

Canal Winchester

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



Meeting Minutes

Monday, October 9th, 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: 7:02pm

Declaring A Quorum (Roll Call)

Approval of Minutes

August 14th, 2023 Planning and Zoning Commission Meeting Minutes

A motion was made by Deborah McDonnell, seconded by Joe Wildenthaler, that the August 14th, 2023 Minutes be approved.

The motion carried by the following vote:

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

Abstain: 1 - Richey

Public Comment

Public Oath

Public Hearings

VA-23-011

Property Owner: Alec & Rona Land

Applicant: Alec & Rona Land

Location: 1037 Groveport Road

Request: Variance to Chapter 1195 to permit a new residential dwelling to be located behind existing accessory buildings

Mr. Moore presented the application for a new residential dwelling at 1037 Groveport Road. This property is currently zoned R-3 Residential. To the east of the property are several large lot home sites on Groveport Road zoned R-3. To the east of the proposed home site is the Canal Winchester Elementary School buildings zoned R-3. To the south of the property is the Canal Winchester Walnut Creek Park zoned R-3. To the west of the subject property are farm fields located in unincorporated Madison Township.

The subject property is a 32.86 acre tract located on the south side of Groveport Road. The property contains a former dwelling unit that has since been converted into a hay barn and wagon storage. There is a second former cabin that has since been converted to tractor storage. Two more accessory buildings are on the lot, in addition to a large horse barn and arena complex. There are currently no dwellings on the property.

The applicant is requesting approval to construct a new single-family dwelling on the parcel. The home site sits to the southeast of the existing horse barn towards the middle of the lot. The applicant provided photographs of the exterior of all of the accessory buildings. All of the accessory buildings would be located between the home site and Groveport Road.

Section 1195.04 of the Zoning Code states that all accessory buildings are to be located behind the principle structure. The City does not permit properties to have accessory buildings without a principle dwelling unit. In this instance, the homeowner converted the principle dwelling unit into an accessory structure, making them in non-compliance with the Zoning Code.

The applicant is seeking approval to construct a new dwelling unit on the property in a location that would keep several of the existing accessory structures in front of it. The variance request is to allow the new residence to be in the proposed location.

Staff went through several special circumstances and conditions regarding this property and the proposed location of the new home. The applicant does have the ability to demolish one of the converted single-family dwellings at the front of the property to construct a new home, however, taking the size and scale of the new home into consideration, along with the floodplain in the area, the proposed site appears to be the best location.

Staff recommends variance application #VA-23-011 be approved as presented. The visual impacts of the proposed home site would not affect the surrounding area given the existing dense vegetation and natural barriers on the existing property.

Mr. Donahue asked staff what the setbacks would be for this home. Staff answered that a plot plan has not been provided but based on the information provided, it appears to exceed the necessary setback requirements.

Mr. Donahue asked if the homeowner is currently allowed to operate a business out of this location with its existing zoning. Mr. Moore answered that the current horse boarding facility running out of this location is legal non-conforming and was that way when the property was annexed into the City. They would not be allowed to expand the business from a structure standpoint.

The applicant, Mr. Land, is present and noted that they did apply for a variance for an equine boarding facility approximately 20 years ago when it was converted from a camp. He also explained the purpose of each of the current accessory buildings.

Ms. McDonnell asked if the applicant currently lives on the property and he responded that they do not. Ms. McDonnell asked how big the proposed house would be and he answered that it would be approximately 6,000 square feet and he would not be operating another business out of this home.

The co-applicant, Ms. Shapiro, was also present and explained that her wishes are for this to be a generational home.

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

A motion was made by Brad Richey, seconded by Rick Deeds, that this Public Hearing be closed.

The motion carried by the following vote:

Yes: 7 – Richey, McDonnell, Donahue, Wildenthaler, Goodin, Deeds & Palsgrove

The Commission asked staff if they knew when the property was annexed into Canal Winchester. Staff was unaware of a specific date, however Mr. Moore did point out that it appeared to be three separate parcels at one time that were combined and there is a high likelihood that it may have been annexed at that time.

Ms. Shapiro noted that when they purchased the main acreage in 1998, the property was located within Canal Winchester.

A motion was made by Joe Wildenthaler, seconded by Steve Palsgrove, that Variance Application #VA-23-011 be approved as presented.

The motion carried by the following vote:

Yes: 7 – Richey, McDonnell, Donahue, Wildenthaler, Goodin, Deeds & Palsgrove

VA-23-012

Property Owner: Alec & Rona Land

Applicant: Alec & Rona Land

Location: 1037 Groveport Road

Request: Variance to Chapter 1157.04(b)(1) to permit a new residential dwelling to exceed the maximum building height.

The subject property, as mentioned in the previous application, would not be visible from the main road. The only foreseeable view point would be from the elementary school's back area.

The applicant has provided elevations of the home as well as some floor plans. The zoning code allows for a maximum height of a residential home to be 35' and 2 stories. The applicant is seeking a variance for a maximum height of 42' 6" and to be 2 ½ stories tall.

Staff went through several special circumstances and conditions regarding this property. The applicant's desire for this particular architecture type is what is necessitating the want for the variance.

Staff recommends variance application #VA-23-012 be approved as presented. There is currently no single family dwelling on this property and neither granting nor denying this variance will restrict them from building a home on the property. It is just one aspect of the home's construction.

Mr. Donahue asked Mr. Moore if once the applicant proceeds with building the home, would it strictly be done through staff at that point. He responded with all the details necessary for submitting a new home for plan review.

Mr. Richey asked if the Fire Department had any maximum height requirements. Staff answered that typically we do not interact with the Fire Department regarding new home construction.

Ms. McDonnell asked for clarification on the chapter of the zoning code and Chapter 1157.04(b)(1) was clarified to be correct.

Mr. Donahue inquired if there was a better zoning that would work for this property and Mr. Moore answered there was not. Requesting these variances would be the quickest and easiest ways for the homeowner to accomplish what they want for this property.

Ms. Shapiro made a statement that they had planted many evergreen trees on the east side of the property that should shield the elementary school's view of this potential home.

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

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

The motion carried by the following vote:

Yes: 7 – Richey, McDonnell, Donahue, Wildenthaler, Goodin, Deeds & Palsgrove

A motion was made by Brad Richey, seconded by Joe Wildenthaler, that Variance Application #VA-23-012 be approved as presented.

The motion carried by the following vote:

Yes: 7 – Richey, McDonnell, Donahue, Wildenthaler, Goodin, Deeds & Palsgrove

Old Business

New Business

Mr. Moore thanked the Commission for reading through the draft of the Community Plan. Mr. Moore also noted that November's Planning and Zoning Agenda appears to be filling up and encouraged as many members to attend as possible.

Mr. Donahue asked staff how to properly handle a sign that has been put up in the Old Town area. Staff explained that signs anywhere in the City are prohibited without a permit. Mr. Moore continued to explain the steps the City would take in contacting the owner of the signs and how to apply for any variances that may be necessary.

Adjournment

Time Out: 7:46pm

A motion was made by Brad Richey, seconded by Rick Deeds, that this meeting be adjourned.

The motion carried by the following vote:

Yes: 7 – Richey, McDonnell, Donahue, Wildenthaler, Goodin, Deeds & Palsgrove

Date

Chairman – Joe Donahue

Secretary – Brad Richey