

Oakwood, Ohio
April 9, 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 BOHACHEK	PRESENT
MR. DAN DEITZ.....	PRESENT
MR. GREG LAUTERBACH	ABSENT
MR. KEVIN HILL	PRESENT
MRS. LINDA WEPRIN	PRESENT

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

The following visitors registered:

Brad and Whitney Gibson, 1140 Ridgeway Road
Dan DeVol, Architect
Jon Barhorst, 1155 Ridgeway Road
Sue Galbraith and Jeff Weinstein, 1160 Ridgeway Road

Mr. Bohachek moved to excuse the absence of Mr. Lauterbach. The motion was seconded by Mr. Hill.

Mr. Bohachek asked the members of the Board if any discussion was warranted regarding the minutes from the January 8, 2015 meeting which was slated for approval. There being no further discussion, Mr. Bohachek moved that the minutes from the January 8, 2015 be approved. Mr. Hill seconded the motion and it was so ordered.

Mr. Bohachek asked the members of the Board if any discussion was warranted regarding the minutes from the February 3, 2015 meeting which was slated for approval. There being no further discussion, Mr. Bohachek moved that the minutes from the February 3, 2015 be approved. Mr. Dietz seconded the motion and it was so ordered.

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

Application #15-2, the request by Brad and Whitney Gibson to vary the front and side yard setbacks for a new home, A/C unit and driveway at 1140 Ridgeway Road.

Mr. Bohachek opened the public hearing.

Mr. Dan DeVol, builder for 1140 Ridgeway Road, shared that he realizes the site poses some challenges due to the irregular shape of the lot, but he plans to build a home that looks like it has been there for a while and completely fits in. He added that there will be a stone retaining wall installed along the north edge of the driveway. He also made reference to a recently completed landscape plan developed by Grandma's Garden.

Dr. Brad Gibson, property owner at 1140 Ridgeway Road, introduced himself to the Board and shared that he will do his best to provide vegetation screening to make the property aesthetically appealing by being mindful of the neighbors.

The matter was then opened for public hearing.

Mr. Jon Barhorst, 1155 Ridgeway Road, shared that he reviewed the plans for the proposed home and he believes the house will look fantastic, but not on this lot. He asked that the Board take into consideration the integrity of the neighborhood due to the placement of the home on the lot. He asked that the applicant think about reshaping the home to fit the lot as neighbors have done in the past. He requested that the 70 foot front yard setback be honored.

Dr. Susan Galbraith, 1160 Ridgeway Road, shared that she has lived on the lot to the south of the applicant on the corner for 12 years. She is concerned that there will be a decrease in property value if this home is built. Ridgeway remains a graceful area because of the cooperation of those that reside on this street. She invited the Board to come look at her backyard where the area is flagged to get a better idea of the setbacks. She asked how tall the proposed home will be and if it is over the zoning code required limit.

Dr. Jeff Weinstein, 1160 Ridgeway Road, shared that the city has a zoning code for a reason. He asked that the applicants build a house that fits within the city's current zoning setback regulations.

There being no further public testimony offered, the public hearing was closed and the Board of Zoning Appeals began its deliberations.

Mr. Hill asked if 1140 Ridgeway is considered a non-conforming lot.

Mr. Weiskircher confirmed that it is a non-conforming lot.

Mr. Bohachek shared with the applicants that they have the option of rescheduling the meeting in the next few weeks since a member of the Board is absent. Mr. Bohachek explained that three votes are needed to approve their request.

Mr. Dietz asked if there is an issue with the height of the proposed home.

Mr. Bunting said that the mean elevation of 35 feet is the maximum level for a single family home.

Mrs. Galbraith, 1160 Ridgeway, shared that the zoning code states that for every one foot over 25 feet, two feet shall be added to the side yard setbacks. This would be a total of 40 feet of side yard setback to a house that is on a hill.

Mr. Hill explained that since the staff report didn't have information regarding the height issues, he felt the request should be tabled until further information is received regarding the height as well as clarification from the designer regarding the elevations.

Mr. Hill asked where the A/C unit will be placed.

Mr. Bunting responded that the A/C unit will be placed on the north side between the driveway and the house.

Mr. Bohachek asked if the north side of the house is essentially parallel to the property line.

Mr. DeVol responded that it is.

Mr. Hill inquired about the proposed architectural finishes.

Mr. DeVol responded that they plan to use locally sourced true stone and a wood mold for the siding.

Mr. Hill asked about the plan to use asphalt shingles on the roof.

Mr. DeVol noted that an architectural slate asphalt shingle will be used.

Mr. Hill inquired about the A/C unit placement and the thought process behind its placement versus placing it behind the garage.

Mr. DeVol shared that the A/C unit is placed between the driveway and house to try and hide it as best he could from the neighbors next door. Placing the unit behind the garage would require extension of the A/C unit lines which could affect the performance of the A/C unit.

Mr. Hill asked about where the furnace units will be placed.

Mr. DeVol answered that there will be a unit on the top and lower level.

Mrs. Weprin asked about the use of the third floor.

Mr. DeVol responded that it would be an attic.

Mr. Bohachek shared that he feels the height issue is the most important issue that is not quite clear.

Mr. Dietz concurred with Mr. Bohachek and added that the 20 additional feet required for the side yard setbacks as a result of the proposed height of the structure on each side will make a big difference in this application.

Mr. Hill added that it is a non-confirming lot and thus a hardship on the applicant.

Dr. Gibson shared that their goal is not to build a home that doesn't fit in. Their family would like a nice flat yard for the kids to play in and they believe the proposed home will blend in nicely.

Dr. Galbraith, 1160 Ridgeway, shared that the homes on Ridgeway that are greater than 6,000 feet are located on two lots and the size of the proposed home is inconsistent with the lot sizes of the other large homes in the immediate area. She asked what the actual height of the proposed home will be.

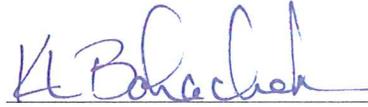
Mrs. Gibson responded that the proposed home will be 5,700 square feet plus the size of the basement.

Mr. Barhorst inquired about how the burden of proof for hardship is decided.

Mr. Hill shared that the zoning code is very clear on hardships for conforming lots, but can be subjective with non-conforming lots.

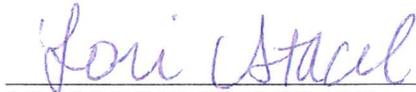
Therefore, it was moved by Mr. Hill and seconded by Mr. Deitz that application #15-2, the request to vary the front and side yard setbacks for a new home, A/C unit and driveway at 1140 Ridgeway Road be tabled pending submission of additional information including clarification on the heights, peaks and architectural finishes from the architect and an updated review of city staff's recommendation summary, same passed unanimously and it was so ordered.

There being no further business, the meeting concluded at 5:15 p.m.



CHAIR

ATTEST:



RECORDING SECRETARY