design review.
- Applicant met with HRC who would like them to maintain apartment above garage & keep staircase internal which means no car would fit in the garage structure.
- All side & rear yard setbacks, lot size, & lot coverage are existing conditions that will remain the same.
- Proposed plan keeps building footprint as is, but adds dormers and modifies the roof to allow required headroom.
- Proposed plan increases the bedroom count from 5 to **6 bedrooms**.



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- Variances being requested are:
 - 3332.039 R-4 Residential district: Use variance to allow two separate dwelling units on a single lot.
 - 3332.15 R-4 Area requirements to allow for two dwelling units on a lot of 2112.5 sf. in lieu of the 6000 sf required.
 - 3332.19 Fronting: Existing rear dwelling does not front on public street.
 - 3332.25 Maximum side yard for main and rear building.
 - 3332.26(E) Minimum Side yard Permitted: To allow for existing 11 3/4" setback on south property

line for West front building and 0' on west and 5 3/4" on east for East rear building (3' required for each property)

- o 3332.27 Rear yard: To allow existing rear yard of 100 sf for the east building and 71 sf for the rear west building to remain in lieu of 528 sf or 25% required by code.
- o 3312.49, Min. Parking: To provide 0 parking spaces in lieu of four required. There are currently 0 parking spaces on site.
- o 3372.541 Landscape Area and treatment: to allow for .56 % or 12 sf (existing) to be landscaped rather than the 10% required by code.
- o 3372.542 Maximum lot coverage: To allow for the existing lot coverage of 1351 sf or 63.9 % in lieu of the 25% or 528 sf required.
- o 3372.544, F.A.R.: To allow for FAR ratio of 1509 sf. or .72 in lieu of .4 or 845 sf required (existing is 1210 sq. ft.)

Discussion/Comments/Observations:

- Question: Why not enclose the 30" walkway between house and garage to make one house? Response: HRC said to maintain 2 separate buildings.
- Suggestion to maintain all building envelopes, but keep the garage as a garage & delete the apartment above. The garage has a garage door.
- Comment that this is a 'tiny house' – more affordable
- Comment that if we approve this, we would be giving our 'blessing' to an illegal conversion.
- Question: Does keeping these building envelopes intact make much sense now? Response: Actually garage predates the house.
- Question: Are you adding an additional bedroom to the existing house? Response: Yes. Response: Seems that if you keep 3 bedrooms instead of adding 1 more to the 2nd floor, rooflines would be less complicated and also eliminate a required parking space.
- Consensus that this is a complicated site and very tightly configured buildings. Recommend we table this until all committee members can go out to the property to investigate.

Committee and applicant all agreed to table the project until next month. Each commissioner will visit the property prior to the next zoning committee meeting .

4. **260 E. Blake Avenue** – Request for variance for a 6 ft. x 14 ft. addition to the side yard of an existing residential structure. Owner/applicant is Christopher Freiheit.

Project Information/Applicant Presentation:

- House has building footprint of 542 Sq. Ft. & sites n 32 x 125 Ft. lot
- Very small, with no bath on 1st floor
- Owner proposes 2-story addition of 6 x 14 Ft. to east side of house. Will include 1st floor half bath and small eating area plus enlarge 2nd floor bath.
- Variance requested:
 - o Section 3332.25, Max. side yards required: to allow an addition that would reduce the required side yard from 6.4 Ft. to 4 Ft.
- Small narrow house would benefit from slight increase in Sq. Footage
- With utilities entering the house at the rear, the side yard was the logical place to do an addition

Discussion/Comments/Observations:

- Rory noted that total St. Ft. added to existing structure is 168 Sq. Ft., not 84 Sq. Ft. as noted in the application. Applicant acknowledged this error.
- Applicant noted that house next door has 2 houses back-to-back
- Comment that the way the addition follows the existing ridge line and is at the side yard that has more space is a favorable to the property.
- General agreement that this small variance request was helpful to the property owner, complimented the character of the existing house, and was not a negative impact on the adjacent properties.

Motion to approve the variance request for the project located at 260 E. Blake: Pasquale; seconded: Seth. For-6; Against-0; Abstentions- 0. – Motion passes.

5. **15 E. Lane Avenue** – request for parking reductions at a previously permitted project located at 15 E. Lane Ave.

Project Information/Applicant Presentation:

- Site is 2 parcels; variances were granted already in 2006 & 2016.
- This variance request has new case number
- This variance:
 - o Memorializes existing parking variances,
 - o Requests permanent parking space reduction for Parcel B (due to lot split) while still

- o providing same amount of parking to serve both parcels on a future parcel
 - o Requests a temporary min. parking space reduction
- Parking for businesses (new White Castle & exist. pizza place) will be impacted by ongoing construction until April to Aug. 2018.
- Parking variance requests are for commercial only, not residential.

Discussion/Comments/Observations:

- Question: How will garage be accessed? Response: Off Pearl Alley. Cars will go through another owner's space to get to their spaces – (complicated.) – Ramp within garage is between the 2 parcels.
- Question: Will double stacked parking for residents still exist? Response: Yes; spaces will be assigned to individual residents
- Question: What does Traffic Management staff say? Response: Dan Blechschmidt who heads up Traffic Management has no problem with this variance request.
- Consensus that variance request is reasonable, but that the 4 month period of this temporary variance will present challenges to traffic & parking in and around the site.

Motion to approve the request parking variances for the project located 15 E. Lane Avenue: Rory; seconded: Brian. For-6; Against-0; Abstentions- 0. – Motion passes.

6. **Old North Arcade** – variance request for reduced parking due to change of use for Old North Arcade.

Project Information/Applicant Presentation:

- Applicant is seeking a parking reduction due to a change in used from 'Mercantile' to 'Bar/Restaurant' for the property located at 2593-5 N. High St.
- Café Bella's had a bar/patio/restaurant over 20 years ago that was not zoned "assembly" use.
- Current owner would like to be granted change of use since those spaces in effect function as an expansion of the owner's existing bar business – *Old North Arcade*.
- Variance requested:
 - o Section 3312.49(c), Min. Number of Parking Spaces: to permit 8 onsite parking spaces instead of the code-required 24 parking spaces.
- Owner has a signed lease agreement with Crosby's owner for 26 parking spaces in their nearby parking lot.

Discussion/Comments/Observations:

- Aaron represents the University Community Assoc. & acknowledges business owners that are responsible to the community. With the noise issues, feels this business isn't responsible to community. Response: Owner did add speakers to the outside. Realized this was not good for neighbors, so removed the speakers. Sent gift cards to neighbors on Duncan & Ramlow and gave them also his cell phone to call directly if there are further issues.
- Pasquale noted that Café Bella never had a variance for parking due to the outdoor dining patio. Is not supportive of the outdoor patio.
- Applicant applied to have garage door in the rear. UARB did not approve.
- Seth did go over to speak in person to owner about noise complaint. He saw an exterior door open, which allowed noise from within to broadcast out to neighbors. Staff did turn down the speakers. Response: Owner can put automatic door closers on doors.
- Seth suggested a policy that doors shall remain shut. As a commissioner there, he shares neighbors' concerns.
- Acknowledgment by committee that this bar is calmer than most campus bars.
- Acknowledgment by members that they could support variance request for the change of use, but would not support outdoor patio.
- Question: Would applicant consider not having outdoor dining patio and deleting it from this variance application? Response: Applicant stated he does *not* want to eliminate outdoor dining.
- No compromise could be reached. The Applicant wished to proceed with a vote on the variance request as presented.
- As a result, nearly all committee members could not support the request for variances.

Motion to approve the request parking variances for the project located 2593-5 High Street: Pasquale; seconded: Aaron. For-1; Against-5; Abstentions- 0. – Motion fails.

7. **200 W. Norwich** – new council variance request for increased height and lot coverage for previously approved micro-unit apartment building.

Project Information/Applicant Presentation:

- Mike Shannon reported that on April 10, 2017 City Council voted to approve the project's variance requests. (*UAC voted to disapprove this project's variance requests in December 2016.*)

- The UAC granted a request for early demolition last month.
- During a routine soil boring test, bedrock was hit at a higher level than anticipated. This has required the footings to be higher, increasing the building height t by approx. 5 Ft.
- Variances requested are:
 - Section 3372.563, Max. lot coverage: to permit the lot coverage to be increased from 68% to 80%
 - Section 3372.568, Height: to permit the building height to be increased from 60 Ft. to 72 Ft. (excludes elevator penthouse, stair tower, mechanicals)
- One level of parking is now on the 1st floor instead of being all below grade.
- Proposed 140 parking spaces remains the same; proposed 258 units remains the same; No increase in unit count.

Discussion/Comments/Observations:

- There was very little discussion. The committee could see that presence of bedrock was a clear case of a practical hardship that no one anticipated.
- The Committee was in support of this variance request.

Motion to approve the request for height variance for the project located at 220 w. Norwich Avenue: Pasquale; seconded: Rory. For-4; Against-2; Abstentions-0. – Motion passes.

8. **1397 N. Grant** – request for council variances to permit single family detached dwelling units in a C4 zone along the west side of Grant, ½ block north of E. 8th.

Project Information/Applicant Presentation:

- New single family homes are planned for the west side of Grant Avenue, between E. 8th Ave. & an alley to the north. These vacant lots were recently procured by Wagenbrenner Co.
- Property is zoned C-4, which does not permit residential on the ground floor.
- Proposed lots are min. 28 Ft. wide.
- Proposed: 8 single family units plus garages in the rear.
- Variances requested are:
 - Sect. 3356.03, C-4, Permitted Uses: to permit ground floor residential use, thereby permitting detached single family dwellings
 - Sect. 3321.05, Vision Clearance: to reduce the 30 Ft. x 30 Ft. clear vision triangle at the northwest corner of N. Grant Ave. & E. 8th Ave. to 5 Ft. x 5 Ft., to permit close building setbacks, as is the character of the area.
 - Sect. 3356.11, C-4 District Setback Lines: to reduce the N. Grant Ave. & E. 8th Ave. building setback line from 25 Ft. to two Ft., respectively.

Discussion/Comments/Observations:

- Question: Has Weinland Park Housing Committee seen this proposal? Response: Weinland Park Housing Comm. has seen and approved the project.
- Proposed project is consistent with other similar new build projects in Weinland Park
- Question/concern about the vision clearance variance. Response: This request is similar to other new block development in the neighborhood and is consistent with the character of Weinland Park neighborhoods.

Motion to approve the request for variances for the project located at 1397 N. Grant Avenue: Seth; seconded: Pasquale. For-6; Against-0; Abstentions-0. – Motion passes.

9. **Early Demolition** – campus partners requests early demolition for properties located at :

- 32 E 15th - old eye doctor's office
- 31-33 E 16th - duplex
- 35 E 16th - old Oxford office
- 41 E 16th - single family home
- 47 E 16th - Fraternity Managers Association

Project Information/Applicant Presentation:

- Leases for properties located on E. 16th are now vacated. Students left in May
- With these buildings now unoccupied, construction on the utilities infrastructure could begin ahead of schedule.
- Plan is to be off High St. by August.

Discussion/Comments/Observations:

- Not much discussion. There was general support of the need for early demolition of these properties
- Chris Sauer and Randy Black have already gone through the buildings looking for architectural or historical artifacts.

Motion to approve the request for early demolition for the properties as noted above: Brian; seconded: Pasquale. For-4; Against-0; Abstentions-2. – Motion passes.

VOTING RESULTS FOR ZONING COMMITTEE MEETING: JUNE 5, 2017

MEMBER	Craig Bouska	Seth Golding	Brian Williams	Susan Keeny	Rory Krupp	Pasquale Grado	Aaron Marshall		
Attendance	Excused	Present	Present	Present	Present	Present	Present		
CASE/ VOTE	Y-N-A-R*	Y-N-A-R*	Y-N-A-R*	Y-N-A-R*	Y-N-A-R*	Y-N-A-R	Y-N-A-R*		
260 E. Blake		Y	Y	Y	Y	Y	Y		
15 E. Lane		Y	Y	Y	Y	Y	Y		
Old North Arcade-2593 N. High St.		N	N	N	N	N	N		
200 W. Norwich Ave.		Y	N	Y	Y	Y	N		
1397 N. Grant		Y	Y	Y	Y	Y	Y		
Early Demolition		A	Y	Y	Y	Y	A		

*Y – yes; N – no; A – abstain; R – recused

***Revisions are noted in red.**

The following link is to the on-line zoning code, for your use and information:

https://www.municode.com/library/oh/columbus/codes/code_of_ordinances?nodeId=TIT33ZOCO

For Commission Presentations:

Commissioners may speak twice, up to 3 minutes each time per Bylaws Article IV, Section 1(b).

For All Zoning Presentations:

Applicants will present at the next University Area Commission (UAC) meeting which will take place (*unless otherwise notified*) on **Wednesday, June 21, 2016** at the Northwood & High Building, 2231 North High Street, one block north of Lane Avenue, Room 100. Zoning cases will be heard beginning approximately at 7:15 PM. Applicants are to bring **at least 10 hard copies** of their presentation that best presents their specific case – the specific variances requested, any plans, photos of existing properties, and a statement of hardship as to why the particular request should be granted. There is also an available overhead screen and projector for applicant power point presentations. The vote taken by the UAC that evening will be communicated to either the Columbus Board of Zoning Appeals, or City Council, or Graphics Commission, which will make the final determination of all requested variances

PLEASE NOTE the following parameters for all participants in Commission meetings with regard to zoning cases, per our REVISED bylaws, Article IV – MEETINGS, Section 7:

The following time limits will be adhered to for all zoning cases heard before the Commission:

1. Zoning Committee presents the facts of the case - **5 min. max**
2. Applicant Presentation - **7 min. max**
3. Zoning Committee report – **5 min. max**
4. Public comment (max 3 people each pro/con) - **2 min each (max)**. Only those who complete speaker slips prior to the case being heard will be considered for speaking based on the order the slips were received
5. Commissioner discussion: Commissioner who wishes may speak once per round for **1 min (max) for 2 rounds**. A Commissioner cannot save time for their second round or transfer their remaining time to someone else
6. Applicant response - **3 min (max)**
7. Commission vote
8. A motion to extend the max time limits can be made at the beginning of the case stating which portion(s) should be extended and by how long. The motion must pass by two-thirds (2/3) majority with no debate on this motion.