


New Albany Planning Commission
September 9, 2020 Minutes

Planning Commission met in regular session in the Council Chambers at Village Hall, 99 W. Main Street and was called to order by Planning Commission Chair Mr. Neil Kirby at 7:02 p.m.

Those answering roll call:

Mr. Neil Kirby, Chair	Present
Mr. Brad Shockey	Present
Mr. David Wallace	Present
Mr. Hans Schell	Present
Ms. Andrea Wiltrout	Present
Mr. Sloan Spalding (council liaison)	Present

(Mr. Kirby, Mr. Wallace, Mr. Shockey, Mr. Schell, Ms. Wiltrout, and Mr. Spalding present via GoToMeeting.com).

Staff members present: Steven Mayer, Development Services Coordinator; Chris Christian, Planner (via GoToMeeting.com); Mitch Banchevsky, City Attorney (via GoToMeeting.com); and Josie Taylor, Clerk (via GoToMeeting.com).

Mr. Kirby asked if there were any additions or corrections to the agenda.

Mr. Christian stated the square footage noted for VAR-60-2020 needed to be corrected from 1,825 square feet to 2,017 square feet. Mr. Christian noted the staff report was based on the 2,017 square foot measurement.

Mr. Kirby asked those present who wished to speak before the Planning Commission (hereafter, "PC") to state their names and that they swore to tell the truth and nothing but the truth.

Mr. Christian and Mr. Matt Mutchler swore to tell the truth and nothing but the truth. Mr. and Mrs. Robert Riddle stated they were present.

VAR-60-2020 Variances

Variances to C.O. 1165 to allow a detached garage to be 2,017 square feet in size where city code allows a maximum of 1,200 square feet, to allow a garage to be 31 feet in height where city code allows a maximum height of 25 feet and to New Albany Design Guidelines and Requirements Section 5(II)(B)(3) to allow garage doors to be greater than 10 feet wide (PID: 222-004789).

Applicant: F5 Design c/o Todd Parker

Mr. Christian presented the staff report. Mr. Christian noted that prior to the meeting the applicant had provided an alternate design. Mr. Christian stated staff had not been able to fully evaluate the alternative design, but it was available for discussion.

Mr. Kirby called for the applicant.

Mr. Robert Riddle, the homeowner, discussed why there was a need for a larger garage on his property and how the larger garage fit in with the house and the surrounding area. Mr. Riddle asked if Mr. Christian had noted in his presentation that the proposed garage was similar in size to the house.

Mr. Christian said he had mentioned the proposed garage would be 853 square feet smaller than the home.

Mr. Riddle stated that by his calculation the proposed structure would be about 1,503 square feet smaller than the home because they were adding on to it and it would be about 3,600 square feet.

Mr. Christian said he would need to look back at the calculation and asked Mr. Matt Mutchler if he had his drawings.

Mr. Matt Mutchler, architect with F5 Design, stated the existing footprint of the house was 2,410 square feet and they were adding 460 square feet, for a total of 2,870 square feet on the first floor footprint. Mr. Mutchler stated the home did have additional living space on the second story and there would be more square footage added onto the second-story above the garage.

Mr. Christian stated his calculation had been based on the building footprint.

Mr. Riddle stated the proposed structure belonged on the site and was justified in its size because the home had previously had a barn and they were within 50 feet of the boundary between the city and the township. Mr. Riddle stated the scale of surrounding foliage blocked views of the structure from the north and west, partially blocked it from the south, and only the eastern side of the structure would be visible. Mr. Riddle noted they were willing to lower the roof height and pitch of the roof, if needed, to meet a height requirement.

Mr. Mutchler asked if staff had the alternative elevation to show.

Mr. Christian stated yes and put the alternative elevation on the screen.

Mr. Riddle discussed the different pitch level shown on the alternative elevation. Mr. Riddle noted the building would look to scale when viewed from the road and would not draw a great deal of attention.

Mr. Mutchler discussed the alternative design on the screen and asked if anyone had any questions.

Mr. Schell asked staff how large a garage could have been built on an acre parcel prior to the recent Code changes.

Mr. Mayer stated it had an 800 square foot maximum for all residential structures.

Mr. Schell stated the new rules had increased the size.

Mr. Mayor stated yes. Mr. Mayer noted that for properties of an acre or less accessory structures had a maximum limit of 800 square feet; properties between one (1) and two (2) acres had a maximum of 1,200 square feet; and properties of two (2) or more acres had an accessory structure maximum size of 1,600 square feet.

Mr. Schell asked Mr. Riddle if his truck would fit in a 1,200 square foot structure.

Mr. Riddle stated it might fit in a 1,200 square foot structure if they could move things around, but Mr. Riddle noted that in the winter time, with other storage needs, it would not fit well.

Mr. Schell stated thank you.

Ms. Wiltrout asked staff if the maximum garage area for the applicant was based on City Code rather than the Millbrook Farm subdivision.

Mr. Christian stated that was correct.

Ms. Wiltrout asked Mr. Riddle where the truck was currently located.

Mr. Riddle stated it was either in use or parked on Market Street behind his office.

Mr. Shockey asked Mr. Riddle what the length of the truck was.

Mr. Riddle stated he had that information but needed to look for it.

Mr. Shockey asked if it was longer than 30 feet.

Mr. Riddle stated no.

Mr. Shockey stated it would fit in a 30 foot building.

Mr. Riddle stated yes, if things were moved around. Mr. Riddle stated he planned to obtain a larger truck which he would use in his business and hoped to have two trucks.

Mr. Shockey stated he preferred the 9 by 12 roof pitch design. Mr. Shockey asked if the pitch was to accommodate the cupola.

Matt stated 4 by 12 was the lowest minimum one could use on an asphalt roof for longevity.

Mr. Shockey noted the garage doors had two (2) ten (10) by eight (8) foot doors flanking a twelve (12) by twelve (12) foot door. Mr. Shockey asked what the eave height was across the southern elevation and whether the height could be lowered on that elevation.

Mr. Mutchler stated he would propose a fourteen(14) foot exterior wall height with a twelve (12) foot door to allow for the standard overhead door track.

Mr. Shockey asked if the eave height was fourteen (14) feet now.

Mr. Mutchler stated fourteen (14) feet, nine (9) inches.

Mr. Shockey asked if the open porch was not part of the square footage total.

Mr. Mayer stated correct.

Mr. Shockey stated it was a handsome building but suggested that if smaller-sized doors were used it might still have plenty of room and help decrease building square footage.

Mr. Riddle stated they had explored several designs and different door sizes and parameters. Mr. Riddle stated they were also trying to mirror the other garage already on the lot and using smaller doors would not complement the existing garage on the lot.

Mr. Wallace asked if they could clarify in the drawings if a first and second floor plan were part of the residence rather than the garage.

Mr. Mutchler stated that was correct, it had been provided for reference.

Mr. Wallace asked if there would be a shop and asked if the applicant planned to have equipment.

Mr. Riddle stated yes, it was likely it would be there, as well as a tractor.

Mr. Wallace stated thank you. Mr. Wallace asked if the alternative design the applicant had provided had been had yet been vetted by staff.

Mr. Christian stated it had not been.

Mr. Wallace stated he was not comfortable voting on a revised plan staff had not yet evaluated and said he also wanted to be certain he knew what they were voting on, the original plan or the revised plan. Mr. Wallace stated that if the applicant preferred to vote on the revised plan, then he would prefer to table this application until staff could evaluate the revised plan. Mr. Wallace stated he urged the applicant to consider a structure that would be more in keeping with the design standards meant to keep accessory structures smaller than residential structures.

Mr. Kirby asked why the used asphalt shingles on a barn.

Mr. Mutchler stated it was to match the house.

Mr. Kirby asked if the proposed structure was a barn or a garage.

Mr. Riddle stated they thought, initially, it would be more like a barn with a metal roof but then thought that would stand apart from the house too much and the asphalt shingles were suggested.

Mr. Kirby stated the structure was the size of a barn. Mr. Kirby asked if the house was zoned IPUD.

Mr. Riddle stated correct and noted he purchased the property as it was being rezoned. Mr. Riddle noted he was not part of the Millbrook Farms Homeowners Association (HOA).

Mr. Kirby stated the IPUD applied to their property.

Mr. Riddle stated correct.

Mr. Kirby stated the applicants knew when purchasing the property they were subject to the IPUD zoning although they were free from the requirements of the rest of the other lots.

Mr. Riddle stated correct.

Mr. Kirby asked staff if the low density of this particular lot was included in the formal density calculations done for the Millbrook Farms subdivision.

Mr. Mayer stated that was correct.

Mr. Kirby stated the house was included in, and an integral part of, the IPUD zoning.

Mr. Mayer stated that was correct.

Mr. Kirby said there was a zoning classification mismatch between the desired use and the current zoning. Mr. Kirby stated the desired use was a rural residence, a farm house and a barn. Mr. Kirby stated the existing zoning did not permit a barn. Mr. Kirby asked staff if there was anything that accommodated barns in the zoning classes other than Agriculture.

Mr. Mayor stated size was limited by the codified ordinances, but there was nothing to prohibit an accessory structure designed like a barn but they should be limited and in an appropriate location. Mr. Mayer noted this application was on a road with a rural character and was in a transitional area.

Mr. Kirby stated then only Agricultural zoning allowed a barn as a barn.

Mr. Mayer stated that was correct.

Mr. Kirby asked if the IPUD had permitted barns then they would not be here.

Mr. Mayor stated that was correct and IPUD text had that flexibility.

Mr. Kirby asked if anyone from the public wished to speak on this. (No response.)

Mr. Shockey noted that if the applicant built this as a thirty (30) by forty (40) foot building he would not need a variance, other than for height. Mr. Shockey indicated the applicant might want to bring back a different design.

Mr. Wallace stated part of the problem was the wish to use this for a business use when it also had a residential use and said it might benefit the applicant to go back to the drawing board.

Mr. Kirby asked if the applicants stored furniture off site for their business.

Mr. Riddle stated yes, but they had only had to pay for storage a few times.

Mr. Kirby said he had hoped that might provide storage for the truck as well.

Mr. Riddle stated there was very limited industrial zoning in New Albany.

Mr. Kirby stated thank you

Mr. Schell noted the City had increased the size of detached structures permitted on a lot such as the applicants' a year ago, going from 800 square feet to 1,200 square feet. Mr. Schell stated the applicant was requesting 2,000 square feet which seemed excessive.

Mr. Riddle asked if this was a zoning issue or a variance issue Mr. Riddle asked if he simply attached the proposed garage to the house, although it would not be attractive, would it be fine to build it then.

Mr. Mayor said if it was attached it would be fine if it was indeed considered an extension of the existing house.

Mr. Riddle stated they were trying to avoid that because it was not attractive, although many property owners were doing that. Mr. Riddle stated he also believed the history of this parcel and its location helped avoid this becoming a precedent.

Mr. Kirby stated he would have to check what types of structures were permitted in other zoning classes.

Mr. Riddle stated he had looked into that.

Mr. Kirby asked for any further comments. (No response.)

Mr. Kirby stated the Planning Commission (hereafter, "PC") had the original packet that was reviewed, the new proposal, and they had discussed other potential changes. Mr. Kirby asked Mr. Riddle if he would like the PC to vote on the original packet or to table the application to either allow staff to evaluate the new proposal or to obtain a different proposal altogether.

Mr. Riddle stated he was most interested in preserving the size of the building. Mr. Riddle asked if the PC voted against granting the variances this evening, could he not return for another approval.

Mr. Kirby indicated that if the application was voted on and denied the applicant would have a difficult time obtaining a reconsideration.

Mr. Schell stated the size would be difficult to approve.

Ms. Wiltrout noted it might be best not to vote at this time so the applicant could continue to work with the plan.

Mr. Wallace noted that if there was a vote it would be very difficult to obtain a reconsideration, adding that a reconsideration would require a new application. Mr. Wallace stated that if the applicant tabled the application they could return and submit a new proposal.

Mr. Kirby asked if Mr. Banchevsky could provide details on re-submittal after a denial.

Mr. Banchevsky stated he would need to research that, but added that some of the Code provisions required a one (1) year waiting period before something could be resubmitted. Mr. Banchevsky noted that was for a zoning requirement and said he was not sure if it applied to variances. Mr. Banchevsky asked Mr. Mayer if he could speak to that.

Mr. Mayer stated there was a timeline for reconsiderations and there were also criteria that needed to met for a reconsideration to occur, such as having new information unavailable at the original hearing, but stated he too would need to research it.

Mr. Banchevsky stated a reconsideration had to be made at the second regularly scheduled meeting of the PC.

Mr. Kirby asked the applicant what he wanted to do.

Mr. Riddle stated he needed some guidance. Mr. Riddle noted the size was the primary driver for the variance and, if not approved, they would either have to attach the building to the house or build a different structure. Mr. Riddle asked if there was a change that would make the size more palatable to the PC.

Mr. Kirby stated that while a rural property would naturally have a barn the zoning on the property said something else.

Mr. Riddle asked if anyone could provide assistance on how to make the size of the structure more palatable.

Mr. Wallace stated it was difficult to give an opinion about what might be sufficient without seeing what he had in mind. Mr. Wallace stated the size was a key element here and said he believed the applicant should work with staff to obtain a structure staff could get behind.

Ms. Wiltrout stated variances had been granted but she believed the amount of the variance was a pain point for her. Ms. Wiltrout stated it was just too big and it should be smaller and closer to what the zoning code allowed.

Mr. Shockey stated it was better to table at this time and to work with staff on this.

Mr. Riddle stated it should be tabled.

Mr. Kirby asked if this would be at the next regularly scheduled meeting and asked if there was sufficient time to work on this. Mr. Kirby asked if meeting notifications could be made in time for the regularly scheduled meeting.

Mr. Christian stated the agenda had already been published.

Mr. Kirby asked if the regularly scheduled October meeting would work.

Mrs. Riddle indicated they were expecting their child to be born around the end of October.

Mr. Kirby stated the third Monday in October was the regular meeting night.

Mr. Christian stated he could pull up the calendar.

Mrs. Riddle asked if that was October 19th.

Mr. Christian stated correct

Mr. Mayor stated yes.

Mrs. Riddle stated okay.

Moved by Mr. Kirby to accept the staff reports and related documents, including everything staff had fully reviewed, into the record for VAR-60-2020, seconded by Ms. Wiltrout. Upon roll call vote: Mr. Kirby, yea; Ms. Wiltrout, yea; Mr. Schell, yea; Mr. Shockey, yea; Mr. Wallace, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5 - 0 vote.

Moved by Mr. Kirby to table VAR-60-2020 until the regularly scheduled October 2020 meeting, seconded by Mr. Schell. Upon roll call vote: Mr. Kirby, yea; Mr. Schell, yea; Mr. Shockey, yea; Mr. Wallace, yea; Ms. Wiltrout, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5 - 0 vote.

Other Business

Mr. Kirby asked if there was any Other Business.

Mr. Christian stated none from staff.

Poll Members for Comment

Mr. Kirby requested comments from members.

PC members stated they had no comments.

Mr. Kirby adjourned the meeting at 7:56 p.m.

Submitted by Josie Taylor.

APPENDIX



Planning Commission Staff Report September 9, 2020 Meeting

7435 BEVELHYMER ROAD ACCESSORY STRUCTURE VARIANCES

LOCATION: 7435 Bevelhymer Road (PID: 222-004789)
APPLICANT: f5 Design c/o Todd Parker
REQUEST: (A) Variance to C.O. 1165.04(a)(1) to allow a detached garage to be 2,017 square feet in size where city code allows a maximum of 1,200 square feet.
(B) Variance to C.O. 1165.04(a)(3) to allow a garage to be 31 feet in height where city code allows a maximum height of 25 feet.
(C) Variance to New Albany Design Guidelines and Requirements Section 5(II)(B)(3) to allow garage doors to be greater than 10 feet wide.
ZONING: Millbrook Farm Infill Planned Unit Development (I-PUD)
STRATEGIC PLAN: Town Residential
APPLICATION: VAR-60-2020

Review based on: Application materials received on July 23, August 11 and August 20, 2020.

Staff report prepared by Chris Christian, Planner.

I. REQUEST AND BACKGROUND

The applicant requests the following variances for a proposed, new garage on the property:

- (A) Variance to C.O. 1165.04(a)(1) to allow a detached garage to be 2,017 square feet in size where city code allows a maximum of 1,200 square feet.
- (B) Variance to C.O. 1165.04(a)(3) to allow a garage to be 31 feet in height where city code allows a maximum height of 25 feet.
- (C) Variance to New Albany Design Guidelines and Requirements Section 5(II)(B)(3) to allow garage doors to be greater than 10 feet wide.

II. SITE DESCRIPTION & USE

The 1.03 acre property was rezoned in 2014 as part of the rezoning for the Millbrook subdivision. The property currently contains a single family home. The surrounding properties are zoned Agricultural (AG) and Infill Planned Unit Development (I-PUD) and contain residential uses. The Millbrook subdivision is located west of the property and unincorporated residential and agricultural properties to the north. There is a 2.16 acre property just south of this site that is dedicated as public open space as part of the Millbrook Farm development and contributes to the rural character of Bevelhymer Road.

III. ASSESSMENT

The application complies with application submittal requirements in C.O. 1113.03, and is considered complete. The property owners within 200 feet of the property in question have been notified.

Criteria

The standard for granting of an area variance is set forth in the case of *Duncan v. Village of Middlefield*, 23 Ohio St.3d 83 (1986). The Board must examine the following factors when deciding whether to grant a landowner an area variance:

All of the factors should be considered and no single factor is dispositive. The key to whether an area variance should be granted to a property owner under the “practical difficulties” standard is whether the area zoning requirement, as applied to the property owner in question, is reasonable and practical.

1. *Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without the variance.*
2. *Whether the variance is substantial.*
3. *Whether the essential character of the neighborhood would be substantially altered or adjoining properties suffer a “substantial detriment.”*
4. *Whether the variance would adversely affect the delivery of government services.*
5. *Whether the property owner purchased the property with knowledge of the zoning restriction.*
6. *Whether the problem can be solved by some manner other than the granting of a variance.*
7. *Whether the variance preserves the “spirit and intent” of the zoning requirement and whether “substantial justice” would be done by granting the variance.*

Plus, the following criteria as established in the zoning code (*Section 1113.06*):

8. *That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district.*
9. *That a literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance.*
10. *That the special conditions and circumstances do not result from the action of the applicant.*
11. *That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands or structures in the same zoning district.*
12. *That granting the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.*

III. EVALUATION

(A) Variance to C.O. 1165.04(a)(1) to allow a detached garage to be 2,017 square feet in size where city code allows a maximum of 1,200 square feet.

The following should be considered in the Board’s decision:

1. The applicant proposes to construct a 2,017 square foot garage near the northern property line of the lot. C.O. 1165.04(a)(1) states that the maximum permitted area for a detached structure on lots between 1 and 2 acres is 1,200 square feet therefore a variance is required.
2. The applicant states that as recently as 2015, a barn of similar size (slightly larger) stood on this property. The Plain Township Fire Department performed a controlled burn of the barn before it was removed from the site. While the previous barn was larger, it was located in the rear of the property and the property itself, at the time, was 5 acres. As part of the Millbrook Farms subdivision development, the lot was subdivided and the barn was demolished to allow for the creation of additional lots.
3. The variance appears to be substantial. The applicant is requesting to build a garage that is 68% larger than what is permitted to be built on the property by right. While the property used to have a similar sized accessory structure, it was located further away from the public streets, the lot was larger, and not part of a subdivision.

4. The variance request does not appear to meet the spirit and intent of the requirement which is to ensure that detached structures are properly scaled in relation to the size of the lot. The property is 1.035 acres in size. If a code compliant 1,200 square foot structure were to be built, it would take up 2.67% of the total lot area. As proposed, the 2,017 square foot garage would take up 4.5% of the total lot area. If the lot were greater than 2 acres in size, a 1,600 square foot detached structure would be permitted on the site and the proposed garage exceeds even that limitation.
5. Codified Ordinance Section 1165.06(a)(3) classifies an “accessory structure” as a subordinate structure or surface, located on the same lot as a principal building/structure, which is incidental to the use of the principal building/structure. Due to the need for size and height variances, it does not appear that the structure will be subordinate to the primary residence.
6. It appears that the essential character of the neighborhood may be substantially altered if the variance is granted. While the barn form of architecture is appropriate for the rural character of Bevelhymer Road and the general character of the area, the property is situated in-between two public roads, Steeplechase Lane and Bevelhymer Road. The property is adjacent to residentially owned and used properties. To the west are typical subdivision sized lots, and to the east and north are larger, historic township properties. There is also a 2.16 acre property directly to the south of the property that is dedicated public open space as part of the Millbrook subdivision development and contributes to the rural character of Bevelhymer Road. While this is a transitional area, the site is located in between two public roads and the proposed structure will only be setback approximately 58 feet from Bevelhymer Road and 100 feet from Steeple Chase Lane which increases the visibility from off site.
7. It appears that granting the variance will not adversely affect the health and safety of persons residing in the vicinity.
8. Granting the variance would not adversely affect the delivery of government services.

(B) Variance to C.O. 1165.04(a)(3) to allow a garage to be 31 feet in height where city code allows a maximum height of 25 feet.

The following should be considered in the Board’s decision:

1. The applicant proposes to construct a 31 foot tall garage. C.O. 1165.04(a)(3) states the height “shall not exceed the height of the primary structure and in no case shall exceed twenty-five (25) feet in height.” While it is not taller than the primary structure it exceeds the 25 foot height limit, therefore a variance is required.
2. The proposed height is the same as the primary structure. The applicant states that in order to try to match the style and proportions of the existing principle structure, the proposed accessory building height will be 31’-0” and by matching the eave line and roof pitch of the primary structure, the proposed accessory building will exceed the 25’ maximum height.
3. While the size and height variance requests are separate, they are related to one another as they pertain to the same structure. It appears the problem could be solved, or possibly reduced, by some manner other than the granting of a variance. The desired barn design’s style and proportions, or ratios, could be preserved if the building’s footprint was reduced. By the reducing the size of the structure, but keeping the height to width ratios, the height of the structure would also be reduced. The variance request does not appear to meet the spirit and intent of the requirement which is to ensure that detached structures are properly scaled in relation to the size of the primary structure on the property.
 - o Codified Ordinance Section 1165.06(a)(3) classifies an “accessory structure” as a subordinate structure or surface, located on the same lot as a principal building/structure, which is incidental to the use of the principal building/structure. Due to the need for size and height variances, it does not appear that the structure will be subordinate to the primary residence.

- The New Albany Design Guidelines and Requirements state that garages and outbuildings shall be clearly secondary in nature by means of a simplified designed compatible with that of the primary structure.
 - The applicant states that the height of the proposed garage is designed to match the eave line and roof pitch of the primary structure on the site instead of being designed as more of a secondary structure.
 - According to the applicant, the current home will have a ground floor area of 2,870 square feet with the proposed additions shown on the drawings. The proposed detached garage has an area of 2,017 which is 853 square feet smaller than the size of the home. Because the proposed garage is designed to match height elements of the home and will have an area just 853 square feet smaller than the home, it appears the spirit and intent of the requirement is not being met.
4. While this is a northern transition area out of the city and the character of Bevelhymer Road is rural, this site is situated in between two public roads which increases the visibility of this structure from adjoining properties. Existing landscaping on the site will provide some screening for the structure however it will be located approximately 58 feet from the edge of Bevelhymer Road and approximately 100 feet from Steeple Chase Lane which increases its visibility. Additionally, as stated in the staff report for the Millbrook Farms rezoning application, Steeplechase Lane which is currently stubbed and a future expansion of the Millbrook Farm subdivision is envisioned to the north of this site.
 5. It appears that granting the variance will not adversely affect the health and safety of persons residing in the vicinity.
 6. Granting the variance would not adversely affect the delivery of government services.

(C) Variance to New Albany Design Guidelines and Requirements Section 5(II)(B)(3) to allow garage doors to be greater than 10 feet wide.

The following should be considered in the Board's decision:

1. The applicant proposes to construct a detached garage with one door being 12 feet wide. New Albany Design Guidelines and Requirements Section 5(II)(B)(3) states that garage doors must be no greater than 10 feet wide therefore a variance is required.
2. The variance does not appear to be substantial. While staff is not supportive of the area and height variances, the request for a wider door appears to be appropriate in this case. The city architect has reviewed the proposed door width and is supportive of the width as it relates to the desired design of a barn which are typically larger and taller accessory structures used to store larger vehicles which necessitates having a larger door to allow for proper clearance. Additionally, the applicant only proposes to have one of the four garage doors wider than what is permitted.
3. It does not appear that the essential character of the neighborhood would be substantially altered by granting the variance. While the garage footprint and height may not meet the spirit and intent of the code requirements and may impact the essential character of the neighborhood, the door width is consistent with the desired architectural design of the building.
4. It appears that granting the variance will not adversely affect the health and safety of persons residing in the vicinity.
5. Granting the variance would not adversely affect the delivery of government services.

IV. RECOMMENDATION

Historically the Planning Commission has taken into consideration the surrounding character and context, in addition to the lot itself. The applicant is proposing a multi-purpose accessory structure designed in the vernacular barn form. The architectural design of the structure appears to be appropriate given the primary residence's farmhouse architectural style and the rural nature and character of Bevelhymer Road. Due to the barn design and desired use, staff is supportive of the door width variance.

While the architectural style is appropriate, staff is not supportive of the area and height variance requests due to lot's size and location. The overall size and height regulations are intended to achieve an appropriate scale between garages, the lot that they sit on and the primary structure. Codified Ordinance Section 1165.06(a)(3) classifies an "accessory structure" as a subordinate structure or surface, located on the same lot as a principal building/structure, which is incidental to the use of the principal building/structure. Due to the need for size and height variances, it does not appear that the structure will be subordinate to the primary residence.

The site is located in a transitional area however, it is located in between two public roads, Steeplechase Lane and Bevelhymer Road, which may increase the visibility of the proposed structure from offsite view. Existing landscaping on the site may provide some screening, however the property is located in between two public roads which increases visibility from off site. Additionally, as stated in the staff report for the Millbrook Farms rezoning application, Steeplechase Lane is currently stubbed and a future expansion of the subdivision is envision to the north of this site.

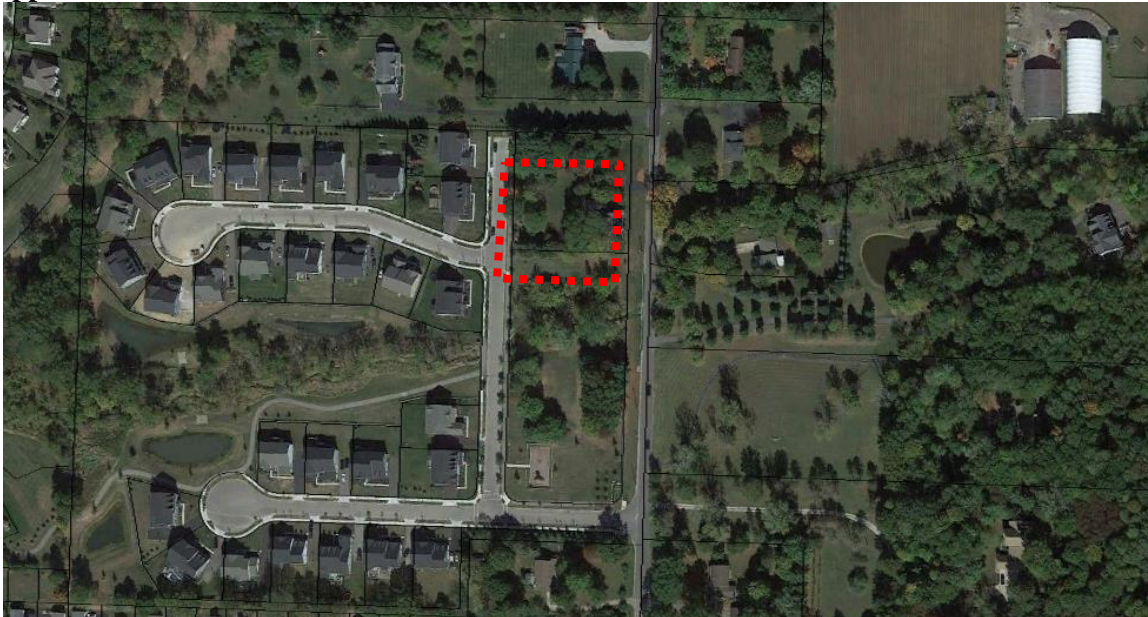
As proposed, the garage will be just 853 square feet smaller than the home and is designed to match its eave line and roof line. The intent of requirements that the applicant is seeking relief from is to ensure that accessory structures are properly scaled in relation to the size of the lot and the primary structure on it. Additionally, the New Albany Design Guidelines and Requirements require garages and outbuildings to be clearly secondary in design and the proposed structure does not appear to be meeting this requirement. While the applicant is proposing to construct a garage that is a barn design, which contributes to the rural character of the road and surrounding area, an accessory structure of this size would be more appropriately located on a larger site.

V. ACTION

Should the Planning Commission find that the application has sufficient basis for approval, the following motion would be appropriate (conditions may be added):

Move to approve application V-60-2020.

Approximate Site Location:



Source: Google Earth