

Oakwood, Ohio
January 8, 2015

The Zoning Board of Appeals met in session this date at 4:30 o'clock p.m., in the council chambers of the City of Oakwood, 30 Park Avenue, Oakwood, Ohio 45419. The Chair, Mr. Kip Bohachek, presided and the Recording Secretary, Ms. Lori Stacel recorded.

Upon call of the roll, the following members of the board responded to their names:

MR. KIP BOHACHEKPRESENT
MR. DAN DEITZ.....PRESENT
MR. GREG LAUTERBACHPRESENT
MR. KEVIN HILLPRESENT
MRS. LINDA WEPRINABSENT

The following officers of the city were present:

Mr. Jay A. Weiskircher, Assistant City Manager
Mr. Dave Bunting, City Inspector
Ms. Lori Stacel, Clerk of Council

It was moved by Mr. Bohachek and seconded by Mr. Deitz that the absence of Mrs. Weprin be excused. Upon a viva voce vote on the question of the motion, same passed unanimously and it was so ordered.

The following visitors registered:

John and India Clarke, 112 Beverly Place
Mark Keil, Contractor

Mr. Bohachek noted that since this is the first meeting of the BZA for 2015, they will need to appoint a Chair and Vice-Chair. Following a brief discussion, Mr. Hill made a motion, seconded by Mr. Lauterbach to reappoint Mr. Bohachek as Chair and Mr. Dietz as Vice-Chair. The motion was passed unanimously.

Mr. Bohachek asked the members of the Board if any discussion was warranted regarding the minutes from the September 11, 2014 meetings which were slated for approval. There being no further discussion, Mr. Bohachek moved that the minutes from the September 11, 2014 meeting be approved. Mr. Lauterbach seconded the motion and it was so ordered.

Mr. Bohachek reviewed the meeting procedure with all in attendance.

Application #15-1, the request by John and India Clarke to vary the rear yard and side yard setbacks for proposed two car garage, house and driveway additions at 112 Beverly Place.

Mr. Bohachek opened the public hearing.

Mr. Mark Keil, contractor for 112 Beverly Place, shared that he understands that this proposal is not a small request, but it was the best solution to meet the Clarkes needs. The Clarkes intend on staying in this home as long as possible and plan to renovate and expand the kitchen, add a 1st floor bathroom and mudroom entrance, and a two car garage with some sort of attachment to the residence. The existing garage, which currently serves as a workshop, will be attached to the new garage. He believes the designed structure will work the best, not only for the owners, but for all surrounding property owners. The structure footprint appears to be more massive than

what it will be when it is finally constructed. He shared that the zoning code allows for up to 20% of the rear yard to be covered in structure. The proposed two car garage would cover 28% of the rear yard; however, other endeavors have been made to mitigate this. The roofs are being kept low to downplay the structure while also minimizing the impacts of the mass façade by using like methods of materials and construction. To the west corner lot, the proposed added structure is not visible from Dixon Avenue. To the north and northwest, there is no major exposure of the proposed garage. To the northeast, because of the elevated condition of the lot, the existence of the screened porch and the substantial landscaping, very little of the proposed structure will be visible from the street. To the rear, in addition to the fence, there are existing trees, which will render most, if not all of the proposed structure to where it is not visible. To the east, where the impact is the greatest, in addition to the lower level of that lot, there is substantial hedge growth in place providing less impact. Mr. Keil referenced similar properties in Oakwood that have similar arrangements in the same or similar zoning district. In the event that this request isn't granted, the Clarkes have given consideration to a few different alternatives. One alternative is expanding the garage to the east meeting the 20% allowed rear yard coverage. Unfortunately, there is not a substantial improvement with this alternative because it doesn't provide the woodshop space and the garden tool storage desired. It would also more than likely need to be larger than a one story height with some sort of less-flattering roof and will have other problems with integrating into the existing structure. A second alternative is to keep the general residence addition to the rear setback line and expand the garage to the east. The square footage limitation would require a flattened roof, but would not present the challenges of integrating into the existing structure. Mr. Keil added that he would not present this application to the Board if he didn't think it was doable and couldn't be done the right way.

Mr. Weiskircher shared that the 20% coverage requirement referred to by Mr. Keil only applies to detached structures and does not apply to this application.

Mr. Bohachek asked if an 800 sf detached structure would require a variance.

Mr. Bunting explained that it depends on the setback and size of the garage compared to that of the main structure.

Mr. Hill asked if the woodworking shop needs a garage door.

Mr. Keil answered yes explaining that a future owner could possibly use it as a three car garage.

Mr. Clarke shared that they are thinking of the future of the house and people may prefer an additional garage versus a woodworking shop.

Mr. Clarke, property owner at 112 Beverly Place, explained that he and his wife have lived in Oakwood for 29 years and resided at 112 Beverly Place for 14 years. They consider Oakwood an ideal place to live. He shared that the plan that Mr. Keil presented is something that blends with the history of the house and yard. He didn't like the plan at first, but the design compliments the architecture. He shared that he cares deeply about the property and wants to stay in the house as long as possible.

Mr. Deitz asked if the properties identified by Mr. Keil as having similar attached garages were approved by variance or if they were built before the zoning code was adopted.

Mr. Bohachek responded that the property on Dellwood was approved by variance not long ago but was unsure of the others.

Mr. Deitz asked what the separation requirement is between the detached garage and house.

Mr. Bunting answered that the building code requires 5 or 6 ft.

Mr. Bohachek explained that if the separation is less than 5 feet from the property line it has to be fire-rated, which is a building code issue.

Mr. Lauterbach asked if the mudroom and bath addition by itself requires a variance.

Mr. Weiskircher responded that the home addition by itself meets the rear yard setback so no variance would be required.

Mr. Hill asked if the Clarkes considered moving the woodworking shop in to the basement or third story.

Mr. Clarke responded that they have considered moving the shop to the basement, but the ceilings are fairly low. In addition to the low ceilings, there was also concern of dust and noise in the house. He added that even if they made the woodworking shop into a garage, it would leave little space for storage.

There being no other comments, Mr. Bohachek closed the public hearing and the Board reviewed the request.

Mr. Bohachek commented that the proposed addition takes up a large percentage of the lot. While a lot of time and effort was put into the design of the structure, it comes down to what type of precedence the Board wants to set in order to keep a suburban feel in Oakwood.

Mr. Hill shared that the ordinance is very specific that in order to approve a variance, the applicant must show a hardship. He is not hearing a hardship with this request and has concerns with the submission as proposed. He added that the Board has 60-90 days to make a decision. He feels it would be helpful to request additional information for further deliberation.

Mr. Lauterbach explained that he is troubled by the overall mass as well and is unsure how it will fit on the lot. He asked if there could be possible drainage issues.

Mr. Bunting explained that a trench drain is required if the added impervious surface exceeds 350 sf, and a drainage study is required if over 625 sf.

Mr. Keil commented that they will make sure they have a well-drained area and do whatever is needed.

Mr. Bohachek asking Mr. Bunting based on his past experience, if he foresees an issue with the drainage.

Mr. Bunting answered no; he doesn't foresee them having a problem taking care of the runoff.

Mr. Deitz and Mr. Bohachek agreed that more time and information is needed before a final decision can be made.

Additional discussion ensued on information that city staff and the applicant can provide in order to assist the BZA in their deliberations.

Therefore, it was moved by Mr. Hill and seconded by Mr. Deitz that application #15-1, the request to vary the rear yard and side yard setbacks for proposed two car garage, house and driveway additions at 112 Beverly Place be tabled pending submission of additional information including a certified plot plan with full dimensions, site plan with sf of existing and new impervious surfaces and property line setback dimensions, same passed unanimously and it was so ordered.

Mr. Weiskircher explained that Charles and Lynette Dinkler requested a 6 month extension for the previously approved rear yard variance for a two story addition at 174 Lookout Drive.

The Board members acknowledged the request and unanimously concurred with the 6 month extension request.

There being no further business, the meeting concluded at 5:50 p.m.


CHAIR

ATTEST:


RECORDING SECRETARY