



New Albany Board of Zoning Appeals Meeting Agenda
January 27, 2025 at 6:30 pm

Members of the public must attend the meeting in-person to participate and provide comments at New Albany Village Hall at 99 West Main Street. The meeting will be streamed for viewing purposes only via the city's website at <https://newalbanyohio.org/answers/streaming-meetings/>

I. Call to order

II. Roll call

III. Action on minutes December 23, 2024

IV. Additions or corrections to the agenda

Administer oath to all witnesses/applicants/staff who plan to speak regarding an application on tonight's agenda. "Do you swear to tell the truth and nothing but the truth."

V. Hearing of visitors for items not on tonight's agenda

VI. Cases

VAR-99-2024 Variance

Variance to Harrison West L-GE zoning text section IV(E)(3)(h) to eliminate the requirement to install rooftop equipment screening at 9360 Innovation Campus Way (PID: 095-112050.002)

Applicant: Alan Sotak

Motion to accept the staff reports and related documents into the record for - VAR-99-2024.

Motion to approve application VAR-99-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

VII. Other business

VIII. Poll members for comment

IX. Adjournment



New Albany Board of Zoning Appeals
December 23, 2024 Meeting Minutes - DRAFT

I. Call to order

The New Albany Board of Zoning Appeals held a regular meeting on December 23, 2024 in the New Albany Village Hall. Chair LaJeunesse called the meeting to order at 6:51 p.m. and asked to hear the roll.

II. Roll call

Those answering roll call:

Mr. LaJeunesse	present
Mr. Jacob	present
Mr. Schell	absent
Mr. Smith	present
Ms. Samuels	absent
Council Member Shull	present

Having three voting members present, the board had a quorum to transact business.

Staff members present: Planner Blackburn, Planner Saumenig, Planning Manager Mayer, Deputy Clerk Madriguera.

III. Action on minutes November 25, 2024

Chair LaJeunesse asked if there were any corrections to the minutes from the November 25, 2024 meeting.

Hearing none, Board Member Jacob moved for approval of the November 25, 2024 meeting minutes as presented. Chair LaJeunesse seconded the motion.

Upon roll call: Mr. Jacob yes, Mr. LaJeunesse yes, Mr. Smith yes. Having three yes votes, the motion passed and the November 25, 2024 minutes were approved as presented.

IV. Additions or corrections to the agenda

Chair LaJeunesse asked if there were any additions or corrections to the agenda.

Planning Manager Mayer answered no.

Chair LaJeunesse administered the oath to Applicant David Bullock.

Chair LaJeunesse introduced the first and only case on the agenda and asked to hear the staff report.

VI. Cases

VAR-91-2024 Variance

Variance to the Hawksmoor zoning text's Architectural Standards section 1(a) to allow stone exterior material above the first floor level at 2 Hawksmoor Drive. (PID: 222-003480)

Applicant: David Bullock

Planner Saumenig delivered the staff report.

Chair LaJeunesse asked whether the city has received any feedback from the neighbors.

Planner Saumenig answered no.

Chair LaJeunesse asked whether this application had been reviewed by the Planning Commission or other boards.

Planner Saumenig answered no.

Chair LaJeunesse asked for other questions for staff from the board. Hearing none, he asked if the applicant had anything to add.

Applicant David Bullock thanked Planner Saumenig and let the board know that the application has been approved by the relevant homeowners associations.

Board Member Jacob moved to admit the staff reports and related documents into the record for VAR-91-2024. Board Member Smith seconded the motion.

Upon roll call: Mr. Jacob yes, Mr. Smith yes, Mr. LaJeunesse yes. Having three yes votes, the motion passed and the staff reports and related documents were admitted into the record for VAR-91-2024.

Thereafter Board Member Smith moved for approval of VAR-91-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval. Board Member Jacob seconded.

Upon roll call: Mr. Smith yes, Mr. LaJeunesse yes, Mr. Jacob yes. Having three yes votes, the motion passed and VAR-91-2024 was approved.

Chair LaJeunesse and the board thanked Mr. Bullock.

VII. Other business

Chair LaJeunesse asked if there was any other business.

Planning Manager Mayer said no.

VIII. Poll members for comment

Chair LaJeunesse polled the members for comment.

The members wished all a happy holiday.

IX. Adjournment

Having no further business, Chair LaJeunesse moved to adjourn the December 23, 2024 meeting of the New Albany Board of Zoning Appeals. Board Member Jacob seconded the motion.

Upon roll call: Mr. LaJeunesse yes, Mr. Jacob yes, Mr. Smith yes. Having three yes votes, the motion passed and the meeting was adjourned.

Submitted by Deputy Clerk Madriguera, Esq.

Appendix

VAR-91-2024

Staff Report

Record of Action



COMMUNITY CONNECTS US
Board of Zoning Appeals Staff Report
December 23, 2024 Meeting

2 HAWKSMOOR DRIVE
BUILDING MATERIAL VARIANCE

LOCATION: 2 Hawksmoor Drive (PID: 222-003480).
APPLICANT: David Bullock
REQUEST: (A) Variance to Hawksmoor zoning text's Architectural Standards section 1(a) to allow stone exterior material above the first floor level at 2 Hawksmoor Drive
ZONING: Hawksmoor I-PUD Zoning District
STRATEGIC PLAN: Residential
APPLICATION: VAR-91-2024

Review based on: Application materials received November 13, 2024

Staff report prepared by Sierra Saumenig, Planner

I. REQUEST AND BACKGROUND

The applicant requests a variance to allow a new single family residence in the Hawksmoor subdivision to have natural stone as the majority of the exterior façade material. The Hawksmoor zoning text only allows the use of natural stone below the first floor level to wrap the foundation and for architectural detailing.

II. SITE DESCRIPTION & USE

The vacant property is 0.37 acres in size and is located in the Hawksmoor subdivision. The property owner anticipates building a single-family home on the lot. The property is the second lot on the right when entering the subdivision and it located on the north side of Hawksmoor Drive. The neighboring properties have single-family homes constructed on the sites.

III. EVALUATION

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. ASSESSMENT

Considerations and Basis for Decision

(A) Variance to Hawksmoor zoning text’s Architectural Standards section 1(a) to allow stone exterior material above the first floor level at 2 Hawksmoor Drive

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

1. The Hawksmoor zoning text’s Architectural Standards section 1(a) states the wall finish material shall be brick, natural stone below the first floor level, wood siding, and approved composition material. Exterior wall finish material must be used to complete massing elements.
 - The proposed exterior wall finish completes the massing elements of the home. The proposed materials pull from existing homes in the subdivision including stone, cedar shakes on the roof, and identical roof pitches
2. The applicant proposes a natural stone veneer as the primary exterior material for a new home.
3. Historical staff reports for this subdivision reveal that the design intent of this subdivision is to recall an “English Village”. The subdivision is heavily landscaped and contains a formal hedgerow and brick sidewalk. The architecture of the buildings also contributes to the English Village theme.
4. It does not appear that the essential character of the neighborhood would be altered if the variance request is granted.
 - 1 Hawksmoor Drive received the same variance for stone in 2013 (V-173-2023) which is directly adjacent to the lot Additionally, 15 Kensington Court also received this variance (V-62-2014).
5. The request does not seem to be substantial given the overall theme and goals of the subdivision is to appear as an English Village. A natural stone finish corresponds with this theme. Additionally, homes within the subdivision are allowed to use stone for

- architectural detailing so this house will complement other homes utilizing stone detailing.
6. It appears that granting the variance will not adversely affect the health and safety of persons residing in the vicinity.
 7. It appears granting the variance will not adversely affect the delivery of government services.

IV. SUMMARY

In summary, the variance request does not appear to be substantial given the English Village theme of the subdivision. The use of natural stone on the majority of the exterior elevations will likely complement the neighboring properties and is appropriate for the architecture of the home. The natural stone meets the goals and intent of the New Albany Design Guideline and Requirements since it appears to be appropriate for and typical of the materials used in the architectural style in which the building is constructed, and is an authentic and high quality building material.

V. ACTION

Should the Board of Zoning Appeals find that the application has sufficient basis for approval, the following motions would be appropriate. Conditions of approval may be added.

Move to approve application VAR-91-2024.

Approximate Site Location:



Source: NearMap



Community Development Department

RE: City of New Albany Board and Commission Record of Action

Dear David Bullock,

Attached is the Record of Action for your recent application that was heard by one of the City of New Albany Boards and Commissions. Please retain this document for your records.

This Record of Action does not constitute a permit or license to construct, demolish, occupy or make alterations to any land area or building. A building and/or zoning permit is required before any work can be performed. For more information on the permitting process, please contact the Community Development Department.

Additionally, if the Record of Action lists conditions of approval these conditions must be met prior to issuance of any zoning or building permits.

Please contact our office at (614) 939-2254 with any questions.

Thank you.



Community Development Department

Decision and Record of Action

Tuesday, December 31, 2024

The New Albany Board of Zoning Appeals took the following action on 12/23/2024 .

Variance

Location: 2 HAWKSMOOR DR

Applicant: David Bullock,

Application: PLVARI20240091

Request: Variance to the Hawksmoor zoning text's Architectural Standards section 1(a) to allow stone exterior material above the first floor level at 2 Hawksmoor Drive.

Motion: To Approve

Commission Vote: Approved, 3-0

Result: Variance, PLVARI20240091 was Approved, by a vote of 3-0.

Recorded in the Official Journal this December 31, 2024

Condition(s) of Approval:

Sierra Saumenig

Staff Certification:

Sierra Saumenig
Planner


NEW ALBANY
COMMUNITY CONNECTS US
Board of Zoning Appeals Staff Report
January 27, 2025 Meeting

PPG
Rooftop Equipment Screening Variance

LOCATION: 9360 Innovation Campus Way (PID: 095-112050-00.002).
APPLICANT: Alan Sotak
REQUEST: (A) Variance to Harrison West L-GE zoning text section IV(E)(3)(h) to eliminate the requirement to install rooftop equipment screening
ZONING: Limited General Employment (L-GE): Harrison West
STRATEGIC PLAN: Employment Center
APPLICATION: VAR-99-2024

Review based on: Application materials received December 10, 2024

Staff report prepared by Kylie Blackburn, Planner

I. REQUEST AND BACKGROUND

The applicant requests a variance to exempt the building from installing the required rooftop screening. Harrison West L-GE Zoning text requires complete screening of all roof-mounted equipment on all four sides of buildings with materials that are consistent and harmonious with the building’s façade and character and that such screening shall be provided in order to screen the equipment from off-site view and sound generated by such equipment.

II. SITE DESCRIPTION & USE

The property, spanning 10.40 acres, houses PPG's warehouse and is situated within the Business Park District. Adjacent properties to the west and east are located in the same limited overlay district. To the north property is in the Jug Street South Expansion L-GE, while the property to the south is part of the Business Park East L-GE Innovation District, Subarea 1.

III. EVALUATION

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. ASSESSMENT

Considerations and Basis for Decision

(A) Variance to exempt the building from installing the required rooftop screening.

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

1. The Harrison West zoning text’s Architectural Standards code section IV(E)(3)(h) requires:
“Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building’s façade and character. Such screening shall be provided in order to screen the equipment from off-site view and sound generated by such equipment.”
2. The applicant requests a variance to allow elevated rooftop equipment not to be screened on all four sides of the buildings for sound and on three sides for visual screening. The rooftop equipment is situated and visually screened by a parapet wall so it is not visible from the west, south, and east sides of the building. The rooftop equipment is visible from the north side of the building which includes sightlines from Harrison Road.
3. The building has parapets walls on the west, south, and eastern elevations. The parapet wall along Innovation Campus Way is 1 +/- foot tall from the top of the roof. The building’s roof slopes down from the front to the back (south to north), resulting in parapet walls along the east and west elevations that range from 1 foot to 6 feet in height. The equipment is sitting on platform that is 5 to 8 feet tall and the tallest equipment is between 8 to 10 feet tall.
4. The city code does not prescribe any decibel levels, noise reduction coefficient, or specific building materials. The sight and sound screening requirements stated above do not prescribe these items to allow for flexibility and creativity in design and to take into account each building’s unique design. When reviewing the elevations and screening

- plan, the city staff looks for material that is designed and located to ensure sound is deflected up (vertically), instead of projected out (horizontally) to ensure it complies with the zoning regulations. This typically means there is a parapet wall or other solid or louvered wall, that is the same height or close to the same height, on all four sides of the roof top equipment. This can serve as both the screening requirements for sight and sound. Visual screening is determined from the sightlines at the edges of the property.
5. Only major mechanical equipment such HVAC, air handlers, generators, and other items with motors mounted on the roof platform that need to be screened. Pipes, ducts, roof lights, and similar items do need to be screened.
 6. The special conditions and circumstances do not result from the action of the applicant. As stated in the applicant's justification letter, the city staff erroneously approved construction plans that includes rooftop equipment without the proper screening. During an initial inspection of the site, the city staff realized the error and contacted the tenant.
 7. The problem can be solved by some manner other than the granting of a variance. After learning of the code requirement, the applicant submitted a screening plan that was approved by the city. It has the platform completely screened on all sides from the top of the platform to the top of the tallest piece of mechanical equipment (approximately 12'-6").
 - a. The platform screening has sightline screening louvers at three locations for required air circulation. The louver material would be used at the access gate as well. The screening plan also resulted in the north condensing units and roof-mounted RTU being screened on three sides by the roof slope and parapets screening the south sides. The screen at the north condensing units would need to be 48" based on the unit height.
 8. There are special conditions and circumstances that exist that are peculiar to the land or structure involved since the city staff mistakenly approved plans without the proper screening. However, the screening requirements are applicable to other lands or structures in the same and surrounding zoning districts. With the exception of the original Licking County business park construction that occurred between 2010 and 2012, located within the Smith's Mill Loop Road, all other L-GE limitation texts have this same rooftop screening requirement.
 9. Another special condition and circumstance is that the equipment is on a raised platform on top of the roof. This is not a typical condition throughout the business park.
 10. The variance does not preserve the "spirit and intent" of the zoning requirement. The applicant proposes leaving the existing roof-mounted equipment unscreened. This proposal does not meet the intent of the regulation, which is designed to mitigate both the visual and acoustic impacts of such equipment on neighboring properties by ensuring sound is deflected up (vertically), instead of projected out (horizontally).
 11. Although there is no screening of the roof-top equipment the visual aesthetics are not substantial. The equipment is only visible from the north property line where there is no existing parapet wall or other screening in use. The equipment is blocked visually from the Innovation Campus Way right of way and there are limited views from the Harrison Road public right-of-way. The lack of sound buffering may be substantial since it lacks screening on all four sides of the equipment.
 12. It does not appear that granting the variance would not substantially alter the essential character of the neighborhood. This is because there are other buildings with unscreened "industrial-type" design features that accompany manufacturing buildings such as cat-walks, exterior pipes, conduits and vents that are visible to public streets. The property is surrounded by other commercial properties and the equipment has limited visibility from Harrison Road.
 13. This is the city's first variance request to rooftop screening requirements.
 14. It appears granting the variance will not adversely affect the delivery of government services.

IV. SUMMARY

During the building permit review city staff reviews building elevations and screening plans to ensure the rooftop mechanical equipment is screened for sight and sound to ensure noise compliance. The city staff historically has worked cooperatively and proactively with businesses to ensure they are in compliance with the noise requirements of the city. No other variance of this nature has been requested before.

The variance does not seem to be substantial from a sight perspective, as there is limited visibility of roof-mounted equipment from Harrison Road and the northern adjacent properties. Granting the variance does not appear to substantially alter the neighborhood's character due to it being surrounded by other commercial properties. The lack of sound attenuation may be substantial since the equipment is elevated from the top of the roof and lacks the required screening to buffer sound on all four sides.

V. ACTION

Should the Board of Zoning Appeals find that the application has sufficient basis for approval, the following motions would be appropriate. Conditions of approval may be added.

Move to approve application VAR-99-2024.

Approximate Site Location:



Source: NearMap



Community Development Planning Application

Submission	<p>Submit planning applications and all required materials via email to planning@newalbanyohio.org</p> <p>Paper copies are not required at this time however, 12 paper copies of the entire submission will be required ahead of a board hearing date. The planner assigned to your case will inform you when the paper copies need to be delivered to our offices. Fee invoices will be issued to you once the application is entered.</p>																													
Project Information	Site Address <u>9360 Innovation Campus Way Suite 100</u> Parcel Numbers _____ Acres _____ # of lots created _____																													
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Email	sotak@ppg.com	Email	sotak@ppg.com																											
Signature	<p>Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, employees and appointed and elected officials to visit, photograph and post a notice on the property described in this application. I certify that the information here within and attached to this application is true, correct and complete.</p> <p>Signature of Owner _____ Date: <u>12/10/2024</u> Signature of Applicant _____ Date: <u>12/10/2024</u></p>																													

Department Address: 7815 Walton Parkway • New Albany, Ohio 43054 • Phone 614.939.2254

Mailing Address: 99 West Main Street • P.O. Box 188 • New Albany, Ohio 43054

Fees & Submittal Information

Appeal		250.00	_____
Certificate of Appropriateness			_____
ARB – single and two family residential		100.00	_____
ARB – All other residential or commercial		300.00	_____
ARB - Signage		75.00	_____
Conditional Use		600.00	_____
Development Plan – Preliminary PUD or Comprehensive			_____
Planning fee	First 10 acres	750.00	_____
	Each additional 5 acres or part thereof	50.00 / each	_____
Engineering fee	1-25 lots	155.00 / each	_____
	Minimum fee	1000.00	_____
Engineering fee	26 – 50 lots	3875.00	_____
	Each additional lot over 26	75.00 / each	_____
Engineering fee	Over 51 lots	5750.00	_____
	Each additional lot over 51	50.00 / each	_____
Development Plan – Final PUD			_____
Planning fee	First 10 acres	650.00	_____
	Each additional 5 acres or part thereof	50.00	_____
Engineering fee	1-25 lots (minimum fee \$1,000.00)	155.00 / each	_____
Engineering fee	26 – 50 lots	3875.00	_____
	Each additional lot over 26	75.00 / each	_____
Engineering fee	Over 51 lots	5750.00	_____
	Each additional lot over 51	50.00 / each	_____
Development Plan – Non-PUD		300.00	_____
Development Plan / Text Amendment		600.00	_____
Plat – Road Preliminary			_____
Planning fee		350.00	_____
Engineering fee	no lots on either side of street	1.00 / LF	_____
	lots on one side of street	.50 / LF	_____
	Minimum fee	1,000.00	_____
Plat – Road Final			_____
Planning fee		350.00	_____
Engineering fee	no lots on either side of street	1.00 / LF	_____
	lots on one side of street	.50 / LF	_____
	Minimum fee	1,000.00	_____
Plat – Subdivision Preliminary			_____
Planning		650.00	_____
	Plus each lot	50.00 / each	_____
Engineering fee	1-25 lots (minimum fee \$1,000.00)	155.00 / each	_____
Engineering fee	26 – 50 lots	3875.00	_____
	Each lot over 26	75.00 / each	_____
Engineering fee	Over 51 lots	5750.00	_____
	Each lot over 51	50.00 / each	_____

Fees & Submittal Requirements

Plat – Subdivision Final			
Planning		650.00	_____
	Plus each lot	15.00 / each	_____
Engineering fee	1-25 lots (minimum fee \$1,000.00)	155.00 /each	_____
Engineering fee	26-50 lots	3875.00	_____
	Each lot over 26	75.00 / each	_____
Engineering fee	Over 51 lots	5750.00	_____
	Each lot over 51	50.00 / each	_____
Lot Changes		200.00	_____
Minor Commercial Subdivision		200.00	_____
Vacation (Street or Easement)		1200.00	_____
Variance			
	Non-single family, commercial, subdivision, multiple properties	600.00	1 _____
	Single Family residence	250.00	_____
	In conjunction with Certification of Appropriateness	100.00	_____
Extension Request		0.00	_____
Zoning			
	Rezoning - First 10 acres	700.00	_____
	Each additional 5 acres or part thereof	50.00 / each	_____
	Rezoning to Rocky Fork Blacklick Accord	250.00	_____
	Text Modification	600.00	_____
Easement Encroachment		800.00	_____



Daniel Bencun
CEO
PPG Advanced Surface Technologies, LLC
9360 Innovation Campus Way, Suite 100
New Albany, OH 43054
ppg.com

December 02, 2024

9360 Innovation Campus Way Roof Screening

To Whom it May Concern,

As part of the PPG Advanced Surface Technologies, LLC / Entrotech project (Permit Reference # PRBCE20220735), the owner (PPG Advanced Surface Technologies), design team and construction team have been working on options to comply with the roof screening regulations ordinances outlined by the City of New Albany.

Our team's analysis has concluded that that required roof screening for the project will result in \$475,509 worth of cost for the project. A detailed review of the costs is showing that approximately \$250,000 of this cost is related to rework of the design which includes cost of remobilization, additional crane lifts, removal and disposal of existing roof structures and redesign fees.

This rework is stemming from a series of events that occurred since the inception of the project in late 2022.

- BHDP submitted initial project build out plan on 9/16/2022. This plan included a recommendation that screening was not need due to the sight lines and noise study calculations performed by BHDP.
- City of New Albany approved this initial plan on 11/23/2022 without any comments or corrections regarding screening.
- Subsequent corrections/approval letters from New Albany dated: 2/23/2023, 3/7/2023, 6/26/2023, 11/15/2023 and 1/5/2024 all indicated "Approved" or review "Not Required" by zoning.
- PPG Advanced Surface Technologies/BHDP/Tenby proceeded with construction starting in late 2022/early 2023 in accordance with the approved plans.
- During a routine call with the City of New Albany on 2/29/24, the Zoning team indicated that the initial plan approval was an error, and that the equipment required screening.
- Zoning denied the application for the first time 3/1/2024

- Additional calls and clarifications occurred between PPG Advanced Surface Technologies/BHDP/Tenby and the City of New Albany to determine the best way to meet the ordinances.
- Tenby completed multiple bidding of the roof screening scope of the project and obtained competitive pricing on 11/12/24.

PPG Advanced Surface Technologies will be submitting a variance request to the City of New Albany requesting a approved based on the plans originally submitted and approved on 9/16/2022. Given the error that occurred in the initial review of this plan, we would appreciate appropriate consideration of this variance request.

Please let us know if you have any questions or concerns.

Regards,

Daniel Bencun

Daniel Bencun
CEO
PPG Advanced Surface Technologies, LLC







NO.	DATE	DESCRIPTION
1	4/21/2021	FOR SITE IMPROVEMENT PLAN
2	4/21/2021	FOR GRADING PLAN

OAKRIDGE

**SITE II
PRIVATE SITE IMPROVEMENT PLAN
FOR
9360 INNOVATION CAMPUS WAY**



DATE	April 21, 2021
SCALE	1" = 40'
JOB NO.	2020-1232
SHEET	11/16

- LEGEND**
- EXISTING
 - Colorado
 - Sanitary Sewer
 - Water Main
 - Lighting Conduit
 - Overhead Electric Lines
 - Fiber Optic Duct Bank
 - Utility Duct Bank
 - Fire Hydrant
 - Catch Basin
 - Water Valve
 - Light Pole
 - Communication
 - Memo
 - PROPOSED
 - Storm Sewer
 - Road Drain
 - Sanitary Sewer
 - Sanitary Service (SS)
 - Public Fire Water Service
 - Water Service
 - Private Fire Water Service
 - Electric Duct Bank
 - Water Service
 - Fire Department Connection
 - Fire Hydrant (FH)
 - Water Valve
 - Fire Department (FD)
 - Yard Drain
 - Cleanout
 - Curb & Gutter
 - Light Pole
 - Water Valve
 - Grading:
 - Prop. 15" Stm
 - Prop. 12" Stm
 - Prop. 10" Stm
 - Prop. 8" Stm
 - Prop. 6" Stm
 - Prop. 4" Stm
 - Prop. 3" Stm
 - Prop. 2" Stm
 - Prop. 1" Stm
 - Prop. 0" Stm
 - Prop. -1" Stm
 - Prop. -2" Stm
 - Prop. -3" Stm
 - Prop. -4" Stm
 - Prop. -5" Stm
 - Prop. -6" Stm
 - Prop. -7" Stm
 - Prop. -8" Stm
 - Prop. -9" Stm
 - Prop. -10" Stm
 - Prop. -11" Stm
 - Prop. -12" Stm
 - Prop. -13" Stm
 - Prop. -14" Stm
 - Prop. -15" Stm
 - Prop. -16" Stm
 - Prop. -17" Stm
 - Prop. -18" Stm
 - Prop. -19" Stm
 - Prop. -20" Stm
 - Prop. -21" Stm
 - Prop. -22" Stm
 - Prop. -23" Stm
 - Prop. -24" Stm
 - Prop. -25" Stm
 - Prop. -26" Stm
 - Prop. -27" Stm
 - Prop. -28" Stm
 - Prop. -29" Stm
 - Prop. -30" Stm

- CODED NOTES:**
- Ex. Sanitary Memo (ST)
 - Ex. Storm Memo (SM)
 - Ex. Fire Memo (FM)
 - Prop. Sanitary Memo (SS)
 - Prop. Storm Memo (SM)
 - Prop. Fire Memo (FM)





















