



Commissioner John O'Grady • Commissioner Paula Brooks • Commissioner Marilyn Brown  
President

Economic Development & Planning Department  
James Schimmer, Director

# Franklin County Board of Zoning Appeals

Franklin County Courthouse  
Commissioner's Hearing Room – 26th Floor  
Columbus, OH 43215

Monday, September 19, 2016  
1:30 p.m.

1. Call roll for board members
2. Introduction of staff
3. Swearing in of witnesses
4. Approval of minutes from the August 15, 2016 meetings
5. New Business:

**i. VA-3861 – Brad Fisher**

<b>Owner/Applicant:</b>	Harold Steward
<b>Township:</b>	Hamilton Township
<b>Site:</b>	4926 Sutherland Dr.
<b>Acreage:</b>	0.18 acres
<b>Zoning:</b>	Restricted Urban Residential District (R-8)
<b>Utilities:</b>	Public water and sewer
<b>Request:</b>	Requesting a Variance from Section 502.021(3) of the Franklin County Zoning Resolution to allow for the extension of a driveway that would fail to meet the required property line setback in an area zoned Restricted Urban Residential (R-8).

**ii. VA-3862 – Brad Fisher**

<b>Owner/Applicant:</b>	William McQuirt
<b>Township:</b>	Hamilton Township
<b>Site:</b>	2036 Davis Ave
<b>Acreage:</b>	0.10 acres
<b>Zoning:</b>	Rural District
<b>Utilities:</b>	Private water and wastewater
<b>Request:</b>	Requesting a Variance from sections 502.021(2), 504.012 and 512.02(2) of the Franklin County Zoning Resolution to legitimize the construction of a porch, parking area and accessory building that fail to meet setback and accessory building size requirements in an area zoned Rural.

**6. Adjournment of Meeting to October 17, 2016**



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## **MINUTES OF THE FRANKLIN COUNTY BOARD OF ZONING APPEALS**

**Monday, August 15, 2016**

The Franklin County Board of Zoning Appeals convened on the 26th floor, Franklin County Courthouse, 373 South High Street, Columbus, Ohio, 43215, on Monday, August 15, 2016.

Present were:

Gary Dever, Chairperson  
Christopher Baer, Vice Chairperson  
Tim Guyton

Franklin County Development Department members,  
Jenny Snapp, Assistant Director, Franklin County Economic Development and Planning  
Matt Brown, Planning Administrator  
Brad Fisher, Planner

Chairperson Dever opened the meeting.

The first order of business being the roll call of members, the introduction of staff, and the swearing in of witnesses.

The next order of business was the approval of the minutes from the July 18, 2016, meeting. Mr. Guyton made a motion to approve the minutes of the July 18, 2016, meeting. The motion was seconded by Mr. Baer. The motion was approved by a three-to-zero vote.

**NEW BUSINESS:**

The first item of business being Case No. VA-3857. The owner/applicant is William Young. The township is Franklin Township, and the site is located at 1085 Forest Drive. It is 0.47 acres in size and is serviced by public water and wastewater. The request is for a Variance from Sections 502.022 and 513.012(1)(b) of the Franklin County Zoning Resolution to legitimize the construction of an above-ground swimming pool and deck that fail to meet the pool location and yard space requirements in an area zoned Restricted Urban Residential (R-8). Mr. Fisher presented the case to the Board of Zoning Appeals. Mr. Guyton made a motion to approve Case No. VA-3857 with one Staff condition. It was seconded by Mr. Baer. The motion was approved by a three-to-zero vote.

The next item of business being Case No. VA-3858. The owner is Rebecca McGrath-Hinkle. The township is Pleasant Township. It is located at 5612 Cedar Drive. It is 0.11 acres in size and is serviced by private water and public wastewater. The request is for a Variance from Section 650.162(a) of the Franklin County Zoning Resolution to allow the construction of an above-ground swimming pool that will be located in the Big Darby Creek Watershed Riparian Setback in an area zoned Rural. Mr. Fisher read and presented the case to the Board of Zoning Appeals. Mr. Baer made a motion to approve Case No. VA-3858 with two Staff recommendations. It was seconded by Mr. Guyton. The motion was approved by a three-to-zero vote.

The next item of business being Case No. VA-3859. The owners are Matthew and Ashley Barnhart. The township is Norwich Township. It is located at 4850 Bellan Road. It is 0.61 acres in size and is serviced by private water and wastewater. The request is for a Variance from Sections 306.042 and 513.012(2)(b) of the Franklin County Zoning Resolution to allow the construction of an above-ground swimming pool that will not be located completely to the rear of the primary structure and will exceed the allowable 20 percent lot coverage in an area zoned Limited Suburban Residential (R-2). Mr. Fisher read and presented the case to the Franklin County Planning Commission. Mr. Guyton made a motion to table Case No. VA-3859 until the October 17, 2016, meeting. It was seconded by Mr. Baer. The motion was approved by a three-to-zero vote.

The next item of business being Case No. VA-3860. The applicant is Kristin Rosan. The owner is Charles Pullins. The township is Mifflin Township. It is located at 3063 and 3065 Morse Road. It is 1.14 acres in size and is serviced by public water and wastewater. The request is for a Variance from Sections 502.022, 670.083.(a), 670.083(e), 670.083(f), 670.083(g), 670.083(h)(5), 670.085(b), 670.086(c)(6), 670.088(g)(3)(b), 670.0812(a), 670.0812(c) and 670.0816(b) of the Franklin County Zoning Resolution to allow the development of a commercial site that will fail to meet the following requirements: Yard space, building design standards, sign setback, landscaping and screening, vehicle parking and circulation, and pedestrian circulation system on a lot subject to the Smart Growth Overlay in an area zoned Community Service (CS). Mr. Fisher read and presented the case to the Board of Zoning Appeals. Mr. Guyton made a motion to approve a Variance from Sections 502.022, 670.083.(a), 670.083(e), 670.083(f), 670.083(g), 670.083(h)(5), 670.085(b), 670.086(c)(6), 670.0812(a), 670.0812(c) and 670.0816(b) with Staff's recommendations. It was seconded by Mr. Dever. The motion was approved by a three-to-zero vote.

Mr. Guyton made a motion to approve a Variance from Section 670.088(g)(3)(b). It was seconded by Mr. Baer. The motion was denied by a three-to-zero vote.

Mr. Guyton made a motion to approve Findings of Fact that the basis for denying the applicant's request for the Variance from Section 670.088(g)(3)(b) results from the applicant's failure to satisfy the criteria for granting a Variance under Section 810.041, and that the request is inconsistent with the recommendation of the Clinton-Mifflin Land Use Plan. It was seconded by Mr. Baer. The motion was approved by a three-to-zero vote.

There being no further business coming before the Franklin County Board of Zoning Appeals, Mr. Baer made a motion to adjourn the meeting. It was seconded by Mr. Guyton.

By unanimous vote, the meeting was adjourned at 4:00 p.m.

Minutes of the August 15, 2016, Franklin County Board of Zoning Appeals hearing were approved this 19<sup>th</sup> day of September, 2016.

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Signature



Commissioner John O’Grady • Commissioner Paula Brooks • Commissioner Marilyn Brown  
President

Economic Development & Planning Department  
James Schimmer, Director

## STAFF REPORT

Board of Zoning Appeals  
September 19, 2016

### Case VA-3861

Prepared by: Brad Fisher & Eric Gayetsky

<b>Applicant/Owner:</b>	Harold D. Stewart Jr.
<b>Township:</b>	Hamilton Township
<b>Site:</b>	4926 Sutherland Drive (PID #150-001792)
<b>Acreage:</b>	0.18-acres
<b>Zoning:</b>	Restricted Urban Residential (R-8)
<b>Utilities:</b>	Public water and wastewater
<b>Request:</b>	Requesting a Variance from Section 502.021(3) of the Franklin County Zoning Resolution to allow for the extension of a driveway that would fail to meet the required property line setback in an area zoned Restricted Urban Residential (R-8).

### Summary

The applicant is requesting a variance to allow for a driveway replacement that fails to meet the side yard setback in an area zoned Restricted Urban Residential (R-8). The request satisfies the criteria necessary for granting a variance. Staff recommends **approval with conditions**.

### Description of the Request

The subject site is located at the intersection of Sutherland Drive and Belford Avenue, west of Service Drive and south of Secrest Avenue. The home was built in 1960 and is part of the Hamilton Meadows community. The site consists of an existing 1,305 square foot home, 528 square foot detached garage with a 556 square foot concrete parking pad, and 480 square foot concrete patio.

The driveway replacement would be zero (0) feet from the southern property line, not meeting the required three (3) feet or more from any property line. The existing driveway, including pavement and gravel is 18.5 feet wide forward of the home, 6.5 feet wide to the side and rear of the home, with a total foot print of approximately 1,052 square feet. The driveway replacement will not change the footprint of the existing driveway.

### Surrounding Area

All properties in the immediate area are zoned Restricted Urban Residential (R-8), the properties to the east, along Lockbourne Road are zoned Rural (R), and the properties to the north, along Rathmell Road are incorporated into the Village of Obetz and zoned Community Facilities.

## **Comprehensive Plan**

The Obetz & Hamilton Township Comprehensive Plan, adopted October 1998, includes a Future Land Use Map to help guide development in the area, recommending Single-Family Residential for the site and surrounding properties.

The applicant's proposal complies with the Comprehensive Plan, and further improves the function of the subject site.

## **Staff Review**

### Variance from Section 502.021(3) – Yards Required Open

- Driveways shall be permitted in required residential yards, but shall be three (3) feet or more from any property line, except where such driveways are developed jointly as a common drive to adjoining lots.
  - The driveway is zero (0) feet from the south property line.

## **Technical Review Committee Agency Review**

Expressed no concerns

## **Staff Analysis – Section 810.41:**

The Franklin County Zoning Resolution identifies five criteria in Section 810.041 that must be satisfied to approve a variance request:

- 1) *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;*
  - » The applicant indicated that several neighboring properties include driveways with no setback.
  - » Staff agrees that neighboring properties were built during the same era and feature similar driveway configurations allowing for a zero (0) foot setback from side property lines. However, neighboring properties do not provide a special condition for this property.
  - » Staff notes that a special circumstance does exist as the home and detached garage were not built by the applicant and there is not enough space provided on this property to easily access the detached garage while meeting the setback requirement.
- 2) *A literal interpretation of the provisions of this Zoning Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Zoning Resolution;*
  - » The applicant indicated that the layout of the property is not physically conducive to connect the driveway with the garage at the rear of the property, while attempting to meet the general development standards.
  - » Staff notes that the space between the side property line and home is 6.5 feet and would not accommodate for a vehicle to pass through if the side yard setback were met.
- 3) *The special conditions and circumstances do not result from the action of the applicant;*
  - » The applicant indicated that the configuration of the property was in place prior to the purchase of the home.
  - » Staff agrees that the special circumstance is not a result of the applicant.
- 4) *Granting the variance requested will not confer on the applicant any special privilege that is denied by this Zoning Resolution to other lands or structures in the same Zoning District;*
  - » Staff notes that granting the variance request will not confer any special privilege upon the applicant, as there is no other option to access the garage on the subject site and several neighboring properties share a similar lot development configuration.

- 5) *Granting the variance will not adversely affect the health or 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;*
- » Staff believes that the proposed driveway installation will not adversely impact the health or safety of residents. Staff further believes that the driveway installation will improve the aesthetics and functionality of the site.

**Recommendation**

Staff recommendation is that the BZA ***approve with conditions*** a Variance from Section 502.021(3) of the Franklin County Zoning Resolution to allow for the extension of a driveway that would fail to meet the required property line setback in an area zoned Restricted Urban Residential (R-8).

1. The applicant must apply for and receive a Certificate of Zoning Compliance from the Franklin County Economic Development and Planning Department.

**Resolution**

For your convenience, the following is a proposed resolution:

(a) **Proposed Resolution for Request:**

\_\_\_\_\_ moves to approve a Variance from Section 502.021(3) of the Franklin County Zoning Resolution as outlined in the request above for the applicant identified in Case No. VA-3861.

Seconded by: \_\_\_\_\_

Voting:

**Findings of Fact**

For your convenience, the following are proposed findings of fact:

If the resolution fails for lack of support, the following are proposed findings of fact for adoption by the BZA:

\_\_\_\_\_ moves that the basis for denying the applicant's request for the Variance from Section 502.021(3) of the Franklin County Zoning Resolution as outlined in the request above for the applicant identified in Case No. VA-3861 results from applicant's failure to satisfy the criteria for granting a variance under Section 810.041.

Seconded by: \_\_\_\_\_

Voting:

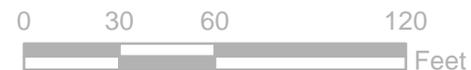
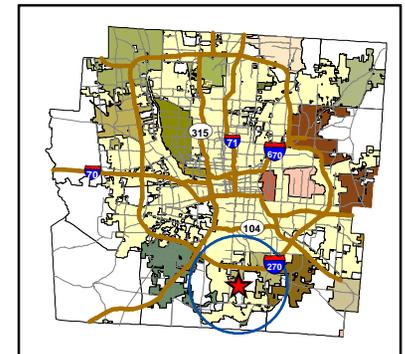


## VA-3861

Requesting a variance from section 502.021(3) of the Franklin County Zoning Resolution to allow for the extension of a driveway that would fail to meet the required property line setback in an area zoned Restricted Urban Residential (R-8).

0.18 Acres  
Hamilton Township

-  4926 Sutherland
-  Parcels
-  Streets



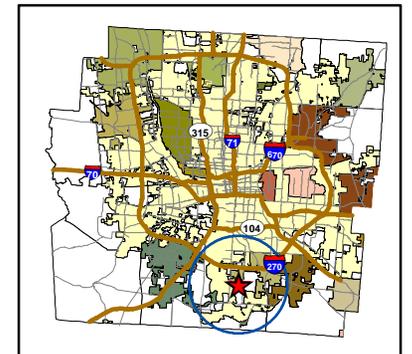


## VA-3861

Requesting a variance from section 502.021(3) of the Franklin County Zoning Resolution to allow for the extension of a driveway that would fail to meet the required property line setback in an area zoned Restricted Urban Residential (R-8).

0.18 Acres  
Hamilton Township

-  4926 Sutherland
-  Parcels
-  Streets



RECEIVED  
JUL 15 2016  
Franklin County Planning Department  
Franklin County, OH

VA-3861

SUTHERLAND



proposed driveway = 



**RECEIVED**  
**JUL 15 2016**  
 Franklin County Planning Department  
 Franklin County, OH

VIA-3861

**DEAN C. RINGLE, P.E., P.S.**  
**FRANKLIN COUNTY ENGINEER**

DATE 6-29-2016 PERMIT NO. 16-74

This permit is hereby granted to Just-D-Concrete representing Harold A. Stewart Jr. in accordance with Section 5589.10 of the Ohio Revised Code. This permit is granted for the purpose of installing DRIVEWAY, SIDEWALK, FRONT PORCH AT 4926 Sutherland Dr. Hamilton Twp. Ohio 43207.

The holder of this permit shall be responsible for the replacement of the pavement, shoulder, berms, drainage courses, pipes, guard rail, plant material and turf to an original or better condition, and shall properly maintain the pavement, berm, and storm drainage facilities until restored to its original condition.

All trenches excavated within the roadway will be backfilled with Item 636, Controlled Density Fill (CDF), per the City of Columbus Construction and Material Specifications, or as otherwise specified in writing, to the satisfaction of the County Engineer.

The permit holder shall provide for the maintenance of traffic at all times as provided for on the plans or in the maintenance of traffic notes.

Furthermore, this permit holder shall provide and maintain at all excavations in the road, suitable barricades and safeguards including the display of steady burn, type "C" lights at night and shall at all times indemnify and save harmless the Board of County Commissioners and Franklin County against all claims from injury or damage to persons and property that may be asserted by any firm, person, or corporation arising out of the use and occupancy of any part of the road and/or right-of-way.

This work is to begin on 6-29-2016. You must call the day before actually starting work for the permit to be valid. This permit expires 30 days after issuance unless work has been started.

**DEAN C. RINGLE, P.E., P.S.**  
**FRANKLIN COUNTY ENGINEER**

By: [Signature] Title: UTILITY COORDINATOR  
 Franklin County Engineer's Representative

We hereby agree to the terms of this permit:

Company Name: Just-D-Concrete FAX Number N/A  
 Person to Contact: Don Langbein Telephone Number 614-360-6892  
 Field Supervisor: Don Langbein Telephone Number 614-360-6892  
 Sign: Harold A. Stewart Telephone Number 614-989-0370 E-Mail B.Stewart@capitalcitytrailers.com  
 Print Harold A Stewart Jr.



Commissioner John O’Grady • Commissioner Paula Brooks • Commissioner Marilyn Brown  
President

Economic Development & Planning Department  
James Schimmer, Director

## STAFF REPORT

Board of Zoning Appeals  
September 19, 2016

### Case VA-3862

Prepared by: Brad Fisher

<b>Applicant/Agent:</b>	Barry A. Waller
<b>Owner:</b>	William R. McQuirt
<b>Township:</b>	Hamilton Township
<b>Site:</b>	2036 Davis Avenue (PID # 150-000554)
<b>Acreage:</b>	0.51 acres
<b>Zoning:</b>	Rural
<b>Utilities:</b>	Private water and wastewater
<b>Request:</b>	Requesting a Variance from sections 502.021(2), 504.012 and 512.02(2) of the Franklin County Zoning Resolution to legitimize the construction of a porch, parking area and accessory building that fail to meet setback and accessory building size requirements in an area zoned Rural.

### Summary

The applicant is requesting variances to legitimize an existing front porch that fails to meet the front setback requirement, an existing driveway that fails to meet the parking setback requirement and an existing shed that fails to meet the permitted accessory building size and required setback from property lines. None of these buildings or structures received zoning approval, and all were constructed between 2012 and 2015.

Staff recommends ***approval with conditions*** of the request from Sections 512.02(2) and ***denial*** of the requests from Section 502.021(2) and 504.012.

### Description of the Request

The subject site is located on the north side of Davis Road, approximately 1,000 feet northwest of the Obetz-Reese and Rathmell Roads intersection. The property is zoned Rural and is low to medium density residential in nature. The site is developed with a 1,440 square foot single-family home that was built in 1918, a 576 square foot detached garage that was built in 1970, a 257 square foot accessory building, a 230 square foot rear porch and a 136 square foot front porch.

### Surrounding Area

The entire area surrounding the property is zoned Rural and considered low to medium density residential, in unincorporated Hamilton Township.

## **Comprehensive Plan**

The Obetz & Hamilton Township Comprehensive Plan, adopted October 1998, includes a Future Land Use Map to help guide development in the area, recommending Single-Family Residential use for the site and surrounding properties, and agricultural use farther north and west.

## **Staff Review**

### Variance from Section 502.021(2) – Open Porches:

- Open and covered/uncovered porches may project beyond the front building setback line a distance to not exceed eight (8) feet.
  - The applicant is requesting to legitimize the existing front porch. The front porch, which was constructed sometime in 2012 or 2013 without permits, projects a distance of 14 feet beyond the front building setback line.
    - A variance is needed to allow for a 6 foot reduced open porch front setback.

### Variance from Section 504.012 – Parking Setback:

- Open parking or loading spaces shall be permitted to extend toward the street right-of-way from the established building line a distance equal to 40% of the required setback distance.
  - The applicant is requesting to legitimize the existing driveway. The driveway was constructed without permits sometime in 2012 or 2013 and again in 2014 or 2015. All paved areas exceeding 18 feet in front of the front building line is considered a parking facility, not a driveway. The driveway is 27 feet wide at the front property line. Only the 18 feet wide portion is permitted in its current location.
    - A variance of nine (9) feet is required.

### Variance from Section 512.02(2) – Accessory Building Setback:

- Accessory buildings on properties less than one (1) acre in size are required to be a minimum of five (5) feet from property lines.
  - The applicant is requesting to legitimize the existing shed. The shed, which was added sometime in 2013 or 2014 and was constructed without permits, is 1.9 feet from the rear property line.
    - A variance of 3.1 feet is required.

### Variance from Section 512.02(2) – Accessory Building Size:

- Accessory buildings on properties less than one (1) acre in size are permitted to be a maximum of 720 square feet.
  - The applicant is requesting to legitimize the existing shed. The shed, which was added sometime in 2013 or 2014 without permits, is 286 square feet in size. The existing detached garage, which was constructed in 1970, is 576 square feet in size. The total accessory building square footage is 862 square feet.
    - A variance is needed to allow for the shed to be 142 square feet over the 720 square foot maximum.

## **Technical Review Agencies**

### **Franklin County Drainage Engineer**

Requested that a grading plan be prepared for the site to indicate both pre-and post-development grades.

### **Franklin County Engineer and Franklin Soil and Water Conservation District**

Expressed no concerns toward the development of the subject site.

### **Staff Analysis - Section 810.041:**

The Franklin County Zoning Resolution identifies five criteria in Section 810.041 that must be satisfied to approve a variance request:

- 1) *That special conditions and circumstances exist which are peculiar to the structure/property involved which are not applicable to other structures/property in the same zoning district;*
  - » The applicant indicated that the home was built in 1918, and has been in disrepair until the applicant made repairs to the porches.
  - » Staff notes that the year the home was built and its physical condition are not a special circumstance that merit the applicant to deviate from the Zoning Resolution development standards.
- 2) *That a literal interpretation of the provisions of this Zoning Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Zoning Resolution;*
  - » The applicant indicated that the intent was to improve the property by renovating the porches and expanding the driveway for personal use.
  - » Staff notes that it is not a shared right by the applicant's neighbors in the community of Walnut Heights to exceed setback and size standards as described under staff review.
- 3) *That the special circumstances and conditions of this request do not result from the action of the applicant;*
  - » The applicant states that they were unaware of setback requirements or drive way size restrictions.
  - » Staff notes that it is the responsibility of the homeowner to ensure zoning standards are being met when completing improvements to personal property.
- 4) *That granting the variance requested will not confer on the applicant special privileges that are denied by this Zoning Resolution to other lands or structures in the same Zoning District;*
  - » The applicant indicated the improvements to the home will benefit the neighborhood.
  - » Staff notes that granting a variance to deviate from porch and parking setback standards would confer special privileges upon the applicant as the proposed design is not in character with the community. However, granting a variance to deviate from accessory building size and location would not confer special privileges as the additional size is minimal and location is in line with surrounding properties and near parallel to the detached garage along the easement to the rear of the property.
- 5) *That granting the variance will not adversely affect the health or safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or be injurious to private property in the vicinity;*
  - » The applicant indicated that no adverse health and safety impacts are associated with these variances.
  - » Staff notes the deviation from the porch setbacks' and driveway setback is detrimental to public welfare and injurious to private property in the vicinity as it detracts from the character of the community and may set a precedent with future development in the area.

### **Recommendation**

Staff recommendation is that the BZA **approve with conditions** a Variance from Sections 512.02(2) of the Franklin County Zoning Resolution to legitimize an accessory building that does not meet the minimum set back from property lines or size requirements with the following conditions:

1. The applicant must apply for and receive a Certificate of Zoning Compliance from the Franklin County Economic Development and Planning Department.
2. The applicant must apply for and receive a building permit from the Franklin County Building Department.
3. The applicant must prepare a grading plan, indicating pre- and post-development grades, to be submitted with the Certificate of Zoning Compliance and approved by the Franklin County Engineer's Office.

Staff recommendation is that the BZA deny a Variance from Sections 502.021(2) and 504.012 to legitimize an existing front porch that fails to meet the front setback requirement and an existing driveway that fails to meet the parking setback requirement. The reason for denial is that the requests fail to meet the criteria for granting a variance under Section 810.041.

**Resolution**

For your convenience, the following is a proposed resolution for staff's recommendation of approval for a Variance from Section 512.02(2):

(a) **Proposed Resolution for Request:**

\_\_\_\_\_ moves to approve a Variance from Section 512.02(2) of the Franklin County Zoning Resolution as outlined in the request above for the applicant identified in Case No. VA-3862 with the conditions in staff's recommendation.

Seconded by: \_\_\_\_\_

Voting:

**Findings of Fact**

For your convenience, the following are proposed findings of fact:

If the resolution fails for lack of support, the following are proposed findings of fact for adoption by the BZA:

\_\_\_\_\_ moves that the basis for denying the applicant's request for the Variance from Sections 512.02(2) as outlined in the request above for Case No. VA-3862 results from applicant's failure to satisfy the criteria for granting a variance under Section 810.041.

Seconded by: \_\_\_\_\_

Voting:

**Resolution**

For your convenience, the following is a proposed resolution for staff's recommendation of denial for a Variance from Sections 502.021(2) and 504.012:

(a) **Proposed Resolution for Request:**

\_\_\_\_\_ moves to approve a Variance from Sections 502.021(2) and 504.012 of the Franklin County Zoning Resolution as outlined in the request above for the applicant identified in Case No. VA-3862.

Seconded by: \_\_\_\_\_

Voting:

**Findings of Fact**

For your convenience, the following are proposed findings of fact:

If the resolution fails for lack of support, the following are proposed findings of fact for adoption by the BZA:

\_\_\_\_\_ moves that the basis for denying the applicant's request for the Variance from Sections 502.021(2) and 504.012 as outlined in the request above for Case No. VA-3862 results from applicant's failure to satisfy the criteria for granting a variance under Section 810.041.

Seconded by: \_\_\_\_\_

Voting:

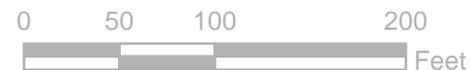
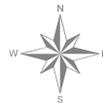
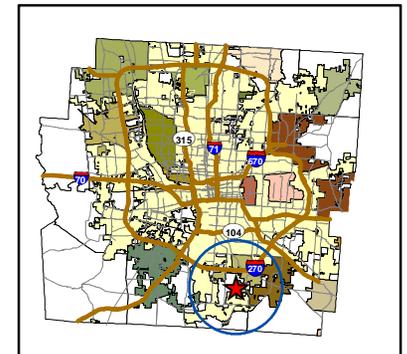


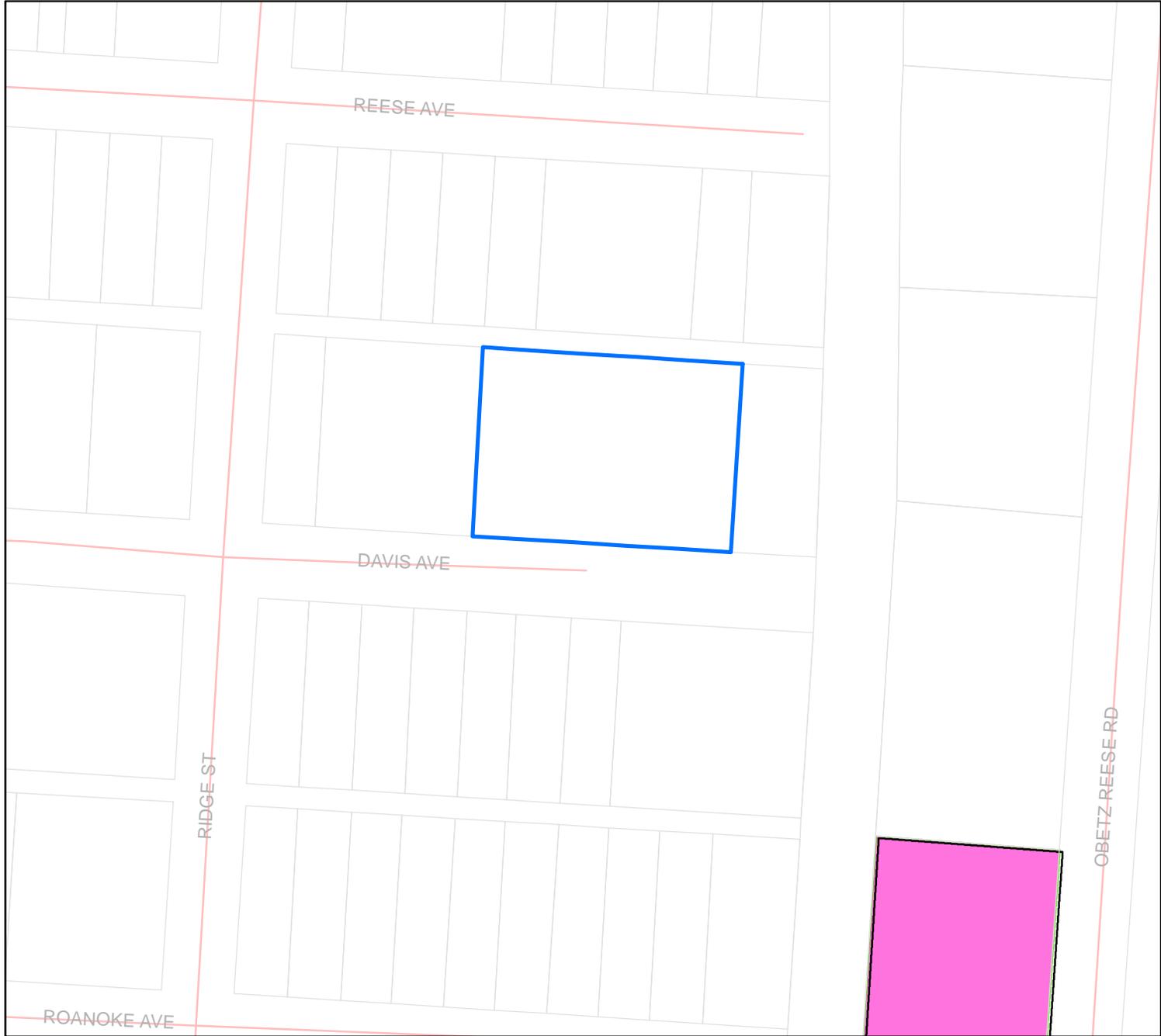
# VA-3862

Requesting a Variance from sections 502.021(2), 504.012 and 512.02(2) of the Franklin County Zoning Resolution to legitimize the construction of a porch, parking area and accessory building that fail to meet setback and accessory building size requirements in an area zoned Rural.

0.10 Acres  
Hamilton Township

-  2036 Davis Ave.
-  Parcels
-  Streets



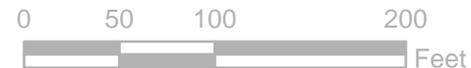
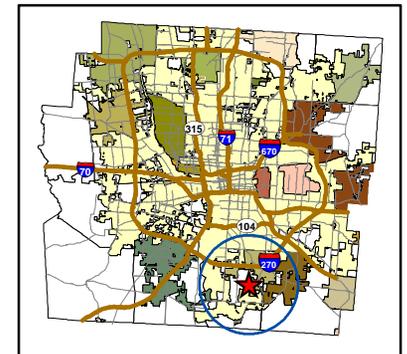


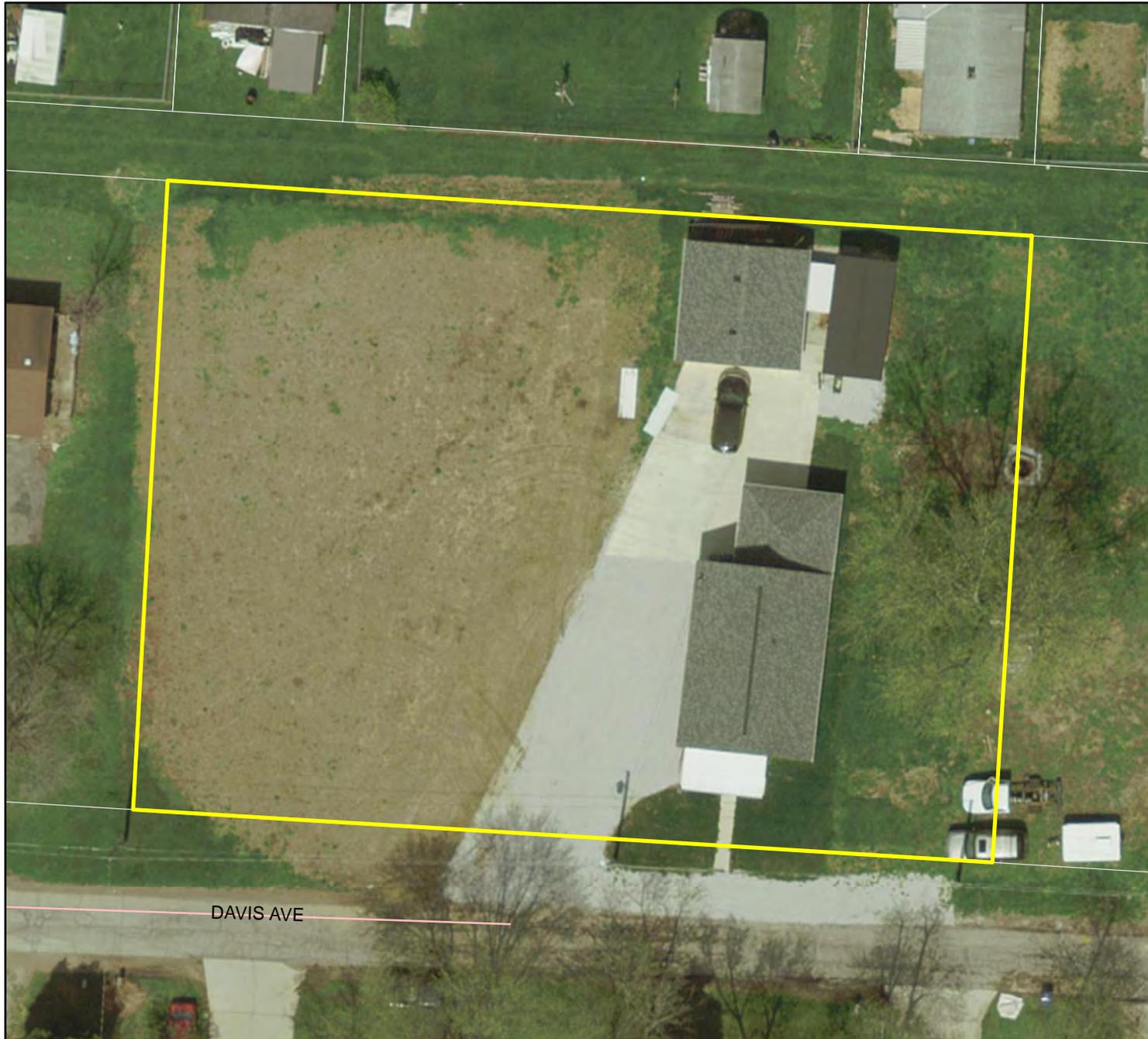
## VA-3862

Requesting a Variance from sections 502.021(2), 504.012 and 512.02(2) of the Franklin County Zoning Resolution to legitimize the construction of a porch, parking area and accessory building that fail to meet setback and accessory building size requirements in an area zoned Rural.

0.10 Acres  
Hamilton Township

- 2036 Davis Ave.
  - Parcels
  - Streets
- Zoning**
- Rural
  - Select Commercial Planned District



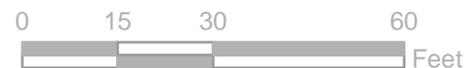
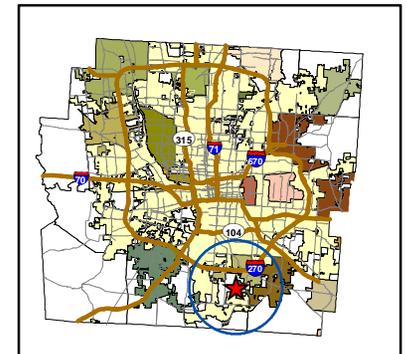


## VA-3862

Requesting a Variance from sections 502.021(2), 504.012 and 512.02(2) of the Franklin County Zoning Resolution to legitimize the construction of a porch, parking area and accessory building that fail to meet setback and accessory building size requirements in an area zoned Rural.

0.10 Acres  
Hamilton Township

-  2036 Davis Ave.
-  Parcels
-  Streets

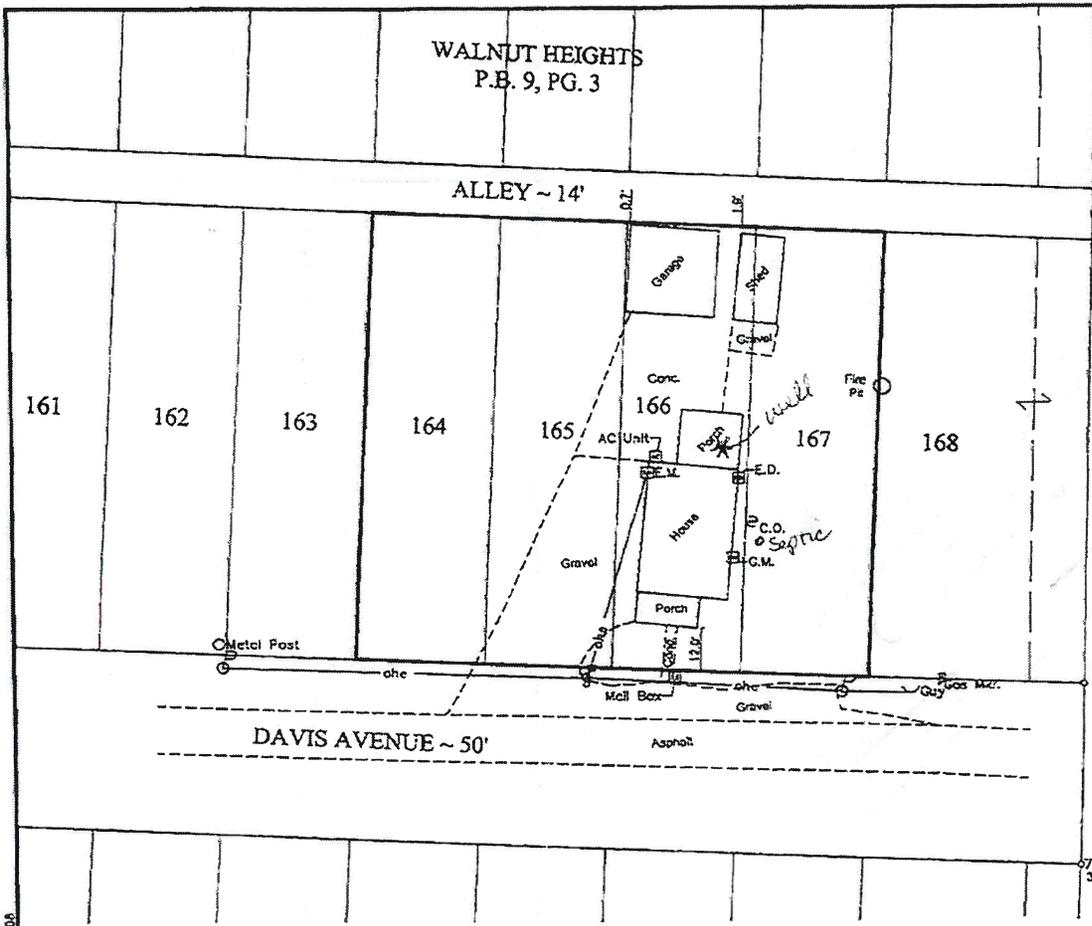
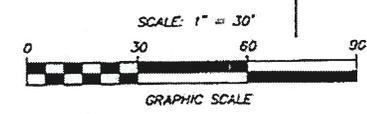


RECEIVED

AUG 01 2016

Franklin County Planning Department  
Franklin County, Ohio

VA-3802



D.M. PALLET SERVICES, INC.  
6.270 AC.  
O.R. 21718, PG. A.01  
P.N. 150-000110

L:\Orders\BB\_111712.dwg 4/21/2016



**Bird+Bull**  
C.F. BIRD & R.L. BULL, INC.  
Engineers and Surveyors  
2875 W. Dublin-Granville Road  
Columbus, Ohio 43235  
Ph: (614) 761-1661  
Fax: (614) 761-1325  
WWW.BIRDBULL.COM

WILLIAM & LORETTA McQUIRT INSTRUMENT 201004020039855			
PARTIAL LOCATION SURVEY AT 2036 DAVIS AVENUE, HAMILTON TOWNSHIP, FRANKLIN CO., OHIO			
LOTS 164-167, WALNUT HEIGHTS, P.B. 9, PG. 3			
SCALE: 1" = 30'	OWN: KLB	CKD:	DECEMBER 23, 2014
JOB NO. 14-127	1	1	1

Olivene Gillilan  
2033 Reese Avenue  
Columbus, Ohio 43207

September 5, 2016

ATTN: Case #VA-3862  
Mr. Matt Brown & Mr. Brad Fisher  
Franklin County Economic Development and Planning  
150 S. Front Street, FSL Suite 10  
Columbus, Ohio 43215

RE: 2036 Davis Avenue; Case #VA-3862

Dear Mr. Brown and Mr. Fisher:

Thank you for the notification of variances being requested for the subject property. I am unable to attend the hearing date and time listed on the card; but would like to respond in writing to the notification. With regards to the variance request for Mr. McQuirt's property I am generally supportive of the requests for the porch reconstruction and accessory building with regards to size and setback variances. My only concern is the driveway width variance for the property.

The subject driveway width of the curb cut appears to be excessive in comparison of other driveway widths and geometries in the area. The width per the survey supplied in the zoning case materials, as prepared by Bird+Bull, appears to be near the width of a lot (35'). It is my understanding that there are maximum residential driveway widths permitted by the Franklin County Engineer's office. This driveway appears to be the width of a commercial driveway; not that of a residential property.

My only concern with this property variance request is the potential for commercial activities on a residential property, parking of commercial trucks and/or storage of vehicles not owned by the occupants. Otherwise the improvements stated (porch, accessory building, and setback) are not viewed as a nuisance.

Sincerely,



Olivene Gillilan  
Property Owner