



Commissioner Kevin L. Boyce • Commissioner Marilyn Brown • Commissioner John O’Grady  
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 17, 2018  
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 20, 2018 meeting
5. New Business:

**i. VA-3910 – Phil Ashear**

<b>Owner/Applicant:</b>	Silas Max-Dixon
<b>Township:</b>	Madison Township
<b>Location:</b>	3027 Winchester Pike (PID #180-001272)
<b>Acreage:</b>	0.57-acres
<b>Utilities:</b>	Private water and wastewater
<b>Request:</b>	Requesting a Variance from Sections 302.041(c), 502.021(3), 512.02(2), and 531.042(1) of the Franklin County Zoning Resolution to allow the construction of an accessory building, deck and driveway that exceeds the permitted lot area and coverage, exceeds the permitted number of principal uses, fails to meet the driveway setback, exceeds the permitted accessory building size and height, and exceeds the driveway width in an area zoned Rural.

**ii. VA-3911 – Phil Ashear**

<b>Owner/Applicant:</b>	Mitchell & Julie Neff
<b>Township:</b>	Pleasant Township
<b>Location:</b>	5294 Kinglet Court (PID #230-002084)
<b>Acreage:</b>	0.65-acres
<b>Utilities:</b>	Public water and wastewater
<b>Request:</b>	Requesting a Variance from Section 512.02(2(a)) of the Franklin County Zoning Resolution to allow the construction of an accessory building that fails to meet the accessory building setback requirement and would not be located to the side or rear of the principal structure in an area zoned Suburban Residential (R-4).

iii. VA-3912 – Phil Ashear

<b>Owner/Applicant:</b>	George & Carol Fraley
<b>Township:</b>	Hamilton Township
<b>Location:</b>	1560 Rathmell Rd. (PID #150-002613)
<b>Acreage:</b>	1.515-acres
<b>Utilities:</b>	Private water and wastewater
<b>Request:</b>	Requesting Variance from Section 512.02 of the Franklin County Zoning Resolution to allow for the construction of an accessory structure that would exceed the 1,440 sq. ft. maximum allowed on a property between 1 and 2 acres in size in an area zoned Rural.

iv. VA-3913 – Phil Ashear

<b>Owner/Applicant:</b>	Ray Simmons
<b>Township:</b>	Madison Township
<b>Location:</b>	3311 Cross Keys Rd. (PID #180-001630)
<b>Acreage:</b>	0.73-acres
<b>Utilities:</b>	Private water and wastewater
<b>Request:</b>	Requesting a Variance from Section 512.02(2) of the Franklin County Zoning Resolution to allow the construction of an accessory building that exceeds the maximum permitted size in an area zoned Rural.

v. VA-3914 – Phil Ashear

<b>Owner/Applicant:</b>	Stimmel Properties, LLC
<b>Agent:</b>	Al Bordelon
<b>Township:</b>	Franklin Township
<b>Location:</b>	1380 Stimmel Rd. (PID #140-005122)
<b>Acreage:</b>	1.01-acres
<b>Utilities:</b>	Private water and wastewater
<b>Request:</b>	Requesting a Variance from Sections 344.041(b(1)), 344.046, 501.013 and 504.012 of the Franklin County Zoning Resolution to allow the site to not meet fence opacity, front green belt, fence materials, and fencing and parking setback requirements in an area zoned Limited Industrial (LI).

6. Adjournment of Meeting to October 15, 2018



**Commissioner** Kevin L. Boyce • **Commissioner** Marilyn Brown • **Commissioner** John O'Grady  
President

**Economic Development & Planning Department**  
James Schimmer, Director

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

**Monday, August 20, 2018**

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 20, 2018.

Present were:

Christopher Baer, Chairperson  
Tim Guyton, Vice Chairperson  
Paula Armentrout  
Nancy Hunter

Franklin County Economic Development and Planning Department members:

Matt Brown, Planning Administrator  
Phil Ashear, Planner  
Brad Fisher, Planner

Chairperson Baer opened the hearing.

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

The next item of business was the approval of the minutes from the July 16, 2018, meeting. Ms. Armentrout made a motion to approve the minutes with a correction to the reference to the "Franklin County Rural Zoning Commission" should be corrected to the "Franklin County Board of Zoning Appeals." It was seconded by Ms. Hunter. The motion was approved by a vote of four yeases and one abstention.

**OLD BUSINESS:**

The next order of business being Case No. VA-3904. The applicants are James and Charlene Davison. The township is Norwich Township. The site is located at 4180 Saturn Road. It is 4.400 acres in size, and it is served by private water and wastewater. The request is to table the case until October 15, 2018. Mr. Guyton made a motion to take Variance Application No. VA-3904 off the table. It was seconded by Chairperson Baer. The motion was approved by a five-to-zero vote. Mr. Guyton made a motion to table Variance Application No. VA-3904 at the request of the applicants. It was seconded by Mr. Martin. The motion was approved by a five-to-zero vote.

## NEW BUSINESS:

The next order of business being Case No. VA-3906. The applicants are Mark and Lisa Finnell. The township is Pleasant Township. The site is located on Avon Drive. It is 0.210 acres in size, and it is served by private water and wastewater. The applicants are requesting a Variance to Sections 504.012, 531.042(1), 650.152(a), and 650.162(d) to allow the construction of a new home, driveway and parking facility in the Big Darby Watershed Riparian Setback area with an access drive that exceeds the maximum permitted width, and a parking facility that fails to meet the minimum parking setback in an area zoned Rural. Mr. Phil Ashear read and presented the case to the Franklin County Board of Zoning Appeals. Ms. Hunter made a motion to approve Case No. VA-3906 with Staff's four conditions. It was seconded by Ms. Armentrout. The motion was approved by a five-to-zero vote.

The next order of business being Case No. VA-3907. The applicant is Michael J. Maistros. The township is Franklin Township. The site is located at 255 Georgesville Road. It is 7.21 acres in size, and it is served by public water and wastewater. The applicant is requesting Variances from Sections 505.022(a), 505.022(b), 670.083(a), 670.083(b), 670.083(f), 670.0812(a), and 670.0812(b) to allow for development that would include a dumpster/compactor that does not meet the location or setback requirements, would not meet setback requirements for a principal structure along a primary or non-primary road, would not meet the required width of a principal structure, and would not meet the requirements for parking setback or location in the Smart Growth Overlay. Mr. Phil Ashear read and presented the case to the Franklin County Board of Zoning Appeals. Mr. Guyton made a motion to approve Case No. VA-3907 with Staff's seven conditions. It was seconded by Mr. Martin. The motion was approved by a five-to-zero vote.

The next order of business being Case No. VA-3908. The applicant is 1350 Emig Road, LLC. The agents are Jackson B. Reynolds, III and Jeff Brown. The township is Franklin Township. The site is located at 1306 Emig Road. It is 2.270 acres in size, and it is served by public water and wastewater. The applicant is requesting a Variance from Sections 332.042(c), 332.045, 501.012(a), 501.013, 501.014(a), 501.024(a), 501.024(b), and 531.011(2) of the Franklin County Zoning Resolution to allow the site to not meet the following requirements: landscaped open space, front greenbelt, fence height and setback, barbed-wire fencing, fence location, fence materials, and parking surface in an area zoned Community Service. Mr. Phil Ashear read and presented the case to the Franklin County Board of Zoning Appeals. During discussion of the case, the agents for the case requested to withdraw their request for Variances to Sections 332.042(c) and 501.014(a). Mr. Martin made a motion to approve a variance from Section 531.011(2). It was seconded by Chairperson Baer. The motion was approved by a five-to-zero vote. Mr. Martin made a motion to approve a Variance from Sections 332.045, 501.012, 501.013, 501.024(b), and 504.011 with Staff's recommendations with an addition to Condition No. 3 that the site plan that is submitted with the Certificate of Zoning compliance be amended to show a continuous row of shrubbery to a height of 3 feet along the fence to the south of the building, and with an addition to Condition No. 5 that one shade tree per 50 feet of frontage is to be installed south of the west access drive. It was seconded by Mr. Guyton. The motion was approved by a five-to-zero vote.

The next order of business being Case No. VA-3909. The applicant is 1350 Emig Road, LLC. The agents are Jackson B. Reynolds, III, and Jeff Brown. The township is Franklin Township. The site is located at 1350 Emig Road. It is 9.440 acres in size, and it is served by private water and public wastewater. The applicant is requesting a Variance from Sections 346.042, 346.043(a), 346.044(a), 346.048, 501.013, 501.024(b), 521.012, 531.011(2), and 531.041(2) of the Franklin County Zoning Resolution to allow the site to not meet the minimum lot width, side yard setbacks, rear yard setbacks, minimum landscaped open space, include barbed-wire-topped chain-link fencing, screening from public streets and park vehicles on a

gravel surface in an area zoned General Industrial. Mr. Brad Fisher read and presented the case to the Franklin County Board of Zoning Appeals. Ms. Armentrout made a motion to approve Case No. VA-3909 with Staff's conditions and recommended changes to Condition No. 6 that no parking is permitted in the floodplain areas unless and until the necessary permits are issued to allow the use of the floodplain area. It was seconded by Chairperson Baer. The motion was approved by a five-to-zero vote.

There being no further business to come before the Franklin County Board of Zoning Appeals, Chairperson Baer made a motion to adjourn the hearing. The motion was seconded by Mr. Guyton. The motion was approved by unanimous vote. The proceedings were adjourned at 4:11 p.m.

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Signature

Minutes of the August 20, 2018, Franklin County Board of Zoning Appeals hearing were approved this 17th day of September, 2018.



Commissioner Kevin L. Boyce • Commissioner Marilyn Brown • Commissioner John O’Grady  
President

Economic Development & Planning Department  
James Schimmer, Director

## STAFF REPORT

Board of Zoning Appeals  
September 17, 2018

### Case VA-3910

Prepared by: Phil Ashear

<b>Applicant/Owner:</b>	Silas Max-Dixon
<b>Township:</b>	Madison Township
<b>Site:</b>	3027 Winchester Pike (PID # 180-001272)
<b>Acreage:</b>	0.57 acres
<b>Zoning:</b>	Rural
<b>Utilities:</b>	Private water and wastewater
<b>Request:</b>	Requesting a Variance from Sections 302.041(c), 502.021(3), 512.02(2), and 531.042(1) of the Franklin County Zoning Resolution to allow for the construction of an accessory building, deck and driveway that exceeds the permitted lot area and coverage, exceeds the permitted number of principal uses, fails to meet the driveway setback, exceeds the permitted accessory building size and height, and exceeds the driveway width in an area zoned Rural.

### Summary

The applicant is requesting a Variance to construct a 1,056 sq. ft. accessory structure that would include a second story apartment to house a member the applicant’s family who has a developmental disability. The proposed accessory structure would bring the total square footage of accessory structures to 1,206 sq. ft., which is 486 sq. ft. larger than the maximum allowed on a lot smaller than one (1) acre. The proposed development would also exceed the maximum allowed lot coverage by 4.6%, exceed the maximum height allowed for accessory structures by six (6) feet, and includes a 25 foot wide driveway, which would exceed that maximum allowed by seven (7) feet.

The request fails to meet the criteria for granting a Variance. Staff recommends denial of the request.

### Description of the Request

The subject site includes an approximately 2,300 sq. ft. single-family home and an approximately 150 sq. ft. accessory structure. The proposed development would include a 1,056 sq. ft. accessory structure that would be to the rear of the principal structure, which would include an additional dwelling unit, and an extension of the driveway. The development would also include a second story additional to the principal structure and an attached deck.

## **Surrounding Area**

The subject site is located on the south side of Winchester Pike in the Marwick Estates Subdivision, which was platted in 1953. This subdivision is zoned Rural in unincorporated Madison Township. State Route 33 is located approximately 0.38 miles to the south and I-270 is located approximately 0.8 miles to the east.

## **Comprehensive Plan**

The subject site is located within the planning area of the Blacklick-Madison Area Plan, which was adopted in 2011. The Plan includes a future land use map that recommends Medium Density Residential uses of between two (2) and eight (8) units per acre. The proposed development does not conflict with this recommendation.

## **Staff Review**

### Variance from Section 302.041(c) – Lot Area and Coverage:

- Only one (1) principal use shall be permitted on a lot, and such lot shall not be covered more than twenty (20) percent by structure.
  - The proposed development would bring the site to 24.6% lot coverage.
    - A Variance of 4.6 percent is required.
  - The proposed development would also include an accessory apartment above the proposed detached garage which constitutes a second principal use on the lot.
    - A Variance to allow two (2) principal uses is required.

### 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.
  - The proposed driveway would border the property line.
    - A Variance of 3 feet is required.

### Variance from Section 512.02(2) – Location, Number, and Size of Residential Accessory Buildings:

- Accessory buildings on lots smaller than an acre may not exceed 720 square feet and may not exceed 18 feet in height.
  - An approximately 150 sq. ft. accessory structure already exists on the site. The proposed accessory structure would be 1,056 sq. ft. which results in a total of 1,206 sq. ft. of accessory structures on the site.
    - A Variance of 486 sq. ft. is required.
  - The proposed accessory structure would be twenty-four (24) feet in height.
    - A Variance of six (6) feet is required.

### Variance from Section 531.042(1) – Width of Drive:

- An access drive shall not exceed eighteen (18) feet in width.
  - The proposed driveway would be up to 25 feet wide.
    - A Variance of 7 feet is required.

## **Technical Review Agencies**

No technical review agencies expressed concerns.

## **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;*

- » Staff does not believe that a special circumstance exists. Staff further believes that the intent of the proposed development can be achieved without the granting of the requested Variance.
- 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 stated that a literal interpretation of the Zoning Resolution would create undue hardship.
  - » Staff does not believe a literal interpretation would create an undue hardship as the additional dwelling unit could be attached to the principal structure and could meet the requirements of Section 302.039 of the Franklin County Zoning Resolution.
- 3) *That the special circumstances and conditions of this request do not result from the action of the applicant;*
  - » Staff does not believe that a special circumstance exists that warrants the granting of the requested Variance.
- 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 stated that granting the Variance would not confer special privileges.
  - » Staff believes that granting the Variance would confer special privileges on the applicant and would set a precedent for further Variances in the area.
- 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 stated and staff agrees that granting the Variance would not adversely affect the health or safety of persons in the vicinity.

**Recommendation**

Staff recommendation is that the BZA *deny* a Variance from Sections 302.041(c), 502.021(3), 512.02(2), and 531.042(1) of the Franklin County Zoning Resolution to allow for the construction of an accessory building, deck and driveway that exceeds the permitted lot area and coverage, exceeds the permitted number of principal uses, fails to meet the driveway setback, exceeds the permitted accessory building size and height, and exceeds the driveway width in an area zoned Rural.

**Resolution**

For your convenience, the following is a proposed resolution for staff’s recommendation of approval for a Variance from Sections 302.041(c), 502.021(3), 512.02(2), and 531.042(1):

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

\_\_\_\_\_ moves to approve a Variance from Sections 302.041(c), 502.021(3), 512.02(2), and 531.042(1) of the Franklin County Zoning Resolution as outlined in the request above for the applicant identified in Case No. VA-3910 with the conditions in staff’s recommendation.

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

Voting:

**Findings of Fact**

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

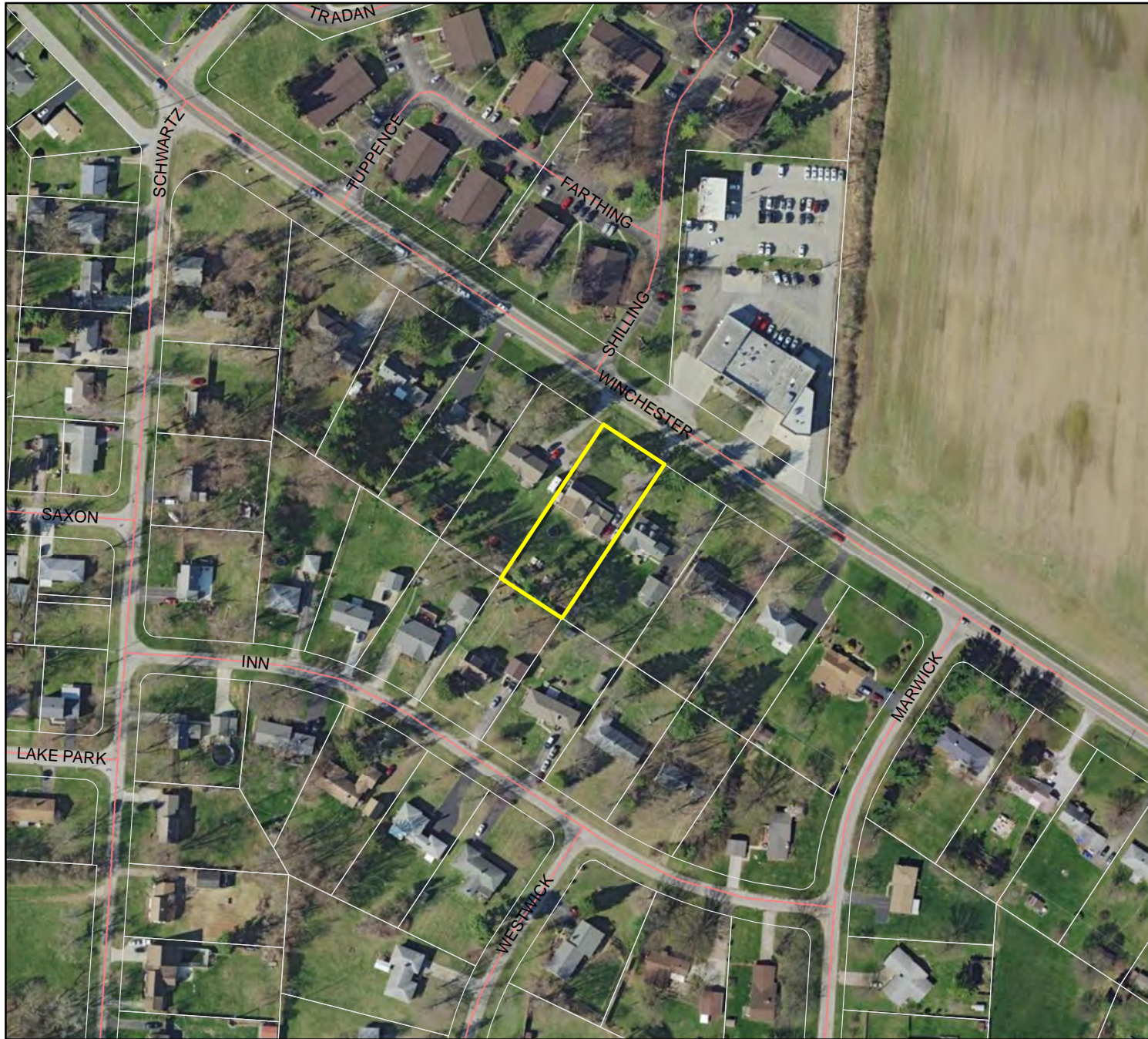


If the resolution fails for lack of support, the following are proposed findings of fact for adoption by the BZA:

\_\_\_\_\_ moves that the basis for denying the applicant's request for a variance from Sections 302.041(c), 502.021(3), 512.02(2), and 531.042(1) of the Franklin County Zoning Resolution as outlined in the request above for Case No. VA-3910 results from applicant's failure to satisfy the criteria for granting a variance under Section 810.041.

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




Voting:

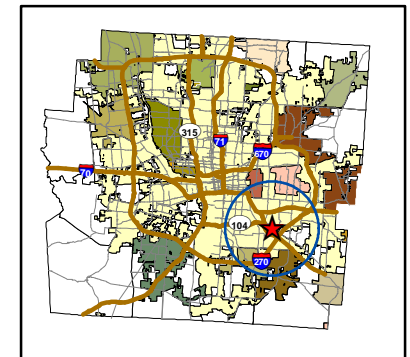


## VA-3910

Requesting a Variance from Sections 302.041(c), 502.021(3), 512.02(2), and 531.042(1) of the Franklin County Zoning Resolution to allow the construction of an accessory building, deck and driveway that exceeds the permitted lot area and coverage, exceeds the permitted number of principal uses, fails to meet the driveway setback, exceeds the permitted accessory building size and height, and exceeds the driveway width in an area zoned Rural.

Acres: 0.570  
Township: Madison

-  3027 Winchester Pike
-  Parcels
-  Streets






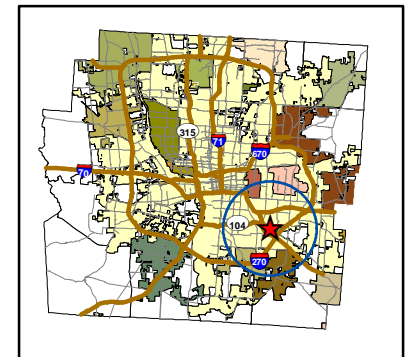


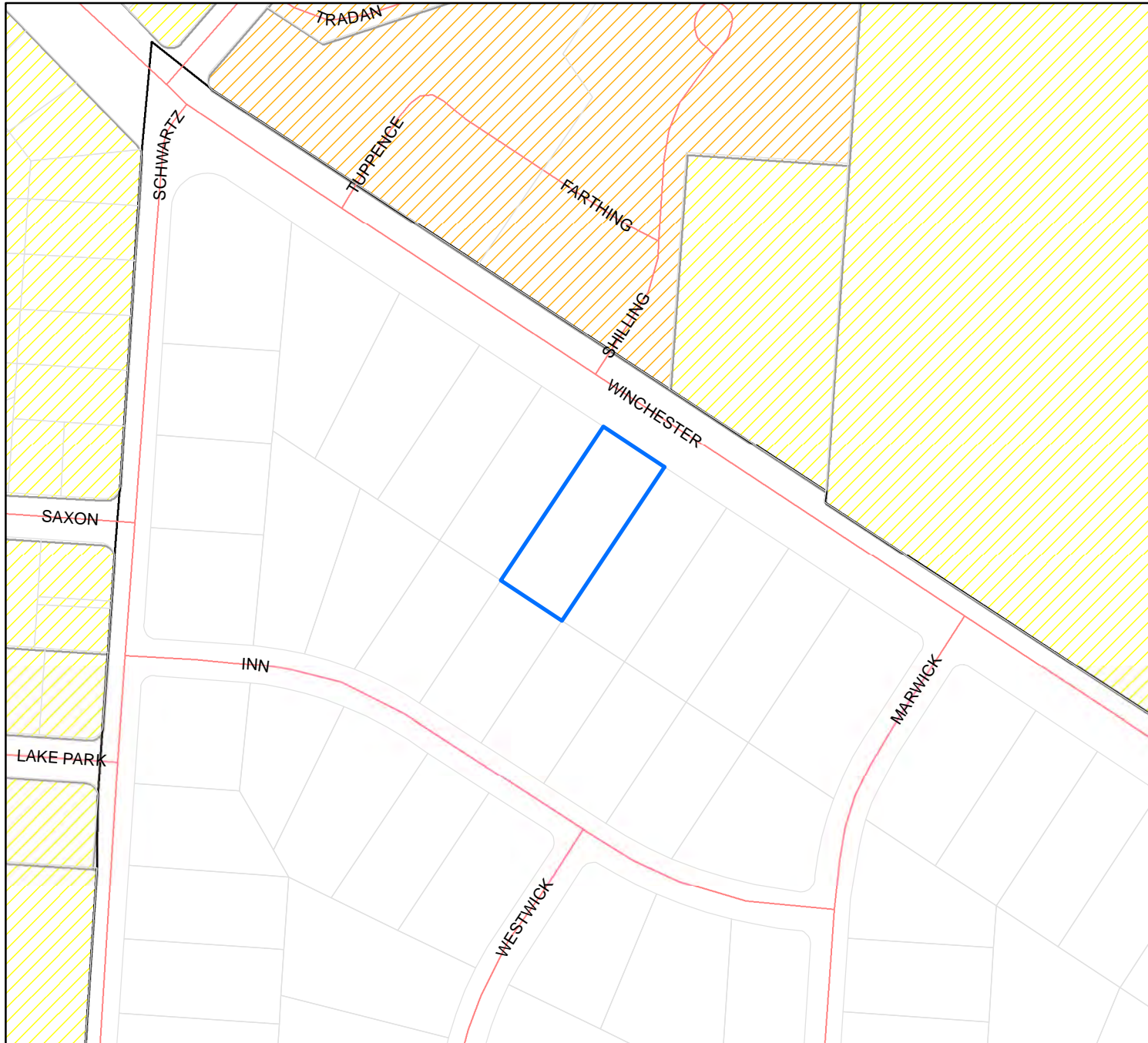
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Requesting a Variance from Sections 302.041(c), 502.021(3), 512.02(2), and 531.042(1) of the Franklin County Zoning Resolution to allow the construction of an accessory building, deck and driveway that exceeds the permitted lot area and coverage, exceeds the permitted number of principal uses, fails to meet the driveway setback, exceeds the permitted accessory building size and height, and exceeds the driveway width in an area zoned Rural.

Acres: 0.570  
Township: Madison

-  3027 Winchester Pike
-  Parcels
-  Streets



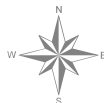
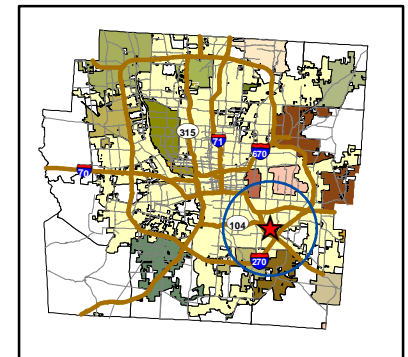


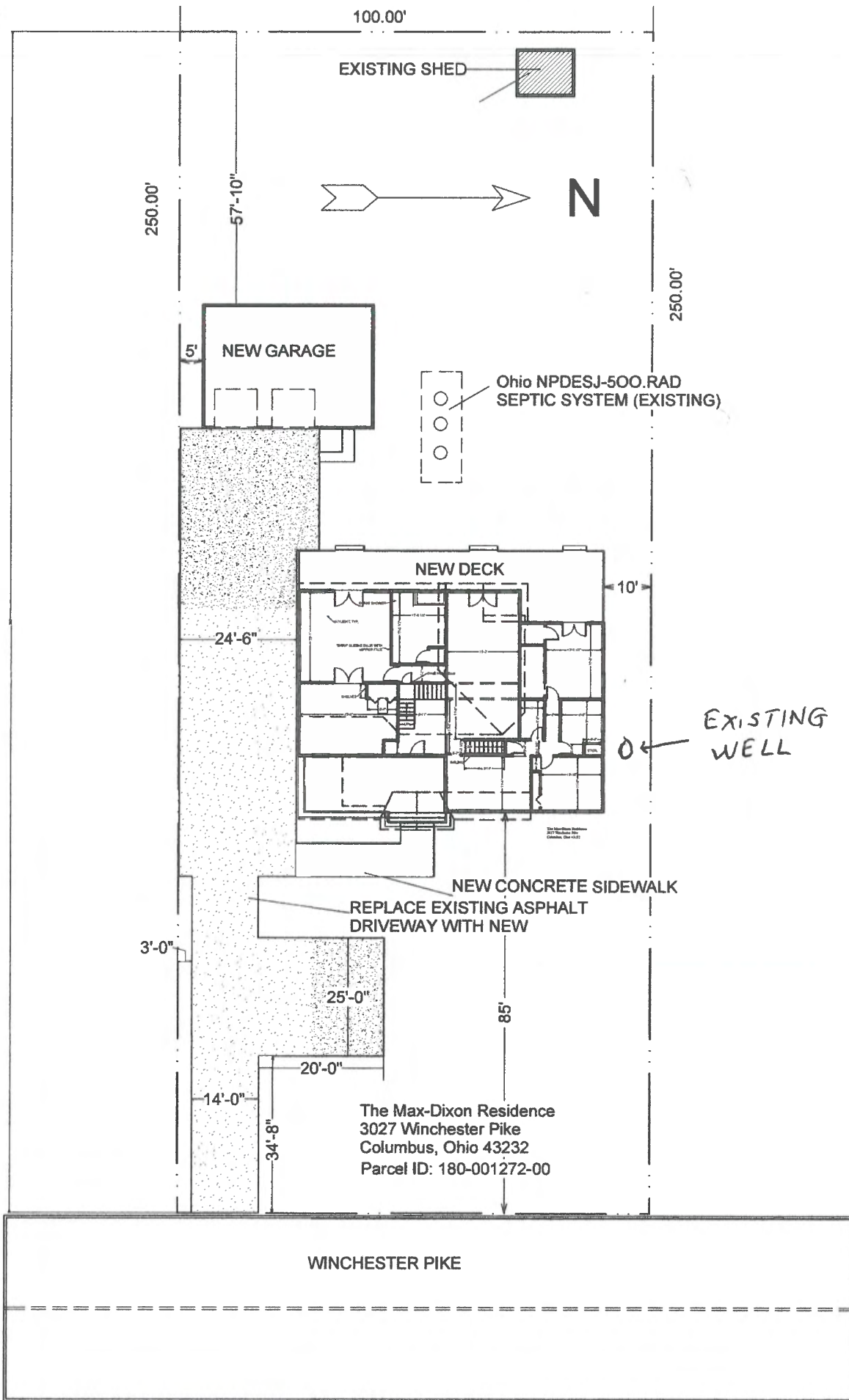
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Requesting a Variance from Sections 302.041(c), 502.021(3), 512.02(2), and 531.042(1) of the Franklin County Zoning Resolution to allow the construction of an accessory building, deck and driveway that exceeds the permitted lot area and coverage, exceeds the permitted number of principal uses, fails to meet the driveway setback, exceeds the permitted accessory building size and height, and exceeds the driveway width in an area zoned Rural.

Acres: 0.570  
Township: Madison

- 3027 Winchester Pike
  - Parcels
  - Streets
- Franklin County Zoning**
- Rural
- Columbus Zoning**
- Residential
  - Multi-family





**SITE PLAN**  
**SCALE: 1"=20'-0"**



Commissioner Kevin L. Boyce • Commissioner Marilyn Brown • Commissioner John O’Grady  
President

Economic Development & Planning Department  
James Schimmer, Director

## STAFF REPORT

Board of Zoning Appeals  
September 17, 2018

### Case: VA-3911

Prepared by: Phil Ashear

<b>Owner/Applicant:</b>	Mitchell and Julie Neff
<b>Township:</b>	Pleasant Township
<b>Site:</b>	5294 Kinglet Court (PID #230-002084)
<b>Acreage:</b>	.65 acres
<b>Zoning:</b>	Suburban Residential (R-4)
<b>Utilities:</b>	Public water and wastewater
<b>Request:</b>	Requesting a Variance from Section 512.02(2(a)) of the Franklin County Zoning Resolution to allow the construction of an accessory building that fails to meet the accessory building setback requirement and would not be located to the side or rear of the principal structure in an area zoned Suburban Residential (R-4).

### Summary

The applicant is requesting a Variance from Section 512.02(2(a)) of the Franklin County Zoning Resolution to allow for the construction of an accessory structure that would not be located to the side or rear of the principal structure and would fail to meet the minimum ten (10) foot setback from the principal structure. The request meets the criteria for granting a variance. Staff recommends approval with conditions.

### Description of the Request

The subject site is located on the southeast corner of Kinglet Court and Timberlake Circle. It includes a 2,000 sq. ft. single family home. The proposed 192 sq. ft. accessory structure is already completed. It is located eight and a half (8.5) feet from the principal structure and is in front of the established building line facing Kinglet Court.

### Surrounding Area

The subject site was platted in 1977 as part of the fifth phase of the Timberlake subdivision. The subdivision is located just north of I-71; the subject site itself is located 0.3 miles north of I-71. All lots directly adjacent to the subject site are zoned Suburban Residential (R-4) in unincorporated Pleasant Township. Some parcels in the Timberlake subdivision, south of the subject site, are zoned Rural.

### Comprehensive Plan

The subject site is located within the planning areas of the Big Darby Accord Watershed Master Plan and the Pleasant Township Comprehensive Plan. The Big Darby Accord Watershed Master Plan, adopted in

2006, recommends residential uses between 4 and 6 units per acre. The Pleasant Township Comprehensive Plan, adopted in 2009, recommends Suburban High Density Residential uses.

The proposed development does not conflict with these recommendations.

### **Staff Review**

#### **Variance from Section 512.02(2(a)) – Location, Number, and Size of Residential Accessory Structures:**

- An accessory building shall be located to the side or rear of the principal structure and shall be no closer than ten (10) feet from any part of the principal structure.
  - The proposed accessory building would be closer than ten (10) feet from the principal structure and would not be located to the side or rear of the principal structure.
    - A variance is required to allow the accessory structure to be eight and a half (8.5) feet from the principal structure and to be located in front of the building line facing Kinglet Court.

### **Technical Review Committee Agency Review**

No Technical Review Committee Agencies expressed concern.

### **Staff Analysis**

The Franklin County Zoning Resolution identifies five (5) 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 stated that the location of the site and the orientation of the home on a corner lot, the location of existing landscaping, and a slope in the rear of the property constitute a special circumstance.
  - » Staff agrees that the orientation of the home toward Timberlake Circle constitutes a special circumstance.
- 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 stated that they believed the current placement of the accessory structure would be considered to the side of the principal structure.
  - » Staff notes that this placement of the accessory structure is still in violation of the setback from the principal structure, which must be a minimum of ten (10) feet. Staff believes the accessory structure can be moved one and a half (1.5) feet away from the principal structure to satisfy this requirement.
- 3) *The special conditions and circumstances do not result from the action of the applicant;*
  - » The applicant indicated that the existing lot configuration did not result from their actions.
  - » Staff does not believe the existing lot configuration is a result from any action made by 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;*
  - » The applicant stated that granting the variance would not confer special privileges. Furthermore, the applicant stated that the property at the corner of Timberlake Circle and Lambert Road has an accessory structure in a similar position to the one that is proposed on the subject site.
  - » Staff notes that there is no record of a Certificate of Zoning Compliance or Variance for accessory structures on the property at the corner of Timberlake Circle and Lambert Road (6810 Lambert Road).

- 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;*
- » The applicant stated that the proposed development would not adversely affect the health or safety of persons residing or working in the area.
  - » Staff agrees that granting the variance will not adversely affect the health or safety of persons residing or working in the area.

**Recommendation**

Staff's recommendation is that the Board of Zoning Appeals *approve* with conditions a Variance from Section 512.02(2(a)) of the Franklin County Zoning Resolution to allow the construction of an accessory building that fails to meet the accessory building setback requirement and would not be located to the side or rear of the principal structure in an area zoned Suburban Residential (R-4). The conditions are as follows:

1. The applicant must apply for and receive approval of a Certificate of Zoning Compliance from the Franklin County Economic Development and Planning Department.
2. The accessory structure must be moved an additional one and a half (1.5) feet from the principal structure to satisfy the ten (10) foot requirement.

**Resolution**

For your convenience, the following is a proposed resolution:

**Proposed Resolution for Request:**

\_\_\_\_\_ moves to approve a variance from Section 512.012(2(a)) of the Franklin County Zoning Resolution as outlined in the request for the applicant identified in Case No. VA-3911.

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 512.012(2(a)) of the Franklin County Zoning Resolution as outlined in the request for the applicant identified in Case No. VA-3911 results from applicant's failure to satisfy the criteria for granting a variance under Section 810.041.

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

Voting:



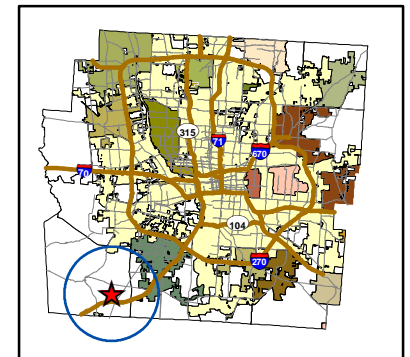


## VA-3911

Requesting a Variance from Section 512.02(2(a)) of the Franklin County Zoning Resolution to allow the construction of an accessory building that fails to meet the accessory building setback requirement and would not be located to the side or rear of the principal structure.

Acres: 0.650  
Township: Pleasant

-  5294 Kinglet Court
-  Parcels
-  Streets
-  Stream Buffers



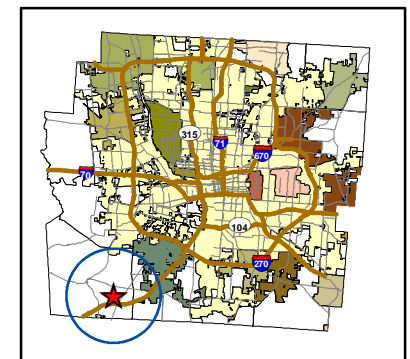


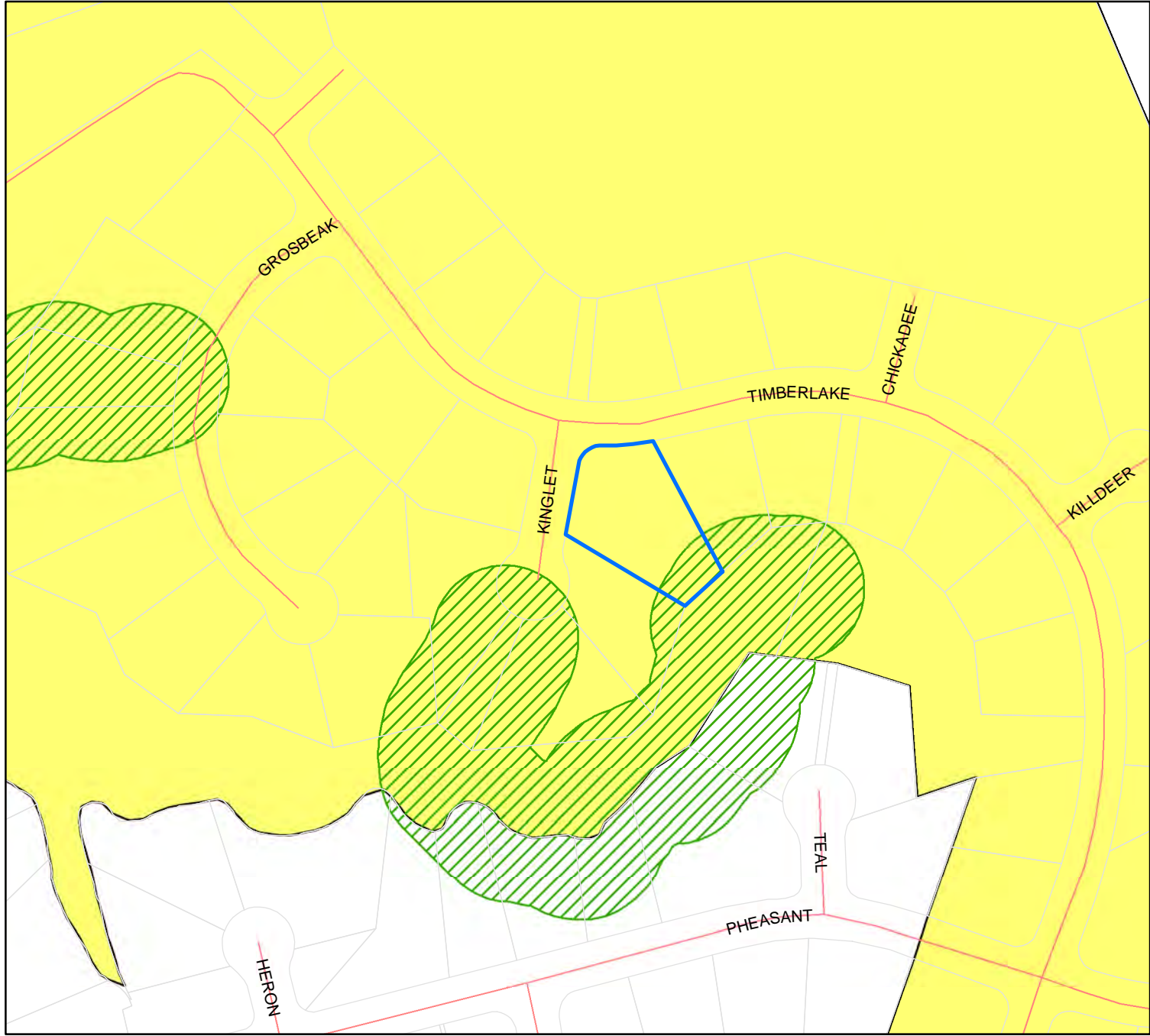
## VA-3911

Requesting a Variance from Section 512.02(2(a)) of the Franklin County Zoning Resolution to allow the construction of an accessory building that fails to meet the accessory building setback requirement and would not be located to the side or rear of the principal structure.

Acres: 0.650  
Township: Pleasant

-  5294 Kinglet Court
-  Parcels
-  Streets
-  Stream Buffers









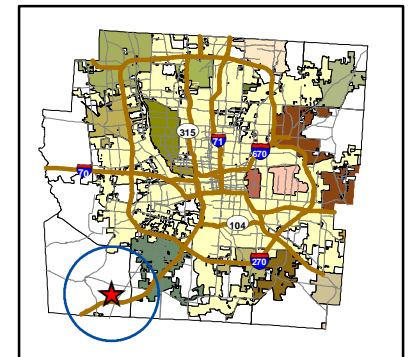


# VA-3911

Requesting a Variance from Section 512.02(2(a)) of the Franklin County Zoning Resolution to allow the construction of an accessory building that fails to meet the accessory building setback requirement and would not be located to the side or rear of the principal structure.

Acres: 0.650  
Township: Pleasant

-  5294 Kinglet Court
-  Parcels
-  Streets
-  Stream Buffers
- Franklin County Zoning**
-  Rural
-  Suburban Residential



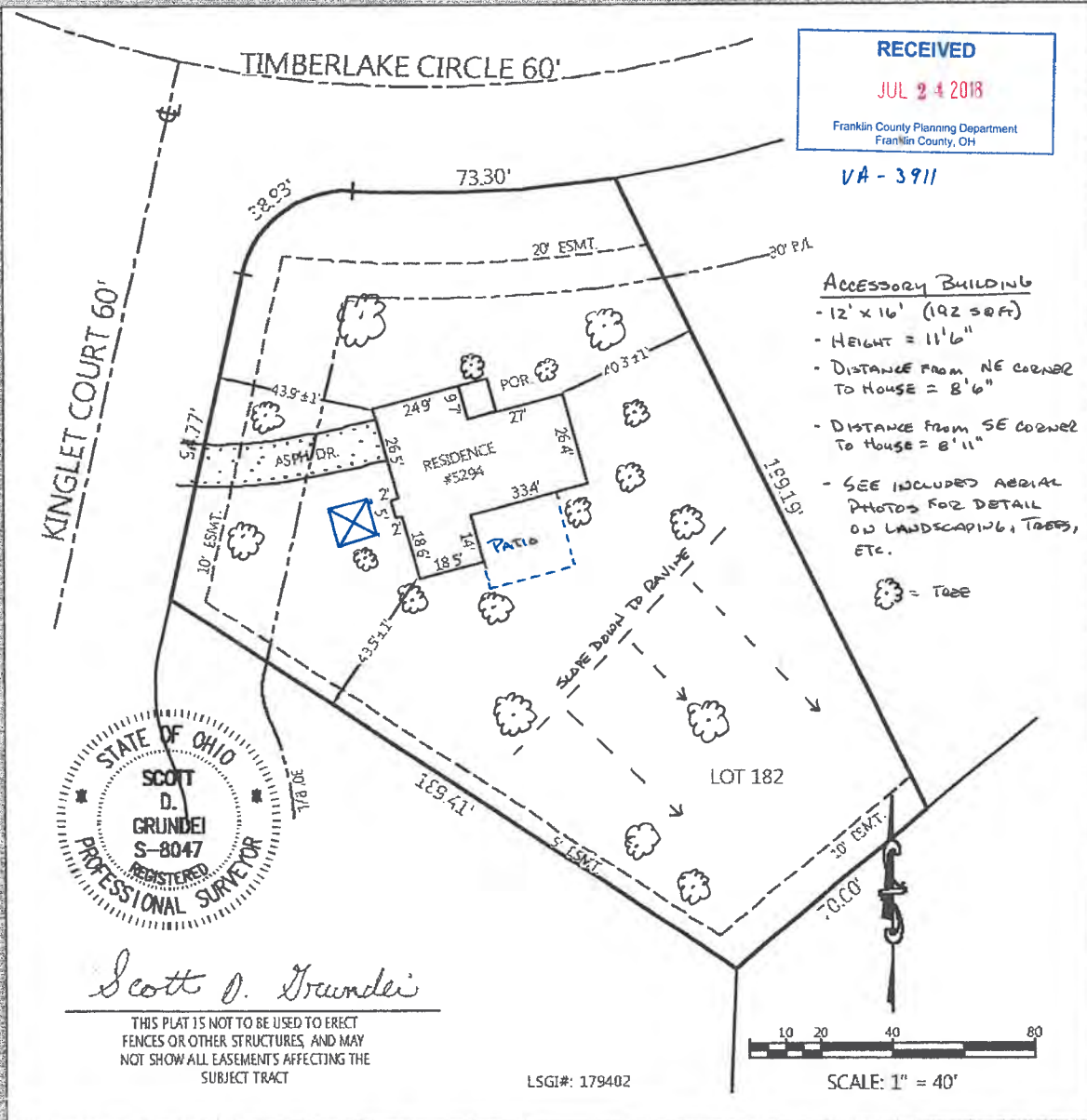
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PROPERTY ADDRESS: 5294 KINGLET COURT ORIENT, OHIO 43146

SURVEY NUMBER: 179402



POINTS OF INTEREST: NONE VISIBLE.

CLIENT NUMBER: 01032-19510

DATE: 2/22/2016

THIS MORTGAGE LOAN IDENTIFICATION SURVEY IS NOT TO BE USED FOR THE INSTALLATION OR BUILDING OF FENCES, SHEDS, GARAGES, ADDITIONS OR ANY OTHER STRUCTURE. TO DETERMINE EXACT BOUNDARY LINES, A BOUNDARY SURVEY IS REQUIRED.

BUYER: JULIE & MITCHELL NEFF

SELLER: HOWARD & LYN TURNER

SUBLOT / ORIGINAL LOT: 182

SUBDIVISION: TIMBERLAKE NO 5 SUBDIVISION

Landmark Survey  
is proud to support:



PLAT: 52

PG: 37

COUNTY: FRANKLIN

CERTIFIED TO: STEWART TITLE + WELLS FARGO BANK

**LANDMARK**  
Survey Group

Landmark Survey Group  
2099 West Fifth Avenue  
Columbus, Ohio 43212  
Phone: 614.485.9000  
Fax: 614.485-9003

THIS PLAT DEPICTS THE SUBJECT PROPERTY IN ACCORDANCE WITH THE OHIO ADMINISTRATIVE CODE, CHAPTER 4733-33, MINIMUM STANDARDS FOR MORTGAGE SURVEYS IN THE STATE OF OHIO, AND IS NOT A BOUNDARY SURVEY PURSUANT TO CHAPTER 4733-37, OHIO ADMINISTRATIVE CODE.

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Commissioner Kevin L. Boyce • Commissioner Marilyn Brown • Commissioner John O’Grady  
President

Economic Development & Planning Department  
James Schimmer, Director

## STAFF REPORT

Board of Zoning Appeals  
September 17, 2018

### Case VA-3912

Prepared by: Phil Ashear

<b>Applicant/Owner:</b>	George and Carol Fraley
<b>Township:</b>	Hamilton Township
<b>Site:</b>	1560 Rathmell Road (PID # 150-002613)
<b>Acreage:</b>	1.515
<b>Zoning:</b>	Rural
<b>Utilities:</b>	Private water and wastewater
<b>Request:</b>	Requesting Variance from Section 512.02 to allow for the construction of an accessory structure that would exceed the 1440 sq. ft. maximum allowed on a property between 1 and 2 acres in size in an area zoned Rural.

### Summary

The applicant is requesting a Variance to construct a 1,904 sq. ft. accessory structure in order to store equipment that was left behind by the applicant’s father. The proposed structure would be 688 sq. ft. larger than the maximum allowed on a parcel this size.

The request meets the criteria for granting a Variance and staff recommends approval with conditions of the request.

### Description of the Request

The subject site includes a 1,775 sq. ft. single-family home and a 224 sq. ft. accessory structure that serves as a pool house. The proposed development would bring the total accessory structure square footage to 2,128 sq. ft. which is 688 sq. ft. above the maximum square footage allowed on a lot between one (1) and two (2) acres.

### Surrounding Area

The subject site is located on the north side of Rathmell Road in unincorporated Hamilton Township. The site is zoned Rural but parcels on either side are zoned General Industrial. Several accessory buildings of similar or greater size to the one that is proposed exist in the surrounding area. This includes a parcel, of approximately the same size as the subject parcel, which is located directly to the west and includes a 2,400 sq. ft. accessory structure. The two large parcels on the south side of Rathmell Road are zoned Rural in unincorporated Hamilton Township.

## Comprehensive Plan

The subject site is located within the planning area of the Obetz and Hamilton Township Community Plan, which was adopted in 1998. The Plan includes a future land use map that recommends Single-Family Residential uses for the subject site. The proposed development does not conflict with this recommendation.

## Staff Review

### Variance from Section 512.02 – Location, Number, and Size of Residential Accessory Buildings:

- Accessory buildings on lots equal to or greater than one (1) acre but less than two (2) acres may not exceed 1,440 square feet.
  - A 224 sq. ft. accessory structure already exists on the site. The proposed accessory structure would be 1,904 square feet, which would bring the total square footage to 2,128.
    - A Variance of 688 sq. ft. is required.

## Technical Review Agencies

No technical review agencies expressed concerns.

## 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 stated that special circumstances exist such that the applicant has the need to store additional equipment than was previously expected and that other properties in the area have similar sized accessory buildings.
  - » Staff believes the Rural zoning on the subject site located between several parcels zoned General Industrial constitutes a special circumstance.
- 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 stated that a literal interpretation of the Zoning Resolution would deprive the applicant of rights that neighbors receive.
  - » Staff agrees that a literal interpretation of the Zoning Resolution would limit the applicant to an accessory structure that would be significantly smaller than those on other properties in the area.
- 3) *That the special circumstances and conditions of this request do not result from the action of the applicant;*
  - » The applicant stated and staff agrees that the special circumstance is not a result of any action taken by the applicant.
- 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 stated that granting the Variance would not confer special privileges.
  - » Staff agrees that, due to the character of the area, existence of similar size accessory structures, and the surrounding zoning, the site is subject to unique circumstances and granting the variance would not confer special privileges on the applicant.
- 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 granting the Variance would not cause any issues to persons in the neighborhood nor be detrimental to public welfare.

- » Staff agrees that granting the Variance would not be injurious to persons or property in the vicinity of the proposed development, be materially detrimental to the public welfare, or be injurious to private property in the vicinity.

**Recommendation**

Staff recommendation is that the BZA approve with conditions a Variance to Section 512.02 of the Franklin County Zoning Resolution to allow for the construction of an accessory structure that would exceed the 1440 sq. ft. maximum allowed on a property between 1 and 2 acres in size in an area zoned Rural. The conditions are as follows:

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

**Resolution**

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

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

\_\_\_\_\_ moves to approve a Variance from Section 512.02 of the Franklin County Zoning Resolution as outlined in the request above for the applicant identified in Case No. VA-3912 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 a variance from Section 512.02 of the Franklin County Zoning Resolution as outlined in the request above for Case No. VA-3912 results from applicant’s failure to satisfy the criteria for granting a variance under Section 810.041.

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




Voting:

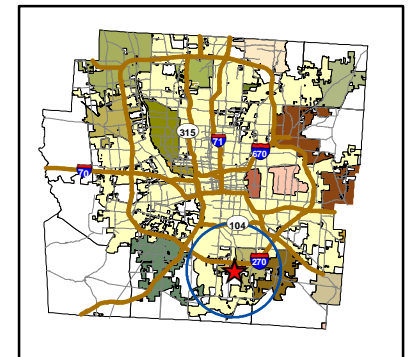


## VA-3912

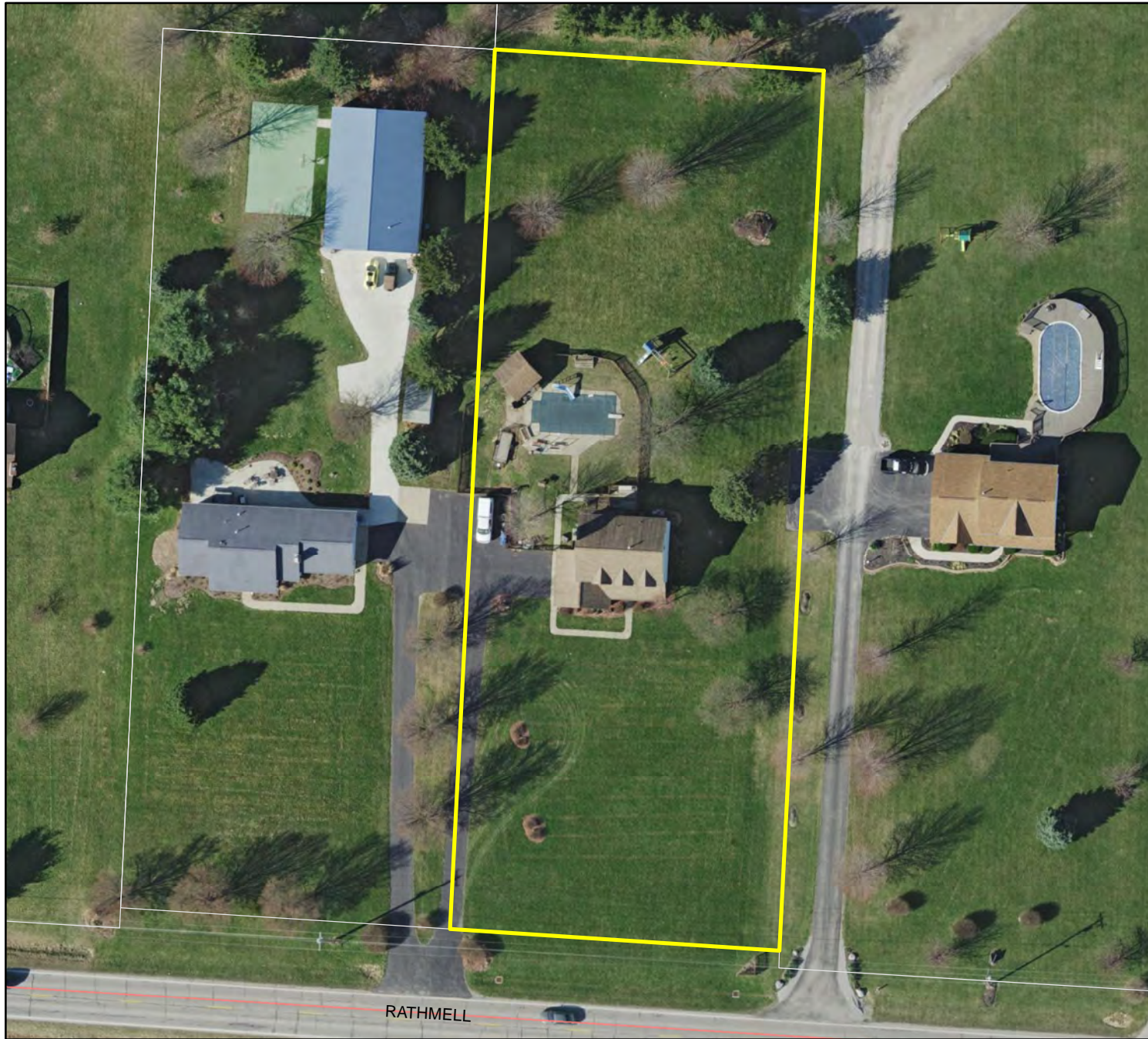
Requesting Variance from Section 512.02 to allow for the construction of an accessory structure that would exceed the 1440 sq. ft. maximum allowed on a property between 1 and 2 acres in size.

Acres: 1.515  
Township: Hamilton

-  1560 Rathmell Road
-  Parcels
-  Streets








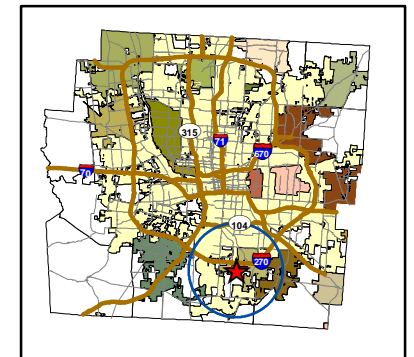


## VA-3912

Requesting Variance from Section 512.02 to allow for the construction of an accessory structure that would exceed the 1440 sq. ft. maximum allowed on a property between 1 and 2 acres in size.

Acres: 1.515  
Township: Hamilton

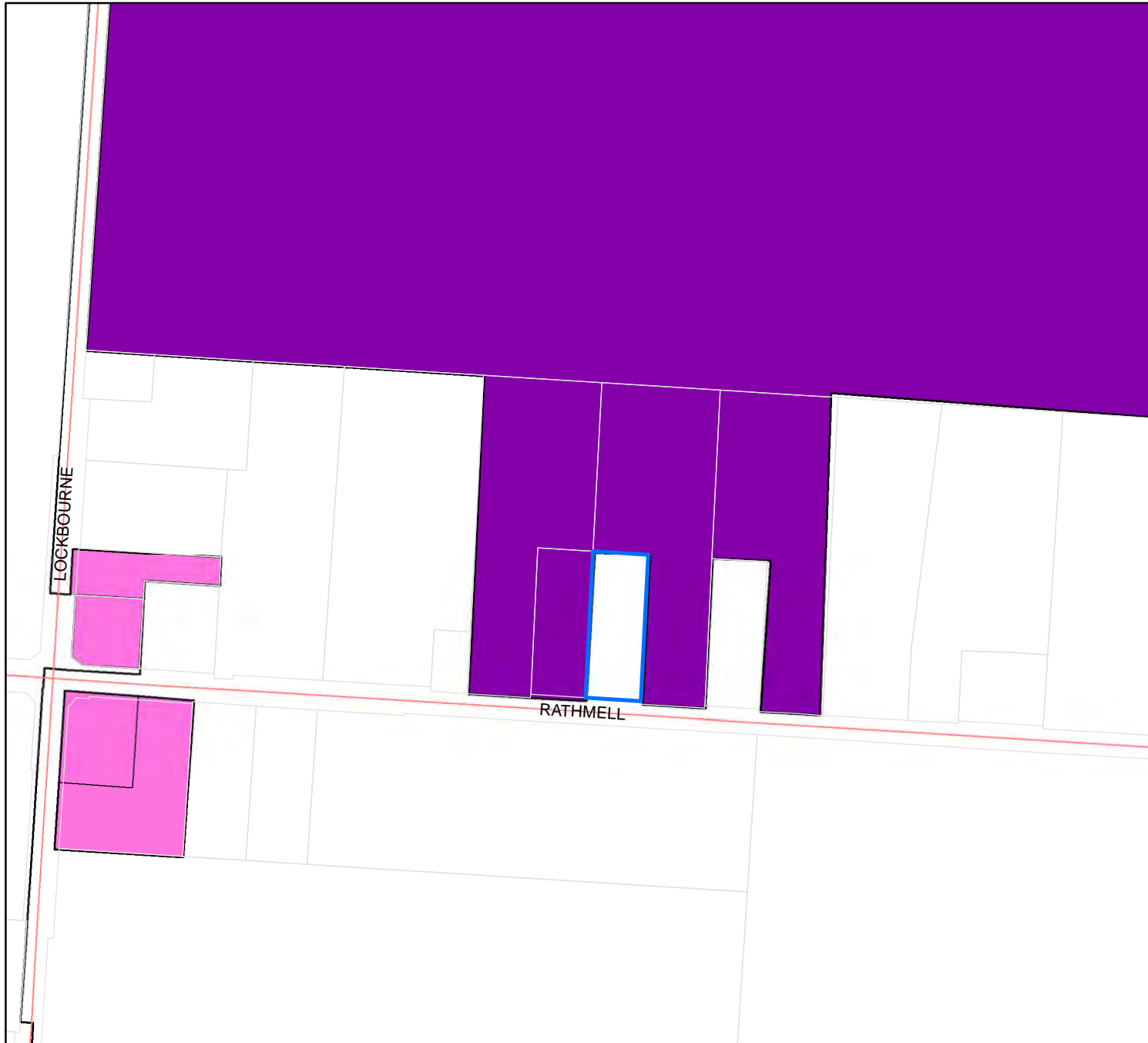
-  1560 Rathmell Road
-  Parcels
-  Streets



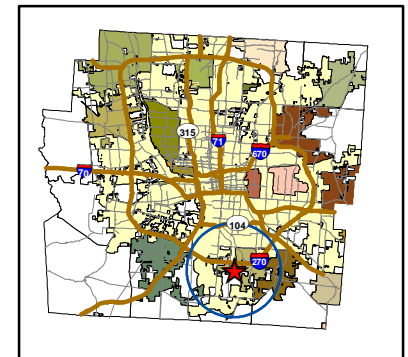
# VA-3912

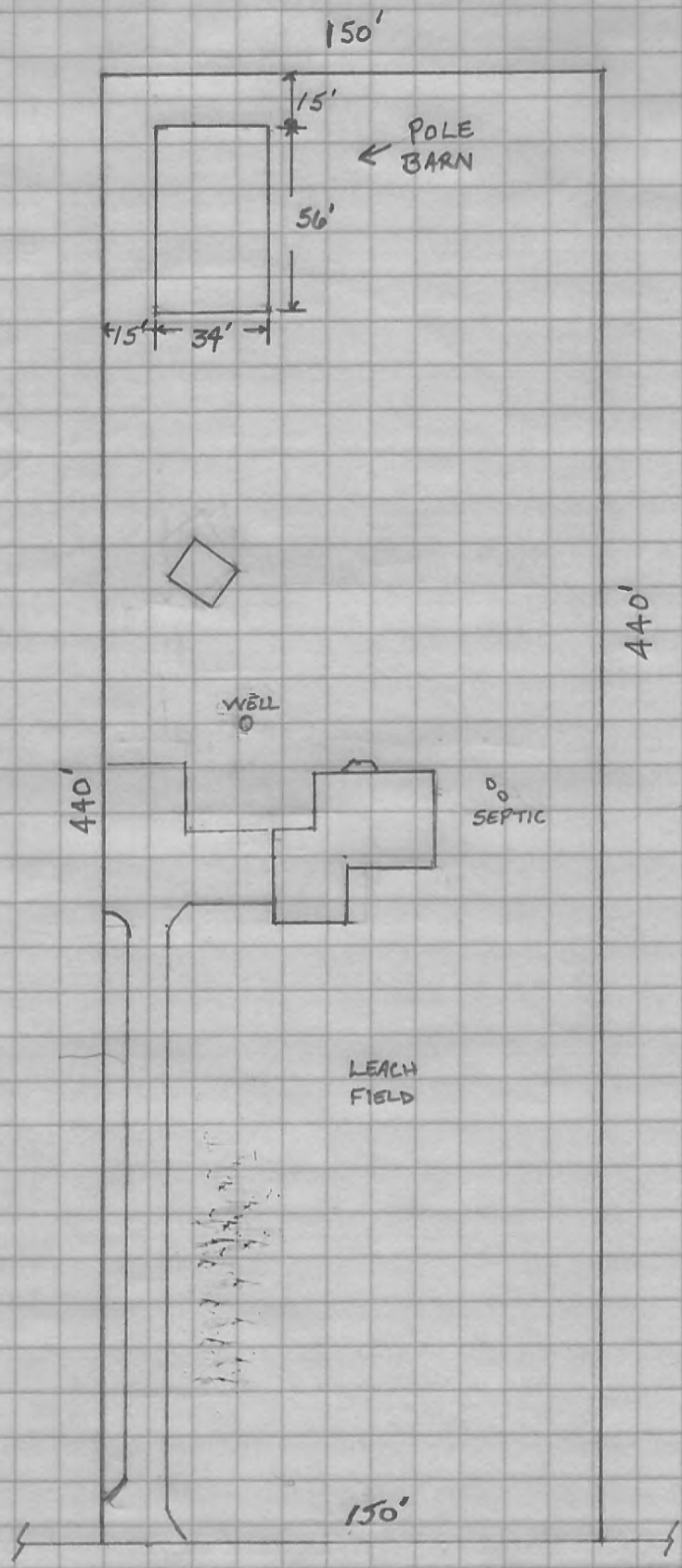
Requesting Variance from Section 512.02 to allow for the construction of an accessory structure that would exceed the 1440 sq. ft. maximum allowed on a property between 1 and 2 acres in size.

Acres: 1.515  
Township: Hamilton



- 1560 Rathmell Road
- Parcels
- Streets
- Franklin County Zoning**
  - General Industrial
  - Neighborhood Commercial
  - Rural
  - Select Commercial Planned District





1560 RATHNELL RD.

$\frac{3}{32} = 5'$   
SCALE



Commissioner Kevin L. Boyce • Commissioner Marilyn Brown • Commissioner John O’Grady  
President

Economic Development & Planning Department  
James Schimmer, Director

## STAFF REPORT

Board of Zoning Appeals  
September 17, 2018

### Case VA-3913

Prepared by: Phil Ashear

<b>Applicant/Owner:</b>	Ray Simmons
<b>Township:</b>	Madison Township
<b>Site:</b>	3311 Cross Keys Road (PID # 180-001630)
<b>Acreage:</b>	.73
<b>Zoning:</b>	Rural
<b>Utilities:</b>	Private water and wastewater
<b>Request:</b>	Requesting a Variance from Section 512.02(2) of the Franklin County Zoning Resolution to allow the construction of an accessory building that exceeds the maximum permitted size in an area zoned Rural.

#### Summary

The applicant is requesting a Variance to construct a 120 sq. ft. accessory structure that would be placed on an existing 2,250 sq. ft. paved patio. This development would bring the total square footage of accessory structures to 902 sq. ft. A Variance of 182 sq. ft. is required.

The request fails to meet the criteria for granting a Variance. Staff recommends denial of the request.

#### Description of the Request

The subject site includes an approximately 1,800 sq. ft. single-family home and an approximately 782 sq. ft. accessory structure that was built in 1999. The proposed development would include a 120 sq. ft. accessory structure that would be placed at the southwest corner of an existing paved patio located to the rear of the principal structure that was built in 2005. The existing paved patio and the existing accessory structure were both developed prior to the purchase of the property by the current owner, which was in 2014.

#### Surrounding Area

The subject site is located on the south side of Cross Keys Road in the Marwick Estates Subdivision. This subdivision is zoned Rural in unincorporated Madison Township. State Route 33 is located approximately 240 ft. to the south and I-270 is located approximately 0.5 miles to the east.

#### Comprehensive Plan

The subject site is located within the planning area of the Blacklick-Madison Ara Plan, which was adopted in 2011. The Plan includes a future land use map that recommends Medium Density Residential

uses of between two (2) and eight (8) units per acre. The proposed development does not conflict with this recommendation.

### **Staff Review**

#### **Variance from Section 512.02(2) – Location, Number, and Size of Residential Accessory Buildings:**

- Accessory buildings on lots smaller than an acre may not exceed 720 square feet.
  - An approximately 782 sq. ft. accessory structure already exists on the site. The proposed accessory structure would be 120 sq. ft. which results in a total of 902 sq. ft. of accessory structures on the site.
    - A Variance of 182 sq. ft. is required.

### **Technical Review Agencies**

No technical review agencies expressed concerns.

### **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;*
  - » Staff believes that the existing paved patio to the rear of the property that was developed previous to the purchase of the site by the current owner does not constitute a special circumstance.
- 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 stated that a literal interpretation would not allow the applicant to develop.
  - » Staff believes that a literal interpretation would not create hardship as there is an existing accessory structure on the property that already exceeds the 720 sq. ft. maximum.
- 3) *That the special circumstances and conditions of this request do not result from the action of the applicant;*
  - » The existence of the 2,250 sq. ft. paved pad is not a result of action taken by the applicant; however, staff believes that this does not constitute a special circumstance.
- 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 stated that granting the Variance would not confer special privileges.
  - » Staff believes granting the Variance would confer a special privilege as no special circumstance exists.
- 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 stated and staff agrees that granting the Variance would not adversely affect the health or safety of persons in the vicinity.

### **Recommendation**

Staff recommendation is that the BZA ***deny*** a Variance to Section 512.02(2) of the Franklin County Zoning Resolution to allow the construction of an accessory building that exceeds the maximum permitted size in an area zoned Rural.

### **Resolution**

For your convenience, the following is a proposed resolution for staff's recommendation of denial 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-3913 with the conditions in staff's recommendation.

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

Voting:

**Findings of Fact**

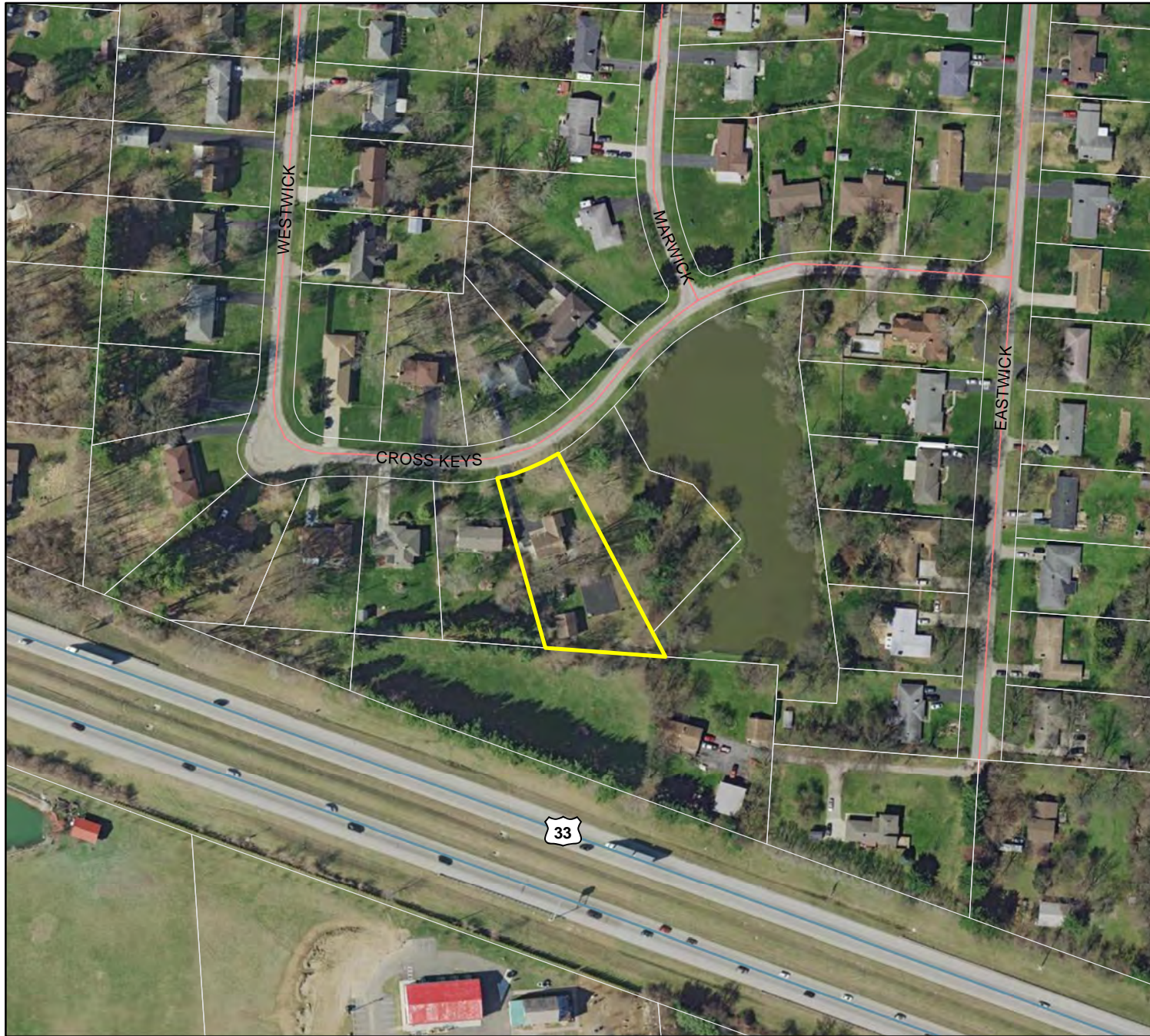
For your convenience, the following are proposed findings of fact:

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 a variance from Section 512.02(2) of the Franklin County Zoning Resolution as outlined in the request above for Case No. VA-3913 results from applicant's failure to satisfy the criteria for granting a variance under Section 810.041.

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





Voting:

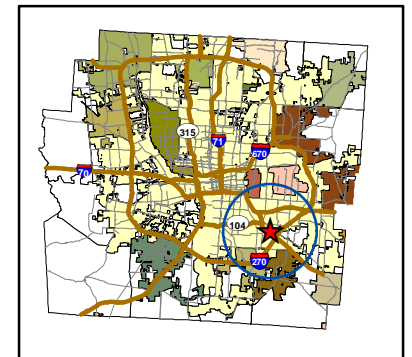


## VA-3913

Requesting a Variance from Sections 512.02(1) and 512.02(2) of the Franklin County Zoning Resolution to allow the construction of an accessory building that exceeds the maximum permitted accessory building number and size in an area zoned Rural.

Acres: 0.730  
Township: Madison

-  3311 Cross Keys Road
-  Parcels
-  US Route
-  Streets






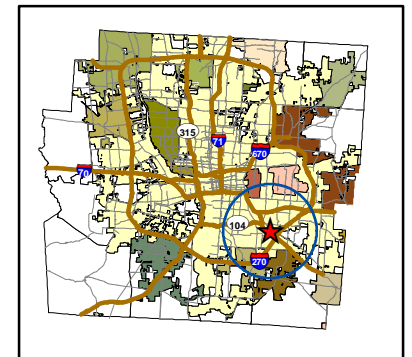


## VA-3913

Requesting a Variance from Sections 512.02(1) and 512.02(2) of the Franklin County Zoning Resolution to allow the construction of an accessory building that exceeds the maximum permitted accessory building number and size in an area zoned Rural.

Acres: 0.730  
Township: Madison

-  3311 Cross Keys Road
-  Parcels
-  Streets







CROSS KEYS

12x6



3311 Cross Keys Rd



Commissioner Kevin L. Boyce • Commissioner Marilyn Brown • Commissioner John O’Grady  
President

Economic Development & Planning Department  
James Schimmer, Director

## STAFF REPORT

Board of Zoning Appeals  
September 17, 2018

### Case VA-3914

Prepared by: Phil Ashear

<b>Applicant/Owner:</b>	Stimmel Properties, LLC
<b>Agent:</b>	Al Bordelon
<b>Township:</b>	Franklin Township
<b>Site:</b>	1380 Stimmel Road (PID # 140-005122)
<b>Acreage:</b>	1.01 acres
<b>Zoning:</b>	Limited Industrial (LI)
<b>Utilities:</b>	Private water and wastewater
<b>Request:</b>	Requesting a Variance from Sections 344.041(b(1)), 344.046, 501.013 and 504.012 of the Franklin County Zoning Resolution to allow the site to not meet fence opacity, front green belt, fence materials, and fencing and parking setback requirements in an area zoned Limited Industrial (LI).

### Summary

The applicant is requesting a Variance to legitimize the existing fence opacity, absence of a front green belt, the existing fence material, and parking and fence setbacks.

Requests to Sections 344.046 and 504.012 do not meet the criteria for granting a Variance. Staff recommends **denial** of the request for Variance from these sections.

Requests to Sections 344.041(b(1)) and 501.013 meet the criteria for granting a Variance. Staff recommends **approval** with conditions of the request for Variance from these sections.

### Description and History of the Request

The subject site includes an approximately 1,250 sq. ft. residential structure that was built in 1959. The site and this principal structure were historically used for residential purposes. The current owner purchased the property in 2017 and rezoned it to Limited Industrial in May 2018. Additional development over the last two years, including front parking and storage area with fencing to the rear, and the use of the structure as an office, did not include Certificates of Zoning Compliance. The proposed development would legitimize the principal structure as an office, the front parking area, and additional development for the purpose of storage to be used in conjunction with the industrial uses to the rear of the subject site and the adjoining property to the north. The adjacent property to the north includes addresses 1348 and 1350 Stimmel Road. It is owned by the same Stimmel Properties, LLC and is used in conjunction with the subject site.

## Surrounding Area

The subject site is located on the east side of Stimmel Road in unincorporated Franklin Township. The site is located adjacent to the southern edge of the Green Lawn Cemetery. The subject site, as well as adjacent parcels to the north and south, is zoned Limited Industrial. The adjacent parcel to the rear of the site (east) is zoned General Industrial. Residential parcels are to the south, some are zoned Rural in unincorporated Franklin Township, some are zoned for residential uses in the City of Columbus. (NOTE: the zoning map has not been updated. It shows the subject site as Rural (R) but it was rezoned to Limited Industrial (LI) in May of 2018.)

## Comprehensive Plan

The subject site is located within the planning area of the Southwest Area Plan, which was adopted in 2009. The Plan includes a future land use map that recommends Industrial uses for the subject site. The proposed development does not conflict with this recommendation.

## Staff Review

### Variance from Section 344.041(b(1)) – Enclosure:

- Walls or fences shall screen open storage and service areas and loading docks at least six (6) but not more than twelve (12) feet in height. These walls or fences shall have an opaqueness of eighty percent (80%) or more.
  - The proposed development includes chain link fencing that would not be eighty percent (80%) opaque.
    - A Variance to allow less than eighty percent (80%) opacity is required.
    - Staff recommends ***approval*** of this Variance, subject to staff’s conditions, due to the industrial characteristics of the area.

### Variance from Section 344.046 – Front Green Belt:

- A landscaped area of at least twenty (20) feet in width shall be provided between the existing street right of way and any structure or paved areas.
  - The proposed greenbelt would be 14 feet wide.
    - A Variance of 6 feet is required.
    - Staff notes that this Variance would not be necessary if the parking was located to the rear of the structure.
    - Staff recommends ***denial*** of this Variance because the applicant has sufficient space to provide parking in accordance with the requirements of the Zoning Resolution, which would result in a compliant greenbelt.

### Variance from Section 501.013 – Fence Materials:

- Electric and barbed wire fences shall be prohibited.
  - The proposed development includes barbed wire fencing.
    - A Variance to allow barbed wire fencing is required.
    - Staff recommends ***approval*** of this Variance, subject to staff’s conditions, due to the industrial characteristics of the area security needs of the existing business.

### 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 forty percent (40%) of the required setback distance. In this case, the parking is permitted to be 48 feet from the centerline of the Stimmel Road right-of-way.
  - The proposed parking would be approximately 43 feet from the street centerline.
    - A Variance of 5 feet is required.
    - Staff recommends ***denial*** of this Variance due to the ample amount of space to provide parking in accordance with the Zoning Resolution.

## Technical Review Agencies

No technical review agencies expressed concerns.

## 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 stated that the subject site has physical characteristics that are better suited for the original residential use of the site and that now that the site is zoned for industrial use, the physical characteristics of the site constitute a special circumstance.
  - » Staff believes that the existing characteristics of the site do not constitute a special circumstance as the rezoning of the site for industrial uses was done by the same applicant.
  - » Staff believes that the industrial characteristics of the area constitute a special circumstance with regard to Variance requests from Sections 344.041(b(1)) and 501.013 but that greenbelt and parking requirements in Sections 344.046 and 504.012 can be met.
- 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 stated that a literal interpretation of the Zoning Resolution would not allow this site to be repurposed to support the adjacent residential use.
  - » Staff believes that a literal interpretation of the zoning resolution would deprive the applicant of rights commonly enjoyed by others with regard to fencing requirements and materials.
  - » Staff further believes that the site can meet the requirements of Sections 344.046 and 504.012 and still be used in support of the adjacent industrial use in according with zoning regulations.
- 3) *That the special circumstances and conditions of this request do not result from the action of the applicant;*
  - » Staff believes that the special circumstance – the existing industrial characteristics of the area – is not a result of actions taken by the applicant, but that sufficient justice can be served without granting all four Variances.
- 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 stated that granting the Variance would not confer special privileges.
  - » Staff believes that granting the Variance would confer special privileges on the applicant with regard to greenbelt and parking, but that Variances for fence requirements and materials are warranted.
- 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 stated that granting the Variance would not adversely affect the health or safety of persons in the vicinity and cited seventeen surrounding neighbors.
  - » Staff does not believe that granting the Variance would adversely affect the health or safety of persons residing in the area.

## Recommendation

Staff recommendation is that the BZA deny a Variance to Sections 344.046 and 504.012 of the Franklin County Zoning Resolution to allow the site to not meet front green belt and parking setback requirements in an area zoned Limited Industrial (LI). Staff recommendation is that the BZA approve with conditions a Variance from Sections 344.041(b(1)) and 501.013 of the Franklin County Zoning Resolution to allow

the site to not meet fence requirements and materials in an area zoned Limited Industrial (LI). The conditions are as follows:

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

**Resolution**

For your convenience, the following is a proposed resolution for staff's recommendation of denial for a Variance from Sections 344.046 and 504.012:

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

\_\_\_\_\_ moves to approve a Variance from Sections 344.046 and 504.012 of the Franklin County Zoning Resolution as outlined in the request above for the applicant identified in Case No. VA-3914 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 a variance from Sections 344.046 and 504.012 of the Franklin County Zoning Resolution as outlined in the request above for Case No. VA-3914 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 approval for a Variance from Sections 344.041(b(1)) and 501.013:

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

\_\_\_\_\_ moves to approve a Variance from Section 344.041(b(1)) and 501.013 of the Franklin County Zoning Resolution as outlined in the request above for the applicant identified in Case No. VA-3914 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 a variance from Sections 344.041(b(1)) and 501.013 of the Franklin County Zoning Resolution as outlined in the request above for Case No. VA-3914 results from applicant's failure to satisfy the criteria for granting a variance under Section 810.041.

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





Voting:

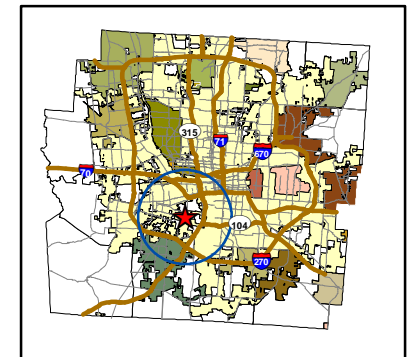


# VA-3914

Requesting a Variance from Sections 344.041(b(1)), 344.046, 501.013 and 504.012 of the Franklin County Zoning Resolution to allow the site to not meet fence opacity, front green belt, fencing and parking setback requirements in an area zoned Limited Industrial (LI).

Acres: 1.010  
Township: Franklin

-  1380 Stimmel Road
-  Parcels
-  Streets
-  Floodway Fringe (100 year)






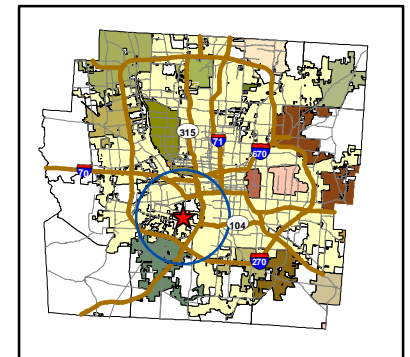


## VA-3914

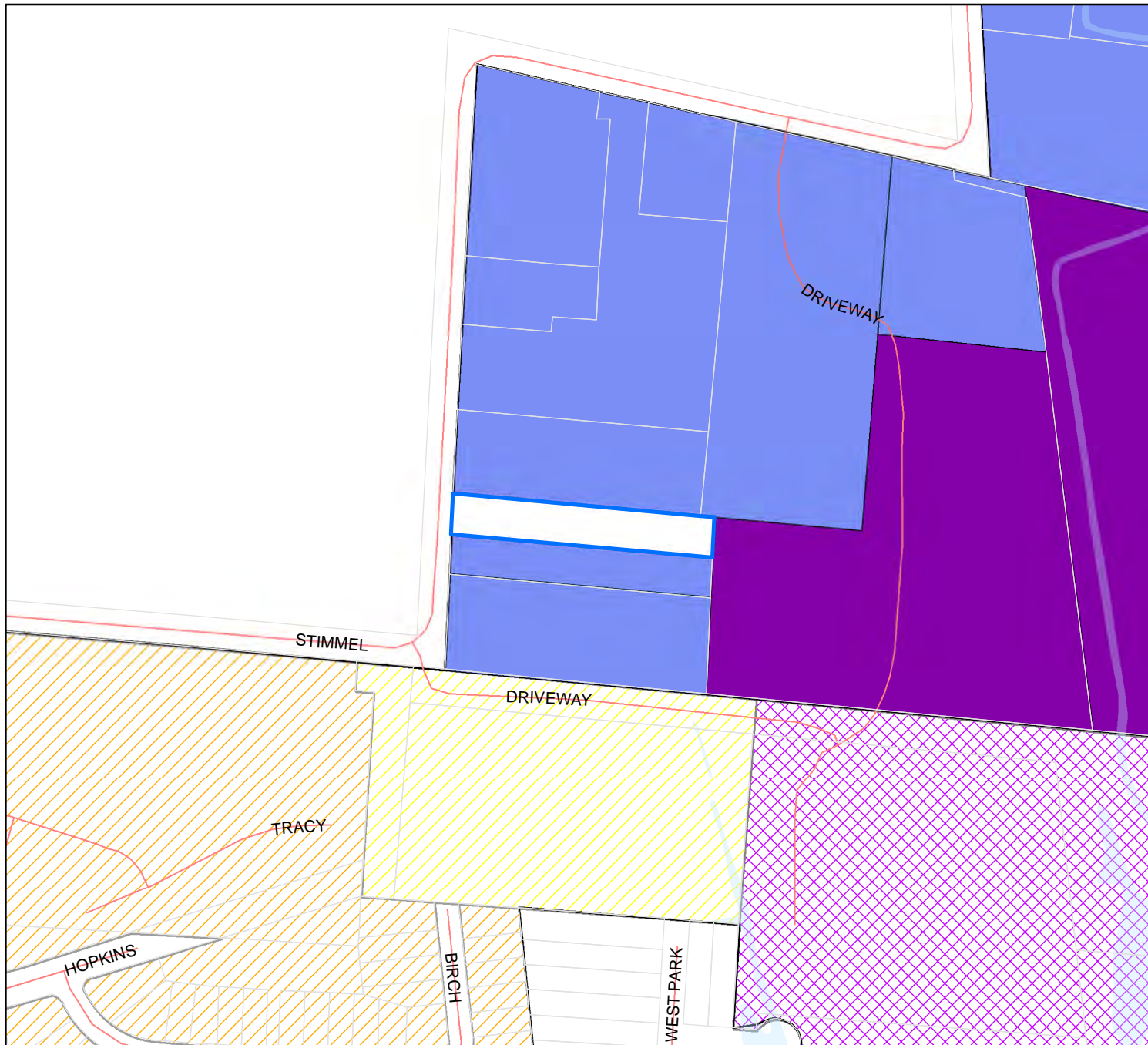
Requesting a Variance from Sections 344.041(b(1)), 344.046, 501.013 and 504.012 of the Franklin County Zoning Resolution to allow the site to not meet fence opacity, front green belt, fencing and parking setback requirements in an area zoned Limited Industrial (LI).

Acres: 1.010  
Township: Franklin

-  1380 Stimmel Road
-  Parcels
-  Streets

















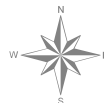
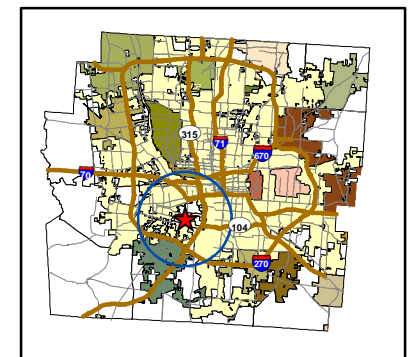
## VA-3914

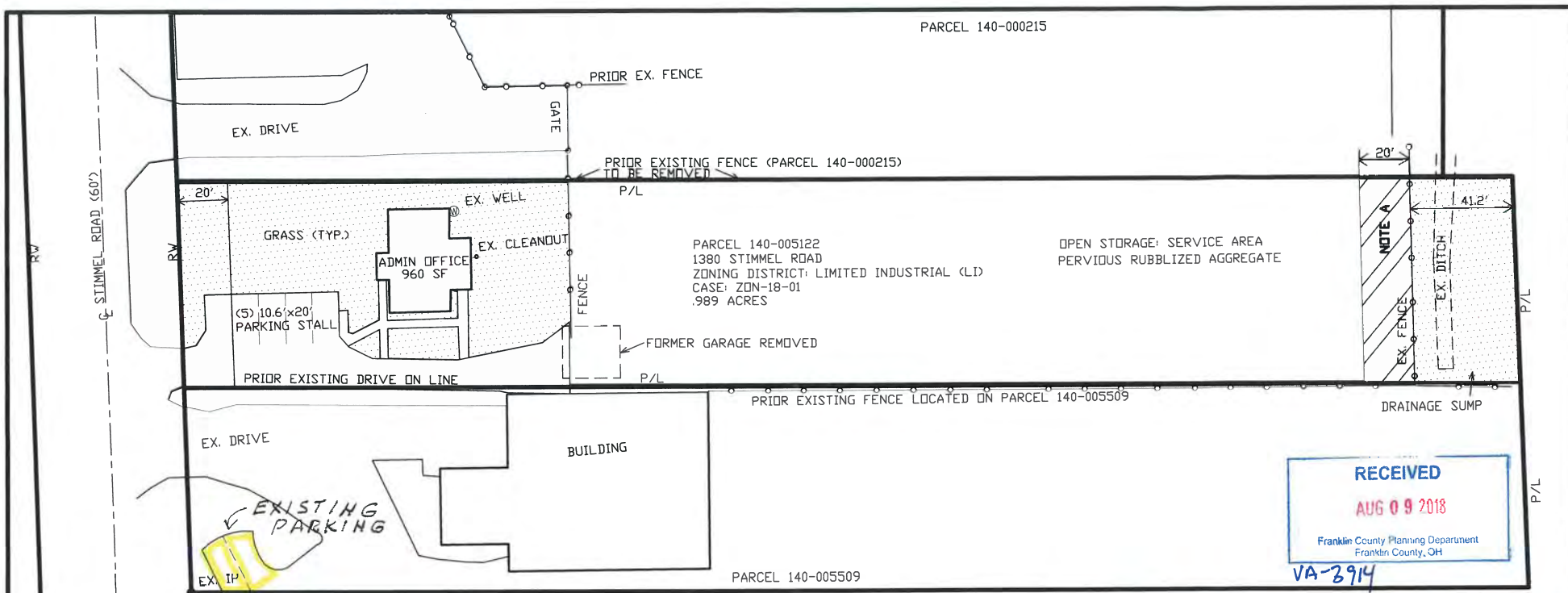
Requesting a Variance from Sections 344.041(b(1)), 344.046, 501.013 and 504.012 of the Franklin County Zoning Resolution to allow the site to not meet fence opacity, front green belt, fencing and parking setback requirements in an area zoned Limited Industrial (LI).

Acres: 1.010

Township: Franklin

-  1380 Stimmel Road
-  Parcels
-  Streets
-  Floodway Fringe (100 year)
- Franklin County Zoning**
-  General Industrial
-  Limited Industrial
-  Rural
- Columbus Zoning**
-  Residential
-  Multi-family
-  Manufacturing





**RECEIVED**  
**AUG 09 2018**  
 Franklin County Planning Department  
 Franklin County, OH  
 VA-2914

FENCE DETAILS	
PARCELS 140-005509/5122/0215	
OTHER	5122
1 FT. BARB EXTENSION	1 FT. BARB EXTENSION
6 FT.	6 FT.
WOVEN WIRE FENCE	

**20% LANDSCAPE DETAILS**

LOT: 43,080.8 SF  
 20% LANDSCAPE REQUIRED: 8,616 SF  
 PROPOSED LANDSCAPING: 10,821 SF



20 FT WIDE AREA AS SHOWN ON THIS DRAWING. THIS AREA IS ONLY PERMITTED AGGREGATE AND/OR GRAVEL SURFACE AND OUTDOOR TEMPORARY STORAGE.



PROPERTY LINES FOR SITE BASED UPON DEED RECORDED UNDER #20171011014132

<b>DESCRIPTION</b>				
<i>ZONING COMPLIANCE PLAN</i>				
<b>LOCATION</b>				
<i>1380 STIMMEL ROAD COLUMBUS, OH 43223</i>				
<b>CLIENT</b>				
<i>DAVID STRAWSER</i>				
<b>PREPARED BY</b>				
<i>HOCKADEN AND ASSOCIATES, INC.</i>				
CONSULTING ENGINEERS				
883 N. CASSADY AVENUE				
COLUMBUS, OHIO 43219				
(614) 252-0993				
FAX 252-0444				
<b>DRAWN BY:</b> M.R.S.	<b>CHECKED BY:</b> M.R.S.	<b>ORDER No.</b>	<b>AREA No.</b>	<b>SHEET</b>
SCALE: 1"=40'	DATE: 7/17/18	43039		1 OF 2