

**MINUTES
BOARD OF ZONING APPEALS
December 22, 2003**

A regular meeting of the Board of Zoning Appeals was called to order on December 22, 2003 at 6:00 p.m. by Chairman Ed Cooper. Eric Ireland and Robert Hiles were also present. Also present were Shawn Leininger, Development Planner, Dawn Nauman, Clerk to the Board; and other interested parties.

APPROVAL OF MINUTES

The minutes of October 14 and October 28 were approved as printed.

VARIANCE

Applicant: Rockford Homes
Location: 342 Shyanne Drive
Zoning: PR, Planned Residence District
Request: Approval of Variance to Section 1147.12(b)(3) to reduce the required primary roof pitch from 7:12 to 6:12

VARIANCE

Applicant: Rockford Homes
Location: 258 Wagon Trail North
Zoning: PR, Planned Residence District
Request: Approval of Variance to Section 1147.12(b)(3) to reduce the required primary roof pitch from 7:12 to 6:12

were discussed together.

Chairman Cooper swore in Shawn Leininger and representative of Rockford Homes. Reviewed the two requests. Was error on application for this property. 258 Wagon Trail North is correct address.

Mike King, 999 Polaris Parkway, was present to discuss this. Requested variance 7:12 roof pitch to as-built of 6:12. Comparison is fairly insignificant and can't be seen by naked eye. Obviously zoning text one of few in central Ohio that require 7:12 on main roof line. When trusses were shipped, shipped standard 6:12 truss which usually use. Doesn't make it right, were shipped installed, sheived, shingled, mechanicals, drywall, etc. I wasn't caught until week to 10 days prior closing. Noticed it and found 2 more properties under construction. Were able to fix on others. Didn't have to worry about mechanicals or closing dates, etc. not a financial hardship, truss company that made mistake or Rockford Homes. Understand don't expect. Visually hard to tell 6:12 from 7:12. Almost impossible unless know what looking for. Her to request a variance to keep as built roof pitches not tear off and inconvenient. They are aware that if denied will be tearing off and replacing.

Ireland how long would that take and what were the owners told about situation. Gave letters that went to homeowners and met with them. Would take approximately 7-10 days.

Mr. Hiles how close to closing from discovery. Mr. King right at final inspection 7 days? Very close to closing and were substantially complete. were carpeted out. Had been through, production managers, supervisors, etc. just one of those things.

Shawn Leininger, development planner, gave his Staff Report on this item (Exhibit). reviewed property identified shyanne drive and wagon trail north both in Murphy park subdivision. Request for variance to section 1147.12 (b) (3) of the Planning and Zoning Commission code, requiring minimum 7u:12 primary roof pitch. Identified roof and slope, rise over run is the fraction. Reviewed photographs of incorrect slope and picture of correct slope. One question that came up was why wasn't caught earlier. Because when permit submitted, shown as 7:12. After that point, building inspector checks framing, trusses, spacing, load bearing, correct size, not pitch. At final inspection looked at it, has trained eye. Brian Donovan inspector. Cooper asked. He raised issue with Rockford and Staff and that is why here. King that is when looked at other houses. Shawn were ripped off and replaced. Any time variance, 1127.306,

standards in code. Reviewing, has to meet all requirements. Determined that deficient in two areas, ...not granting doesn't remove all beneficial use. Deprivation so suffered..."self created" was self created and can be self corrected. Can be fixed. Did find met rest of standard. Staff does recommend denial of variance. Board go along? In winter months. Need good weather. Happy to work with applicant find a date suitable for doing something like this. Will probably require move out and find temporary residence.

Hiles seen in the past. Nauman not since I've been here. Ireland by code can't accept a variance. Other side is one off situation what are the ramifications given peculiar circumstance. Clearly looking at ordinance, doesn't meet criteria for granting. Mr. Cooper have hard time, too. Obviously is a situation again in order to grant the variance, there has to be a hardship, meet criteria, was self created and can be self-corrected. Unfortunate homeowners involved and disruption, but inclined to go by the book.

Hiles drove out there today and don't have a trained eye but once ai looked. But don't think it looking for it jumping out. I mean, I agree.

Ireland appreciate how been straightforward.

Motion: Cooper moved to approve the variance on 342 Shyanne Drive. Ireland second.

OTHER BOARD BUSINESS

ADJOURNMENT