



**Clintonville Area Commission Meeting Minutes**  
**Thursday, March 7, 2019, 7-9 pm**  
**Whetstone Library Conference Room**

**Commissioners in attendance:** David Vottero, Khara Nemitz, Libby Wetherholt, Judy Minister, Dana Bagwell, Randy Ketcham, John Eschenbrenner, Chris Allwein, B.J. White (arrived 15 minutes late)

**Commissioner(s) absent and excused:**

**Commission White arrived 15 minutes late.** *\*Minutes recorded by Chair Wetherholt through 7:15 PM*

7:00 p.m. Call to order by Chair & introduction of commissioners  
Special Announcements: Kevin Parks, This Week (Clintonville Booster) retirement  
7:05 p.m. Consideration of prior meeting minutes – Commissioner White 8-0-1  
abstention by Commr. Bagwell

**COMMITTEE REPORTS**

7:08 p.m. Community Update – Katherine Cull, Liaison  
Zoning Training 3/23; another planned for later in the year.  
Garage Break-ins have been reported.  
Cull has arranged for Legal Aid to meet with Courtyard Estates.  
Dunedin Road owners who lost trees due to Acton Road area.  
Water Project will get to choose their variety of trees; 24 will be replanted.

Vottero asked about street trees that were lost in his area due to sidewalk work and wondered if they would be replaced. Sandra Lopez said she would check. Shira Elder and Joe Barylak both had questions about the loss of trees;

Barylak was concerned that the replacements would not be hardwoods.

Sandra Lopez reported that with the replacement of Stinziano by Dorans, committee assignments would be changing. She will send us new info. Dorans has Neighborhoods; Mitch Brown has Age-Friendly Columbus

7:15 p.m. Treasurer's report - Commissioner Eschenbrenner  
\$2,218 in bank. Kari Engen will receive the repayment for election publicity.

7:20 p.m. Zoning & Variance Committee – Stephen Hardwick, Chair

1. BZA19-013, 280 W. Schreyer.

1. The homeowner intends to build a covered, 12' by 14' screened porch in the rear yard. Variance to reduce the required rear yard from 25% of the total lot area to 24.33%, [3332.27](#).

Applicant, Sean McNeil presented.

8-0 Z & V voted unanimously to approve

9-0 CAC voted unanimously to approve

2. GC19-009, 3481 N. High St., Katalina's Variances to install a roof sign on the east elevation fronting N. High St.

- o A roof sign and other sidewall signage on a building less than 40' tall, [3377.26\(B\)](#);

A roof sign to be slightly recessed from the vertical plane of the printing elevation, [3377.26\(E\)](#).

Mr. Bass presented: Spoke about the graphics code and provided handouts. Zoning guide and commercial overlay imposed the variance.

Commr. Bagwell: I don't care about pancake balls but I do appreciate the design and I think it will be a welcome amenity to the community.

Commr. Minister: I truly appreciate the design and the window presence. Before it was just a blank wall.

Commr. White: If the tree that is in the city's right-of-way, is that still in front of the building?

Mr. Bass: There was a tree that was about 5 feet from the building that was taken down and we haven't directed anyone to remove any other trees. It should still be there but I cannot say for sure enough to answer your questions.

Commr. White: The tree seems to hide the sign.

Mr. Bass: The roof sign and sidewall signs will attract business without the necessity of the sign behind the tree.

Commr. White: The building practically reaches right up to the sidewalk so that people will trip over it. No one will need a sign. We will all know about the pancake balls.

Z & V voted to approve 7-0 with 1 abstention.

CAC voted to approve 8-0-1 (Vottero abstained abstain due to the business relationship with the owners of the building)

3. BZA18-093, 145 W. Dominion Blvd.

Variances to:

- Reduce the required maximum side yards from 10 feet to 9 feet, [3332.25](#); CAC Z&V voted 7-0-1 to approve, Chair Hardwick abstained, CAC 9-0 to approve
- Reduce the minimum side yard required from 5 feet to 3.5 feet on the east lot line, [3332.26](#); CAC Z&V voted 2-5-1, Chair Hardwick abstained, to disapprove, CAC voted 6-3 to approve
- Increase the area of a residential garage from 720 square feet to 896.7 square feet, [3332.38\(F\)](#).

Stephen Hardwick, CAC Z & V Chair: Stated the presenter's hardship due to a contractor abandoned the project and received partial payment for the anticipated work. The enlisted contractor did not pull permits and the city issued a cease order to the construction. They desired enclosed parking due to the recent auto break-in activity and security concerns. The former driveway will be removed and garage will be accessed from the alley way. Chair Hardwick's narrative below.

The neighbor to the immediate west expressed support for the garage.

The neighbor a little further to the west on Zeller said they were in support of the addition of the garage. It would serve as a security barrier due to the theft activity.

The neighbor from the W. Schreyer side opposed it citing it was too big but stressed that this issue needs to be decided so that it is less of an eyesore.

Another neighbor who opposed cited it was too large and an obstruction.

Commissioner Minster, who is also on the Z&V Committee, reminded me of several of the comments made by the committee, cited that this might set a precedent for the area and allow more 4 car garages that would be a challenge to accommodate if complicit with the Clintonville Neighborhood Plan.

Commissioner Nemitz, who attended the CAC Z&V meeting, described the 4 car garage design as a deterrent and incompatible to the neighborhood without a presence of windows and more to the likeliness of a pole barn.

Presenter: Presenter: Michael J. Cassone, Atty at Law for Willis Law Firm LLC

The resident of Weisheimer and Starrett built 820 sq ft pole barn. The resident at 161 Nottingham added a 6-car garage, with a lift to store 2 cars on top of 4 parked cars. The precedence is set, promote the diversification that we strive for in [this town] to get that variance approved so that we have this project complete and add more lighting to the back alley, more cameras, more security. It will increase the safety factor to the dark,

back alley. If we have to trim it down, the owners will incur about \$10,000 - \$15,000 of demolition costs. The building will still be there. Once done, the building will meet the standards set forth by the community.

Commr. Ketcham: That is in my district and I have received some complaints that it is an eyesore. Why didn't they get the appropriate permission before the work began?

Atty. Cassone: This is a valid question. The contractor is in kahoots and tool all of the money and didn't pull the permits as he indicated he would do.

Commr. Ketcham. I think it's important that people understand that you were left high and dry.

Commr. Eschenbrenner: The original plan was for a 4-car garage?

Atty. Cassone: Yes, it was.

Commr. Vottero: You described this as meeting the neighborhood's standard for aesthetics, design, etc. Can you elaborate that?

Atty. Cassone: Yes, they will wrap it in the same finishes as the house and it will match the house. It will not be a pole barn. It will meet the same aesthetic quality as the rest of the house.

Commr. Minister: I am going to read a letter from Christopher Lohr, city planning manager. The Clintonville Neighborhood Plan, page 52, recommends that new garages be compatible and similar in character as existing garages with regard to similar height and width, setback, and lot coverage. This is a 50' x 138' lot. The big garage that you referenced on Weisheimer is on 2.5 acres. The 3-car garage next door that you are comparing it to is 554 sq ft. This is 720 sq ft so you are dwarfing all others. This says to me that you have been pointed in the direction of the Clintonville Neighborhood Plan and that you do NOT regard it as a policy that dictates why we have the variance process. We occasionally okay large garages in proportion to a large lot.

Commr. Wetherholt: There is a 3-car garage at the corner of Rosemary and the alley that is comparable to the one in questions.

Commr. Bagwell: How much of this garage can be seen from the front?

Mr. Dean, Home Owner/Applicant: Next to none.

Commr. Bagwell: That to me, changes it. If it were in the suburbs where it would stand out.

Mr. Dean: Shows illustration to Commissioners and explains the aerial view and street view.

Commr. Nemitz: I am new at this. Can someone give me the definition of the word variance? Doesn't it mean hardship?

Chair Wetherholt: A variance is something that is different than the policy and one is supposed to demonstrate some type of hardship.

Commr. Nemitz: So the hardship in this situation is that the construction was already started and now it was stopped?

Commr. Bagwell: The hardship is that there was severe termite damage and the garage was pushed off of its foundation.

Commr. Vottero: That has nothing to do with the size. And that is not a hardship and has no bearing on the variance that they are asking for.

Commr. Wetherholt: The hardship is the lack of security due to the dark alley way and the vehicles.

Commr. Vottero: Is their security issue any different than any other lot on that street? They could build a code-compliant garage that addresses the security aspect and resolve that hardship. It may not be as big as they like. The hardship is that you want it to be this big because you want it to be this big. Right?

Mr. Dean: We hired a contractor we thought we could trust. We were acting upon what he told us. The structure is not coming down. We are asking for a variance to resolve the issue quickly. Simply asking for 4' on one side and 4' feet on another side.

Commr. Nemitz: What is your hardship?

Commr. Bagwell: The hardship is that they got screwed over by their contractor. Here's my question, did you not think you would need a permit or variance for any of this?

Mr. Dean: I have known him for years and he used to be a friend of mine. He pocketed my money and used it for drugs and alcohol.

Commr. Bagwell: If you knew then that this would have required a variance, would you have constructed a 4-car garage?

Mr. Dean: Probably not.

Commr. Bagwell: So you are sticking with the 4 car design because that has been what's started.

Commr. Vottero: Who offered the drawings?

Mr. Dean: We got the drawings done after the fact. We were relying on our original contractor.

Commr. Eschenbrenner: Are there more sheets in the set? This is 3 of 5.

Commr. Vottero: What design were you using when you broke ground?

Mr. Caprenter: It was a pole barn design.

Commr. Vottero: How are you using the old foundation to build the new? Are you using the old foundation.

Mr. Dean: Only the poured concrete pad. And the original footprint.

Commr. Nemitz: Are we allowed to grant a variance based upon financial hardship? I am responding to a financial hardship.

Commr. Vottero: I think that hardship is subject to our interpretation. I have great empathy. I am not sure if it is up to us to grant relief for circumstances due to your own making. Essentially waiving the rules.

Atty. Cassone: Granting a variance would increase the property value for this property and others in the neighborhood.

Commr. Vottero: We are doing things to mitigate whatever impact this would have. I am not sure this is happening here.

Commr. Nemitz: The homeowner/applicant stated that they could not afford to make any changes or the necessary embellishments to modify its appearance to make it more integrated into the fashion of the structure.

Commr. Vottero: I would feel more comfortable if you would come back with a new design that demonstrated your willingness to conform.

Commr. Wetherholt: It looks like the garage next door and you can't even see it from the front, only the alley. I do not think it will look that different.

Commr. Vottero: It looks different from the community standard. Adjusting the roof pitch or dormers added to make it appear smaller to scale.

Commr. Wetherholt: I did some computation of the backyard and it does not exceed 25% of the backyard. It does go over the 720 sq ft but the back yard is still large enough to accommodate this ration. 45% of the back yard would be 980 sq ft.

Commr. Minister: My calculation resulted in 48%.

Donna Osborne, E. North Broadway: We have a 4-car garage with office space over it and we feel this proposed construction is not entirely different. I agree it could use some aesthetic improvements. The last time I attended a meeting, Chair Dan Miller requested more drawings from a developer who was scared off about a proposed development at E North Broadway and High St. I think forgiveness after the fact is in order. I think it should be approved due to the hardship demonstrated.

Unnamed attendee: This is a textbook building code violation. I am not opposed to it but I think this is why building code exists and is enforced.

Unnamed attendee: The circumstances are unique. If the contractor could be pursued then that would be the avenue. Our neighbor's only avenue is to seek advisory direction from the commission.

Commr. Allwein: I just want to add that our role here is not to give legal advice. Maybe there's a violation but we are being asked to approve or disapprove a variance.

Commr. Ketcham: There will be a contested race in district 6.

## **COMMUNITY ORGANIZATION REPORTS**

7:40 p.m. Election committee member, Kari Engen, summarizes the print advertising in The Booster, The Clintonville Spotlight, fliers, email blasts to Columbus Dispatch Subscribers, voter focused and candidate focused, printed 1,000 fliers to be distributed by hand, The Dispatch package costs all \$834, \$135 for The Spotlight, CAC website showcasing the election info more prominently, social media is free. Thanks to the CAC tech and PR committee. Cited all of the Clintonville Area social media pages. Spent less than \$968 and under the \$1,000 budget that was allocated.

Commr. Allwein: Great efforts! I appreciate the hard work that you put into this. My only suggestion is that you highlight the benefits of being on the CAC.

Commr. Vottero: You have access to the Clintonville Book of Secrets at the library.

Commr. White: Nancy Stewart would be very proud of you.

Mid-Ohio Regional Planning Commission Report –

Bernice Cage, Sr. Public Information & Diversity Officer

See handouts, late summer & early fall, interactive map that shows impending projects, check it out online.

Robert Williams, Residential Services Director (missed due to a car accident en route to the mtg)

Energy Audits through MORPC are free to low income. You can pay \$50 for the energy audit through Columbia Gas/AEP, and get it rebated back to you.

Commr. White: Jack Laverty will attend the District 9 mtg to discuss energy audits.

8:00 p.m. Columbus City Schools Building Changes – Stephen Hardwick  
Dominion will be moving to Columbus North in January 2020 (up to June 2020), students from language immersion program, put the middle school programs into the Dominion Bldg. Good news for those who were concerned who

Commr. Ketcham: A lot of people are concerned about the CAHS students because they have a really high performing school but are in a gravely poor condition building.

Stephen Hardwick: This requires bond money for its repairs.

Susan Keeny Columbus Landmarks Home Preservation Program  
Building Doctor Clinic, March 21<sup>st</sup>.  
<https://www.columbuslandmarks.org/home-preservation-program/>

## **OLD BUSINESS**

8:10 p.m. CAC By-Law Addition, Clintonville Green Spot Update 9-0 to approve to adapt.

Commr. Vottero: What would happen is the CAC disengaged from the Clintonville Greenspot?

Chair Wetherholt: There would need to be sponsoring group.

8:40 p.m. Public Comments

### District Reports

Commr. Bagwell: Concerned residents about the construction at Fallis and Indianola.

Commr. Minister: I'd like to use my district update time to ask a question in regard to the garage vote -- Why does the zoning and variance committee even exist? The members of the committee (some who have served for decades) and thoroughly vet each proposal. Anyone who didn't drive by should be ashamed.

8:55 p.m. ADJOURN