



**CODE ENFORCEMENT REPORT**

*September 2021 – Report Attached.*

**BOARD OF ZONING APPEALS**

*September 2, 2021 – Draft Minutes Attached.*

**APPLICATION FOR VARIANCE (Case 2021-32V)**

Applicant: Marci Francisco  
Location: 55 Timber Oak Court  
Zoning: (PR) Planned Residence District  
Request: Review and approval of a variance to reduce the rear yard setback from 30 feet to 25 feet to build a screened porch on the rear of an existing home.

*Request Approved.*

**APPLICATION FOR VARIANCE (Case 2021-33V)**

Applicant: Pulte Group of Ohio LLC  
Location: 4348 Harold Drive  
Zoning: (PR) Planned Residence District  
Request: Review and approval of a variance to Code Section 1145.28(a)(2) to increase the maximum driveway slope for a single-family home from 8% to 8.9%.

*Request Approved.*

**PLANNING AND ZONING COMMISSION**

*September 15, 2021 – Minutes Being Drafted.*

**SKETCH PLAN REVIEW (Case 2021-34\_SP)**

Applicant: Civil & Environmental Consultants, Inc. – Brian Burkhart  
Location: Bunker Lane and Sawmill Drive  
Zoning: (PC) Planned Commercial District  
Request: Review of a Sketch Plan for a proposed daycare center on a ±2.25 acre site.

**SKETCH PLAN REVIEW (Case 2021-35\_SP)**

Applicant: Crawford Hoying  
Location: 110 S. Liberty Street  
Zoning: (DB) Downtown Business District  
Request: Review of a Sketch Plan for an amendment to the Powell Green Development to develop the remainder of the site with an additional 23 new townhomes in four buildings. Existing infrastructure is proposed to remain.

**HISTORIC DOWNTOWN ADVISORY COMMISSION**

*September 2021 – No Meetings Held.*



Board of Zoning Appeals

Jim Hrivnak   Randy Duncan   Janice Hitzeman   Greg Short   Ryan Brickner

**MEETING MINUTES  
September 2, 2021**

Chairman Jim Hrivnak called a meeting of the Board of Zoning Appeals to order on Thursday, September 2, 2021 at 6:30 p.m. Members present included Jim Hrivnak, Randy Duncan, Janice Hitzeman and Ryan Brickner. Gregory Short was absent. Also, present were Elise Schellin, Development Planner and Pam Friend, Planning and Zoning Clerk and interested parties.

**HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA**

Chairman Hrivnak opened the citizen participation session for items not included on the agenda. Hearing none, he closed the public comment session.

**APPROVAL OF MINUTES**

The August 16, 2021 draft minutes were not available for review.

**APPLICATION FOR VARIANCE (Case 2021-32V)**

Applicant:            Marci Francisco  
Location:             55 Timber Oak Court  
Existing Zoning:     (PR) Planned Residence District  
Request:              Review and approval of a variance to reduce the rear yard setback from 30 feet to 25 feet to build a screened porch on the rear of an existing home.

Elise Schellin, Development Planner reviewed the Staff Report and recommends approval. (Exhibit 1 - Staff Report)

**Variance Standards:**

1. **Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property.** Standard Met.
2. **Whether the variance is substantial.** Standard Met.
3. **Whether the character of the neighborhood would be adversely affected or whether adjoining properties would suffer an adverse impact as a result of the variance.** Standard Met
4. **Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage).** Standard Met
5. **Whether the property owner purchased the property with knowledge of the zoning restriction.** Standard Met.
6. **Whether the property owner's predicament feasibly can be obviated through some method other than a variance.** Standard Met.
7. **Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.** Standard Met.

Staff recommends approval of the variance to reduce the rear yard setback from the required 30 feet to 25 feet for the installation of a screened porch.

Chairman Hrivnak administered the oath to Marci Francisco, 55 Timber Oak Court, Powell, OH 43065; applicant. Ms. Francisco gave a brief description of why she is making the request.

**MOTION:** Board Member Hitzeman moved to approve the variance to reduce the rear yard setback from the required 30 feet to 25 feet for the installation of a screened porch. Board Member Duncan seconded the motion. By unanimous consent of the remaining members, the motion passed.

Vote: Y – 4 N – 0

**APPLICATION FOR VARIANCE (Case 2021-33V)**

Applicant: Pulte Group of Ohio LLC  
Location: 4348 Harold Drive  
Existing Zoning: (PR) Planned Residence District  
Request: Review and approval of a variance to Code Section 1145.28(a)(2) to increase the maximum driveway slope for a single-family home from 8% to 10.6%.

Elise Schellin, Development Planner reviewed the Staff Report and recommends approval. (Exhibit 1 - Staff Report)

**Variance Standards:**

- 1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property.** Standard Met.
- 2. Whether the variance is substantial.** Standard Met.
- 3. Whether the character of the neighborhood would be adversely affected or whether adjoining properties would suffer an adverse impact as a result of the variance.** Standard Met
- 4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage).** Standard Met
- 5. Whether the property owner purchased the property with knowledge of the zoning restriction.** Standard Met.
- 6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.** Standard Met.
- 7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.** Standard Met.

Staff recommends approval of the variance to Code Section 1145.28(a)(2) to increase the maximum driveway slope for a single-family home from 8% to 10.6%.

Chairman Hrivnak administered the oath to Jill Sayre, General Sales Manager, Pulte Homes. She resides at 1505 Marion Country Club Drive, Marion, OH 4330. Ms. Sayre gave a brief description about the request and stated they were able to get the request from 10.6% to 8.9%.

Board Member Hitzeman asked questions of staff regarding the variance. Chairman Hrivnak stated this was a minor variance and did not have an issue approving since the request is now from 8% to 8.9% rather than the original request of 8% to 10.6%.

**MOTION:** Board Member Hitzeman moved to approve the variance to Code Section 1145.28(a)(2) to increase the maximum driveway slope for a single-family home from 8% to 8.9%. Board Member Brickner seconded the motion. By unanimous consent of the remaining members, the motion passed.

Vote: Y – 4 N – 0

**OTHER COMMISSION BUSINESS**

None

**ADJOURNMENT**

MOTION: Board Member Duncan moved to adjourn the meeting at 6:49 p.m. Board Member Brickner seconded the motion. By unanimous consent of the remaining members, the meeting adjourned.

Vote: Y – 4    N – 0

The next meeting is on the schedule for October 7, 2021.

**DATE MINUTES APPROVED:**

\_\_\_\_\_  
Jim Hrivnak  
Chairman

Date

\_\_\_\_\_  
Pam Friend  
Planning & Zoning Clerk

Date

DRAFT

## September Code Enforcement Report 2021

| Date      | Violation Description | Address                | Name                                | Phone | Notes                                 | Resolved Date         |
|-----------|-----------------------|------------------------|-------------------------------------|-------|---------------------------------------|-----------------------|
| 9/2/2021  | 1145.06(b)            | 280 Thornbury Ln       | Carolyn Hunter                      |       | unlicenced vehicle stored in driveway | 9/20/2021             |
| 9/2/2021  | 557.01(c)(2)          | 232 Longmeadow Ct      | Diversified Residential Homes 2 LLC |       | overgrowth of grass and weeds         | 9/15/2021             |
| 9/27/2021 | 557.01(c)(2)          | 495 Partridge Bend     | OM Property Solutctions, LLC        |       | overgrowth of grass and weeds         |                       |
| 9/29/2021 | 1135.02(a)            | 2555 Triple Crown Xing | Georgia & Jeff Hazzard              |       | installing patio without permits      | submitted permit 10/6 |