



CITY OF DUBLIN.

Land Use and
Long Range Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/ TDD: 614-410-4600
Fax: 614-410-4747
Web Site: www.dublin.oh.us

BOARD OF ZONING APPEALS

MEETING MINUTES

SEPTEMBER 22, 2011

AGENDA

- 1. Infiniti of Columbus – Parking Variance
11-056V
(Approved 4 – 0)**

**3899 Tuller Road
Non-Use (Area) Variance**

- 2. 2012 Annual Items of Interest
(Discussion – No vote taken)**

Administrative Request

- 3. 2011 Annual Items of Interest – Conducting an Effective Site Visit
(Presentation and Discussion – No vote taken)**

Administrative Business

Chair Victoria Newell called the meeting to order at 6:38 p.m. Other Board members present were Patrick Todoran, Brett Page, and Kathy Ferguson. Brian Gunnoe was absent. City representatives present were Rachel Ray, Tammy Noble-Flading, Claudia Husak, and Flora Rogers.

Motion and Vote

Victoria Newell made a motion, seconded by Brett Page, to accept the documents into the record. The vote was as follows: Ms. Ferguson, yes; Mr. Todoran, yes; Mr. Page, yes; and Ms. Newell, yes. (Approved 4 – 0.)

Motion and Vote

Victoria Newell made a motion, seconded by Brett Page, to approve the August 25, 2011 Meeting Minutes as presented. The vote was as follows: Ms. Ferguson, yes; Mr. Todoran, yes; Mr. Page, yes; and Ms. Newell, yes. (Approved 4 – 0.)

Motion and Vote

Brett Page made a motion, seconded by Patrick Todoran, to approve the 2012/2013 meeting dates. The vote was as follows: Ms. Ferguson, yes; Ms. Newell, yes; Mr. Todoran, yes; and Mr. Page, yes. (Approved 4 – 0.)

Communications

Rachel Ray asked that the Board members who had not brought their Zoning Code books in for updating should do so at the next meeting.

- 1. Infiniti of Columbus – Parking Variance
11-056V**

**3899 Tuller Road
Non-Use (Area) Variance**

Claudia Husak presented this request for a non-use (area) variance to permit 24 fewer parking spaces for vehicle service areas than what the Zoning Code requires for the vehicle service portion of the Infiniti of Columbus dealership located on Tuller Road. She said the site was located in the CC, Community

Commercial Zoning District. She presented an aerial view showing the existing site conditions in detail. She described the site conditions.

Ms. Husak said the shape of the site was unique and did have impact on the variance requested. She said the shape of the site resulted from a combination of two parcels of leftover land from the I-270 interchange improvements, specifically, the exit ramp, and the Sawmill Road/I-270 intersection. She said the applicant purchased and combined the residual lots, resulting in very narrow portions of the lot where the two setbacks required from Tuller Road and from I-270 actually overlap, resulting in significant limitations on the developability of the site.

Ms. Husak said the applicant is pursuing major changes to the site in terms of building a new vehicle showroom toward the southern portion of the site, replacing the smaller, existing financial building, and demolishing a portion of the showroom of the larger building. She said with the changes, the applicant is gaining four additional parking spaces, but Planning has determined that current parking on the site does not meet the Zoning Code, and since changes are being made to the site, it would need to come into compliance with the Zoning Code requirements.

Ms. Husak pointed out that the published agenda advertised this site as requiring a setback variance as well; however, Planning has since determined with the applicant that there are no changes to the setbacks as they exist on the site, and therefore, the setback variance is not necessary.

Ms. Husak referred to a table included in the Planning Report and explained that specifically, the applicant is requesting relief from the vehicle repair parking requirement. She said the Code has two requirements, which are either one space per 100 square feet, or three spaces per service bay. She said that the Zoning Code states that whichever one of the two requirements is greater is the parking that must be provided. She said for this site, that requirement would be either 81 spaces or 48 spaces. She said the applicant can provide 57 spaces, so they are short of the required 81 spaces, but they are more than adequately meeting the three spaces per service bay requirement. Ms. Husak summarized that the resulting variance request ends up being 24 parking spaces for this site.

Ms. Husak said that Planning has analyzed the variance request based on the review criteria and found that the first criterion has been met due to the unique shape of the site and also the site's location along three major roadways, which requires increased setbacks. She said that Planning has determined that the variance is not necessitated by any actions of the applicant, as the shape of the site is due to the I-270 interchange improvements that took place, and therefore the second criterion has been met. Ms. Husak said that Planning has also determined that there is no adverse visual impact from approving the variance, and that it meets the intent of the Zoning Code by at least providing the parking for the lower of the two requirements, and the user has also stated that the available parking on site more than adequately meets their needs, and therefore the third criterion has been met.

Ms. Husak referred to the second set of criteria of which Planning has determined that three out of the four are met. She said that no special privileges are granted to the applicant as the site meets one of the two Zoning Code requirements, and the shape and location of the lot prevents additional parking from being provided. Ms. Husak said that Planning has determined that the request to vary from this requirement is recurrent in nature. She pointed out that Planning has often seen that the two different requirements for vehicle service parking result in very different numbers, one typically being quite excessive. She said that in Planned Unit Development districts, many times the applicants write in their development texts that the lower of the two requirements is the one that they have to meet. She added that the Bridge Street Corridor Development Code has a much lower parking requirement by approximately half. Ms. Husak said that it had been determined that governmental services can be delivered to this site, and there will be no adverse impact of granting this variance. She concluded that Planning has determined that the criterion regarding whether there are other methods available to address the need for the variance has not been met because the applicant could decrease the size of the

proposed building or could carry less inventory on the site, and therefore have more parking space available.

Ms. Husak said that Planning is recommending approval of the variances, as they have determined that all of the required criteria and a majority of the other criteria have been met.

Brett Page asked for clarification regarding the criterion *that the variance is not necessitated by any action or inaction of the applicant*. He pointed out that later in the Planning Report, it said the practical difficulty could be eliminated by some other method. He asked how the two statements differed. He said it seemed that simply constructing the building was an action taken by the applicant that resulted in requiring that the Code-required parking be provided.

Ms. Husak said that he was right. She explained that what Planning was looking at was the location of where the building could be built and the limitation due the larger portion of the site where no building can be accommodated, which is almost the entire central area. She said that Planning considered that it was not a result of the applicant's actions that nothing can be built on much of the site.

Mr. Page thanked Ms. Husak for the explanation and said he wanted to understand the interpretation for any similar variance applications in the future.

Gavin Jones, Ford & Associates Architects, 1500 West First Avenue, Columbus, Ohio 43212, said that they believe that one space per 100 square feet of service is a little more than they needed in this application. He said the lesser requirement, three spaces per bay, fits their needs.

Patrick Todoran said that when he visited the dealership, there were very few parking spaces available and there were six cars parked in the entrance driveway near the used car area. He asked if that was a very busy day for the dealership.

Mr. Jones admitted that one of the problems that the dealership has is that there are many more display spaces than they should be using. He said that was why part of this application was intended to define where display spaces would be used for display. He said now, they have approximately 90 vehicles to display, but they are reducing that number to 55 spaces, which they thought would be adequate.

Ms. Newell asked if Planning had witnessed any problems with parking on the site.

Ms. Husak said that an ongoing Code Enforcement issue was vehicles not parking in designated spaces. She said that is common in many dealerships. She explained that because this has been a car dealership since the early 1980s, the City does not have a plan that designates display spaces versus parking spaces. She said it helps that Code Enforcement would at least now have a plan that indicates where display can take place.

Ms. Newell asked if Planning believed that there will be better enforcement of parking on this site.

Ms. Husak said that they will be able to better enforce where the vehicles are supposed to be displayed.

Ms. Newell said she thought it was clear, based on the overlapping setback lines, that there is practical difficulty present on the site. She said she was aware that there have been several auto dealerships in Dublin that have used their parking count based on that lower standard, whether it was through a variance or through a Planned Unit Development district development text. She said she believed that the applicant has met all of the standards for approval of a variance.

Mr. Page said that it was very consistent with just the spirit in general when the Board is looking at variances for any type of property, residential or business, that this property is very unique in the way it is configured.

Ms. Ferguson said she agreed with the other Board members.

Motion and Vote

Victoria Newell made a motion, seconded by Kathy Ferguson, to approve the variance to permit 24 fewer parking spaces for vehicle service than required by the Zoning Code for an automobile dealership, because the request meets the required non-use (area) variance standards.

The vote was as follows: Mr. Page, yes; Mr. Todoran, yes, Ms. Ferguson, yes; and Ms. Newell, yes. (Approved 4 – 0.)

2. 2012 Annual Items of Interest

Administrative Request

Rachel Ray explained that City Council had directed the Board of Zoning Appeals to proceed with preparing a new list of Items of Interest for the upcoming year. She referred to the memo that included items that were suggested by Board member Brian Gunnoe, and asked for feedback regarding whether those were also of interest to the other members. She explained that Board members could discuss items that were more presentation-oriented to contribute to their ongoing education as Board members, or if there were certain items they were interested in learning more about, or if there is a specific task that they are interested in researching or looking further into as a Board, that was an option as well. Ms. Ray asked for the Board members' feedback on the list presented.

Brett Page said he appreciated Mr. Gunnoe's suggestions. He said he was interested in transportation planning overall, with information presented by Engineering, but suggested that the Board think about transportation more broadly with other alternatives such as bicycles, traffic calming, and pedestrian infrastructure. He said that he has always found his interactions with Engineering to be very helpful and informative. He said that transportation planning including other modes of transportation will have a major impact as Dublin grows as a community.

Victoria Newell said that with regard to the "Sustainable Development Strategies" item, it would be nice if there were presentations on sustainable techniques that are being implemented or have been implemented locally. She said that, for example, there are a lot of varieties of new permeable pavement products, but those products cannot necessarily be used uniformly in every region. She said that bio-swales and rain gardens are other examples. She said she was concerned as an architect that has worked on LEED-certified projects, that not everyone would know what products are available to be used, and equally, what their limitations are. Ms. Newell said that everyone could use a better education on the advantages and limitations of sustainable development strategies and materials.

Patrick Todoran said he would like to learn more about sustainable development strategies as well.

Ms. Newell said, in terms of parking in the Historic District, she would like to hear more about what Planning envisions will happen, and how Bridge Street might be downsized from I-270 across the bridge to the other side of the Scioto River.

Ms. Ray said that beyond the Items of Interest, Planning intends to keep the Board apprised of updates regarding the Bridge Street Corridor and other projects. She said regarding Mr. Page's interest in the overall transportation network and transportation planning, perhaps they could integrate some of the bicycle planning elements into that topic. Ms. Ray said that Planning has also discussed, during the Bridge Street Corridor planning process, just how different of an approach was being taken in the Bridge Street

Corridor compared to the rest of the City with regard to transportation planning specifically, and how the “urban” approach meets the “suburban” approach. She said Planning could work with Engineering on incorporating that topic into a presentation.

Ms. Ray said that Planning is working through the last version of the draft Bridge Street Corridor Development Code and is preparing to take the final draft forward to the Planning and Zoning Commission in October. She said there will be a series of public meetings for the Commission to review the Code with opportunity for public input. She said that the Code will move forward to City Council early next year. She said it has not been determined if there will be additional Joint Work Sessions, but the Board will be updated if any meetings are scheduled.

Ms. Ray encouraged the Board members to continue thinking about other items that they are interested in adding to next year’s list. She said if the Board is interested in things such as land use planning history, or important legal cases that might be helpful for Board members to have an understanding of, Planning would be happy to provide presentations on those topics as well. She said that based on the Board’s discussion tonight, she would reorganize the list and the Board can continue the discussion and vote on a recommendation to City Council at the October 27 Board of Zoning Appeals meeting.

Ms. Newell said that a presentation on case law as it affects zoning and the Board of Zoning Appeals would be helpful.

3. 2011 Annual Items of Interest – Conducting an Effective Site Visit

Rachel Ray said that the Board’s 2011 Annual Items of Interest list included the topic *Conducting an Effective Site Visit*. She presented information regarding the purpose and importance of conducting site visits for BZA cases, and discussed strategies for making the most of each visit.

Ms. Ray explained that site visits are a critical part of the Board’s case review in preparation for meetings. She said that Planning appreciates the Board members’ dedication and time spent on every application. She said going to sites is an extra step beyond just attending the Board meetings, but one that should be done with all cases, regardless of their magnitude. She said that the Board members’ actions and decisions really do matter and impact the future of the City with each site. She said the Board members should want to make sure that, as public representatives, they are making good decisions.

Ms. Ray said that part of good decision-making is coming to meetings prepared and having a good background and context understanding of each case. She said going to the site and having a good understanding of the request helps to establish a complete record. She said that every application reviewed should be reviewed consistently and fairly, based on rational criteria. Ms. Ray said that going to visit a site helps give credibility to Board meetings and decision-making. She explained that it is also important to visit sites because it allows you to see what is going on adjacent properties. She said although the Planning Reports include site plans, maps, and much of what Board members need to make decisions or come to a reasonable conclusion, it can be difficult to see how the site relates to adjacent properties without actually seeing the site in 3-D, on the ground, and to understand what is going on around it, which is a critical component of case analysis. Ms. Ray said that visiting the site allows you to take notice of things that might not otherwise be included in Planning Reports.

Ms. Ray said site visits should be done alone, without other Board members. She said discussion on a particular case should occur at Board of Zoning Appeals meetings, in public, because all Board members making good decisions should have access to the same information. She said in addition, site visits should not include conversations with property owners, applicants, passers-by, or neighbors, to ensure that all Board members have access to the same information. She stated that any attempted

conversations about the site should be deflected back to Planning or brought up to the Board at the meeting.

Ms. Ray said that site visits should be conducted at different times of the day. She said for some applications, like for parking variances, how sites are used at different times of the day, different days of the week, or even parts of the year can be important. She pointed out that how people behave at a site can lend important insights into the Board members' reviews.

Ms. Ray suggested that, in order to get the most out of a site visit, Board members should spend some time researching the location ahead of time, taking notes and perhaps a tape measure and a camera. She recommended that the Board members observe as much as possible, beyond just environmental factors. Ms. Ray said that the Planning Reports include maps, building elevations, site plans, case history, and other relevant information to try to provide Board members with enough context to help them get a good understanding of the application request. Ms. Ray added that the City of Dublin's online GIS (Geographic Information System), is a helpful resource for Board members to research site addresses, zoning, old aerial photos, and to measure areas and distances. She said information about the Community Plan is also available online as a mapping tool. She said that in addition to the City's GIS, the Google "Streetview" and Bing "Bird's Eye View" are other helpful online map tools.

Ms. Ray said that what Board members should look for when conducting a site visit depends on the type of application. She said the specific Zoning Code provisions relevant to the application should be considered. She said, for example, for a variance application, Board members should keep the specific provision that the application is requesting to vary from in mind. Ms. Ray stated that Board members should consider how the site meets or fails to meet each of the review standards.

Ms. Ray concluded her presentation and welcomed the Board members' questions or comments about their own experiences with site visits.

Kathy Ferguson suggested that Board members could request contact information from Planning in case they were unable to access a site if the property is inaccessible.

Ms. Ray agreed that that was an option, but also said that if a site was simply not accessible and the site analysis cannot be completed, it is still okay because a substantial amount of information is available on the application and in the Planning Report, enough to make a reasonable decision on a request.

Ms. Ray said that in the event that the property owner tries to talk to the Board members about the application while they're visiting the site, they should encourage the property owner to save their comments for the BZA meeting so that the other members have the opportunity to hear the same information. She said they can also be referred to Planning if the property owner wants to provide additional information.

Ms. Ray asked the Board members for their thoughts on what should be done in the event that the property owner succeeded in giving a Board member additional materials about the application.

Ms. Newell said they experienced this at meetings when applicants attempt to present new information or new materials, and she has asked that they submit the information to staff so that everybody has a chance to review it. She said that if they gave her something anyway, she would give it to Planning to review and circulate if appropriate.

Ms. Ray said that Planning would make sure that all Board members had access to the same information, because the whole purpose is to make sure that all Board members have the same information from which to make good decisions. She said this helps the BZA remain consistent, predictable, and fair with respect to all property owners.

Ms. Ray noted that Board members are always encouraged to contact Planning if they noticed something important at the site that was not discussed in the Planning Report. She said the information or answers to questions would be provided in the presentations so that all members have the same information. She said they were also welcome to ask questions at the meeting, however, in order to provide adequate answers, sometimes additional research may be needed.

Ms. Ray said that the Board members have always done a very nice job of always going back to the review criteria and requesting clarification if additional information is necessary before making decisions. She reiterated that Board members should make sure that they are making consistent decisions with respect to the review criteria and that they ensure that the intent and purpose of the zoning regulations are achieved. Ms. Ray said that was not to say that variances are precedent setting, since they are reviewed on a site-by-site, case-by-case basis, however they want to make sure all property owners are treated the same way, and they use the review criteria to accomplish that objective.

Ms. Newell adjourned the meeting at 7:36 p.m.

As approved by the Board of Zoning Appeals.



CITY OF DUBLIN.

Land Use and
Long Range Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/ TDD: 614-410-4600
Fax: 614-410-4747
Web Site: www.dublin.oh.us

BOARD OF ZONING APPEALS

MEETING MINUTES

October 27, 2011

AGENDA

- 1. Pain Care Specialist – Medical Offices – Parking Variance
11-060V
(Approved 4 – 0)** **6397 Emerald Parkway
Non-Use (Area) Variance**
- 2. 2012 Annual Items of Interest
(Approved 4 – 0)** **Administrative Request**
- 3. 2011 Annual Items of Interest – Running an Effective Meeting
(Presentation and Discussion – No vote taken)**

Administrative Business

Vice Chair Patrick Todoran called the meeting to order at 6:45 p.m. Other Board members present were Brett Page, Brian Gunnoe, and Kathy Ferguson. Victoria Newell was absent. City representatives present were Rachel Ray, Tammy Noble-Flading, Alexis Dunfee, Rachel Beck, and Flora Rogers.

Motion and Vote

Brett Page made a motion, seconded by Brian Gunnoe, to accept the documents into the record. The vote was as follows: Mr. Todoran, yes; Ms. Ferguson, yes; Mr. Gunnoe, yes; and Mr. Page, yes. (Approved 4 – 0.)

Motion and Vote

Kathy Ferguson made a motion, seconded by Brian Gunnoe, to approve the September 22, 2011 Meeting Minutes as presented. The vote was as follows: Mr. Page, yes; Mr. Todoran, yes; Mr. Gunnoe, yes; and Ms. Ferguson, yes. (Approved 4 – 0.)

Communications

Rachel Ray indicated in the newsletter there was a brief update regarding the Bridge Street Corridor along with a link to the video of City Council Mid Year Goal Review Session and Discussion of the Bridge Street Corridor and asked that they watch they video. The implementation studies have been completed and there are good results that the utility infrastructure to serve development within the Bridge Street Corridor and working on the Fiscal Analysis and everything looks good. The Code is currently under review at the Planning and Zoning Commission along with the Area Rezoning and they expect to have a recommendation to City Council by the end of the year. Following the adoption of the Code then will be ready for development occur in the corridor as the market opportunities arise.

Ms. Ray announced that we have a new Planning Assistant, Jonathan Lee.

Ms. Ray distributed the new name tags for the Board Members for site visits or other functions that they would perform as a member of the Board of Zoning Appeals. There was a warning about the strong magnet and the possibility of damage to a credit card.

Mr. Todoran swore in the applicants and staff.

**1. Pain Care Specialist – Medical Offices – Parking Variance
11-060V**

**6397 Emerald Parkway
Non-Use (Area) Variance**

Tammy Noble-Flading presented this Variance application for parking requirements. She indicated that the site is a 3.2-acre site with frontage along Rings Road and Emerald Parkway. The site is zoned SO, Suburban Office and is currently developed for an office use. There is access to the site from Rings Road which is used solely by the applicant, there is a joint access point to the south. The building is approximately 42,000-square-feet of office surrounded by a parking area of 186 spaces. Approximately 40 percent of the building is occupied by an Engineering Company, the remaining 60 percent is possibly a medical use facility.

Ms. Noble-Flading said this site was part of an original track of land approximately 5 acres that included the land to the south, both sites are developed for office uses and were used interchangeably including the parking areas. In the 90s there was a lot split creating the existing site conditions that the applicant is requesting for review. The change in use to medical use which increases the need for parking spaces. In pursuing options for increasing the parking spaces, one of the barriers they are encountering is the existing building is in place and the infrastructure is completely around it, the remaining open space provided is for landscaping requirements or a detention area in the southeast corner of the site. When the City constructs the round-about at this intersection with Emerald Parkway extension it will decrease the amount of space that will be utilized for the detention area and further restricts their ability to move into any type of open space.

Ms. Noble-Flading said the applicant currently owns the property and will be occupying 11,937-square-feet of this building as medical use and parking requirements change to 1 space per 200 square feet from 1 space per 250-square-feet. The parking analysis with the applicant space will require 60 parking spaces, and with the remaining portion of the building being office, the requirement under the current Code would be 198 spaces with modifications they are able to provide 187 parking spaces leaving a variance request for 11 spaces. The applicant has been working with the Building Department to meet the handicap parking requirements and as a result they may lose one parking space to meet the requirement. There is an area on the east portion of the building that has been striped and thought to be for emergency access to the building and after meeting on site with the Fire Official it was determined that it is not a requirement. The applicant will be able to convert the space into two parking spaces.

Ms. Noble-Flading reviewed the review criteria and determined that the applicant met all the conditions to secure an approval for a parking variance, including special conditions due to the lot coverage of 69 percent with a maximum of 70 percent and the future round-about, the special condition the result of action or inaction of the applicant which the conditions were created with the lot split and the applicant was not the owner or part of that action, and if granting the variance are they impairing the intent of the resolution and the requirement of minimum parking space is to ensure that there is adequate infrastructure to access the site and the applicant has indicated they have adequate parking and other Planned Districts have lower parking counts due to operational needs.

Ms. Noble-Flading stated the applicant has met three of the four conditions and recommends approval of the variance request to permit 11 fewer parking spaces than required with one condition; That the applicant install the two additional parallel parking spaces on the east end of the building prior to receiving a Certificate of Occupancy.

Mr. Page verified that there was a Fire Department review for mobility. Ms. Noble-Flading agreed.

Darin Ranker, Carney Ranker Architects, 5980 Suite J, Wilcox Place, Dublin and Rao Lingam, property owner were present. Mr. Lingam said the 11 spaces are only required if the building was fully occupied and their practice only requires about 45 spaces based on their operational experience.

Mr. Gunnoe asked for the number of employees for the existing Engineering Firm that currently occupies the building. The information was not available.

Motion and Vote

Mr. Page made a motion, seconded by Mr. Gunnoe, to approve the variance to permit 11 fewer parking spaces than required by the Zoning Code for an medical office use, because the request meets the required non-use (area) variance standards, with one condition:

- 1) That the applicant install the two additional parallel parking spaces on the east end of the building prior to receiving a Certificate of Occupancy.

The vote was as follows: Ms. Ferguson, yes; Mr. Todoran, yes; Mr. Gunnoe, yes; and Mr. Page, yes. (Approved 4 – 0.)

2. 2012 Annual Items of Interest

Administrative Request

Rachel Ray did not have a formal presentation but the packet included a memo with the proposed or potential Items of Interest for the upcoming year based on the previous discussions, which includes a presentation by Engineering Staff, Planning Staff and the Bicycle Advisory Task Force Liaison to discuss the transportation planning in Dublin, additional presentation or information on Sustainable Development Strategies, Introduction to Planning and Zoning Law, and the Historic Dublin Parking Demand Study results.

Mr. Page said that it was a great job summarizing what they came up with and thanked Mr. Gunnoe for his suggestions.

Motion and Vote

Mr. Todoran made a motion, seconded by Mr. Gunnoe, to recommend to City Council approval of the 2012 Annual Items of Interest for the Board of Zoning Appeals.

The vote was as follows: Ms. Ferguson, yes; Mr. Page, yes; Mr. Gunnoe, yes; and Mr. Todoran, yes. (Approved 4 – 0.)

3. 2011 Annual Items of Interest – Running an Effective Meeting

Ms. Noble-Flading said as a result of last year's interests, the orientation process and other practices are full of educational sessions directly related to our Director Steve Langworthy who is a proponent of training opportunities of which everyone benefits. She said this presentation is about "Running an Effective Meeting" and the meetings serving multiple purposes.

Ms. Noble-Flading indicated that the Board Members are here for a purpose to provide their own unique skills and experiences, while being sensitive and recognizing the public.

Ms. Noble-Flading presented the Role of the Chair or Vice Chair, Staff and the Applicant. The Board is here to make a decision and provide Public Record which prepares for any legal action and future applicants with similar requests.

The Chair Role is a facilitator to ensure the meeting runs properly, timely and that the discuss stays on topic while remaining neutral.

Ms. Ferguson asked if other Boards receive passionate public comment. Ms. Noble-Flading indicated that she had that experience with testimony given at the Planning Commission and with every supportive

comment was a comment against the application and the Chair that kept the group focused and summarized the comments for the record. She said it is important for the public be part of the process.

Ms. Noble-Flading indicated that preparedness for the cases is key, reviewing the materials, knowing the language, site visits and asking questions will convey an understanding of the application and will provide a thorough review.

Mr. Gunnoe asked if there were statistics kept regarding decisions. Ms. Ray confirmed that statistics are reported at year end with the annual report with previous years provided for comparisons.

Ms. Noble-Flading said being factual about a particular case is extremely helpful. Being mindful of the main points of the case and keeping the applicant on point is key. The staff is a resource and guides the applicants through the correct process. Staff represents the City of Dublin and upholds the Code and Rules and Regulations and lead that charge for the City. Help is provided with facts and review criteria that is important to the review process for the Board to make informed decisions. When the Board decides on an application it is best to provide a finding of facts based on relevant points of consideration and is imperative when deviating from the recommendation of Staff which creates the Boards own record.

Ms. Ferguson asked for an explanation of when a condition may be appropriate for an application approval. Ms. Ray explained that the condition is the only way that an application can meet a specific criterion, review standard or Code Requirement.

Ms. Noble-Flading concluded that when information is provided at a meeting it is the person bringing that to the meeting responsibility to explain why it should be part of the Public Record and the Board may determine the relevance to the application. She complimented the success of the Board of Zoning Appeals and their ability to keep people focused and on task.

Ms. Noble-Flading said if there are any questions during proceedings or their reviews to please ask, they may be able to answer the question as part of the meeting or include in a presentation.

Mr. Todoran thanked staff for the presentation and said it was enlightening.

Mr. Todoran adjourned the meeting at 7:58 pm.

As approved by the Board of Zoning Appeals.