

Canal Winchester

*City Hall
45 East Waterloo Street
Canal Winchester, OH 43110*



Meeting Minutes

Monday, March 13, 2023

7:00 PM

Planning and Zoning Commission

*Joe Donahue - Chairman
Joe Wildenthaler – Vice Chairman
Brad Richey - Secretary
Rick Deeds
Eileen Goodin
Deborah McDonnell
Steve Palsgrove*

Call To Order

Time In: 7:00pm

Declaring A Quorum (Roll Call)

A motion was made by Joe Wildenthaler, seconded by Deborah McDonnell, that Brad Richey be excused.

The motion carried by the following vote:

Yes: 6 – Donahue, Wildenthaler, Goodin, Deeds, McDonnell & Palsgrove

Excused: 1 – Richey

Approval of Minutes

February 13, 2022 Planning and Zoning Commission Meeting Minutes

A motion was made by Steve Palsgrove seconded by Joe Wildenthaler, that the February 13, 2022 Minutes be approved.

The motion carried by the following vote:

Yes: 6 – Donahue, Wildenthaler, Goodin, Deeds, McDonnell & Palsgrove

Public Comment

Public Oath

Public Hearings

VA-23-002

Property Owner: Emanuel Carr & Sarah Weaver

Applicant: Emanuel Carr

Location: 525 Gender Road

Request: Variance to Chapter 1195.04 to construct an addition onto an existing accessory structure.

Mr. Moore presented the application for Emanuel Carr for property located at 525 Gender Road. The applicant is requesting approval for a Variance from Chapter 1195.04 to construct an addition onto an existing accessory structure. Staff discussed the zoning of the property and the surrounding uses with the commission.

The applicant is requesting to construct a 50'x53' addition onto the existing 24.3'x53' metal sided accessory building on the property. The building the applicant is requesting to add onto is the remnant from a previous 50'x50' historic barn that was demolished in 2019 by the previous property owner.

Staff discussed that the total size of the accessory building with the addition would be 3,938 sq. ft. at 24 foot tall to the peak. Current zoning regulations for properties over 4 acres limit an accessory structure to 1,440 sq. ft. Staff discussed that the building would be constructed out of metal siding and feature a single overhead garage door on the east elevation. The plans

submitted by the applicant show a man door on the front elevation and no other windows or other penetrations.

Staff discussed that special circumstances or conditions do not exist for the subject property that are not applicable to other lands or structures in the same zoning district. The applicant is requesting to construct a 2,650 sq. ft. addition onto an existing 1,288 sq. ft. accessory building. The zoning standards indicate any property over 4+ acres have a maximum building size of 1,440 sq. ft.

The literal interpretation of the Zoning Code would not deprive the applicant of rights commonly enjoyed by other R-3 zoned parcels. This property currently has two accessory buildings on the subject site, which exceeds the maximum number that is currently permitted.

Staff discussed that when Mr. Carr purchased the property in August 2020, the previous property owner had already razed several structures on the property, including the previous historic Barn the applicant notes as wanting to replace. However, the structure proposed by the applicant is not proposed to be constructed with historic context to replace the Barn lost due to prior owner neglect. This property previously had accessory buildings that exceeded the number and size currently permitted for the R-3 zoning district due to the structures being 100+ years in age. Granting a variance approval for a new modern building construction type is not a compatible request. The applicant states that they should be able to have a larger building by the fact the site used to have many accessory structures. However, this site had many accessory structures as a working farm including two hog houses, chicken coop and a gain structure.

Granting of this variance would put the property to a better economic use than presently permitted by zoning regulations. The application states that they want to construct the addition onto the existing 24'x53' accessory structure for restoring cars and race cars. The existing accessory building could potentially house 5 – 6 vehicles currently so staff is unsure what the additional 2,650 sq. ft. would be used for. The property is zoned R-3 residential and due to its acreage, it is available for several conditional use requests not applicable to smaller properties such as a church or house of worship which requires a minimum of 3 acres, a private indoor recreational facility that requires 5 acres, or even a daycare centers and preschools. Constructing a facility of this scale may further encourage future reuse of the property to one of the conditional uses listed above.

Staff recommends variance application #VA-22-002 be denied as presented. The construction type and scale for the accessory building addition is not compatible with the historic nature for the property or with the scale of the surrounding residential homes.

Mr. Deeds asked staff if the other potential uses for the structure required approval by the Planning and Zoning Commission. Staff affirmed noting that

using the property for a church, recreational facility or daycare would require a conditional use application.

Mr. Donahue asked staff if there is a formula for accessory building size based on the property. Staff indicated that the code says any property under two acres has a limit of 720 sq. ft., between two and four acres the limit is 1,200 sq. ft. and over 4 acres is 1,440 sq. ft. Staff did note that the number of residential properties over 4 acres is very minimal within the city.

Mr. Donahue asked if the sole variance request is for the building size. Staff noted that the variance request is due to the accessory building being over 1,440 sq. ft. with the addition. Additionally, the construction type being requested staff does not feel is compatible with the property. That would be up to the Commissions interpretation of the code.

Mrs. McDonnell asked staff what the zoning code says for commercial use on residential property. Staff indicated that home occupations are permitted are permitted outright on a residential property if they take up less than 200 sq. ft. of the dwelling. Staff noted that they brought up the building may be used for commercial purposes as the applicant's statement says they build racecars and they currently rent garage space elsewhere to build and store the vehicles.

Emmanuel Carr introduced himself to the commission and discussed that they moved out to Canal Winchester in preparation to having their first child. The applicant noted that they do sublease shop space now behind his work in the same place that his employers lease for the general contracting business. Mr. Carr stated that himself and his wife rebuild and race cars personally and have eight cars at the moment. They do not have time to work on other vehicles than their own.

The applicant discusses that the existing lean-to building is filled with lawn equipment. The property is on 5 acres and he has tried to maintain the property. It was severely overgrown when it was purchased. An adjacent neighbor reached out to the city saying they were in favor of the building. Both accessory structures are proposed to be painted to match, along with the gutters and soffit on the home. The barn that was there was much more sizeable than what is being requested and the applicant added he would love to construct a 100 year old barn but with costs it is unfeasible.

The applicant noted he did drive around nearby areas to find similar detached structures that are comparable to what they are requesting to build. They went door to door showing the project to the neighbors for feedback and there were no negative comments. The property is 5 acres and has old growth trees that screen the property structures.

Mr. Carr notes that when they want to go work at the shop currently it is a 30 minute drive there and another 30 back. That travel time plus time to work on things makes less time for the family. The building would also be nice to store

their personal belongings indoors as they have had a work truck stolen from the driveway before.

Mrs. McDonnell notes that the applicant shared the building they are requesting is smaller than the previous barn. The applicant affirmed noting that the footings from the previous building is still there. The old barn was 65 feet wide and 53 feet deep with an additional 7 foot lean-to off the rear. The roof on the old building was also much higher and longer. This new building is designed to build off the existing structure that remains and the applicant notes they want to build a nice structure that compliments the property.

Mrs. McDonnell asked the applicant if they have anything to elaborate on the staff comment that it is not going to resemble the building that was there. Are there other materials that have been considered to bring that into cohesion. The applicant noted he likes the monochromatic barn paint scheme with a board and baton base. This design is close to the barn on Lithopolis Road across from the Middle School and other metal structures along Gender Road. The building will have end trim and soffits to have an architectural detail and the colors were chosen to match the trim they want to do on the home.

Mr. Donahue asked the applicant if they tend to run a business out of the structure. The applicant indicated they do not.

Mrs. Goodin asked if the proposed construction would affect any of the old growth trees. The applicant indicated that it would not and it is part of the charm with the property.

Mr. Deeds discussed with the applicant other barn style construction types with different roof lines and asked the applicant if they had looked at that. The applicant noted that the building style they choose has the center door that is reminiscent of a horse barn with stalls on either end of a large opening. The symmetrical roof line helps tie into the existing structure. The concern with doing something different with the roof was not making something taller than what is presented and going smaller would become challenging with the car lifts.

Mr. Deeds asked the applicant how they arrived at this building size and if this was the maximum or ideal size they wanted. The applicant explained that the building they lease now is 45'x45'. They arrived at a 52 foot deep building to match the existing lean-to structure. The existing structure will remain unfinished with a gravel floor for storing yard equipment. Mr. Carr noted the pre-existing building was 60 feet wide and they scaled it back to 50 feet to blend with what they have now and how to get the building to look right.

Mr. Donahue opened up the application for the Public Hearing.

A motion was made by Joe Wildenthaler, seconded by Steve Palsgrove, to close this Public Hearing.

The motion carried by the following vote:

Yes: 6 – Donahue, Wildenthaler, Goodin, Deeds, McDonnell & Palsgrove

Mr. Donahue discussed with the commission that this variance is for the size of the building. Staff does bring up a point that this property is sized to allow for several conditional use items and Gender Road has them sprinkled about already in an appropriate manner. Just from looking at the 2015 aerial photo until now there has been residential development surrounding this property. Donahue noted he feels this project is an improvement to the property by bringing back a structure that is identifiable. The mention of the historic registry and older buildings the property used to have has changed with the development around it. The proposal is an improvement to the property and any future conditional use requests would need to come before the commission.

Mr. Wildenthaler agreed with the comments Mr. Donahue mentioned although there is concern about what the building looks like. Wildenthaler stated he does not like the grey structure proposed. He does like making it have more agricultural features but the color is not something he would support.

Mr. Carr noted he is open to looking at changes and the rendering provided was to show a rough idea for a thought process. Full drawings would be submitted for a building permit detailing the products that would be used. The rendering presented this evening is what was shown to the neighbors when they went door to door talking to them about the project.

Mr. Deeds noted to the applicant that a cupola or other details could be added to the building to make them more barn like vs a typical metal building. The applicant noted he agrees with the comment and is familiar with that style of agricultural building detail. The concern with adding those details previously was adding height to the structure.

Mr. Donahue asked staff if there were conditions added to approve this application could the changes be reviewed by staff. Staff noted if the commission provides feedback for the applicant for things to change on the building that is something staff can work with the applicant on. Staff noted the only hesitancy is if the recommendations are vague and do not provide clear direction then it would be up to interpretation between the applicant and staff alone.

Mr. Deeds noted that the commission can either approve with specific changes or table for the applicant to come back with proposed alterations to the plan.

The applicant stated he is open to making changes and does not want to wait for the April meeting if he does not need too. None of the aesthetic changes are concerning and are agreeable. Whichever path helps move forward with the

project would be a good route. Trying to beat the rush of upcoming construction is also going to be a factor.

Mrs. McDonnell noted that this is a large barn but does mimic a massing of what was there. This does bring back some look of a farm. As part of a historic register Mrs. McDonnell noted she does not think it was a contributing factor like the house. The commissions suggestions for architectural features being incorporated are valid and is something that staff can work with the applicant on after the fact.

Staff provided a brief example of that to the commission on how a one-on-one discussion with the applicant on modifying the building is not a direction they would like to take.

Mr. Donahue notes that he thinks the best route after this discussion is to table the application for Mr. Carr to work with staff and come back with updated drawings for review. Mr. Deeds affirmed noting while that is not ideal, based on the multitude of the changes that could be made it does not seem fare to the applicant or staff to do this alone. Staff affirmed noting that the commission needs an opportunity to review the changes proposed by the applicant. Mr. Carr affirmed.

Mr. Deeds encouraged staff and the applicant to discuss changes until the next meeting so they can look at product availability, budget and other contributing factors.

Mr. Donahue noted to the commission, staff and applicant he appreciated the dialog this evening.

A motion was made by Rick Deeds, seconded by Eileen Goodin that Variance Application #VA-23-002 be tabled to the April meeting.

The motion carried by the following vote:

Yes: 6 – Donahue, Wildenthaler, Goodin, Deeds, McDonnell & Palsgrove

VA-23-003

Property Owner: Vic Ireland – Canal Pointe LLC

Applicant: Christopher John – Dublin Building Systems

Location: 8075 Howe Industrial Parkway

Request: Variance to Chapter 1185.05(a) to increase an access drive to 30' in width.

Mr. Moore presented the application for Christopher John for property located at 8075 Howe Industrial Parkway. The applicant is requesting a variance from Chapter 1185.05(a) to increase an access drive to 30' in width.

Staff discussed that the applicant is proposing to construct a 15,000 sq. ft. office/warehouse facility for Accurate Electric on the property. The site is located in Canal Pointe Industry and Commerce Park and is Zoned Limited Manufacturing. Chapter 1185.05 regulates access drives to be a maximum of 25 feet in width. The applicant is requesting for 30 feet wide.

Staff discussed that many of the surrounding parcels in the industrial park have a 30 foot access drive. The wider access drive is to help accommodate for a semi-truck pulling into and out of the site so they do not hop the curb. Granting this variance would allow for the applicant to function in a similar manor to surrounding properties.

Staff recommends that Variance Application #VA-23-003 be approved as presented.

Mr. Donahue opened up the application for Public Hearing.

A motion was made by Joe Wildenthaler, seconded by Steve Palsgrove that this Public Hearing be closed.

The motion carried by the following vote:

Yes: 6 – Donahue, Wildenthaler, Goodin, Deeds, McDonnell & Palsgrove

A motion was made by Joe Donahue, seconded by Rick Deeds that Variance Application #VA-23-003 be approved as presented.

The motion carried by the following vote:

Yes: 6 – Donahue, Wildenthaler, Goodin, Deeds, McDonnell & Palsgrove

SDP-23-002

Property Owner: Vic Irelan – Canal Pointe LLC

Applicant: Christopher John – Dublin Building Systems

Location: 8075 Howe Industrial Parkway

Request: Site Development Plan application for a new 15,000 sq. ft. industrial building for Accurate Electric.

Mr. Moore presented an application for Christopher John for property located at 8075 Howe Industrial Parkway. The applicant is requesting approval for a Site Development Plan for a new 15,000 sq. ft. industrial building for Accurate Electric.

Staff noted that the applicants plans meet the setbacks for the site. There is a single 30 foot access drive proposed on the west side of the site that will access the 26 parking stalls at the front of the building. The applicant shows an additional 20 parking stalls within the fenced in yard area for fleet vehicle parking. Two drive in docks are shown on the west elevation and a third on the south elevation. The site parking and loading zones meet code requirements.

The applicant's utility plan shows water and sanitary sewer is available to the property along Howe Industrial Parkway. Stormwater for the site is proposed with a dry detention basin with a concrete channel at the front of the site. Staff explained that this basin is similar to that next door at Lifestyle Flooring and is necessary based on the outlet into Howe Pond to the north. The basin design will require a formal variance to the stormwater design manual.

The applicants landscape plan notes that 23 trees are to be planted on site and meet the size and diversity requirements in the code. The parking lot lights are shown at 15 foot tall on 3 foot concrete risers meeting that requirement.

The applicant is proposing a metal sided building with a fiber cement horizontal siding front entry feature at the corner of the building. The plans also note a split face block water table around the perimeter of the building. It will be very similar in construction to surrounding buildings. There will be aluminum storefront systems with an aluminum canopy above the door. Windows for the office space are located on the front elevation and continue on the sides of the building. Signage plans have not been submitted for review.

Staff Recommends that the Site Development Plan #SDP-23-02 be approved with the following condition:

1. The applicant receives a variance from the storm water design manual requirements to allow the construction of a dry-detention area.

Rich Ireland with Dublin Building Systems introduced himself to the commission noting that the owners of Accurate Electric are also present for any questions.

Mr. Deeds noted that this seems like a good design and checks all of the boxes.

Mr. Donahue asked the applicant if the chain-link fence will be black. The applicant affirmed it would be a vinyl coated chain-link in black.

A motion was made by Steve Palsgrove, seconded by Joe Wildenthaler that Site Development Plan application #SDP-23-002 be approved with the recommendation that the applicant receives a variance from the stormwater design manual for the dry detention basin design.

The motion carried by the following vote:

Yes: 6 – Donahue, Wildenthaler, Goodin, Deeds, McDonnell & Palsgrove

Old Business

Staff updated the commission on the Community Plan Workshop #2 that was at the end of February and next steps towards reviewing a draft of the Plan.

New Business

Staff introduced the newest member Eileen Goodin to the commission.

Staff noted that the city needs a member of Planning and Zoning Commission to be on the Housing Council to review all tax abated properties within the city. The commitment is for a three-year term and its one annual meeting a year at the end of March. Steve Palsgrove volunteered to fill that position.

Adjournment

Time Out: 8:10 pm

A motion was made by Steve Palsgrove, seconded by Rick Deeds, that this Meeting be adjourned.

The motion carried by the following vote:

Yes: 6 – Donahue, Wildenthaler, Goodin, Deeds, McDonnell & Palsgrove

Date

Chairman – Joe Donahue

Secretary – Brad Richey