

The Zoning Board of Appeals met on Tuesday, February 12, 2019 at 7:00 pm in the Lancaster City Schools Education Services Center, 111 S Broad Street, Lancaster, Ohio.

Members present were Tim Oatney, Jim Bahnsen and Lindy Jackson. Also present was Amy Calvert-Glorioso, Secretary, Stephanie Hall, City Prosecutor's Office and Peter Vail, Zoning Official.

Mr. Oatney called the meeting to order and explained the procedures of the meeting. A quorum was not present; therefore, all Board Members would have to approve the request for it to be granted. Mr. Oatney gave the applicant the opportunity to present their case later. Mr. Oatney advised that anyone addressing the Board would be sworn in before speaking. All those wishing to speak were sworn in.

Mr. Jackson made a motion to approve the minutes from the January 2, 2019 meeting. Mr. Bahnsen seconded. Minutes were approved.

BZA CASE #573

Jim Thomas, BDT Architects, 26 E. Park Street, Suite 101, Athens, Ohio has applied for an area variance and special exception for the property located at 1248 E. Main Street. This property is zoned Commercial General.

BDT Architects has been contracted to build shell building for a new restaurant (Chipotle) with a drive thru and outdoor seating area on the east side. Code section 1151.04(e) requires a screening wall or fence be provided for the proposed parking that is exposed to the residential area to the south and across the alley. The parking area does not meet the required 50-foot setback required. Parking on the west end does meet the setback requirement.

Code section 1133.03(c)(7) requires the Board to grant a special exception for outside seating facilities.

Mr. Thomas is requesting an area variance for the screening requirements and a special exception for the outside seating area.

Mr. Thomas presented a picture of a typical Chipotle outside seating area. The proposed area would hold 24-25 people, tables, chairs and umbrellas. There would be no wait service. The area will be fenced.

The Board expressed concern about cars being able to drive through the patio area. Mr. Thomas clarified that the outside seating area will be on a slab and will be fenced. This should not be a safety issue.

Mr. Thomas stated that they have the required number of parking spaces and are compliant with the Ordinances. They can't move any spaces to the North because of the drive and an existing power pole with guide wire. They have removed the parking space next to the dumpster.

The Board expressed concern about line of site on Ewing Street with the required screening. They also commented that other restaurants in this area (Wendy's and Dairy Queen) do not have screening.

There were no additional questions from the Board. There were no comments received by the Secretary. The City had no issue with the area variances. Mr. Vail did receive communication from the property owner at 1249 E. Chestnut Street. He was able to answer their questions to their satisfaction. There was no one present in the audience to speak for or against the request.

Mr. Jackson made a motion to grant the special exception for the outdoor seating area and to approve the area variance for screening. Mr. Bahnsen seconded the motion

Unanimous vote to approve the area variance and special exception was granted,

Mr. Bahnsen made a motion to adjourn. Mr. Jackson seconded the motion

Meeting was adjourned

Respectfully submitted,

Amy Calvert, Secretary