

MINUTES
Board of Zoning Appeals
April 13, 2021

The Wyoming Board of Zoning Appeals met on April 13, 2021 at 6:00 p.m. remotely via the Zoom online video conferencing platform. The meeting was called to order at 6:01PM by Vice Chair Jennifer Eismeier. Attendance was as follows:

MEMBERS:

Lynn Bueckman
Jennifer Eismeier, Vice Chair
Bob Kearns
Jeff LeRoy

ABSENT MEMBERS:

Charlie Jahnigen

STAFF:

Megan Statt Blake, Community Development Director
Tana Bere Pyles, Community Development Specialist

OTHERS:

Holly Little, 555 Woodbrook Lane

Approval of March 9, 2021 Meeting Minutes:

Mr. Bueckman moved to approve the minutes as written, seconded by Mr. LeRoy. By voice vote, all voted yes, the motion carried.

Ms. Eismeier assumed the role of Chair for this meeting as Mr. Jahnigen recused himself and was not in attendance.

Continuation of 555 Woodbrook Lane , Case #2-21, Circular Driveway Variance Request:

Ms. Statt Blake reiterated the reason this case was continued. The proposal does not meet all of the minimum requirements for a circular driveway, which include that the lot is less than 100 feet wide, the front yard setback is less than 60 feet, and the total surface area of the front yard pavement is not to exceed 25% of the front yard. The applicant would like to move forward with the same circular driveway configuration with two curb cuts as discussed at the prior meeting, however the material choices have been revised and it is now proposed to be a paver-bordered gravel driveway.

Ms. Eismeier commented that the Members present this evening were in attendance for the initial review and all are familiar with the overall scope of the project. It is her

understanding that the applicant has returned with three new options based on the discussions held last month.

Ms. Little reviewed the three new driveway proposals:

- Option 1 contains the original proposal as submitted last month with a circular driveway and both curb cuts on Woodbrook Lane.
- Option 2 is a new layout which provides one curb cut on Woodbrook Lane and the second curb cut on the private drive. Ms. Little indicated that this option would add 558 square feet of driveway, taking more front yard away, and because of the noticeable grade change the entire yard would need to be regraded to prevent drainage issues for the neighbors. Option 2 is the less desired option.
- Option 3 is a proposed gravel driveway with a paver border in the same circular driveway configuration shown in Option 1.

Ms. Eismeier commented that as the Members discussed last month, there were two requirements of the Zoning Code the proposed project did not meet. There was concern expressed that on a relatively narrow lot, should this be granted, that there would be a precedent set for circular driveways for similarly sized or even smaller lots. Ms. Eismeier stated that she appreciates Ms. Little's diligence in returning to the drawing board to evaluate other options and consider storm water management and control. The Board now has the challenge of deciding whether this is something that it is willing to allow, which may open the door for similar requests in the future.

Mr. Kearns stated that he believes this is a unique situation with this particular property and although it may set a precedent by allowing it, the street is remote and feels like a private drive. It is not a case in the Village where the streets are more heavily traveled. He agrees that the Board should be careful with setting a precedent on circular driveways on small lots but in this particular case the need is demonstrated.

Mr. Bueckman stated there appears to be sufficient rationale that would allow the Board to approve the request for variance because of its location and uniqueness.

Ms. Little added that she likes the gravel driveway material with a paver border and it will help keep the gravel from entering the street and/or the yard. She is amenable with a gravel driveway or a paver driveway, whichever the Board may allow. Ms. Eismeier stated that she is fine with either option as both surfaces are preferable to concrete.

Ms. Eismeier asked if the Members would like to make a motion for one of the three options that were submitted for the continuation hearing. Option 3 consists of the gravel driveway with a paver border while a fourth option would consist of all pavers.

Mr. Kearns moved to approve the request for a variance for a circular driveway consisting of gravel with paver border and pending the submission of revised plans with the chosen

Commented [TBP1]: Was there a fourth option?

material selection. Mr. Bueckman seconded the motion. There being no discussion, the motion to approve the request for variance carried with all voting yes.

Ms. Statt Blake noted that revised plans with the agreed-upon material selection will be required for the permit application.

In-Person Meeting

Ms. Statt Blake reported that City Council, at its upcoming Committee of the Whole meeting, will discuss if City Council itself will go back to in-person meetings. She will keep the BZA updated on this. There is still an emergency order in place to guide how we should be practicing safe gatherings, and if their meetings go back to in-person, the Members need to consider what that might look like and what time frame.

There is a case for May 11, 2021 and Ms. Statt Blake will keep the Members informed whether that will be held in-person or via Zoom.

Ms. Eismeier stated that she believes that under the current provisions set forth by Governor DeWine, public meetings may be conducted over Zoom or other on-line format through the end of June. Ms. Statt Blake stated that other boards and commissions have met in-person throughout this time, sometime meeting outside or as the Board once did, in the basement of the Civic Center. There is not a requirement to meet virtually, there is simply the allowance to which is set to expire in June.

Ms. Eismeier asked the Members if they had a preference about continuing to meet online or to return to meeting in-person. Mr. Kearns stated that he has no preference. Mr. Bueckman and Mr. LeRoy stated that they have received both vaccinations and are fine with returning to in-person meetings. Ms. Eismeier stated that there are benefits to meeting in-person, not only for BZA but with most conversations in general, and the Board will discuss further, if needed, after hearing what City Council decides. Mr. LeRoy asked if there is anything he can take to Council for the Members for discussion. Ms. Eismeier stated that it appears that the Board has the ability to meet in-person and after having not done so for so long there may be people that feel there is value to meeting virtually. She would support meeting in person as early as May or it could be July. She believes that discussions are better held in-person as Members can better discuss with the applicants. She believes that we do better service to the community in-person rather than over Zoom, but this is true of most public meetings that are happening online. Mr. Bueckman stated that he believes it is more helpful to the public to meet in-person as some people seemed to struggle connecting through Zoom.

Ms. Statt Blake commented that if meeting in-person is preferable starting with the May meeting and masks were necessary, would everyone be comfortable meeting in-person or prefer to meet on Zoom without masks. Mr. Bueckman and Mr. LeRoy stated they are

comfortable meeting in-person with masks. Ms. Statt Blake explained that the legal ad for the May meeting will need to be submitted to the press before City Council has the discussion. If the Members agree, the May BZA meeting can be held in-person and will be advertised as such. Masks and proper distancing will be utilized.

Adjournment

With no further business before the Board, Mr. Kearns moved to adjourn the meeting, seconded by Mr. Bueckman. By voice vote, the motion passed unanimously. The meeting adjourned at 6:22 p.m.

Debby Martin, Executive Assistant

Jennifer Eismeier, Vice Chair