



Franklin County Board of Zoning Appeals

Judicial Services Building (Hall of Justice)
369 South High Street
1st Floor, Meeting Room B
Columbus, OH 43215

Monday, September 20, 2021
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 16, 2021 meeting
5. Old Business:

i. VA-4009 – Brad Fisher

Owner/Applicant:	International Society for Krishna Consciousness Greater Columbus
Agent:	Desmond Cullimore
Township:	Brown Township
Site:	3508 Walker Rd. (PID#120-000031)
Acreage:	48.940-acres
Utilities:	Private water and wastewater
Zoning:	Rural District
Request:	Requesting a Variance from Sections 302.047, 505.02 and 505.022(b) of the Franklin County Zoning Resolution to allow a structure to exceed the maximum permitted height, locate a dumpster on the property and not meet dumpster side yard requirements in an area zoned Rural.

6. New Business:

i. CU-4014 – Brad Fisher

Owner/Applicant:	Visintine Equipment Corp.
Township:	Franklin Township
Site:	660 Hart Rd. (PID#140-000385), Hart Rd. (PID# 140-000190), Richter Rd. (PID# 140-002156)
Acreage:	36.500-acres
Zoning:	General Industrial (GI)
Request:	Requesting a Conditional Use from Sections 346.032 and 610.06(7) of the Franklin County Zoning Resolution to allow for a pond to be used as a clean fill disposal area and allow permanent placement of fill in an area zoned General Industrial (GI).

ii. VA-4015 – Brad Fisher

Owner/Applicant:	Harley & Katherine Langley
Township:	Madison Township
Site:	3317 Latonia Ct. (PID#180-004173)
Acreage:	0.330-acres
Utilities:	Public water and sewer
Zoning:	Restricted Urban Residential (R-8).
Request:	Requesting a Variance from Section 610.081(1) of the Franklin County Zoning Resolution and Section 4.2-1(A(1)) of the Franklin County Special Resolution NFIP Regulation to allow for the construction of a single-family home in the floodplain that fails to meet elevation requirements in an area zoned Restricted Urban Residential (R-8).

iii. CU-4016 – Brad Fisher

Owner/Applicant:	Harley & Katherine Langley
Township:	Madison Township
Site:	3317 Latonia Ct. (PID#180-004173)
Acreage:	0.330-acres
Utilities:	Public water and sewer
Zoning:	Rural District
Request:	Requesting a Conditional Use from Section 610.06(2) of the Franklin County Zoning Resolution to allow for the construction of a single-family home in the floodway fringe in an area zoned Restricted Urban Residential (R-8).

iv. VA-4017 – Brad Fisher

Owner/Applicant:	Ronald & Penny Dalton
Township:	Franklin Township
Site:	921 – 923 Derrer Rd. (PID#140-004936)
Acreage:	0.220-acres
Utilities:	Public water and sewer
Zoning:	Rural District
Request:	Requesting a Variance from Sections 512.02(2) and 512.02(2(a)) of the Franklin County Zoning Resolution to allow the construction of an accessory building that would not meet accessory building size and location requirements in an area zoned Rural.

7. Adjournment of Meeting to October 18, 2021

MINUTES OF THE FRANKLIN COUNTY BOARD OF ZONING APPEALS

Monday August 16, 2021

The Franklin County Board of Zoning Appeals convened at 369 South High Street (Judicial Services Building), in the Commissioners' Hearing Room, Columbus, Ohio, 43215, on Wednesday, August 16, 2021.

Present were:

Chris Baer, Chairperson
Paula Armentrout
Tim Guyton
Joe Martin
Nancy Hunter

Franklin County Economic Planning and Development Department:

Jenny Snapp, Assistant Director
Matt Brown, Planning Administrator
Brad Fisher, Planner

Franklin County Prosecuting Attorney's Office:

Jesse Armstrong, Franklin County Assistant Prosecuting Attorney
Adria Fields, Franklin County Assistant Prosecuting Attorney

Mr. Baer opened the meeting.

The first order of business being the roll call and introduction of Staff. The next order of business was the approval of the minutes from the July 19, 2021, meeting. Mr. Martin made a motion to approve the minutes. It was seconded by Mr. Guyton. The motion was approved by a vote of three yeases and one abstention.

OLD BUSINESS:

The next order of business being a request for a motion to reconsider Variance Application No. VA-4009. The owner is the International Society for Krishna Consciousness of Greater Columbus. The township is Brown Township. The site is located at 3508 Walker Road. Mr. Baer made a motion to reconsider Variance Application VA-4009. It was seconded by Mr. Guyton. The motion was approved by a vote of three yeases and two abstentions. The next order of business being a motion to vacate the order related to Variance Application Case No. VA-4009 that took place at the July 19, 2021 meeting. Mr. Guyton made a motion to vacate the order in Case No. VA-4009. It was seconded by Mr. Baer. The motion was approved by a vote of four yeases and one abstention. The next order of business being a motion to schedule the motion for reconsideration in Variance Application Case No. VA-4009. Mr. Baer made a motion to set the hearing date for September 20, 2021. The motion was seconded by Mr. Guyton. The motion was approved by a vote of four yeases and one abstention.

NEW BUSINESS:

The next item on the agenda being Variance Application Case No. VA-4012. The owner is DENA Services. The applicant is Zargos Rebaz Mustafa. The agent is Behzad Vedaie. The township is Clinton Township. The site is located at 3583 Cleveland Avenue. It is 0.29 acres in size and is served by public water and sewer and is zoned Community Service. The applicant is requesting a variance from Section 670.083(f) of the Franklin County Zoning Resolution to allow for the construction of a building that would not meet the building frontage requirements in an area zoned Community Service and subject to the Smart Growth Overlay. Brad Fisher read and presented the case to the Board of Zoning Appeals. Mr. Guyton made a motion to approve Variance Application Case No. VA-4012. It was seconded by Mr. Martin. The motion was approved by a five-to-zero vote.

The next item on the agenda being Conditional Use Case No. CU-4013. The owner is Pavlo and Andriy Zubkevych. The applicant is Aleksandr Yakhnitskiy. The township is Pleasant Township. The site is located at 3305 Kropp Road. It is 20.086 acres in size and is served by private water and wastewater. It is zoned Rural. The applicant is requesting a Conditional Use from Section 302.0391 of the Franklin County Zoning Resolution to allow for a private street in an area zoned Rural. Brad Fisher read and presented the case to the Board of Zoning Appeals. Mr. Guyton made a motion to approve Conditional Use Case No. CU-4013. It was seconded by Ms. Armentrout. The motion was approved by a five-to-zero vote.

A discussion was held between the Board of Zoning Appeals and Mr. Jesse Armstrong. Ms. Paula Armentrout was thanked for her valued service and dedication to the Board of Zoning Appeals upon her resignation from the board.

There being no further business to come before the Franklin County Board of Zoning Appeals, Mr. Guyton made a motion to adjourn the hearing. It was seconded by Mr. Baer. The motion was approved by unanimous vote. The proceedings were adjourned at 3:09 p.m.

Signature

Minutes of the August 16, 2021, Franklin County Board of Zoning Appeals hearing were approved this 20th day of September, 2021.

STAFF REPORT

Board of Zoning Appeals
September 20, 2021

Case: VA-4009

Prepared by: Brad Fisher

Owner/Applicant:	International Society for Krishna Consciousness
Agent:	Desmond Cullimore – The Cullimore Law Firm
Township:	Brown Township
Site:	3508 Walker Road (PID #120-000031)
Acreage:	48.94-acres
Zoning:	Rural
Utilities:	Private water and wastewater
Request:	Requesting a Variance from Sections 302.047, 505.02 and 505.022(b) of the Franklin County Zoning Resolution to allow a structure to exceed the maximum permitted height, locate a dumpster on the property and not meet dumpster side yard requirements in an area zoned Rural.

Summary

The applicant is requesting a Variance to allow a structure to exceed the maximum permitted height, locate a dumpster on the property and not meet dumpster side yard requirements in an area zoned Rural. The request satisfies the criteria necessary for granting a variance. Staff recommends **conditional approval**.

History

July 19, 2021 – The Board of Zoning Appeals denied this variance request with 2 votes to approve and 2 votes to deny.

August 16, 2021 – The applicant made a request to the Board of Zoning Appeals to have their case reconsidered. The Board approved this request based on the applicant providing new information that was not presented at the July Board of Zoning Appeals meeting. The applicant also made a request to vacate the Board’s decision to deny the variance request that was made at the July 19th meeting. The Board approved this request. Finally, the Board approved a motion to set a meeting date to consider the application as September 20, 2021.

Description of Request

The subject site is located on the east side of Walker Road, north of Davis Road in Brown Township. The site was originally developed with a single-family home and farm in the early 1900’s. Currently, the site is mostly vacant, with two small woods and two wetlands.

The applicant is requesting a variance to allow the peak of the tower that is on top of the temple’s dome to be 75 and a half feet tall, allow a dumpster to be located in the Rural zoning district and to allow the dumpster to not be located to the side or rear of the building served and not be setback 50 percent of the building depth. The dome and tower will be constructed on top of the main building, which is 30,720 square feet in size and 22 feet and 8 inches high.

The maximum permitted building height is 38 feet, measured from the average grade on the lowest side of the structure to the peak of the roof. A variance of 37 and a half feet is required.

The building is 160 feet deep, which requires the dumpster to be setback a minimum of 80 feet from the front building line. The dumpster is located 80 feet forward of the building line. A variance of 160 feet is required.

Surrounding Area and Zoning

The subject site and all surrounding properties are zoned Rural in Brown Township. The surrounding properties are primarily developed with low-density residential uses and include active agricultural fields.

Comprehensive Plan

The Brown Township Comprehensive Plan, adopted in 2005 includes a Future Land Use Map that recommends the site as Low Density Rural Residential with a net density of 2-4 dwelling units per 10 net developable acres. The Plan also recommends that the scale and design of commercial buildings be appropriate for the setting. The use should include screening from the road, the architecture should reflect the rural midwestern heritage of the Township, and be designed to minimize impervious surfaces.

The Big Darby Watershed Master Plan, adopted in 2006 includes a Conservation Strategy Tiers Map and Proposed General Land Use Map. The site is recommended for conservation development with 50 percent open space based on existing Rural zoning and includes tier 1 lands. The tier 1 lands are associated with the two woods and two wetlands on site. Tier 1 lands are a primary priority for protecting the overall health of the watershed. The protection of these elements provides a buffer for sensitive in-stream habitats.

The request meets the recommendations of the adopted Plans. The development is proposed to be centrally located on a 48.94-acre site with the structure setback 630 +/- feet from the road right-of-way (ROW) and 382 +/- feet from the nearest adjacent residential property. Screening is proposed around the temple and parking area and impervious surface is limited to the structure, parking area and drive. The tier 1 land is identified on the site plan submitted, no development is proposed near this tiered area and there is a proposed 17.2-acre conservation easement.

Staff Review

Variance from Section 302.047 – Maximum Height: Thirty-eight (38) feet, measured from the average grade on the lowest side of the structure to the peak of the roof.

- The structure is proposed to be 75 and a half feet in height.
 - A variance of 37 and a half feet is required.

Variance from Section 505.02 – Dumpster Location: Dumpsters, including waste compactors, may be allowed in the R-12, R-24 and any commercial, industrial, planned residential, planned commercial or planned industrial zoning district subject to compliance with all applicable sections of this resolution.

- The site is zoned Rural, which does not allow for dumpsters. One dumpster is proposed to be located on site.
 - A variance to allow one dumpster to be located on site is required.

Variance from Section 505.022(b) – Dumpster Location and Height: Dumpsters must be located to the side or rear of the building served and be setback from the front of the building a minimum distance of 50 percent of the building depth.

- One dumpster is proposed to be located in front of the building served.
- The dumpster must be located a minimum of 80 feet behind the building and the dumpster is proposed to be 80 feet forward of the front building line.

- A variance to allow a dumpster to be located 160 feet forward of the required setback line is required.

Technical Review Committee Agency Review

Franklin County Engineer's Office

- 40 feet of right-of-way must be dedicated in fee to the Franklin County Commissioners as part of this development prior to approval of a certificate of zoning compliance.
- To best meet driveway spacing requirements, the proposed driveway must be moved to the western frontage portion of the site.

Franklin County Drainage Engineer's Office

The site plan submitted shows the site draining to Burkett Ditch, which is not a suitable drainage outlet for the proposed development. Drainage for this development must be approved prior to the approval of a Zoning Compliance.

No other agencies expressed any concerns with the request.

Staff Analysis

Section 810.041 – Approval of Variance:

The Board of Zoning Appeals shall only approve a variance if all the following findings are made.

- 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;*
 - » Regarding the dome height variance, the applicant stated that the special condition or circumstance applying to the property regarding the dome height is that ISKCON is a religious organization seeking to practice its faith in a temple constructed in accordance with its Hindu faith, which this condition or circumstance does not generally apply to other properties in the district.
 - » Regarding the dumpster variance, the applicant stated that a main tenet of ISKCON's faith is the preparation of food for an offering to the deity and the congregation in a special sacrament of purification and spiritual development. Moreover, the structure will be a temple with many activities to support the temple and religious services. By its very nature the temple requires the use of a dumpster for the proper and orderly disposal of refuse and to facilitate sacred meal preparation. The proposed location of the dumpster is in close proximity to the kitchen and dining areas of the temple. This encourages cleanliness and the proper and orderly removal of refuse.
 - » Staff agrees that a dumpster is required to adequately serve the permitted religious use's needs. The dumpster is proposed to be setback 630 +/- feet from the road ROW and 382 +/- feet from the nearest adjacent residential property and the dumpster will be screened by an enclosure and vegetation.
 - » Staff notes that the applicant submitted an exhibit that details the expected architectural parameters for a Hindu Temple and a site line diagram. Staff cannot confirm whether the proposed height of 75 and a half feet is essentially required for the proposed 30,720 square foot temple. However, based on the site line diagram provided, the proposed location of the temple with respect to the size of the property, and with the proposed preservation of land, a special circumstance exists.
- 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 religious uses are permitted in the Rural zoning district, which is a use that is enjoyed by other properties in the same zoning district. A literal interpretation of the building height requirement deprives ISKCON of its right to exercise its religion in accordance with its Hindu faith. Additionally, a literal interpretation of the Zoning Resolution would deprive the applicant of the proper and orderly disposal of refuse enjoyed by all properties in the Rural zoning district and deprive the applicant of sacred meal preparation that is required for religious services.

- » Additionally, the applicant indicated that the nearby Northwest Bible Church received approval of a zoning variance in 1998 to exceed the maximum permitted 38-foot height of the structure. The approved height for the church's steeple was 91 feet and 2 inches. The application for the church variance indicated that "the steeple is a typical feature for churches" and the applicant here, ISKCON, believes the same is true regarding the dome and spire that is associated with the proposed temple.
 - » Staff agrees that there are examples of other religious uses in the area that have structures that exceed the maximum height of 38 feet and Staff affirms that the Northwest Bible Church did receive approval of a zoning variance in 1998 to allow for a 91 feet and 2 inch tall church steeple. Staff will note that most nearby religious uses were constructed closer to the roadway and adjacent residential properties and the applicant's structure is proposed to be setback significantly farther from the roadway and adjacent residential properties, limiting the visual impact of the structure height and dumpster location.
- 3) *The special conditions and circumstances do not result from the action of the applicant;*
- » The applicant stated that ISKCON's religious faith and the tenets of the Hindu faith are not the result of any action of the applicant. ISKCON's religious faith is central to its existence and the dome is a deep-rooted tradition of the religion based on Hindu religious text. The size of the dome is based on the size of the temple sanctuary, which is dependent on the size of the congregation. Additionally, the proposed dumpster will accommodate the health and safety of the public by providing the proper and orderly removal of refuse.
 - » Staff found multiple examples of ISKON temples throughout the United States that do not have structures that are near the proposed structure height with this application. However, all of these examples had much smaller buildings and were located in urban areas. The proposed building and structure height appear to be in character with other international ISKON temples.
- 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 of a variance to allow for the proposed dome height will not grant any special privilege that is denied by the Zoning Resolution to other lands or structures in the Rural zoning district. Examples of nearby structures that exceed the permitted building height are the Bradley High School, a silo across the street from the temple site, and the Northwest Bible Church, all of which are located or have been located in the Rural district. All of these structures exceed the height requirement of the Zoning Resolution, yet all are essential to the character of the neighborhood. Moreover, the unique nature of ISKCON's circumstance is not a circumstance that currently exists in the Zoning District and is a matter of the freedom to exercise religion.
 - » Staff notes that the referenced school is located in the City of Hilliard, outside of the County's zoning jurisdiction. The referenced church is currently in the City of Hilliard, however the church received a height variance in 1998 while still being zoned Rural in unincorporated Brown Township. Silo's and agricultural uses are exempt from zoning provided they are located on a lot that is over 5-acres in size, which the referenced agricultural silo is on a lot that is over 194-acres in size.
- 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;*
- » Regarding the dome height variance, the applicant stated 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 or public improvements in the vicinity. The dome structure is located on approximately 53 acres and is set back from the property boundaries and neighboring structures as shown in the attached exhibit "ISKCON Temple Zoning Variance Application 6.7.21." The large distance eliminates any perceived or claimed negative impact. Hindu temples throughout the world have domes, many of which are significantly higher than the proposed dome height.

- » Regarding the dumpster variance, the applicant stated that granting the variance would provide a central conveniently located dumpster for refuse, and the health, safety and welfare of persons residing or working in the vicinity of the proposed development will be improved and the negative impact from disjointed refuse collection and disposal can be avoided. By locating the dumpster at the southwest edge of the building, public refuse removal will be more readily accommodated. It will also avoid refuse collection trucks navigating through drives that lead to the rear of the building, which would be safer for the trucks as well as people walking the perimeter of the building. Moreover, the proposed location provides for the safety for persons transporting refuse to the dumpster and is a sufficient distance from the temple building.
- » Staff notes that the site line diagram submitted identified tree plantings that limit the visual impact of the proposed dome. Staff believes the site's property lines that are adjacent to properties that are developed with residential uses and the road ROW should be screened with native vegetation that will reach the height depicted on the diagram to adequately screen the use. The diagram identifies a tree grove along the road ROW; however, this grove would be located within the new 40 feet of ROW as requested by the Engineer's office. Provided Staff's and the Engineer's office comments are addressed, 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.

Recommendation

Based on Staff's analysis, Staff's recommendation is that the Board of Zoning Appeals *conditionally approve* a Variance from Sections 302.047, 505.02 and 505.022(b) of the Franklin County Zoning Resolution to allow a structure to exceed the maximum permitted height, locate a dumpster on the property and not meet dumpster side yard requirements in an area zoned Rural.

The conditions of approval 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.
2. The applicant must dedicate 40 feet of ROW in fee to the Franklin County Commissioners as part of this development. ROW must be measured from the street centerline. The ROW dedication must be completed prior to the issuance of a certificate of zoning compliance.
3. The drive location must be identified on the site plan submitted with the Zoning Compliance and the location must be approved by the Franklin County Engineer's office prior to approval of a Zoning Compliance.
4. Drainage for this development must be approved by the Franklin County Drainage Engineer's office prior to the approval of a Zoning Compliance.
5. The Ohio EPA must approve the proposed on-site wastewater treatment system and overall development prior to approval of the Zoning Compliance.
6. The applicant must provide a landscaped buffer that is a minimum of 20 feet in width, planted with Ohio native species that will achieve a minimum height of 8 feet within 3 years and meet the requirements of Section 521.05(2), (5), (6), and (11). The landscaped buffer must be provided along all property lines abutting properties with existing residential structures not owned by the subject property owner and along the Walker Road right-of-way. A landscape plan prepared by a landscape architect must be included with the application for a certificate of zoning compliance showing compliance with this condition. The Franklin Soil and Water Conservation District must approve the planting species prior to approval of a Certificate of Zoning Compliance.
7. The "Conservation Easement" label and associated hatching on the Utility Plan Sheet #C2-1 must be removed from the plans submitted with the Certificate of Zoning Compliance application.

Resolution

For your convenience, the following is a proposed resolution:

Proposed Resolution for Request:

_____ moves to approve a variance from Sections 302.047, 505.02 and 505.022(b) of the Franklin County Zoning Resolution as outlined in the request for the applicant identified in Case No. VA-4009.

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 302.047, 505.02 and 505.022(b) of the Franklin County Zoning Resolution as outlined in the request for the applicant identified in Case No. VA-4009 results from applicant's failure to satisfy the criteria for granting a variance under Section 810.041.

Seconded by: _____





Voting:

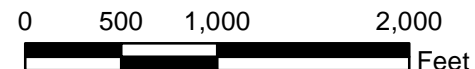
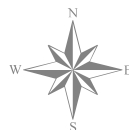
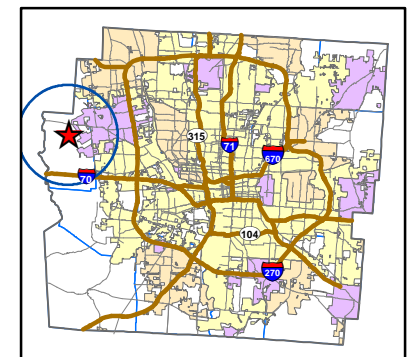


VA-4009

Requesting a Variance from Sections 302.047, 505.02 and 505.022(b) of the Franklin County Zoning Resolution to allow a structure to exceed the maximum permitted height, locate a dumpster on the property and not meet dumpster side yard requirements in an area zoned Rural.

Acres: 0.259
Township: Pleasant

-  3508 Walker Road
-  Parcels
-  Big Darby Creek Setbacks
- Municipal Boundaries**
-  Hilliard



ISKCON TEMPLE

3508 WALKER RD.
HILLARD, OHIO 43026



Tim La Architect
403 W Rich Street
Columbus, OH 43215
T 614.321.5128 F 614.453.8728
info@timlaarchitect.com
www.timlaarchitect.com

Please always get permission of owner and property of the land. Engineer: All drawings are prepared and submitted to the jurisdiction without the responsibility and performance of the contractor.

© Copyright 2021

Civil Engineer & Landscape Architect



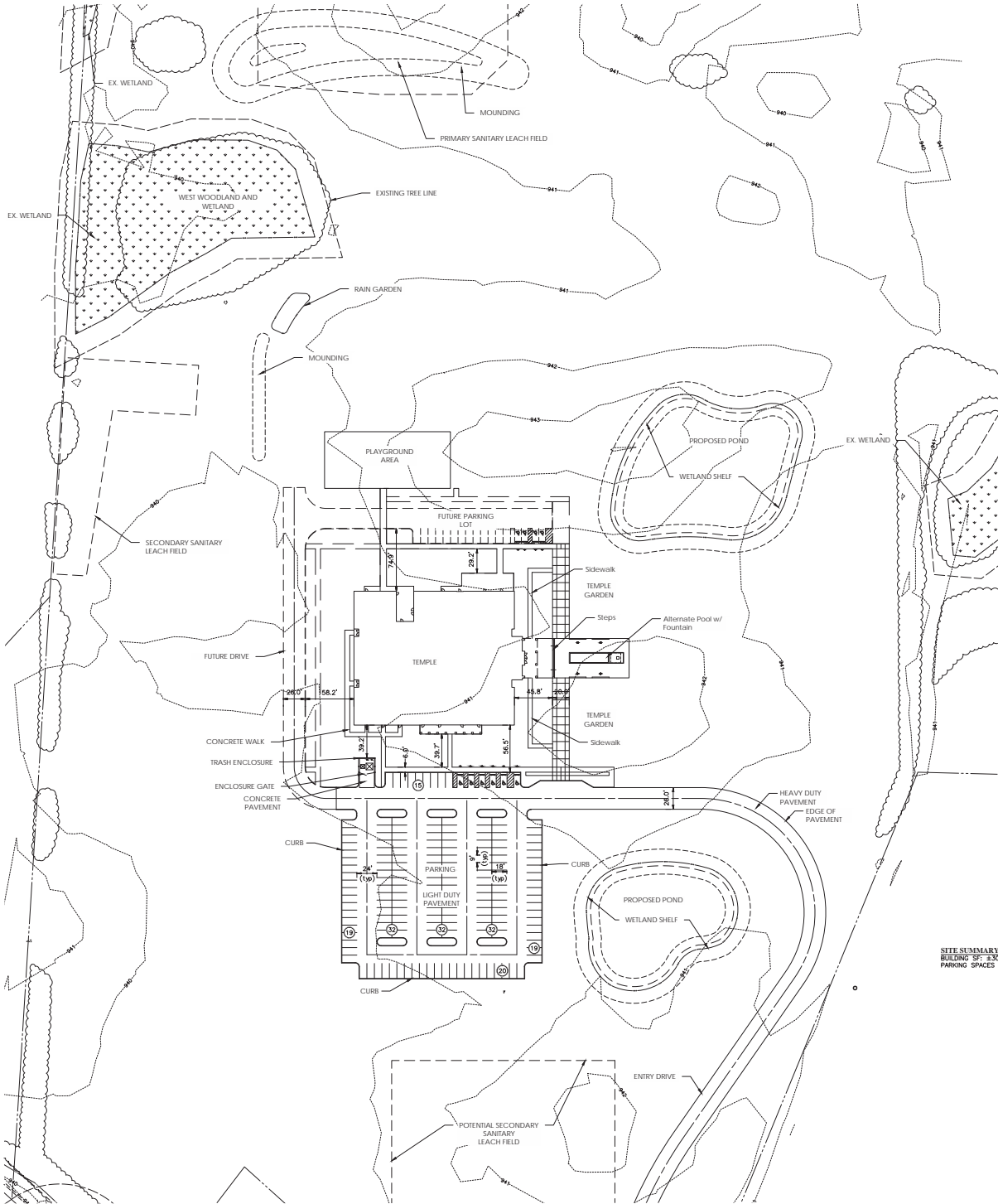
BROWN TOWNSHIP, FRANKLIN COUNTY, OHIO
VARIANCE APPLICATION
ISKCON TEMPLE

SITE PLAN

PROJECT # 20190155
DATE JUNE 8, 2021
SHEET #

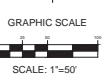
C1-1

ISKCON TEMPLE



SITE SUMMARY
BUILDING SF: 130,000 SF
PARKING SPACES PROVIDED: 169 SPACES

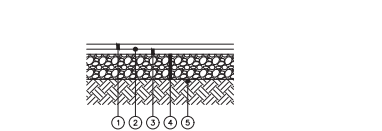
PRELIMINARY
NOT TO BE USED FOR
CONSTRUCTION
PLANSET DATE
JUNE 8, 2021



- ① CMS ITEM 441, 1-1/2" ASPHALT CONCRETE, SURFACE COURSE, TYPE 1, MEDIUM TRAFFIC, PG 64-22
- ② CMS ITEM 407, TACK COAT, APPLIED AT A RATE OF 0.10 GAL. PER SQ. YD.
- ③ CMS ITEM 441, 2.5" ASPHALT CONCRETE, INTERMEDIATE COURSE, TYPE 2, MEDIUM TRAFFIC, PG 64-22
- ④ CMS ITEM 304, 8" AGGREGATE BASE
- ⑤ CMS ITEM 204, SUBGRADE COMPACTION

NOTES
1. PAVEMENT RECOMMENDATION PROVIDED BY CTL Engineering.
2. DMH&T ASSUMES NO LIABILITY FOR PAVEMENT SECTION.

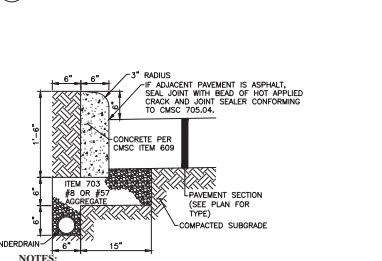
(A) DETAIL AUTO PARKING ASPHALT PAVEMENT SECTION Not to Scale



- ① CMS ITEM 441, 1-1/2" ASPHALT CONCRETE, SURFACE COURSE, TYPE 1, MEDIUM TRAFFIC, PG 64-22
- ② CMS ITEM 407, TACK COAT, APPLIED AT A RATE OF 0.10 GAL. PER SQ. YD.
- ③ CMS ITEM 441, 2.5" ASPHALT CONCRETE, INTERMEDIATE COURSE, TYPE 2, MEDIUM TRAFFIC, PG 64-22
- ④ CMS ITEM 304, 12" AGGREGATE BASE
- ⑤ CMS ITEM 204, SUBGRADE COMPACTION

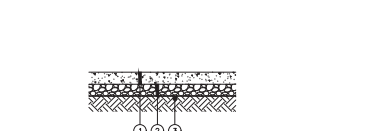
NOTES
1. PAVEMENT RECOMMENDATION PROVIDED BY DTL Engineering.
2. DMH&T ASSUMES NO LIABILITY FOR PAVEMENT SECTION.

(B) DETAIL DRIVE LANE ASPHALT PAVEMENT SECTION Not to Scale



NOTES:
1. ALL EXPOSED SURFACES OF CONCRETE CURB SHALL HAVE A BRUSH FINISH, UNLESS PLACED BY A CURB MACHINE.

(C) DETAIL CURB, 18" STRAIGHT Not to Scale



- ① CMS ITEM 608, 4" CONCRETE WALK
- ② CMS ITEM 304, 4" AGGREGATE BASE
- ③ CMS ITEM 204, SUBGRADE COMPACTION

NOTES
1. MAINTAIN MAXIMUM CROSS-SLOPE OF 2.0%.
2. PROVIDE ISOLATION JOINTS WHERE NEW WALK ABUTS EXISTING OR NEW PAVEMENT, STRUCTURE, OR OTHER SITE FEATURES PER DETAIL E, THIS SHEET.
3. PROVIDE CONTROL JOINTS PER DETAIL H, THIS SHEET.
4. CURBING COMPOUND: COMPLY WITH ASTM C308-98A, TYPE 1, CLASS B (CLEAR), EXCEPT MOISTURE LOSS NOT TO EXCEED 0.40KG/50 M² IN 72 HOURS. COMPOUND SHALL COMPLY WITH EPA'S VOC REQUIREMENTS.
5. APPLY AT MANUFACTURER'S WRITTEN RECOMMENDED APPLICATION RATE. PROVIDE FINISH PER CMS ITEM 408.
6. PENETRATING SEALER: ACCEPTABLE PRODUCTS INCLUDE, BUT ARE NOT LIMITED TO:
1. PENTANE 40 BY LAM.
2. BSM 40 BY H&S AMERICA INC.
3. CONSULDECK 1140 BY PROSOOD.
4. SILANE 405 BY SIMONS.
7. IF CONCRETE INSTALLED OCTOBER-MARCH, WAIT UNTIL APRIL-SEPTEMBER TO APPLY PENETRATING SEALER. IF SCHEDULE DOES NOT ALLOW FOR APPLICATION OF SEALER, PROVIDE CREDIT FOR NON-PERFORMANCE.

(D) DETAIL CONCRETE WALK Not to Scale



V:\projects\1\project1\30190155\Drawings\Site\app\130190155-va-4009.dwg, Last Saved By: mla, 6/7/2021 2:29 PM, Last Printed By: mla, June 8, 2021 2:45 PM (8)

ISKCON TEMPLE

3508 WALKER RD.
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Not showing an indication of owner or project of the Engineer. All drawings shall be prepared by the Engineer. The Engineer shall not be responsible for the construction of the project unless the Engineer is specifically noted as such on the drawings.

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Civil Engineer & Landscape Architect



BROWN TOWNSHIP, FRANKLIN COUNTY, OHIO
VARIANCE APPLICATION
ISKCON TEMPLE

SITE DEMOLITION, GRADING, AND EROSION CONTROL NARRATIVE

SITE DEMOLITION AND PREPARATION
All site demolition shall be performed in accordance with the Ohio Department of Transportation (ODOT) Construction and Material Specifications (CMS), latest edition.

Demolition work is expected to include tree removal, clearing and grubbing, removal of above ground structures including a house and small barn, power poles and removal overhead utility wires formerly serving the farmstead. All demolition materials become the contractor's property unless otherwise noted, and are not to be buried or disposed of on-site.

EARTHWORK
Earthwork activities associated with the project will be comprised primarily of site subgrade and building pad preparation, as well as excavation of a retention pond. Additional activities will include excavation of subsoil and stockpiling for later reuse; grading and contouring site to elevations indicated on drawings; removal of excess topsoil and subsoil from site; preparation of subgrade and placement of fill under pads on grade, foundations, sidewalks and paving providing fill materials, bedding materials, proof rolling and compaction; fill for over-excavation; subgrade stabilization for pavement; subgrade excavating and backfilling trenches and structures; fine grading; placement, leveling and compaction of topsoil.

The Owner shall arrange and pay for a testing company to perform soils testing to meet design requirements. The site/utility contractor shall employ a professional surveyor to layout out and establish all lines and grades, including structural columns.

Demolition operations shall be provided as necessary to enable all earthwork to be performed and shall convey water from the construction site in a closed conduit with the point of discharge approved by the Engineer.

STORMWATER MANAGEMENT
Stormwater management for quantity control will be provided for the site, with requirements determined by Franklin County stormwater ordinances. This design will be analyzed in subsequent design phases of the project. Water quality treatment per Ohio EPA requirements will be addressed through the use of a retention basin.

An existing drainage swale across Walker Road from the southwest corner of the site will be the discharge location for the south pond.

Storm sewer and drainage work shall consist of storm sewer connections from the building, on-site stormwater detention storage, drainage structures and pipe to convey the stormwater on the site and permanent erosion control protection for the stormwater outfall locations.

Storm outlets from roof drains are to be directed to site storm sewer for collection. Pipe sizes from these roof drains will depend on the amount of roof area that is tributary to the outlet.

WETLAND PROTECTION AND PRESERVATION
The natural tributary areas of several streams and wetlands will be impacted by construction of this project. In order to continue to supply the wetlands on-site with clean water, diversion swales and storm sewer pipe will be utilized to direct stormwater runoff from the new pavement and building site to rain gardens. The rain gardens will filter the runoff and discharge treated water into wetlands to remain.

SANITARY LEACH FIELD PROTECTION AND PRESERVATION DURING CONSTRUCTION
Areas designated on the plan as primary, secondary, or potential sites for leach field placement must not be disturbed by construction traffic or construction activity. High-visibility construction fence shall be placed around the perimeter of the potential leach field areas prior to beginning construction.

EROSION AND SEDIMENTATION CONTROL MEASURES
Erosion and Sedimentation Control measures shall be provided based on Franklin County Construction Site Soil Erosion, Sediment, Stormwater Runoff and Stormwater Quality Controls and Regulations in accordance with the ODOT CMS, latest edition. Erosion and sedimentation control work will consist of constructing temporary and permanent sediment and erosion control items required for the completion of work associated with the project. Items include, but are not limited to: stabilized construction entrances, concrete washout and wheel wash areas, silt fence, catch basin and curb inlet protection, mulches, grasses, filter fabrics, geotextiles and other erosion control devices and methods. Temporary controls will be provided on the permanent stormwater retention basins to control for sediment runoff during construction.

SITE UTILITY NARRATIVE

DOMESTIC WATER
A new well for domestic usage will be installed at the site per Ohio Department of Natural Resources (ODNR) and Ohio Environmental Protection Agency (OEPA) standards. Similar wells near the project site, one at a residence south of the site on Walker Road and one of the old farm houses, exist at depths of 137 and 109 feet, respectively.

The domestic well usage will be considered "non-tributary". As such, due to higher water quality standards an allowance should be made for water treatment and filtration system capable of removing heavy metals such as lead or organic that may be present in the water. Each water quality treatment requirements will not be known until the well is completed and tested. A water-softening system should also be installed.

For the purposes of pricing, a 3-inch domestic water service should be provided to the building from the new domestic water well.

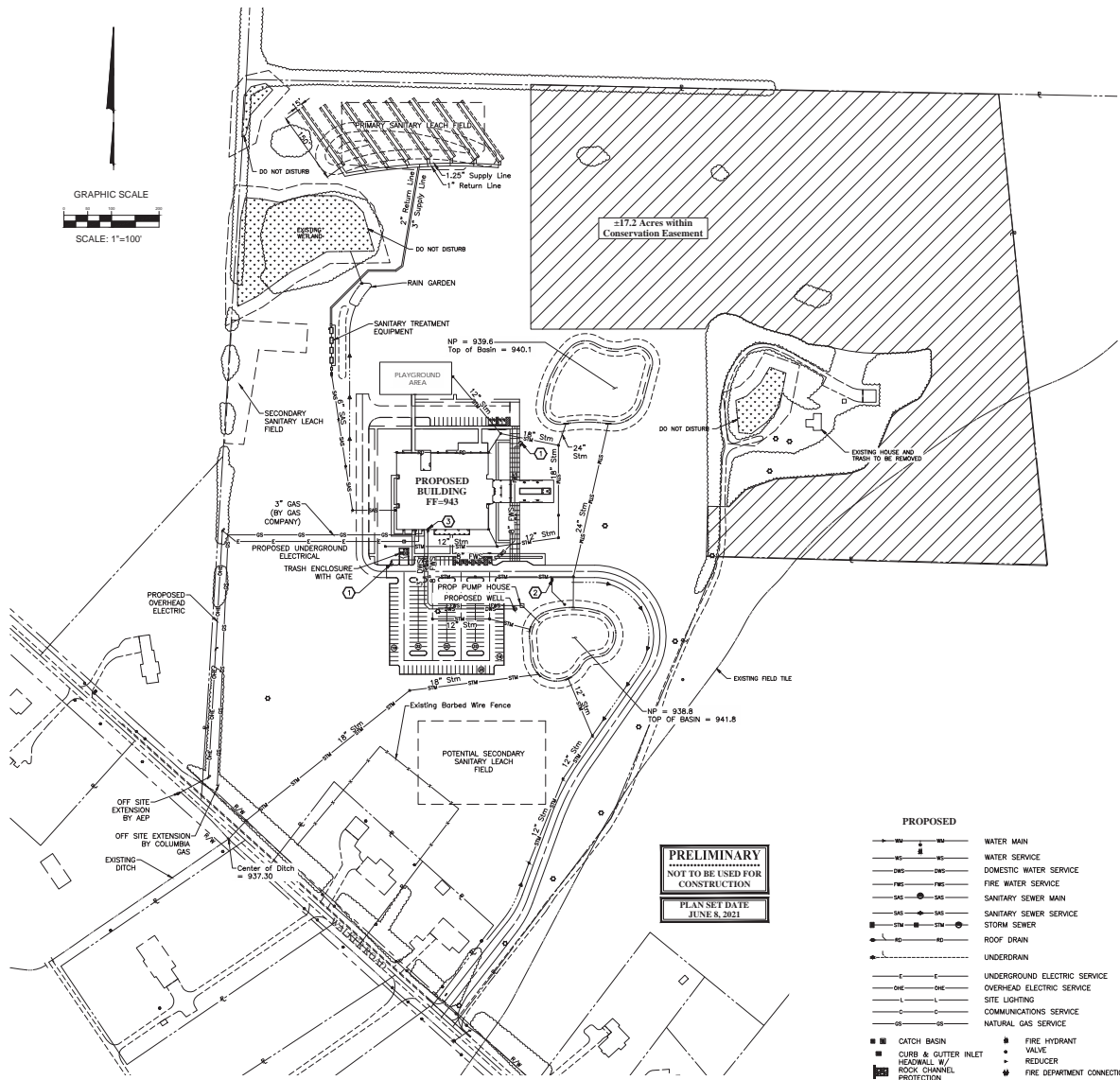
FIRE PROTECTION
The ponds will be used as a water source for fire protection with a pump to be designed by others located in a pump house building near the pond.

For the purposes of pricing, an 8-inch fire water service with dry hydrant connection should be provided to building from the pump house near the ponds. The 8-inch line will serve site fire hydrants at the northeast and southwest corners of the building.

SANITARY WASTE TREATMENT
The nearest public sanitary sewer is located at Hillard Bradley High School approximately 1.4 miles (2150 feet) southeast along Walker Road. An on-site treatment system is being proposed for the site. The on-site system will consist of gravity sewers to convey waste from the building to the treatment area, various septic holding tanks and treatment tanks, leach field areas with perforated tile, and associated pumping equipment. A manufacturer-designed package treatment system is recommended and will be customized based on the characteristics of the waste discharged from the facility. Testing has determined that on-site soils in the leach areas have an estimated loading rate of 2.7 gpd/ft.

NATURAL GAS
Natural gas 8-inch distribution lines are located approximately 1.5 miles from the site. The service provider (Columbia Gas) will determine the cost to extend service after a request has been submitted by the owner and the service extension is analyzed by Columbia Gas.

ELECTRIC POWER
Single-phase power is currently available at the site along Walker Road provided by AEP. Three-phase power currently ends at the Hillard Bradley High School approximately 1.4 miles southwest of the site on Walker Road. An extension of three-phase power by AEP will be required to service the site.



PRELIMINARY
NOT TO BE USED FOR CONSTRUCTION
PLAN SET DATE
JUNE 8, 2021

PROPOSED

— W —	WATER MAIN
— S —	WATER SERVICE
— DWS —	DOMESTIC WATER SERVICE
— FWS —	FIRE WATER SERVICE
— SSM —	SANITARY SEWER MAIN
— SSS —	SANITARY SEWER SERVICE
— STM —	STORM SEWER
— RD —	ROOF DRAIN
— U —	UNDERDRAIN
— UE —	UNDERGROUND ELECTRIC SERVICE
— OUE —	OVERHEAD ELECTRIC SERVICE
— L —	SITE LIGHTING
— C —	COMMUNICATIONS SERVICE
— GS —	NATURAL GAS SERVICE
■	CATCH BASIN
■	CURB & GUTTER INLET
■	HEADWALL W/ PROTECTION
■	ROCK CHANNEL PROTECTION
●	MANHOLE
●	CLEANOUT
●	GAS METER (BY SERVICE PROVIDER)
■	FIRE HYDRANT
●	VALVE
●	REDUCER
■	FIRE DEPARTMENT CONNECTION
●	LIGHT POLE (REFER TO SITE LIGHTING PLAN)
■	TRANSFORMER

- CODED NOTES**
- ① FIRE HYDRANT
 - ② DRY HYDRANT
 - ③ FIRE DEPARTMENT CONNECTION

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UTILITY PLAN

PROJECT # 20190155
DATE JUNE 8, 2021
SHEET #

C2-1

ISKCON TEMPLE

ISKCON TEMPLE

3508 WALKER RD.
HILLARD, OHIO 43026



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This drawing is a representation of a proposed project and is not intended to be used for construction. It is the responsibility of the client to verify the accuracy of the information provided and to obtain all necessary permits and approvals from the appropriate authorities.

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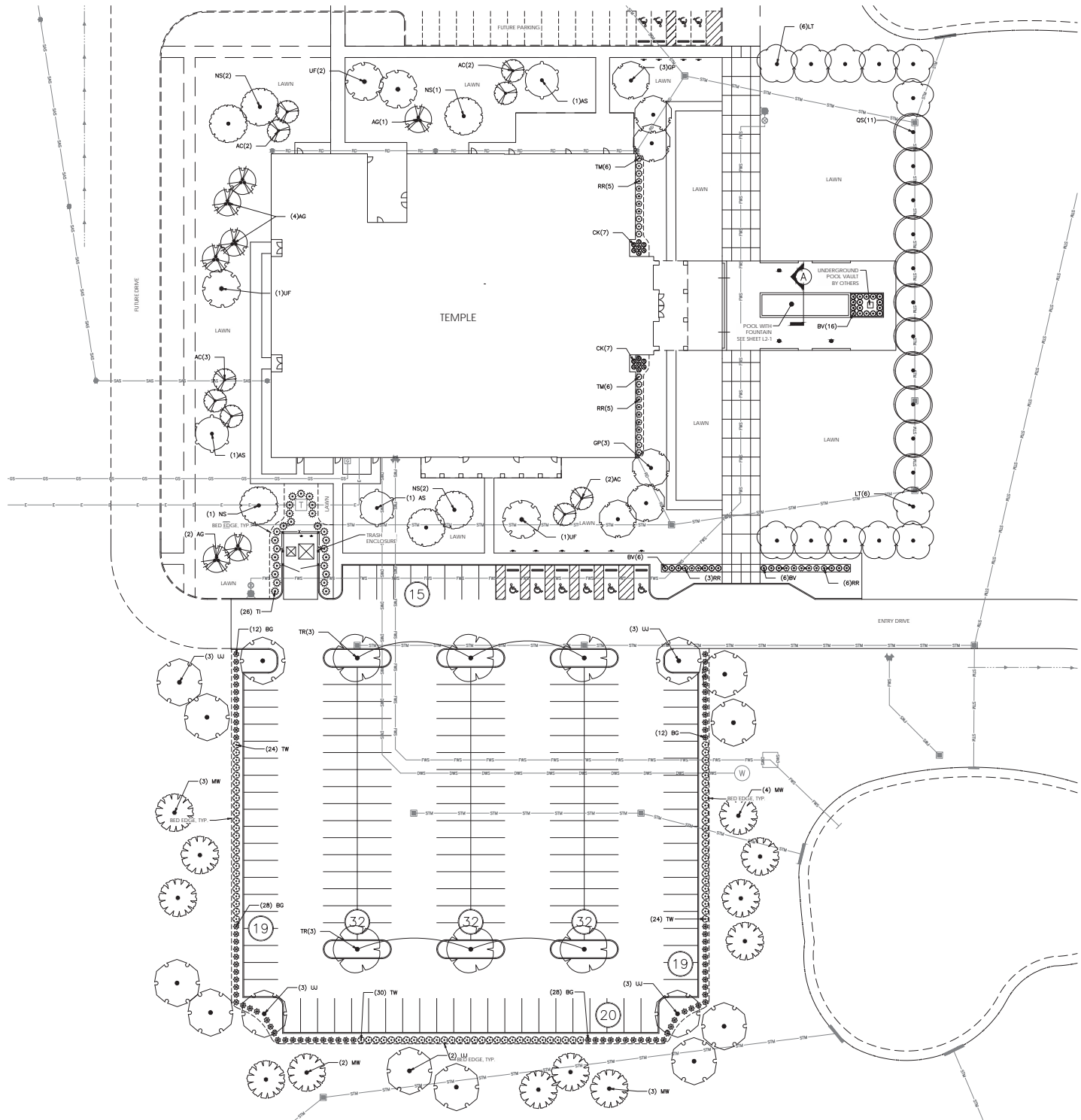


BROWN TOWNSHIP, FRANKLIN COUNTY, OHIO
VARIANCE APPLICATION
ISKCON TEMPLE

LANDSCAPE PLAN

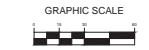
PROJECT # 20190155
DATE JUNE 8, 2021
SHEET #

L1-1
ISKCON TEMPLE



PLANT SCHEDULE

TREES	QTY	BOTANICAL / COMMON NAME	SIZE	CONDITION
LT	12	Lotifendron tulipifera Tulip Tree	3" Col.	BBB
OS	11	Quercus shumardii Shumard Red Oak	3" Col.	BBB
BUILDING YARD TREES	QTY	BOTANICAL / COMMON NAME	SIZE	CONDITION
AS	3	Acer x freemanii "Senno" Senno Green Maple	3" Col.	BBB
GP	6	Gingko biloba "Princeton Sentry" Princeton Sentry Ginkgo	3" Col.	BBB
NS	6	Nyssa sylvatica "Midline" Midline Black Gum	3" Col.	BBB
UF	4	Ulmus x "Frontier" Frontier Elm	3" Col.	BBB
EVERGREEN TREES	QTY	BOTANICAL / COMMON NAME	SIZE	CONDITION
TI	26	Thuja occidentalis "Techny" Techny Arborvitae	6" H.	BBB
PARKING LOT TREES	QTY	BOTANICAL / COMMON NAME	SIZE	CONDITION
MW	12	Morus pomifera "White Shield" White Shield Osage Orange	3" Col.	BBB
TR	6	Tilia americana "Redmond" Redmond American Linden	2" Col.	BBB
LU	14	Ulmus americano "Jefferson" Jefferson Elm	2" Col.	BBB
FLOWERING TREES	QTY	BOTANICAL / COMMON NAME	SIZE	CONDITION
AG	7	Acer glabrum "Flame" Flame Amel Maple	2" Col.	BBB
AC	9	Amelanchier canadensis "Tradition" Tradition Serviceberry	2" Col.	BBB
SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE	CONDITION
BV	28	Buxus x "Green Velvet" Green Velvet Boxwood	24" H.	BBB
CK	14	Colamagrostis x scutiflora "Karl Foerster" Karl Foerster Feather Reed Grass	#2	Cont.
RR	19	Rosa x "Knockout" Knockout Rose	18" H.	Cont.
TM	12	Taxus x media "Danaeformis" Danae Yew	24" H.	BBB
PARKING LOT SCREENING	QTY	BOTANICAL / COMMON NAME	SIZE	CONDITION
BC	80	Buxus x "Green Mountain" Green Mountain Boxwood	36" H.	BBB
TW	78	Taxus x media "Wood" Wood Yew	36" H.	BBB



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PLAN SET DATE
JUNE 8, 2021

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**ISKCON TEMPLE
ZONING VARIANCE APPLICATION
6.7.21**

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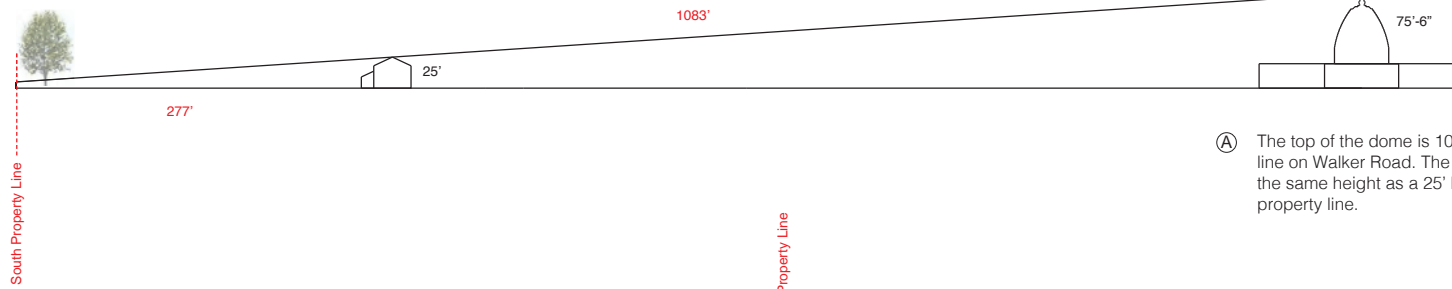




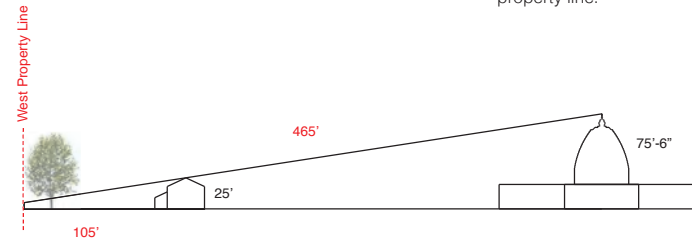
View from SE on Walker Road



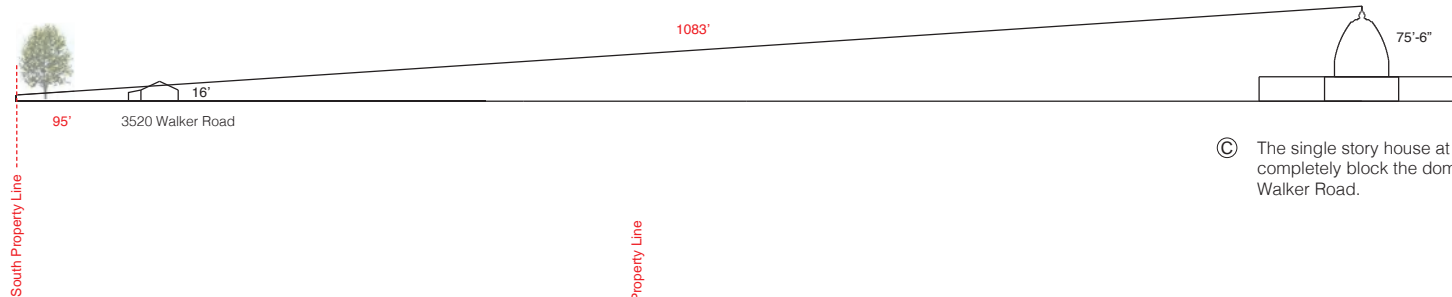
View from SW on Walker Road showing tree grove on the south west edge of the site



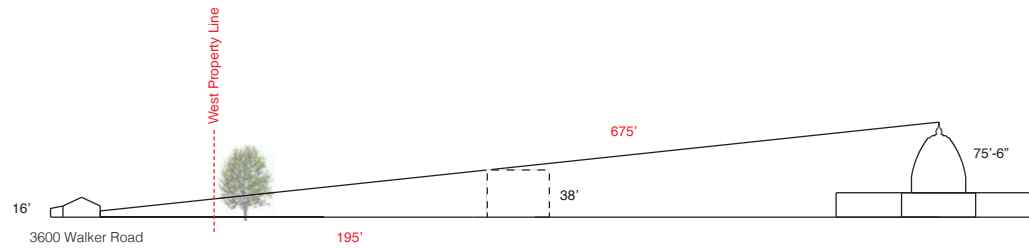
(A) The top of the dome is 1083' from south property line on Walker Road. The 75' dome would appear the same height as a 25' house sitting 277' from the property line.



(B) The dome is 465' from west property line. The 75' dome would appear the same height as a 25' house sitting 105' from the property line.

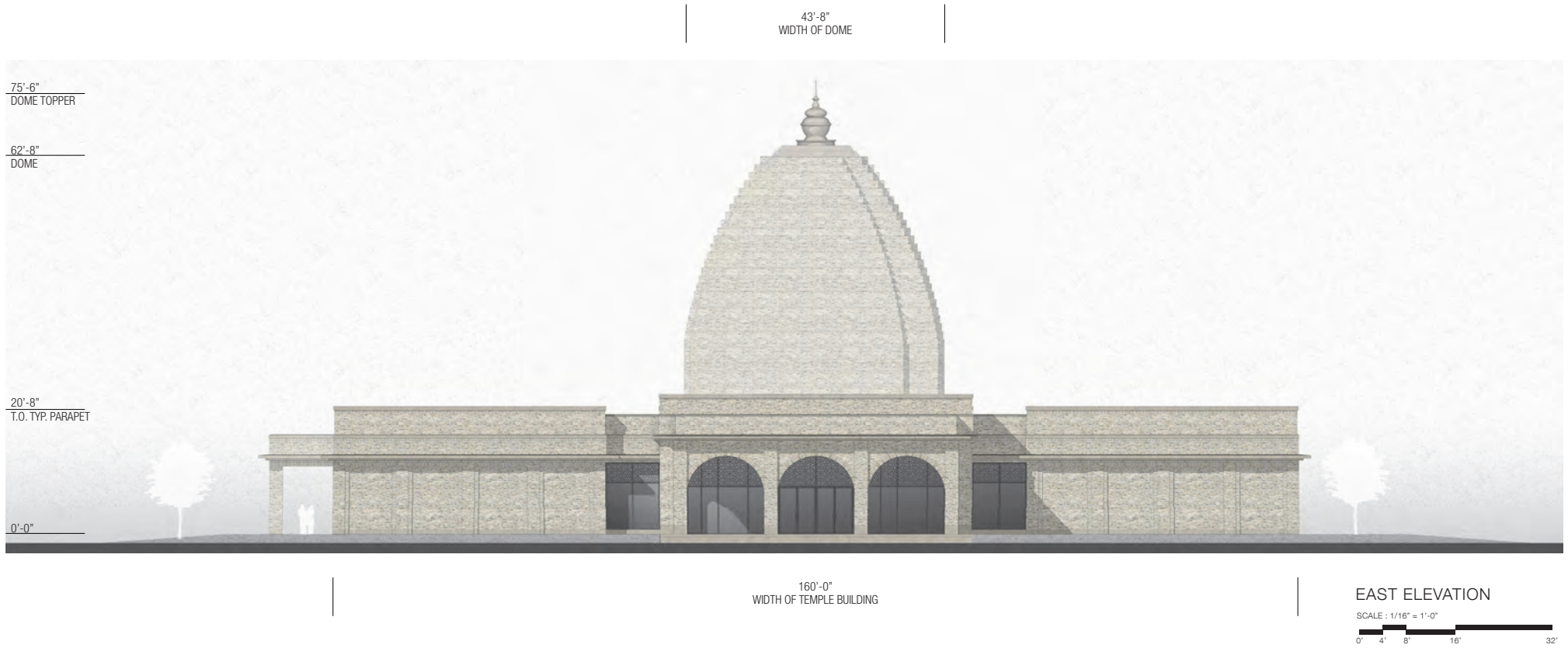


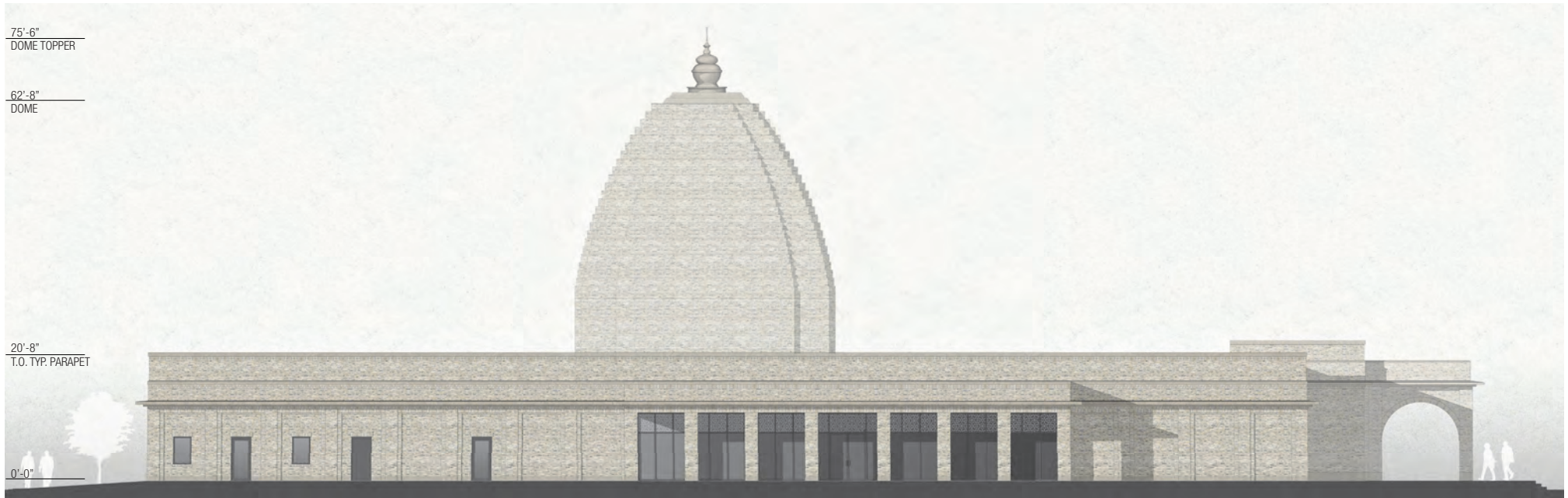
(C) The single story house at 3520 Walker Road will completely block the dome if viewed from the Walker Road.



(D) The dome is 675' from the west neighboring house on 3600 Walker Road. The dome would appear the same height as a 38' tall building located 195' from the west property line.







SOUTH ELEVATION

SCALE : 1/16" = 1'-0"
0' 4' 8' 16' 32'



The Dome in Hindu Temple Architecture

Carl Clemens

2021

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Abstract

Building construction reflects the basic principles of a particular era and culture. A Hindu temple is not simply a 'place of congregational worship' but an 'abode of God' and a 'form of God' expressed in sacred geometry and material science. Devotees go individually or as a group to 'visit', make offerings and render service to an Omnipresent God in a localized, individuated environment. In addition, a temple traditionally also served as a cradle of knowledge, art, architecture, culture and fellowship.

While the social and educational functions of the Hindu temple have evolved in the modern context, it still serves to give continuity to ancient Hindu values and culture. Thus, the evolution of Hindu temple architecture is marked by a strict adherence to original ancient models derived from metaphysical considerations provided in Hindu text, reflected in various design styles over millennia.

The Hindu or Vedic religion and philosophy has greatly influenced the evolution of the utilitarian and aesthetic aspects of the community, including temple architecture. Archival research and documentary and literary works on ancient treatises on the temple architecture of India elicit the concepts that have been adopted since ancient times in the construction of sacred spaces, the science involved in the construction of the temple structure and the processes involved along with the skill it took to build such edifices.

These aspects are as relevant today as it used to be in ancient times, and are a marker of genuineness that establishes a continuity of tradition and a science which has its root in the dawn of human consciousness.

1. Introduction

“Architecture is that great living creative spirit which from generation to generation, from age to age, proceeds, persists, creates, according to the nature of man, and his circumstances as they change. That is really architecture.” -- Frank Lloyd Wright

Every architectural style reflects the underlying principles of a cultural or philosophical current as well as the progressive emphasis of an era. For example, the strict and formulaic building design in Greek architecture exhibits a sophisticated aptness, whereas Roman building design was based on technological advancement (Brown, 1942). Gothic architecture reflects passion and the Italian Renaissance reflects artistic scholarship. Similarly, the typical quality of early Indian architecture lies in the expression of spiritual concepts through temple architecture that is sacred to the exercise of ISKCON's religion as dictated by Hindu religious text.

Temples are found everywhere, from remote places of pilgrimage to metropolitan cities and villages. Hindu ontology conceives of Godhead as three aspects in one: An all-pervading, Impersonal omnipresence, omniscience and omnipotence ('That'); an indwelling Supersoul in the temple of the body (the transcendent 'I', as different from the individual soul); a Personal Godhead ('Thou'). Different streams of Hindu theory, practice and expression address the Absolute Truth from one or more of these angles. In general, a Hindu temple is an abode of the Personal Godhead, a sacred precinct where devotees visit individually and as a group to greet, commune, celebrate and render service to the Lord. In addition, the temple is also a geometric expression of the main elements of the inner and outer worlds. Socially, the temple served as a cradle of traditional knowledge systems, a laboratory of personal discipline, the classical arts, and social interaction.

From ancient times through several ages and across different cultures in India, South-East and East Eurasia, Central and West Asia and the contemporary West where it spread, one finds a variety of Hindu temple architectural models, from the most spartan utilitarian simplicity to the most ornate, from temporary structures razed and rebuilt for each sacred ceremony to solid engineering constructions lasting centuries, from spaces meant for single person visits and meditation to large spaces for congregational activity. However, all of these forms attempted to strictly adhere to a basic set of proportions and a rigid model of the sacred space (Vardia, 2008). By comparison to Jain and Buddhist structure, Brahminical Hindu temples conformed to a rigidly prescribed plan form leading to a single focal point in the temple group (Fletcher, 1992). A dome or steeple played a central role in achieving this.

1.1 Methodology

The paper is based on sources drawn from archival research and other historical literary works. The *Vastu-shastra* and *Shilpa-shastra* are among several Hindu manuals on architecture and design that highlight the concepts adopted since ancient times in the construction of all types of buildings and design on interiors. These are valid as a philosophy of design even across differing architectural styles. The design philosophy of the Hindu temple is based on concepts of Hindu cosmology known as *Vastu-purusha-mandala*. This paper focus solely on the form and scale of the temple with respect to the dome element specifically, and does not outline other aspects such as technologies employed.

1.2 The Temple: Divinity and Man

The temple (from Latin *templum* for 'sacred precinct') is meant to link Man with the Gods (Kumar, N. 2003). It is a place where one can feel being close to God. It is also a depiction of the macrocosm (universes) and the microcosm (inner spaces) and the correspondence between the two – a central concept known as *sambandha* in Hinduism.

Human birth is considered the summation of various life forms bound up in cycles of rebirth. It is a unique opportunity for the final enlightenment of the soul through processes of consciousness. The temple is the symbol of enlightenment. It is a laboratory where God's presence can be felt and through ritual, celebration, precepts, discussion and service humans can rediscover the divine knowledge within (Mitchell, G. 1988).

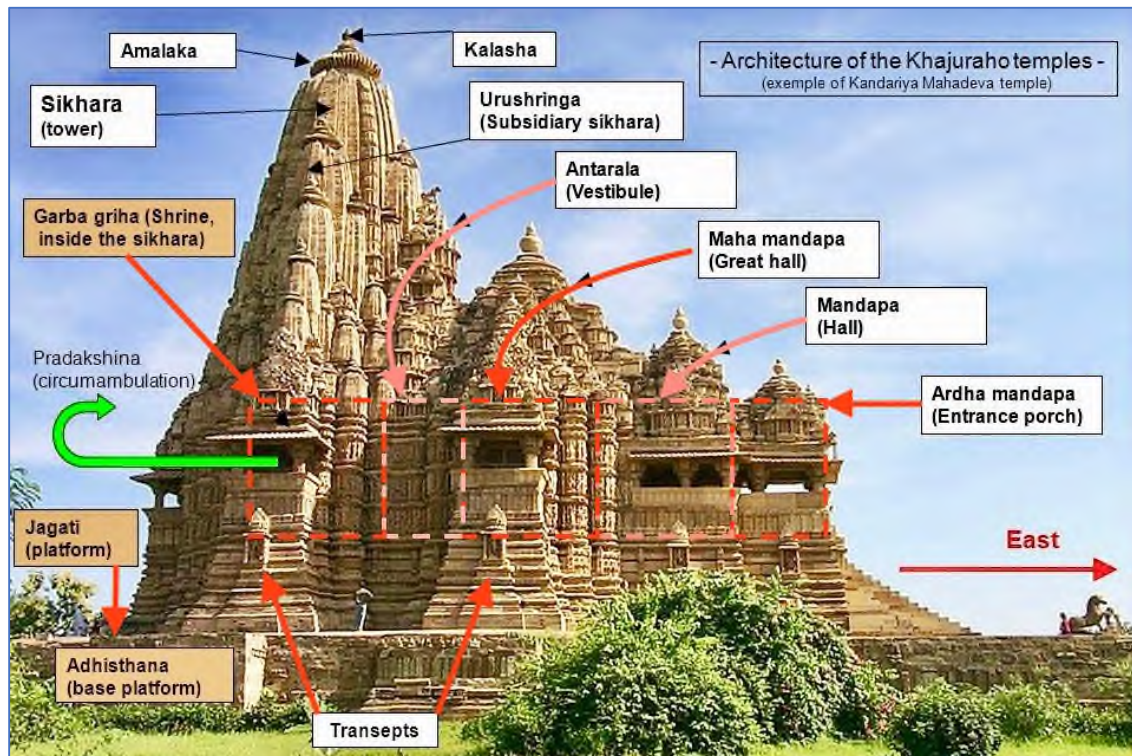
The sacred and secular lives of a Hindu are unified. Daily routines are interwoven with several contacts with the divine life – such as a meditation corner at home or the workspace, or a visit to a local temple. Culturally, the temple also facilitated the celebration and propagation of the classical arts such as music, the Sanskrit epics, philosophy, martial arts and physical fitness for young and old, and a lifestyle that prioritizes sustainable living in the local ecology. The fine arts and sustainable living are primarily sought to be placed in the context of divine life.

It is due to this process philosophy of spiritual development that there is hardly any evidence of hidebound dogmatism or religious persecution in Hindu history, as Hinduism admits various doctrinal points of view, psycho-spiritual narratives and religious traditions, all vetted for sanity according to basic universal principles of Dharma as distinct from the primacy of totalitarian truth claims. This contributes to the culture of tolerance, dialog and mutual respect in a diverse society.

2. Elements of a Hindu Temple

While schools of architectural style varied across the Indian subcontinent, the basic elements of the temple are the same, though size and scale varied. Prominent among these is the dome (*shikhara*). By the 7th century CE, Hindu temple architecture had acquired a definite form (Fletcher, 1952).

The temple sanctuary as a whole is known as the *vimana*, which consists of two parts. The upper echelon of the *vimana* is called the *shikhara* and the lower house inside is called the *garbha-griha* (cella or inner chamber, the womb).



2.1 The *shikhara* meaning the tower or spire, is a pyramidal portion of the temple which represents the mount Meru in Hindu myths – a depiction of the gradations of the register of human consciousness. The shape and size of the tower differs according to region and style.

2.2 The *garbha-griha* is the womb chamber. It is the nucleus where the deity form is placed. It is a square or rectangular chamber and has an entrance on the eastern side. Only priests who have undergone several initiations are permitted into this space to perform disciplined rituals and services twenty-four hours a day on behalf of others.

2.3 The *pradakshina-patha* is an ambulatory passageway for circumambulation. It is an enclosed corridor around the *garbha-griha*. Devotees traverse it in clockwise direction as a form of drawing closer.

2.4 The *mandapa* is a pillared assembly hall in front of the *garbha-griha*. Devotees sit, pray, chant, meditate, sing hymns or observe the deity from there. It is also known as the *nata-mandira* or dance hall

where in olden days, classical music and ballet were performed as an offering to divinity. In some earlier temples, the *mandapa* was an isolated space and a separate structure from the sanctuary itself.

2.5 The *antarala* is the vestibule or intermediate chamber in between the main sanctuary and the pillared assembly hall. It marks the transition from social consciousness to individual meditation.

2.6 The *ardha-mandapa* is the front porch or main entrance of the temple.

2.7 The *gopuram* is the monumental and ornate arched tower at the entrance of the temple complex. There may be more than one *gopuram* in different directions for different entrances. A prominent *gopuram* is especially found in South Indian schools of architecture.

2.8 The *peetha* is the raised plinth or platform of the temple. Steps from the front porch lead up to the platform.

2.9 The *torana* is a typical smaller gateway closer to the main temple itself rather than the outer temple complex. It can vary from an ornate stone or wooden gateway to simply an arched floral arrangement.

2.10 The *amalaka* is the fluted disc-shaped stone placed at the apex of the *shikhara* or spire.

2.11 The *kalasha* is the symbolic holy receptacle or grail placed on top of the *amalaka*. Sometimes this is substituted by another holy symbol such as the *chakra* (spoked wheel or disc).

2.12 The *deepa-stambha* or lamp-pillar is a tall pilon with levels of lamps on all sides that are lit at dusk every day. It stands outside the main gateway(s) or *gopurams* of the temple.

2.13 The *kunda* or pool was a pond within the temple or in front of it, where devotees could take a dip as a form of purification.

3. Evolution of Architectural Styles

Due to a broad difference in region, climate, demographic density, language, culture, race and history in the north and southern peninsula of the Indian subcontinent, there arose different schools of architecture. Based on geography, Hindu temple architecture has been classified into the *Nagara* or northern style, the *Dravida* or southern style and the *Vesara* or hybrid style seen on the Deccan plateau in central and south-central India.

There are other distinct styles in peripheral areas such as Bengal and Assam in the east, Kerala in the deep south, and the Himalayan valleys and foothills to the far north.

The religious tradition of Krishna Consciousness stems from Bengal, with nodes across the rest of India. The focal places of pilgrimage are in the northern plains, Bengal and Odisha. Architecturally, the Jagannath Temple in Puri on the Odisha coastline is an iconic historical temple for this tradition.

The northern or *Nagara* style of architecture was abruptly interrupted by waves of Muslim invasion starting in the 11th century CE. During this time, many of the finest temples were completely destroyed or partially destroyed and converted into mosques (Brown, 1942). In contrast, southern India was shielded from Muslim rule until briefly in a much later period, and the temple architecture of southern India is relatively better preserved.

3.1 *Nagara* or northern style



This style reached maturity in the 5th century CE and its peak in the 10th to 13th centuries CE. The development of the tower or shikhara appears to have begun at the temple of Devgarh in Madhya Pradesh (Brown, 1942). The temples began having smaller sanctuaries and the shikhara became the crowning feature of the temple. The other distinct feature is a rectangular wall around the temple premises and the addition of subsidiary shrines at each corner.

A related but distinct architectural style developed in the temples of Odisha (7th to 11th century CE). The elliptic curve of the shikhara of earlier periods evolved into a perpendicular prismatic tower that converged at the peak. Special attention was given to the construction of the *mandapa* or assembly hall, as large congregational events were a prominent feature of this religious movement. The roof of the *mandapa* was now pyramidal, but lower than the main shikhara, thus forming a crescendo.

3.1.1 The Jagannath Temple at Puri

The Jagannath temple at Puri is a fine example of this Odisha school of architecture, with the *shikhara* height reaching 65 meters above the surrounding landscape.



Capping the *shikhara* is the *neela-chakra* or the blue discus, in place of the *kalasha* or grail. It is made of *ashta-dhatu* or an alloy of eight metals and is considered sacrosanct.

The temple complex covers an area of over 400,000 square feet (37,000 square meters) and is surrounded by a high fortified wall. This 20-foot-high outer wall is known as the *Meghanada Pacheri*. It contains at least 120 subsidiary temples and shrines. Another wall known as the *Kurma Bandha* surrounds the main temple itself.

The *singha-dvara* or lion-gate is one of the four great gates or *gopurams* to the temple complex. The other three are called *hasti-dvara* (elephant gate), *vyaghra-dvara* (tiger-gate) and *ashva-dvara* (horse gate). These great gates are right along the main roads that run close to the temple complex.

In addition to the main assembly hall or *mandapa*, there is also a *bhoga-mandapa* or hall of offerings where devotees share sacramental meals together.

The temple also has a great kitchen or *rasoi-ghar* which is the largest temple kitchen in the world. Daily preparations of at least 56 varieties of vegetarian food are offered to the deities 6 times a day, and then distributed to the public as sacrament. The food is prepared according to traditional Ayurvedic guidelines for a light and healthy *sattvic* diet, which avoids meat, intoxicants, onions, garlic and other ingredients that cause sluggishness or excitement.

An important part of this temple's religious tradition is the annual *Ratha-Yatra* or Chariot Festival, wherein the temple deities are taken out in a devotional procession in massive chariots. The English word 'juggernaut' comes from this temple's name.

3.2 *Dravida* or southern style

Hindu Temple architecture in southern India was influenced by Buddhist styles to some extent. These temples evolved from simple rock-cut shrines to large and complicated structures. The temples were large square structures with a projecting porch and decorative pillars. The roof of the temple was a small structure which then emerged as the towering *shikhara*. Further, lofty *gopurams* or gateways were added to temple complexes and became part of basic temple composition. The *gopurams* evolved from

a rectangular base with pyramid crowned with a barrel-vaulted form. The Brihadeshvara temple at Thanjavur is a specimen of this architectural style and has a *shikhara* height of 60 meters (Hardy 2007). Both, the *shikhara* tower and the ornate *gopuram* can be seen in this picture here.



3.3 Distinct features of the northern and southern styles

The superstructures of the northern and southern styles are distinct. The beehive-shaped *shikhara* or tower is the distinguished element. The *shikhara* is also often made up of multiplying forms in a crescendo which has the visual effect of a mountain and its foothills. The gateways or *gopurams* are in the northern direction and are relatively plain, simple and small.

In the south, the distinct features are the *vimana* and *gopurams* or gateways. The *vimana* is the tall pyramidal tower consisting of several progressively smaller stories. Only the final peak of the *vimana* is called the *shikhara* in the south. There is an outer wall or *prakara*, studded with marvelous prominent gateways or *gopurams*, which dominate the whole temple complex.

4. Sacred Geometry of the Hindu Temple

A temple layout may be placed along a single linear axis or it may be placed in concentric rings. The geometry of a Hindu temple with respect to cosmology and philosophy is based on the *Vastu-purusha-mandala* and its application to temple structure.

4.1 Cosmology and the Hindu temple

The temple is conceived as a microcosm of the cosmos and the cosmic order is perceived as integral to the human body, mind and spirit, with the human being a microcosm (Hardy, 2007). The outer cosmos is represented in terms of various astronomical connections between the temple structure and the motions of the sun, moon and planets. The inner cosmos is represented in terms of gradations of human consciousness, from mundane sense-gratification to the womb to spiritual maturity. The various levels of the superstructure correspond to levels of consciousness and self-awareness (Kak, 2002).

The plan of the cosmos is recursively copied in the foundation of temples and the template of Man. This geometric pattern is called *Vastu-purusha-mandala*. The expansion may be seen as proceeding from the central point of the *garbha-griha* in all directions of space, reaching to the *bindu* or point above the finial of the temple and beyond, or as a manifestation held together by a tension between the *bindu* and the *garbha-griha*, with the axis joining the two being the world axis (Kramrisch, 2002). Thus, the *shikhara* and the finial capping it is an important anchor-point for a Hindu temple's geometry.

Hindu philosophy was among the first to relate the human figure as the basis of a system of proportion, which centuries later was reflected by Leonardo da Vinci and Le Corbusier in the modular system of measurement. In Hindu philosophy, the form of the *purusha* (human) body was made to suit the abstract idea of the square as a supreme geometric form (Groover, 1980).

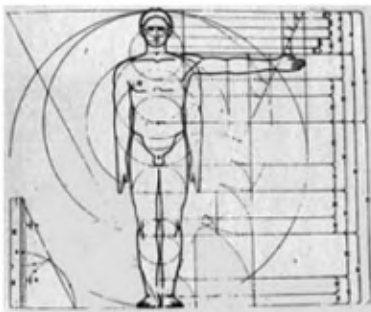


Figure 9.1

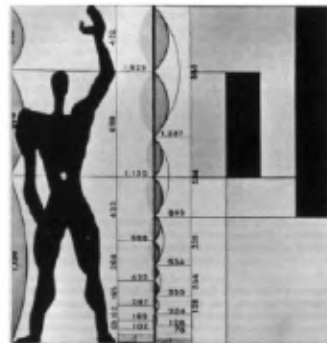


Figure 9.2

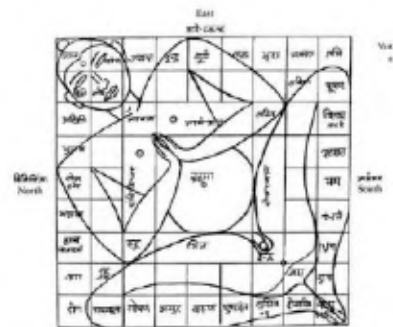


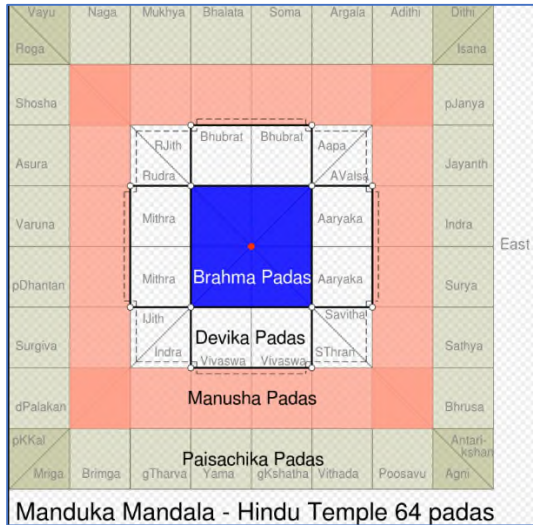
Figure 9.3

Figure 9.1 –The Vitruvian Man,(Source:www.boloji.com),

Figure 9.2- The Modulor,(Source: www. mypages.surrey.ac.uk),

Figure 9.3 –The Vastupurushamandala (Source: www.exoticindia.com)

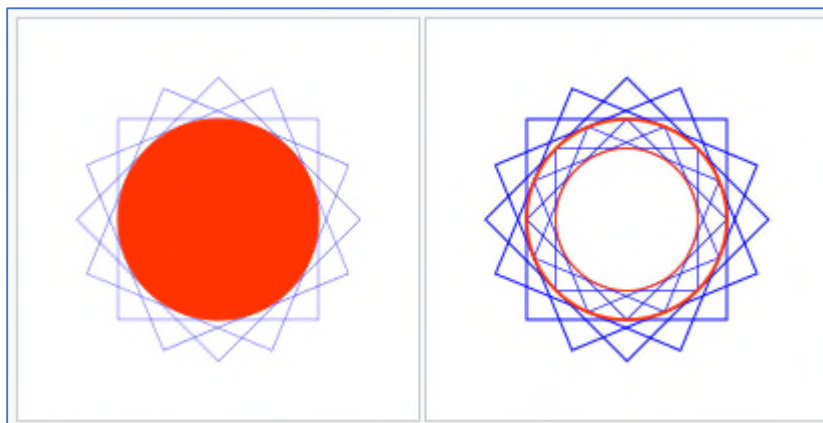
The basic form of the *Vastu-purusha-mandala* is the square, considered an ideal geometric form, from which all other necessary forms like the triangle, hexagon, octagon and circle, etc. can be derived. The square represents the four cardinal directions, the order and completeness of endless life and the perfectness of life and death (Mitchell, 1988). Man's everyday life is governed by the number 4, as in the four basic types or *varnas* of human beings, the four phases or *ashramas* of life, the four great epochs,



the four heads or lobes of *Brahma* (the Creator), the four Vedas, etc. Similarly, the circle represents the universe and is considered the perfect shape, without beginning or end, suggesting timelessness and infinity, a typically heavenly figure.

The *mandala* is a square subdivided into various other derivative shapes. The central position of the *mandala* is the place for Brahma and the others of other Gods as per their relevance.

The *vimana* or *shikhara* (spire) of the Hindu temple that rises symmetrically above the central core of the temple come in many designs and shapes, but they all have a mathematical precision and geometric symbolism.



One of the common principles found in Hindu temple spires is the circles and turning-squares theme, and a concentric layering design that flows from one to the other as it rises towards the sky (Meister, 2006).

The shape of the *shikhara* is inspired by the cosmic mountain of *Meru* or the Himalayan Kailasa, which is the

abode of the Gods and the representation of the full register of human consciousness.

4.2 Structural components

In the northern temples, the sanctum or *garbha-griha* is situated on a raised platform (*peetha*) over which is the socle (*vedibandha*). These have different decorative moldings. Above the *vedibandha* are the walls of the sanctum (*jangha*) with prominent offsets and niches, which are further crowned by the



cornice or a series of cornices (*varandika*). Above this is the superstructure (*shikhara*). On top of the *shikhara* is a single piece of stone with grooves called the *amalaka*, which is in turn crowned by the pot or grail and the finial. The whole temple complex including the *mandapas* and other shrines are usually raised on a terrace (*jagati*).

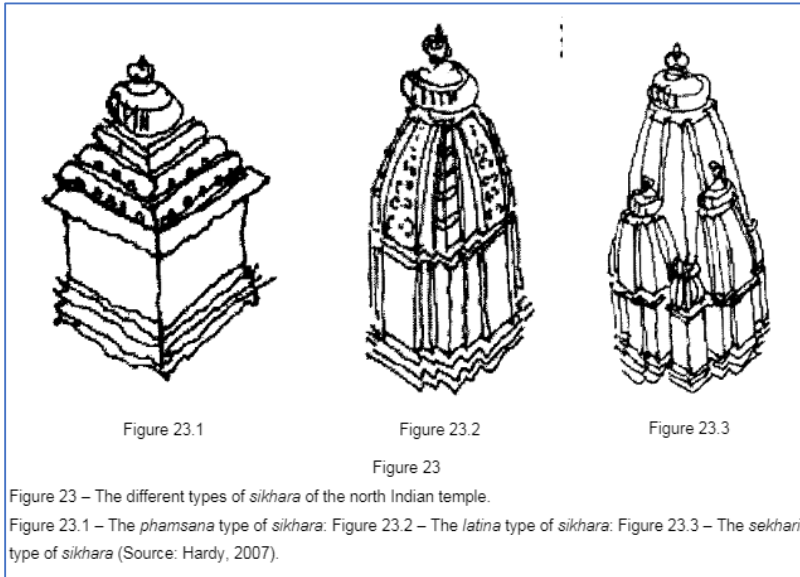
The sanctum usually has a flat decorative ceiling inside and the superstructure is usually hollow from inside to lessen the weight.

4.2.1 The *shikhara* or spire

The *shikhara* is the most distinctive feature and provides the basis for the most useful and instructive classification.

In the North Indian temple, there are three basic types of *shikhara*:

4.2.1.1 The *Latina shikhara* has a curvilinear outline and is composed of a vertical series of horizontal roof slabs. The surface of the entire *shikhara* is covered with a creeper-like interlaced work composed of



ornamental *chandrashala*. The *shikhara* diminishes at the top and is capped by a horizontal course (*skandhas*), above which is a circular necking (*greeva*) carrying a large grooved disc called the *amalaraka*. The *shikhara* is finally crowned with the *kalasha* (pot or grail) and the finial (South Asian Arts, 2008).

4.2.1.2 The *Phamsana shikhara* has a rectangular outline and is lower in height compared to the *Latina*. It also consists of horizontal slabs and is capped by

a bell-shaped member called the *ghanta*. The surfaces of this type of *shikhara* also have projections and are decorated with a variety of architectural ornamentations.

4.2.1.3 The *Shekhari shikhara* consists of a central *Latina* spire with one or more rows of half-spires added on the sides and the base strung with miniature spires. The corners, too, are sometimes filled with quarter-spires, the whole mass of carved masonry recalling a mountain with a cluster of subsidiary peaks.

In the northern style, the *Latina* and *Shekhari* are generally found on the sanctum and the *Phamsana* are usually found on the mandapa or pillared halls.



4.2.1.4 The *Kutina or Shala shikhara* is usually found in the southern style. The superstructure is pyramidal in form and consists of stepped stories. Each story replicated the main story and is conceived as having its own 'wall' enclosed by a parapet. The stepped structure is capped with a solid dome or cupola or with a barrel-vault roof. In the picture, the first is the *Kutina* and the latter is the *Shala* type. The structure is crowned with a pot and finial.

5. Dimensional Analysis

This section details the relation and comparison between the height of the temple in relation to its base area (or length). Data from several prominent temple specimens from, both, the northern and southern schools of architecture can be tabulated as follows:

5.1 Northern specimens

#	Temple	Period	Area of Main Shrine (sq. m)	Length of Main Shrine (m)	Height of Shikhara tower (m)	H/L ratio
1	Tigawa Temple, Jabalpur, MP	5 th c. CE	16.82	4.38	3.8	0.8676
2	Lakshmana Temple, Khajuraho, MP	10 th c. CE	34.18	9.75	24.5	2.5128
3	Rajarani Temple, Bhuvaneshwar, Odisha	10 th c. CE	63.17	8.94	18.89	2.113
4	Kandariya Mahadev Temple, Khajuraho, MP	11 th c. CE	36.82	10.8	35	3.2407

5.2 Southern specimens

#	Temple	Period	Area of Main Shrine (sq. m)	Length of Main Shrine (m)	Height of Shikhara tower (m)	H/L ratio
1	Ladh Khan Temple, Aihole, Karnataka	5 th c. CE	9.2	2.74	6.82	2.4891
2	Shore Temple, Mahabalipuram, TN	8 th c. CE	23.35	4.45	13.46	3.0247
3	Main Shrine, Itagi, Koppal district, Karnataka	12 th c. CE	54.13	7.11	14.2	1.9972
4	Vitthal Temple, Hampi, Karnataka	15 th c. CE	133.69	13.78	19.6	1.4224

Similarly, the average value for in-plan area ratios for the North Indian temple is 49.33% and the average value for the South Indian Temple is 36.55%. Thus, the Hindu temples traditionally seem safe and stable structures for vertical and seismic actions.

6. Hindu Temples in the United States

Temples in the United States and the Western world in general tend to be simple and utilitarian, but there is an increasing number of elaborate styles, mostly replicating ancient architectural styles. Both types fulfill the basic elements of architectural design, such as the temple tower.



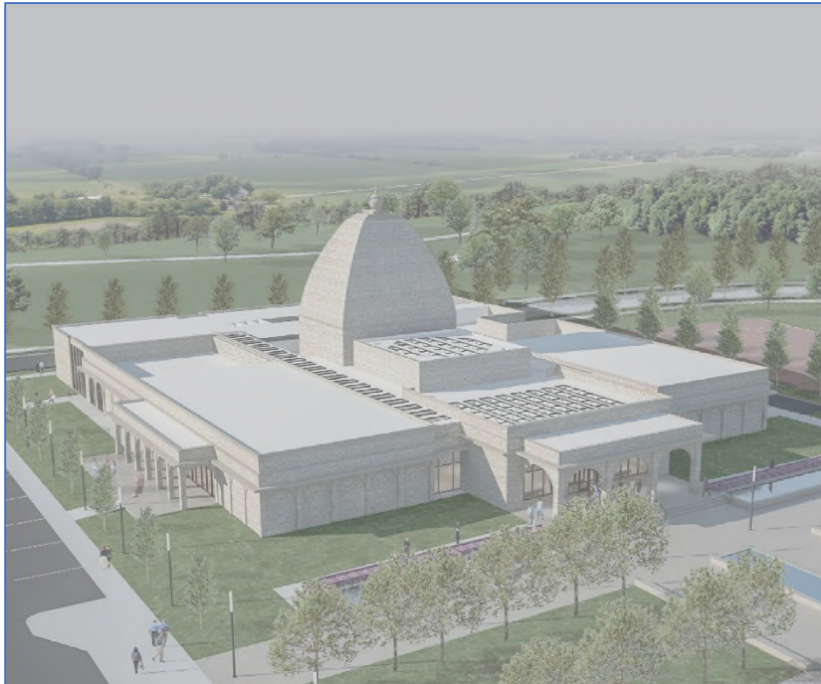
Examples of the northern style of architecture are the Swaminarayan temples. These temples typically feature not just one dome above the main sanctum, but three domes or *shikharas*. The Swaminarayan temple at Chino Hills in southern California received the City of Chino Hill's unanimous approval to construct a traditional Hindu temple with spires up to 78 feet in August 2011.

There are also several southern style temples such as the Shri Shiva Vishnu temple in Washington, DC, with, both, a multi-layered *vimana* and spire as well as a more than one majestic *gopurams* or gates such as the one on the right.



6.1 ISKCON's Krishna Temple, Columbus, OH

The proposed plan for ISKCON's Krishna Temple features a single dome in the northern architectural



style, above the main sanctum.

There are no domes above the main *mandapa* assembly hall, or the *bhoga-mandapa* or dining hall.

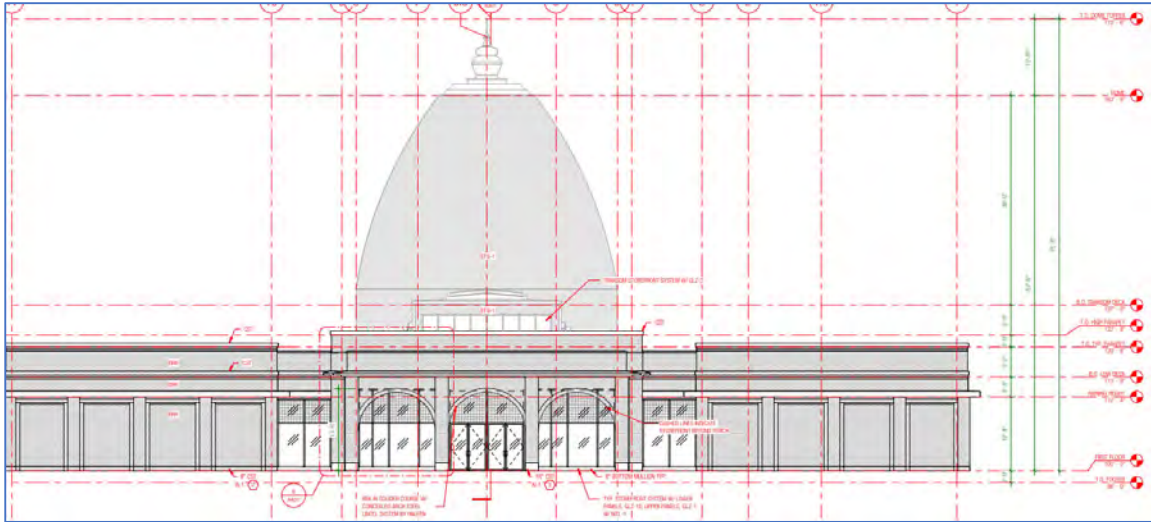
The proposed tower or *shikhara* reaches an elevation of 75 feet and 6 inches above ground, including the *kalasha* (grail) and finial.

It is set on top of the main sanctum which is 22 feet and 8 inches high. This puts the height of the tower itself at 54 feet and 10 inches, including a deck above the building roof.

The building base area is approximately 30,720 sq. ft. The length of the main shrine is 47 feet and 4 inches, giving a H/L ratio of approximately 1.16, which is at the lower end of the spectrum of ancient specimens of Hindu architecture that have weathered millennia (see section 5).

The proposed temple is situated far inside the premises, away from all public roads and other public and private constructions.

Below is a scaled drawing of the temple. Note that the finished first floor is marked as 100" instead of 0". It simply is a convention in architectural drawings to start the finished floor at 100" because some buildings have basements and to avoid the use of negative numbers to represent height in the underground.



7. Conclusion

Hindu temple architecture is based on several considerations, both pragmatic and sacred. The most defining characteristic of the temple is its spire or *shikhara*. The significance of the temple dome is rooted in sacred cosmology, geometry, and Hindu text. Its symbolism and aesthetics give the temple its cultural and religious identity. But, most important is the temple dome's sacred role in the practice of ISKCON's religion. Its proportions and presence serve as a focal point of the temple design and anchors the devotee's consciousness in space and time in the exercise of the religion.

ISKCON's proposed Krishna Temple in Columbus, OH incorporates a smaller dome in comparison to other temples specifically in the Gaudiya Vaishnava tradition to which it belongs. It provides an element of genuineness to the congregation and the community at large and permits the ISKCON congregation to perform its religious services within the inner sanctum under the dome.

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(614) 372-9144
desmond@cullimorelawfirm.com

August 10, 2021

SENT VIA EMAIL @ [bradfischer@franklincountyohio.gov]

Franklin County Board of Zoning Appeals
Franklin County Commissioners
Economic Development and Planning Department
Attn: Brad Fisher
Lazarus Building
150 South Front Street, FSL Suite 10
Columbus, Ohio 43215-7104

**Re: Motion for Reconsideration of Variance Application VA-4009
International Society for Krishna Consciousness**

Dear Board of Zoning Appeals,

The International Society for Krishna Consciousness ("ISKCON") moves the Board of Zoning Appeals requesting the BZA reconsider the denial of ISKCON's Variance Application, Case No. VA-4009, that was the subject of a hearing on July 19, 2021.

The BZA has the authority to reconsider their decision before an appeal is filed or before the 30-day time limit expires for filing such appeal. *State ex rel Borsuk v. Cleveland*, 28 Ohio St 2d 224 (1972). Thus, the BZA has authority to reconsider the denial of ISKCON's variance requests at the scheduled meeting on August 16, 2021.

The Economic Development and Planning Department issued its Staff Report for Case No. VA-4009 on July 13, 2021. ISKCON's Variance Application provided that the Northwest Bible Church was within Brown Township. The Staff Report, however, indicated that the church was in the City of Hilliard and outside of the County zoning jurisdiction. ISKCON was not permitted adequate time to investigate and address this statement prior to the hearing on July 19, 2021, given the short time between the issuance of the Staff Report and the hearing. Thus, the BZA was not given the opportunity to consider important information related to ISKCON's Variance Application.

The Northwest Bible Church is currently within the City of Hilliard and, therefore, not currently subject to the Franklin County Zoning Resolution. This church, however, was covered under the Franklin County Zoning Resolution at the time it was designed and

Franklin County Board of Zoning Appeals
Franklin County Commissioners
Page 2 of 3

constructed within Franklin County, Brown Township. The church was designed to be constructed to a height a 91'2" height. In 1998, the Northwest Bible Church sought and received a variance to exceed the 38-foot height limitation provided in Zoning Resolution Section 302.047 to construct the church to a height of 91' 2".¹ This is the same regulation from which ISKCON seeks a variance.

The variance request stated, like ISKCON in its application, that "A steeple is a typical feature of churches." That variance request had a public hearing before the BZA on May 18, 1998, and per a letter from Development Director George Kinney the BZA "approved a request for a variance from Section 302.047 to allow for the construction of a church and steeple that exceeds the maximum height regulation for the Rural District."²

Northwest Bible Church was ultimately constructed in 2002 and annexed from Brown Township to the City of Hilliard in 2010.³

Thus, the Staff Report accurately stated that the Northwest Bible Church is currently in the City of Hilliard but important new information on the history of the development of this church and the BZA considering and granting a variance for a permitted religious structure in the Rural District to exceed the height restriction contained in Zoning Resolution Section 302.047 was not presented to the BZA.

At the July 19, 2021, hearing on ISKCON's Variance Application, the discussion centered around the variance in the height regulation. A motion to approve all variances was made and ultimately denied. As a result, the dumpster variances were not considered independently from the height variance.

ISKCON believes that this is a clear demonstration that new facts or unconsidered circumstances exist that warrant reconsideration of the Variance Application. ISKCON requests that the BZA reconsider its Variance Application based on the facts presented to the BZA and this new information.

¹ A copy of that variance request is attached and is noted as Case No. VA-3053.

² See the attached letter from Development Director George Kinney.

³ A copy of that Annexation Petition is attached along with County Commissioner Resolution 0857-10 which was passed on November 16, 2010, is attached.

Franklin County Board of Zoning Appeals
Franklin County Commissioners
Page 3 of 3

Thank you for your prompt attention to this matter. Please let me know if you have any questions or concerns. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Desmond J. Cullimore". The signature is fluid and cursive, with a large initial "D" and "C".

Desmond J. Cullimore

Enclosures

cc: Kenneth N. Wilson; County Administrator
James Schimmer; Director
Jenny Snapp; Assistant Director
Matthew Brown; Planning Administrator

FRANKLIN COUNTY COURTHOUSE



FRANKLIN COUNTY DEVELOPMENT DEPARTMENT

BUILDING, ZONING AND ANNEXATIONS

373 South High Street • Columbus, Ohio 43215-6304

Building (614) 462-3166 • Zoning and Annexations 462-3094
FAX (614) 462-3144

DIRECTOR, GEORGE G. KINNEY

May 22, 1998

Northwest Bible Church
4066 Main Street
Hilliard, Ohio 43026

Re: #VA-3053

Dear Sirs:

This is to inform you that the application for a Variance which you filed with this office was given a public hearing by the Franklin County Board of Zoning Appeals on May 18, 1998.

The above Board approved a request for a Variance from Section 302.047 to allow for the construction of a church and a steeple that exceeds the maximum height regulation for the Rural District. The Board also approved a request for a Variance from Section 531.041 to allow for the construction of an access drive that exceeds the maximum throat width of twenty-five (25) feet.

Sincerely,

George G. Kinney, Director
Franklin County Development Department

c. Robert Brokaw, Architect

BOARD OF COMMISSIONERS

Dorothy S. Teater • Arlene Shoemaker • Dewey R. Stokes



FRANKLIN COUNTY BOARD OF ZONING APPEALS
373 SOUTH HIGH STREET
TEL: 462-3094
VARIANCE

NOTICE OF
APPEAL FOR A VARIANCE
FROM ZONING RESOLUTION

For IZA Use Only	
VA:	3053
Date Filed:	04/17/98
Fee Receipt No.:	68160
Received by:	BW

---Please type or print information - Use additional sheets as necessary---

TO THE HONORABLE COUNTY BOARD OF ZONING APPEALS:

The Applicant, Northwest Bible Church
being the owner(s) of property located in Brown Township(s) and being within the
Rural Zoning District, requests variance from the following listed provisions or
requirements of such zoning district: Height - Section 302.047 and
Drive Width - Section 531.041

and the approval, in accordance with the attached plans, of (state here what is intended to be done on, or with the property insofar as a variance is necessary):

Height = 58'-11" to ridge plus additional 32'-3" for steeple for 91'-2" total
Drive Width = 36'-0" for (3) 12'-0" lanes, one in and two out.

What application for a Certificate of Zoning Compliance has been filed in connection with the proposed development.
(Identify by Number): None

A. DESCRIPTION OF SUBJECT PROPERTY

1. General Description of Property (describe by one of the following):

a. Lot(s)/Reserve(s) - SEE ATTACHED DEED - of _____

b. Beginning at a point along - SEE ATTACHED LEGAL DESCRIPTION -

(street or other) and being _____ feet in a N S E W (circle) direction from the
_____ (specify) of _____ (street or other) and thence having
a dimension of _____ feet along _____

(street or other) and a dimension of _____ feet from the _____
_____ (specify) of _____
(street or other), and having an area of _____ acres/square feet.

c. Attached legal description: YES NO _____

Required Submissions:

1. Two (2) copies of map accurately drawn to an appropriate scale (to fill a sheet not less than 8.5 x 11 inches and not more than 16 x 20 inches). The map shall be identified and submitted in addition to the General Description of Land. The map shall include the subject property and all land within five hundred (500) feet of such property.
2. A list of all owners of property contiguous to and directly across the street from the subject property. The address of owners shall be those appearing on the County Auditor's current tax list of the Treasurer's mailing list. List all property owners within 300 feet in all directions of proposed change. (see table in the last page)

B. ARGUMENTS FOR VARIANCE

Section 303.14, Ohio Revised Code, and the Zoning Resolution authorize the Board of Zoning Appeals to approve only such variance that (1) will not be contrary to the public's interest; (2) that the spirit of the resolution shall be observed; (3) substantial justice done; and (4) in accordance with the general and specific rules contained within Article VIII of the Zoning Resolution. The Board of Zoning Appeals may grant the variance requested in this application only if it appears and the Board specifies in their findings that the facts which establish that each of the following conditions is met:

THE APPLICATION MUST SUMMARIZE BELOW ITS CLAIM WITH REGARD TO EACH CONDITION

1. That 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 floor area and capacity requires a taller building to shed the rain water with a sloped roof. To visually separate the auditorium, the roof is offset 5'-7". The steeple is a typical feature for churches.
2. That a literal interpretation of the provisions of this Zoning Resolution would deprive the applicant of rights commonly enjoyed by the other properties in the same Zoning district under the terms of this Zoning Resolution.

3. That the special conditions and circumstances do not result from the action of the applicant.

The narrow frontage provides the only access to the site. For a more efficient flow of traffic exiting the site, a left turn only lane is proposed, increasing the drive width to 36'.
4. That 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.

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 injurious to private property or public improvements in the vicinity.

C. AFFIDAVIT

Before completing this application and executing the following affidavit, it is recommended that the application be discussed with the Staff of the Franklin County Development Department.

APPLICANT'S AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

I/WE Northwest Bible Church - Assoc Chuck Wemp being duly sworn, depose and say that I am/We are the owner(s)/lessee(s) of land included in the application and that the foregoing statement herein contained and attached, and information or attached exhibits thoroughly to the best of my/our ability present the arguments in behalf of the application herewith submitted and that the statements and attached exhibits above referred to are in all respects true and correct to the best of my/our knowledge and belief.

Chuck Wemp
(signature)

4066 Main St
(mailing address)

Hilliard OH 43026

PHONE: 614-876-7882

Subscribed and sworn to before me this 17 day of APRIL, 19 98.

Jane E. Kluff
Notary Public
1-24-2000

Person to be contacted for details, if other than above signatory:

ROBERT BROKAW, MEACHAM & APPEL ARCHITECTS, 5640 FRANZ RD, DUBLIN 43017
(name) (address) (phone)
764-0407



Commissioners
 Paula Brooks, President
 Marilyn Brown
 John O'Grady

Economic Development & Planning Department
 James Schimmer, Director

Application for
**Annexation
 Petition**

Expedited Typ 2
 Pursuant to ORC §709.023

RECEIVED

OCT 14 2010

RFB

Franklin County Planning Department
 Franklin County, Ohio

2

Property Information	
Site Address 6639 Scioto Darby Road, Hilliard, Ohio 43026	
Parcel ID(s) 120-000251	Total Acreage 21.43+/-
From Township Brown	To Municipality Hilliard

Staff Use Only
Case # <i>ANYELP2 H-10</i>
Hearing date: <i>11/16/10</i>
Date filed: <i>10/14/10</i>
Fee paid <i>\$30.00</i>
Receipt # <i>22815</i>
Notifications deadline: 5 days <i>10/19/10</i>
Svc statement deadline: 20 days <i>11/3/10</i>

Property Owner Information	
Name Northwest Bible Church	
Address 6639 Scioto Darby Road Hilliard, OH 43026	
Phone # (614) 876-7882	Fax #
Email	

Attorney/Agent Information	
Name Jackson B. Reynolds, III, c/o Smith & Hale LLC	
Address 37 W. Broad St., Ste. 725, Columbus, OH 43215	
Phone # (614) 221-4255	Fax # (614) 221-4409
Email jreynolds@smithandhale.com	

Document Submission
The following documents must accompany this application on letter-sized 8 1/2" x 11" paper.
<input checked="" type="checkbox"/> Legal description of property
<input checked="" type="checkbox"/> Map/plot of property
<input checked="" type="checkbox"/> List of adjacent properties

Waiver of Right to Appeal			
<p>WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.</p>			
Property Owner _____	Date _____	Property Owner _____	Date _____

Economic Development · Community Development
 150 South Front Street, FSL Suite 10, Columbus, Ohio 43215
 Tel: 614-462-5631
 Fax: 614-462-4876
 www.FranklinCountyOhio.gov

Planning · Zoning · Building
 Planning & Zoning Tel: 614-462-3094
 Building Permits Tel: 614-462-3166
 Fax: 614-462-7155

10060401

July 29, 2010

DESCRIPTION OF 21.43 ACRES OF LAND LOCATED ON THE SOUTHERLY SIDE OF SCIOTO-DARBY CREEK ROAD (COUNTY ROAD NO. 29) AND WEST OF ALTON-DARBY CREEK ROAD IN THE TOWNSHIP OF BROWN, COUNTY OF FRANKLIN, STATE OF OHIO TO BE ANNEXED TO THE CITY OF HILLIARD

Situated in the State of Ohio, County of Franklin, Township of Brown, being in Virginia Military Survey Number 6640 and containing 21.43 acres of land, more or less, 21.43 acres being all of the residue of those tracts of land conveyed to the Northwest Bible Church by deeds of record in (20.628 acres) Official Record 20759H07, (0.527 acre) Instrument No. 201006070070173 and (0.527 acre) Instrument No. 200810140152425, all being of record in the Recorder's Office, Franklin County, Ohio, said 21.43 acres being more particularly described as follows:

Beginning at a point in the southerly right-of-way line of Scioto-Darby Creek Road (County Road No. 29) at the southeasterly corner of that 0.072 acre tract of land designated as PARCEL 63-WD and described in the deed to the Franklin County Commissioners, of record in Instrument Number 200501070005135, said beginning point being in the existing City of Hilliard Corporation line as the same was established by City of Hilliard Case No. 20-06, Ordinance No. 01-14 and recorded in Instrument No. 200705150084832, all being of record in the Recorder's Office, Franklin County, Ohio, said beginning point being located 35 feet southerly from, as measured at right angles, the centerline of said Scioto-Darby Creek Road; from said beginning point;

Thence, southwardly, a distance of 195 feet more or less to a point;

Thence eastwardly, parallel with and 230 feet southerly from, as measured at right angles, the centerline of said Scioto-Darby Creek Road, a distance of 200 feet, more or less, to a point;

Thence southwardly, a distance of 928 feet, more or less, to a point;

Thence westwardly, a distance of 60 feet, more or less, to a point of curvature;

Thence westwardly, with the arc of a curve to the right having a radius of 230 feet, a chord distance of 97 feet, more or less, to a point;

Thence southwardly, a distance of 242 feet, more or less, to a point;

Thence northwestwardly, a distance of 219 feet, more or less, to a point;

Thence northwestwardly, a distance of 1016 feet, more or less, to a point;

Thence northwardly, a distance of 275 feet, more or less, to a point;

Thence eastwardly, parallel with and 230 feet southerly from as measured at right angles, the centerline of said Scioto-Darby Creek Road, a distance of 600 feet, more or less, to a point;

Thence northwardly, a distance of 195 feet more or less, to a point in the southerly right-of-way line of said Scioto-Darby Creek Road at the southwesterly corner of that 0.080 acre tract of land designated as PARCEL NO. 61-WD and described in Exhibit "A" in the deed to the Franklin County Commissioners, of record in Instrument No. 200505110089483, Recorder's Office, Franklin County, Ohio, said point also being in said existing southerly Corporation Line;

Thence eastwardly, with the southerly right-of-way line of said Scioto-Darby Creek Road, with the southerly line of said PARCEL 61-WD, with the southerly line of that 0.048 acre tract of land designated as PARCEL 62-WD and described in Exhibit "A" in the deed to the Franklin County Commissioners, of record in instrument No. 200501190011675, Recorder's Office, Franklin County, Ohio, with the southerly line of said PARCEL 63-WD and with said existing Corporation Line, the same being parallel with and 35 feet southerly from, as measured at right angles, the centerline of said Scioto-Darby Creek Road, a distance of 250 feet, more or less, to the point of beginning and containing 21.43 acres of land, more or less.

The total length of the proposed annexation is 4,377 feet, more or less, of which 250 feet, more or less are contiguous with said City of Hilliard Corporation Line. This proposed annexation does not create any islands of township land.

This description was written for annexation purposes only and is not intended to be used in the transfer of any lands.

BAUER, DAVIDSON & MERCHANT, INC.
Consulting Engineers

Jimmie L. Davis
Jimmie L. Davis,
Professional Surveyor No. 6941



RECEIVED

AUG 19 2010

Franklin County Engineer
Dean C. Ringle, P.E., P.S.

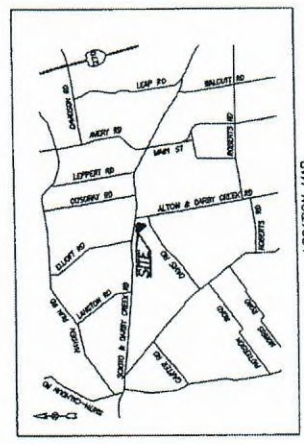
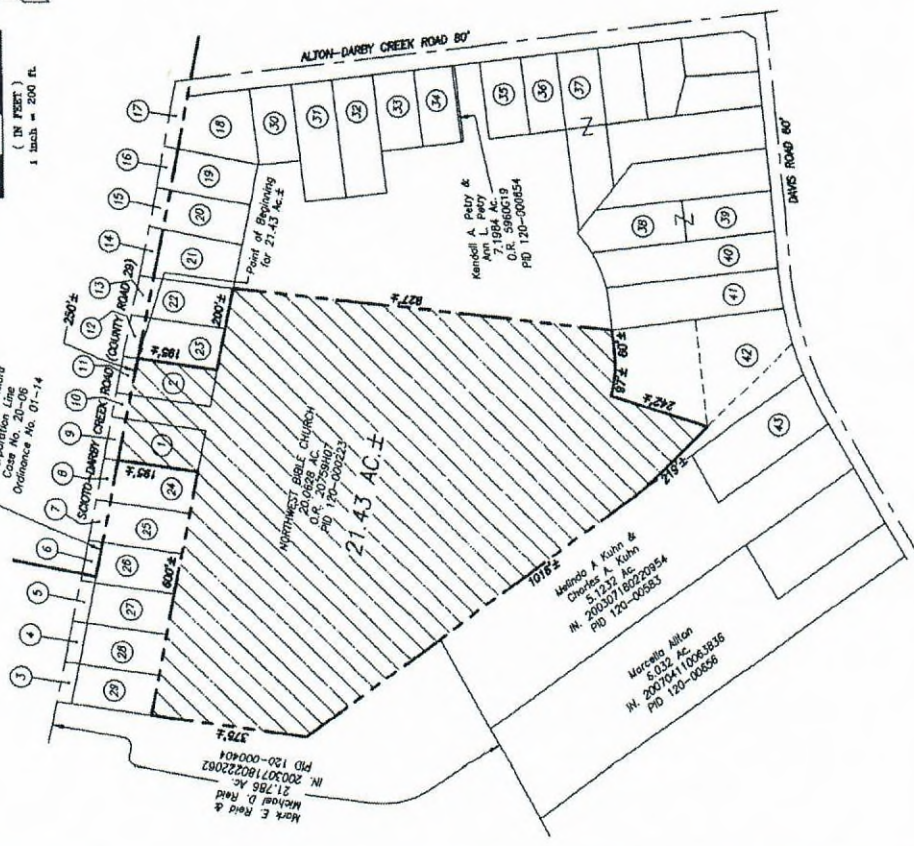
ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER

By *BDFAR* Date *8/19/2010*

RECEIVED

OCT 14 2010

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF BROWN,
BEING IN VIRGINIA MILITARY SURVEY 6640,
CONTAINING 21.43± ACRES OF LAND SOUGHT TO
BE ANNEXED TO THE CITY OF HILLIARD, OHIO



- 1 NORTHWEST BIBLE CHURCH... 2 NORTHWEST BIBLE CHURCH... 3 FRANKLIN COUNTY COMMISSIONERS... 4 FRANKLIN COUNTY COMMISSIONERS... 5 FRANKLIN COUNTY COMMISSIONERS... 6 FRANKLIN COUNTY COMMISSIONERS... 7 FRANKLIN COUNTY COMMISSIONERS... 8 FRANKLIN COUNTY COMMISSIONERS... 9 FRANKLIN COUNTY COMMISSIONERS... 10 FRANKLIN COUNTY COMMISSIONERS... 11 FRANKLIN COUNTY COMMISSIONERS... 12 FRANKLIN COUNTY COMMISSIONERS... 13 FRANKLIN COUNTY COMMISSIONERS... 14 FRANKLIN COUNTY COMMISSIONERS... 15 FRANKLIN COUNTY COMMISSIONERS... 16 FRANKLIN COUNTY COMMISSIONERS... 17 FRANKLIN COUNTY COMMISSIONERS... 18 CHARLES L. COON & PATRICK L. COON... 19 WOODROW PARCELS... 20 DAVID CLAIR & ELINDA C. CLAIR... 21 KRISTOPHER R. CONLEY & JENNIFER M. CONLEY... 22 JENAI L. SCHW... 23 CHRISTOPHER L. RICHMOND & JESSICA S. PRITCHARD... 24 RENEE H. HORN... 25 ERIC T. McDONNELL & LARA K. McDONNELL... 26 STEVEN J. WINTERBORN & MARISSA... 27 CATHERINE I. JONES... 28 LESTER LINDSAY & ERMA M. LINDSAY... 29 ALLEN T. EWMS & JAMES K. EWMS... 30 DANIEL L. HALL & CHERYL A. HALL... 31 JAMES F. STARR & DEBRA S. STARR... 32 JERRY R. SCHMALJOHN & BROOKLYN M. McALPIN...

RECEIVED

OCT 14 2010

Franklin County Planning Department
Davidson & Merchant, Inc.
Consulting Engineers

ANNEX No. _____ ORD. No. _____
TO THE
CITY OF HILLIARD
FROM
BROWN TOWNSHIP 21.43AC.
DATE: _____ SCALE 1" = 200'

The local partition boundary of reservation area is 1.377± acres. The area shown is contiguous to the City of Hilliard.
LEGEND:
EXISTING CITY OF HILLIARD CORP. LINE
PROPOSED CITY OF HILLIARD CORP. LINE
AREA TO BE ANNEXED
SCALE: 1" = 200'
DATE: August 19, 2010
ORDER NO. 604-10

RECEIVED

OCT 26 2010

*Resolution
of the
City of Hilliard, Ohio*

Franklin County Planning Department
Franklin County, OH

Resolution No. 10-R-40

Page 1 of 2

Adopted: October 25, 2010

A RESOLUTION INDICATING WHAT SERVICES THE CITY OF HILLIARD WILL PROVIDE TO THE 21.43 ACRES ± LOCATED IN BROWN TOWNSHIP, FRANKLIN COUNTY, OHIO, UPON ANNEXATION TO THE CITY, AND TO PROVIDE FOR BUFFER REQUIREMENTS.

WHEREAS, on October 15, 2010, pursuant to Ohio Revised Code Section 709.023, the property owner seeking the annexation of 21.43 acres ± of real property in Brown Township, Franklin County, Ohio, contiguous to the City of Hilliard, filed a Petition for Annexation of its property to the City of Hilliard with the Board of County Commissioners of Franklin County, Ohio, a copy of which is attached hereto as Exhibit "A", notice of which was duly served upon the City of Hilliard as prescribed by law; and

WHEREAS, Ohio Revised Code Section 709.023(C) provides that within twenty days after the date that the petition is filed, the municipal corporation to which annexation is sought shall adopt a Resolution stating what services the municipal corporation will provide to the territory seeking annexation and an approximate date by which it will provide those services; and

WHEREAS, Ohio Revised Code Section 709.023(C) also provides that within that same twenty day period, a municipal corporation shall adopt an ordinance or resolution stating that, if the territory is annexed and becomes subject to zoning by the municipal corporation and that if the municipality corporation's zoning permits uses in the annexed territory that the municipal corporation determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining in the township from which the territory was annexed, the municipal corporation shall require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hilliard, Ohio that:

SECTION 1. In the event that the proposed 21.43 acres ± (the "Property") is annexed to the City of Hilliard, Ohio, the City will provide to the Property the full range of municipal services available to the residents of, and to the property within, the City of Hilliard, including but not limited to police protection, mayor's court, public works and street maintenance, residential refuse collection, planning, building, zoning and engineering services, and parks and recreation, all of which can be provided immediately upon the effective date of the annexation as provided by law. Should it be determined that as a result of the annexation, the boundary line between the township and the City divides or segments a street or highway so as to create a road maintenance problem the City, as a condition of the annexation, shall assume the maintenance of that street or highway or otherwise correct the problem.

SECTION 2. The County Commissioners have previously requested information on the status of water and sewer services to and within suburbs of the City of Columbus. The proposed annexation area is included within the boundaries of the area of the City of Hilliard's Water Service Contract and Sewerage Contract with the City of Columbus and those services are provided in accordance with the terms and conditions of those contracts. The City of Hilliard shall be under no obligation to extend water or sewer lines to any of the Property at the cost of the City or in contravention of the contracts.

SECTION 3. If the Property is annexed and becomes subject to the City of Hilliard zoning and the City zoning permits uses in the annexed territory that the City determines are clearly incompatible with the uses permitted under applicable county or township zoning regulations in effect at the time of the filing of the petition on the land adjacent to the annexed territory remaining in the unincorporated area of Norwich Township, then the City of Hilliard will require the owner or owners of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Norwich Township.

SECTION 4. The Clerk of Council is hereby directed to forward and file certified copies of this Resolution with the Franklin County Board of County Commissioners and to send a copy to the Agent for the Petitioners for annexation within twenty days following the date that the petition was filed.

SECTION 5. This Resolution shall become effective upon its adoption.

ATTEST:

Lynne M. Fasone
Lynne M. Fasone
Clerk of Council

SIGNED:

Brett A. Scotto
Brett A. Scotto
President of Council

APPROVED AS TO FORM:

Pamela A. Fox
Pamela A. Fox
Director of Law

APPROVED:

Donald J. Schonhardt
Donald J. Schonhardt
Mayor

10-R-40

VOTE:	Yea	Nay	Abstain
President Scotto	✓		
Vice President McGivern	✓		
Ashenhurst	✓		
Iosue	✓		
Kunze	✓		
Roberts	✓		
Urtley	✓		
Results:	7	0	0

I, Lynne M. Fasone Clerk of Council
hereby certify that the foregoing is a true copy
of Resolution 10-R-40 duly adopted
by the Council of the City of Hilliard
the 25th day of October, 2010.

Lynne M. Fasone
Clerk of Council
City of Hilliard

Resolution No. 0857-10

November 16, 2010

Review of Petition to Annex 21.43 +/- acres from Brown Township to the city of Hilliard by Jackson B. Reynolds, III, Esq. Case #ANX-EXP2-14-10 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Jackson B. Reynolds, III, Esq. filed on behalf of the Northwest Bible Church on October 14, 2010 and solicited to and/or been heard by all persons desiring to be reviewed for or against the granting of the Expedited Type 2 petition, and having considered all the facts with reference thereto, being fully advised, and

WHEREAS, the Commissioners make the following findings based upon the exhibits and testimony presented at the review of this matter:

1. The petition does meet all the requirements set forth in, and was filed in the manner provided in, section 709.021 of the Revised Code.
2. The persons who signed the petition are owners of the real estate located in the territory proposed for annexation and constitute all of the owners of real estate in that territory.
3. The territory proposed for annexation does not exceed five hundred acres.
4. The territory proposed for annexation shares a contiguous boundary with the municipal corporation to which annexation is proposed for a continuous length of at least five percent of the perimeter of the territory proposed for annexation.
5. The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation.
6. The municipal corporation to which annexation is proposed has agreed to provide to the territory proposed for annexation the services specified in the relevant service resolution #10-R-40, passed on October 25, 2010 by the city of Hilliard.

Resolution No. 0857-10

November 16, 2010

Review of Petition to Annex 21.43 +/- acres from Brown Township to the city of Hilliard by Jackson B. Reynolds, III, Esq. Case #ANX-EXP2-14-10 (ECONOMIC DEVELOPMENT & PLANNING)

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

That, in accordance with the findings made in the preamble, which are incorporated herein, the prayer of the Petition be *approved*, and the territory sought to be annexed by the petition filed herein *shall* be annexed to the city of Hilliard, Ohio, in accordance with the law; that the orders and proceedings of this board relating to the Petition, and map and description attached thereto, and all papers on file relating to this matter be delivered forthwith to the Clerk of Council, city of Hilliard, Ohio.

Prepared by: R. Lee Brown

C: Economic Development & Planning Department

SIGNATURE SHEET FOLLOWS

SIGNATURE SHEET

Resolution No. 0857-10

November 16, 2010

REVIEW OF PETITION TO ANNEX 21.43 +/- ACRES FROM BROWN TOWNSHIP TO THE CITY OF HILLIARD BY JACKSON B. REYNOLDS, III, ESQ. CASE #ANX-EXP2-14-10

(Economic Development and Planning)

Upon the motion of Commissioner Marilyn Brown, seconded by Commissioner Paula Brooks:

Voting:

John O'Grady, President	Aye
Paula Brooks	Aye
Marilyn Brown	Aye

Board of County Commissioners
Franklin County, Ohio

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Franklin County, Ohio on the date noted above.



Debra A Willaman, Clerk
Board of County Commissioners
Franklin County, Ohio



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

Economic Development & Planning Department
James Schimmer, Director

RESOLUTION SUMMARY

REVIEW OF PETITION TO ANNEX
21.43 +/- ACRES FROM
BROWN TOWNSHIP
TO THE CITY OF HILLIARD
BY JACKSON B. REYNOLDS, III, ESQ.

Description:

Attached is a resolution to consider the annexation of 21.43-acres, more or less, from Brown Township to the city of Hilliard. The petition case number is ANX-EXP2-14-10.

Applicant:

Northwest Bible Church

Agent:

Jackson B. Reynolds, III, Esq.

Site:

6639 Scioto Darby Creek Road

Additional Information:

The site is contiguous to the city of Hilliard on one side. The proposed annexation does not include the right-of-way of Scioto Darby Creek Road.

Analysis:

The applicant *has met* all statutory requirements outlined in Section 709.21 of the Ohio Revised Code. The applicant *has* provided proof of notification, and timeline and *has* provided a service resolution from the city of Hilliard stating the services that will be provided once the annexation has been approved. The city of Hilliard has agreed to provide the territory proposed for annexation the services specified in the relevant service resolution #10-R-40 passed October 25, 2010.

Recommendation:

Pending any questions, staff would request your ***approval*** of this annexation.



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

Economic Development & Planning Department
James Schimmer, Director

MEMO JOURNALIZATION

TO: Debbie Willaman, County Clerk
Franklin County Commissioners Office

FROM: R. Lee Brown, Planning Administrator
Franklin County Economic Development & Planning Department

CC: James Schimmer, Director
Franklin County Economic Development & Planning Department

RE: Description of Expedited Type 2 annexation case to be
journalized on the **October 19, 2010** General Session Agenda
for a review on **November 16, 2010**.

Case #ANX-EXP2-14-10- An annexation ANX-EXP2-14-10 was filed in our office on October 14, 2010. The petition is requesting to annex 21.43+/- acres from Brown Township to the city of Hilliard. The applicant is the Northwest Bible Church. The agent is Jackson B. Reynolds, III, Esq. **Site: 6639 Scioto Darby Creek Road (Parcel Numbers: 120-000251, 120-000587 and 120-000223)**

Fisher, Brad M.

From: Eric Ayles <aylesbills@gmail.com>
Sent: Wednesday, July 14, 2021 8:25 PM
To: Fisher, Brad M.
Subject: ATTN: Case# VA-4009

Hello,

I am writing to express my concern for the potential variance from the Franklin County Zonong Resolution: Section 302.047. As a member of the local business and finance community, as well as, the Hilliard community I see the value of what this structure can bring to the community, but the value of this potential addition to the community seems to be outshined by what the impending size of the structure will do to the scenic beauty of the area.

I hope that you do not take lightly the potential effects of not just this structure but the precedent this will set in our greater rural communities. This type of zoning change is a slippery slope that we must actively weigh the pros and cons for before making way for the additional sprawl and clutter of our horizon lines. As I am sure you are aware these choices once made are much harder to reverse once they have been initiated. Please pause and consider the ramifications of this decision. I am sure in your deliberation you will make a sound decision for your community.

Thank you,

Eric Ayles

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Fisher, Brad M.

From: brianna warner <breenicole@sbcglobal.net>
Sent: Friday, July 16, 2021 4:01 PM
To: Fisher, Brad M.
Subject: Opposition to case VA-4009

To whom it may concern,

I am writing to you in opposition to the variance for a 75ft structure on Walker road. I grew up in the area and feel that a structure of this height would greatly impact the scenic area. Consideration should be taken for the Big Darby creek and previous measures taken in the area or protect our wildlife and water shed.

Thank you,
Bree Ruoff
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Fisher, Brad M.

From: ROBERT BOWER <bbower2366@icloud.com>
Sent: Friday, July 16, 2021 12:59 PM
To: Fisher, Brad M.
Subject: Attn: Case# VA-4009

I am opposed to the variance on the above case. Thank you.

Robert Bower
2366 Amity Rd
Hilliard Ohio 43026
Brown Township

Sent from my iPad
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Fisher, Brad M.

From: Karen Boyd <karenannboyd@icloud.com>
Sent: Friday, July 16, 2021 3:45 PM
To: Fisher, Brad M.
Subject: Attn:Case# VA-4009

I am opposed to the approval of this variance. Living near Brown Township and traveling on Walker Road for a variety of reasons, I think this would interfere with our lives, causing traffic issues and other problems. The height of the building is too tall and would invite other tall/taller buildings to be built. This is the last area of Hilliard that has not been overly impacted by the growth spurt and we need to protect as much of this area as possible.

Thank-you, Karen Boyd

Sent from my iPhone
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Fisher, Brad M.

From: cmbrazeau@gmail.com
Sent: Monday, July 19, 2021 9:02 AM
To: Fisher, Brad M.
Subject: Attn: Case# VA-4009

Mr. Fisher,

I had sent this to your email inbox last Friday from my work email, but received an undelivered message over the weekend so I am just resending from my personal email.

Thank you,

Craig Brazeau

From: Craig Brazeau <cbrazeau@na.honda.com>
Sent: Sunday, July 18, 2021 7:56 PM
To: cmbrazeau@gmail.com
Subject: FW: Attn: Case# VA-4009

From: Craig Brazeau
Sent: Friday, July 16, 2021 1:28 PM
To: bradfisher@franklincountyohio.gov
Subject: Attn: Case# VA-4009

Dear Mr. Fisher,

I am corresponding today to state that I disagree with the variance request for this case due to the significant increase in height over the rural zoning requirements for our area.

Sincerely,

Craig Brazeau
3547 Darby Knolls Blvd.
Hilliard, OH

Confidentiality Notice: This transmission (including any attachments) may contain confidential information belonging to the sender and is intended only for the use of the party or entity to which it is addressed. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, retention or the taking of action in reliance on the contents of this transmission is strictly prohibited. If you have received this transmission in error, please immediately notify the sender and erase all information and attachments.

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Fisher, Brad M.

From: Sharon Brown <tlcpetsitr@yahoo.com>
Sent: Sunday, July 18, 2021 10:17 AM
To: Fisher, Brad M.
Subject: ATTN: Case #VA-4009

Dear Mr. Fisher,

This is my formal request for denying the structure to be located at XXXX Walker Road, Brown Township. My concern is the 75-foot tall "peak" of the church. It WILL NOT blend into the surrounding area. This is the only thing I am opposed to. It will ruin the "country setting" that we have out here. It will be an eyesore!!! It is bad enough the traffic will be increasing on our small country roads, but this monstrosity cannot be allowed.

Thank you for your time.

Pawsitively,
Sharon Brown

*Sharon Brown, Owner/President
Sharon's TLC Pet Cottage LLC
www.tlcpetcompanion.com*

*Precious Secrets Sheltie Rescue (Retired)
<http://www.pssr.org>*

*Central Ohio Sheltie Rescue
<http://www.centralohiosheltierescue.com>*

*Tri-State Collie Rescue
<http://www.tristatecollierescue.org>*

"If there are no dogs when I get to heaven, then I want to go where they went"

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Fisher, Brad M.

From: Christopher Warner <christopher.l.warner@gmail.com>
Sent: Friday, July 16, 2021 2:59 PM
To: Fisher, Brad M.
Subject: Case #VA-4009

I oppose the Request for Variance, in re: Case #VA-4009. To be clear, I am only opposed to the height variance. I support the establishment of the new complex. As you are certainly aware, pertaining to Rural Districts, the Franklin County Zoning Code at Section 302.047 expressly states: "Maximum Height – Thirty-eight (38) feet, measured from the average grade on the lowest side of the structure to the peak of the roof."

People live where they choose based on lifestyle, expectations, and other community considerations. It is these very things that are protected by zoning restrictions. Brown Township, located in the vicinity of Hilliard, is zoned as a Rural District. The requested variance isn't a mere one-foot or two-foot request; rather, Case #VA-4009 in actuality requests a doubling of the stated height restriction. Therefore, I oppose the Request for Variance, in re: Case #VA-4009.

Respectfully,

CHRISTOPHER L. WARNER, JD
Colonel, United States Army (Retired)
(614) 205-7699

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Fisher, Brad M.

From: Tomi Carmean <tforteca@yahoo.com>
Sent: Wednesday, July 14, 2021 9:29 PM
To: Fisher, Brad M.
Subject: Attn: Case# VA-4009

Dear Brad,

I am contacting you because I am a home owner at 8474 Carter Road, Hilliard, Ohio, and I understand there is a request for a variance for the case I've listed in the subject line. I am AGAINST the approval of this variance in our rural area.

Sincerely
Tomi Forte Carmean
Caution

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Fisher, Brad M.

From: Cassandra Christensen <christensen.cassandra.d@gmail.com>
Sent: Friday, July 16, 2021 9:57 AM
To: Fisher, Brad M.
Subject: Attn: Case VA-4009
Attachments: Screenshot_20210715-170158_Maps.jpg; Notes_210716_092720_f1c.jpg; panoramio-63919643.png; Screenshot_20210715-194617_Photos.jpg

Hello,

I was made aware last night by a neighbor that a structure is to be built down the street from my residence. I am concerned with what allowing a 75 ft tall structure in an open field surrounded by residential one and two story homes would mean for the area.

Walker Road is home to the first USPS route in Hilliard- a 60 mile stretch that our beloved and now famous mailman, Tim, recently retired from, as we residents thanked him with signs, gifts, and sometimes tearful goodbyes. You may have seen it on the news.

The tallest building in the area is Bradley High School, about 1.5 miles down the road from the site of the proposed construction.

At 50-60 feet tall it is an impressive building, inspiring awe from Hilliard's residents under Friday Night Lights, and instilling fear into our opponents. It towers over the surrounding farms and the wetlands that were carefully planned out during the design of the academic complex. Bradley High sits about 400 feet back from the road, but that doesn't do much to minimize the imposing stature to those driving along our modest 2 lane road.

Hilliard is a growing town with a small town feel. Commercial areas are quickly expanding and the residents joke about the amount of roundabouts one town needs- we have plenty!

Hilliard is no exception when it comes to the housing scramble that the county, even the country, is facing. During the last few months this specific area, the Bradley school zone, has sold for the highest dollar amount per square foot in Hilliard. The reason is simple- we find ourselves in the last slice of "old Hilliard". Parcels are sold by the 5 acres, homes include big yards, privacy, and room to breathe. We enjoy stunning sunrises and sunsets, dotted with old farmhouses and tractors in the fall. Gorgeous horizons as far as the eye can see.

This is no place for a 75 foot tall building.

Allowing such a structure to be built would furthermore be an invitation to other tall structures to be erected.

My biggest concern is not only seeing this white dome towering over the tree line that separates my yard from the next field, but what it will mean for the future.

If an exemption is made, how long will it be until a builder requests a variance for an apartment complex to be dropped in the middle of a field?

We must preserve our slice of heaven; our peace and quiet; the last hold out in Hilliard.

I've attached a few photos of the area. I hope you enjoy the scenes as much as my family does. Even though we are lots of new faces in an old part of town, we are trying our hardest to maintain a quiet, country setting for generations to come, and hope that we remain protected from big buildings and commercial zoning before it is too late.

Thank you for your time,

Cassandra Christensen
4150 Walker Rd

Hilliard Ohio

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This is about where
the dome would be

Case: VA-4009 Received: 7/16/2021



Bradley High School
an imposing
60 ft tall



Google
© 2021 Google



the proposed site is
near the end of this
beautiful line of
old trees

3500 Co Hwy 27



Fisher, Brad M.

From: Brandy Cook <brandycook07@gmail.com>
Sent: Friday, July 16, 2021 11:01 AM
To: Fisher, Brad M.
Subject: VA-4009

Brad,
I'm emailing you to provide my objection to the request of the variance in height for case VA-4009.

I can be reached at (614) 296-0067 for additional comments.

Thanks,
Brandy

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Fisher, Brad M.

From: Serena Faulk <serenafaulk16@gmail.com>
Sent: Friday, July 16, 2021 9:37 AM
To: Fisher, Brad M.
Subject: Attn: Case# VA-4009

Hi,
I oppose to approve the variance on case VA-4009.

Sincerely
Serena

Caution

This email originated from an email address that is outside of the county network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

3615 Walker Road,
Hilliard, Ohio 43026
July 14, 2021

Mr. Brad Fisher
Franklin County Board of Zoning Appeals
369 South High Street
Columbus, Ohio 43215

Re: Case VA-4009

Dear Mr. Fisher,

I, alongside my wife and our 2 daughters, own a home that is essentially directly across the proposed site of the new Krishna temple. In our 4 years living in the home, we've greatly enjoyed the joys of semi-rural life, but have also welcomed and met wonderful new neighbors as former farm lots continue to transition to new home lots. In my letter re: Case VA-4009, I'd like to comment specifically on the resolution to allow a structure to exceed the maximum permitted height.

First, the facts.

1. This is an area dominated by farms and single family homes. From my yard, with binoculars, you'd be hard pressed to find a single structure, telephone pole, etc. that is taller than 38 feet. Perhaps, the football field lights at Hilliard Bradley (4 miles away) are the closest you could get to. The notes reference "other properties in the same zoning district," and while I'm not sure how large the zoning district is, there's not a tall property for many miles of this specific location.
2. The current ISKCON Columbus facility does not have a dome that meets the requirements they've outlined as required to practice for the faith. From my research, ISKCON Columbus has been worshipping in the location for many years. As the notes state, other ISKCON facilities across the country do not meet these stated requirements.
3. The zoning rules state a max height of 38 feet, and ISKCON is requesting a variance of nearly double the height. This is not a minimal difference, and if approved, I do wonder why these zoning requirements exist.

Second, the likely scenarios.

1. The reality is that, if approved, this property will stand out for miles, regardless of its proximity to the road. This includes being highly visible from the new \$500k+ homes in the new Heritage Preserve neighborhood, from 100 year old farm homes, and from the many new builds.
2. Property values will be impacted, especially for the immediate neighbors. This isn't even considering the traffic increase, the lights from the parking lot, the water runoff, etc. A 78

foot temple dome that stands out will impact property values.

3. This will set a new precedent for all future builds. If a facility can get the board to approve a double height variance, how would the board be able to decline any future requests (religious or nonreligious)

I respect the religious practices of ISKCON and will welcome them as neighbors upon their opening. I'm also not ignorant to the fact that Columbus is a high growth city and won't always stay the same. However, approving the height of the structure will have a great impact. I urge the board to reconsider its approval.

Sincerely,

Billy Fischer
Erika Fischer

Fisher, Brad M.

From: Cole Cristal Colin Joe Foreman <ccjforeman@yahoo.com>
Sent: Friday, July 16, 2021 12:55 PM
To: Fisher, Brad M.
Subject: Attn: Case# VA-4009

Hello we are seriously opposed to this structure. The high school and middle school have brought more traffic to our countryside than what we expected and we definitely don't need a structure like this bringing more traffic and more people into our countryside. We love our country and our safety out here but when places are allowed to build like this around us a little bit of our safety goes away every time. If you would consider stopping this it would be greatly appreciated. Thank you very much.

[Sent from Yahoo Mail for iPhone](#)

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Fisher, Brad M.

From: Diane Hartman <dmfoxhartman@yahoo.com>
Sent: Friday, July 16, 2021 4:05 PM
To: Fisher, Brad M.
Subject: Attn: case#VA-4009

I oppose the building of the 75 ft structure on Walker Road

Diane Fox

Sent from my iPhone
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Fisher, Brad M.

From: Christina Hopkins <lilhoppie897@gmail.com>
Sent: Thursday, July 15, 2021 9:24 AM
To: Fisher, Brad M.
Subject: Attn case #VA-4009

Hello!! I've lived in Hilliard all my life, graduated from Hilliard schools, my kids will graduate from Hilliard Schools and I lived off Hubbard Rd for 16 years. The rural feel is the attraction to the area. If you allow this tall of a building to be built, it will open the door for apartment buildings, office buildings etc.. to be added to a small farm town community. It's a very slippery slope. My family and I humbly ask you decline the variance. The building itself would bring great diversity to the area but the height is an issue. Please let me know if you need any additional information.

Thank you

The Hopkins Family

Sent from my iPhone

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Fisher, Brad M.

From: Amy Yahoo (rocketmail) <hopsonamy@rocketmail.com>
Sent: Monday, July 19, 2021 9:14 AM
Cc: Fisher, Brad M.
Subject: VA-4009 concerns

Hello, Mr. Fisher.

Wanted to submit an official concern/ appeal to the height variance request that has been submitted for a property off Morris road In The Hilliard area.

Some structures need a few feet here or there but almost doubling the allowable height to me would not blend into the existing landscape. Even the drawing shows the obvious prominence of the dome on the top of the structure.

In doing some research on the plans of the organization, they want to blend with the natural surroundings which to me seems any thing 'but' blending in to a rural setting with this huge architectural feature.

Please confirm you have my captured my opposable to the variance.



Thanks.

Amy Hopson

hopsonamy@rocketmail.com

Caution

Fisher, Brad M.

From: Christopher Jackson <jackson.christopher.d@gmail.com>
Sent: Friday, July 16, 2021 3:30 PM
To: Fisher, Brad M.
Subject: Walker Rd. ISKON Temple Height

Mr. Fisher,

I live at 4150 Walker Rd, Hilliard, OH 43026 and am writing to express my opinion on the proposed ISKON temple. The temple sounds like an amazing addition to the area as they intend to follow all guidelines related to green spaces and agriculture for this area. However, I do not understand the request to violate the guidelines on structure height. There are numerous ISKON temples across the country that are not 75ft tall.

I would ask that this matter be addressed by enforcing the guidelines in place for building height (not allowing an exception) as it will dramatically change the landscape of this area as well as undermine the intent of preservation with which the guidelines were established. Again, I am solely contesting the height as the temple itself could be a welcome addition to the area.

Thank you for your attention to this matter. I am available to discuss further if needed.

Thank you,

Chris Jackson
4150 Walker Rd
Hilliard, OH 43026
937-416-6689

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Fisher, Brad M.

From: April Magoteaux <april.lee.mag@gmail.com>
Sent: Friday, July 16, 2021 7:26 AM
To: Fisher, Brad M.
Subject: Attn: Case# VA - 4009

Hello Mr. Fisher,

Please note my opposition to approval of a variance for Case #VA - 4009. Our rural neighborhood would be marred by allowance of this variance. The current zoning preserves the beauty and enjoyment of our area.

Thank you, April

Sent from my iPhone
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Fisher, Brad M.

From: Karen Manske <ekmmanske@gmail.com>
Sent: Friday, July 16, 2021 3:31 PM
To: Fisher, Brad M.
Subject: Fwd: Case No. VA-4009

Sent from my iPad

Begin forwarded message:

From: Karen Manske <ekmmanske@gmail.com>
Date: July 16, 2021 at 3:21:36 PM EDT
To: bradleyfisher@franklincountyohio.gov
Subject: Case No. VA-4009

Dear Mr. Fisher,

We are writing to request a denial of a variance that has been requested in the above case number.

We have been residents of Brown Township since 1983 - residing at 3886 Amity Rd.

It is our opinion that the Brown Township zoning requirements exist for the following reasons: to protect the residential property owners who reside in Brown Township, to protect the Big Darby watershed and to maintain the rural integrity of the area.

The proposed 75' variance request along with the size of the complex proposed should be denied as Brown Township is not the setting for such a commercial building. This is a rural community. Putting a commercial structure in a rural area without sewer and water will most definitely create major issues for all the residence in the area. It most certainly will compromise the water tables for everyone. A further concern - does this commercial structure comply with the The Big Darby Accord?

It is our opinion that this type of commercial structure does not fit the master plan for Brown Township and its residents. We request the pending variance(s) be denied.

Thank you for your time and consideration.

Eric and Karen Manske

Sent from my iPad

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Fisher, Brad M.

From: Len Martin <lenbob5@protonmail.com>
Sent: Friday, July 16, 2021 7:38 AM
To: Fisher, Brad M.
Subject: Case #VA-4009

I do not agree with the proposed variance.

My name is:

Charles Martin

3741 Darby Knolls Blvd.

Hilliard, OH 43026

Thanks

Sent from ProtonMail for iOS

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Fisher, Brad M.

From: TIM MAY <keystonewinston@sbcglobal.net>
Sent: Thursday, July 15, 2021 6:11 PM
To: Fisher, Brad M.
Subject: Attn: Case# VA-4009

Mr. Fisher,

I write in opposition to the proposed variance which would allow the subject structure to exceed the maximum permitted height of 38 feet. Indeed, the proposal is for 75.5 feet, nearly twice the current allowed maximum.

Further, I feel this would serve as more of a precedence than a variance. The proposed building should never have been designed with the idea of exceeding the standing rule, or with the idea that designing in conflict of the rule and then asking for the variance would bring an automatic approval.

Thanks for your consideration. My wife and I have lived at our current address, thus in Brown Twp. and Franklin County, since 1985.

Frederick May
6944 Davis Rd.
Hilliard OH. 43026

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3758 Walker Rd
Hilliard, Ohio 43026
7.16.2021

Brad Fisher
Franklin County Board of Zoning Appeals
369 South High Street
Columbus, Ohio 43215

Re: Case VA-4009

Dear Mr. Fisher,

I reside in close proximity to the proposed temple along with my family of seven. We moved to Brown Township for it's rural setting knowing that the Franklin County Zoning Laws and the Brown Township Comprehensive Plan would keep us protected from oversized structures being built next to or near our home. Zoning laws are written for a reason and that is to protect the residents of a community.

We are writing to oppose the variance requested for the international Society for Krishna Consciousness- Section 302.047, being considered for development on Walker Rd. It is scheduled to go before the Franklin County Board of appeals on July 19th, 2021. We believe that the proposed height of 75.5 feet exceeds the limit set by both Franklin County Zoning Laws and the Brown Township Comprehensive Plan in a rural setting and we firmly oppose the proposed variance. The exceeding height will intrude on the rural character and agricultural community currently present in Brown Township.

According to www.iskcongreatercolumbus.com, they have practiced their faith since 1968, "in 3 separate locations, each a common building, each a house and each one similar to our current location." This shows that a building with a height of 75.5 feet is not essential to the practice of their faith.

Furthermore, the Franklin County Zoning Resolution already denied the height request in 2017. This proposed variance is substantially identical to the original proposal brought before the board in 2017. The current variance in question is not in compliance with your own regulations.

Lastly, as shown on the attached map, you can see the land owned by the Yogi Divine Society of New Jersey to the right of our property line. They are also a religious organization wanting to build an oversized structure so if the height of the structure is approved, it will set precedent to this group and others moving forward. Any developer or builder will be able to apply for a variance and build structures exceeding 38 feet. Rural zoning compliance will become obsolete.

As stated above, we decline the variance #VA-4009, for International Society for Krishna Consciousness in Brown Township, Franklin County due to the proposed structure exceeding the maximum allowable height (38 feet) in accordance with the Franklin County Zoning Laws and the Brown Township Comprehensive Plan.

Thanks,

Jessica Mott and Chad Kohn



AUDITOR OFFICE

SEARCH

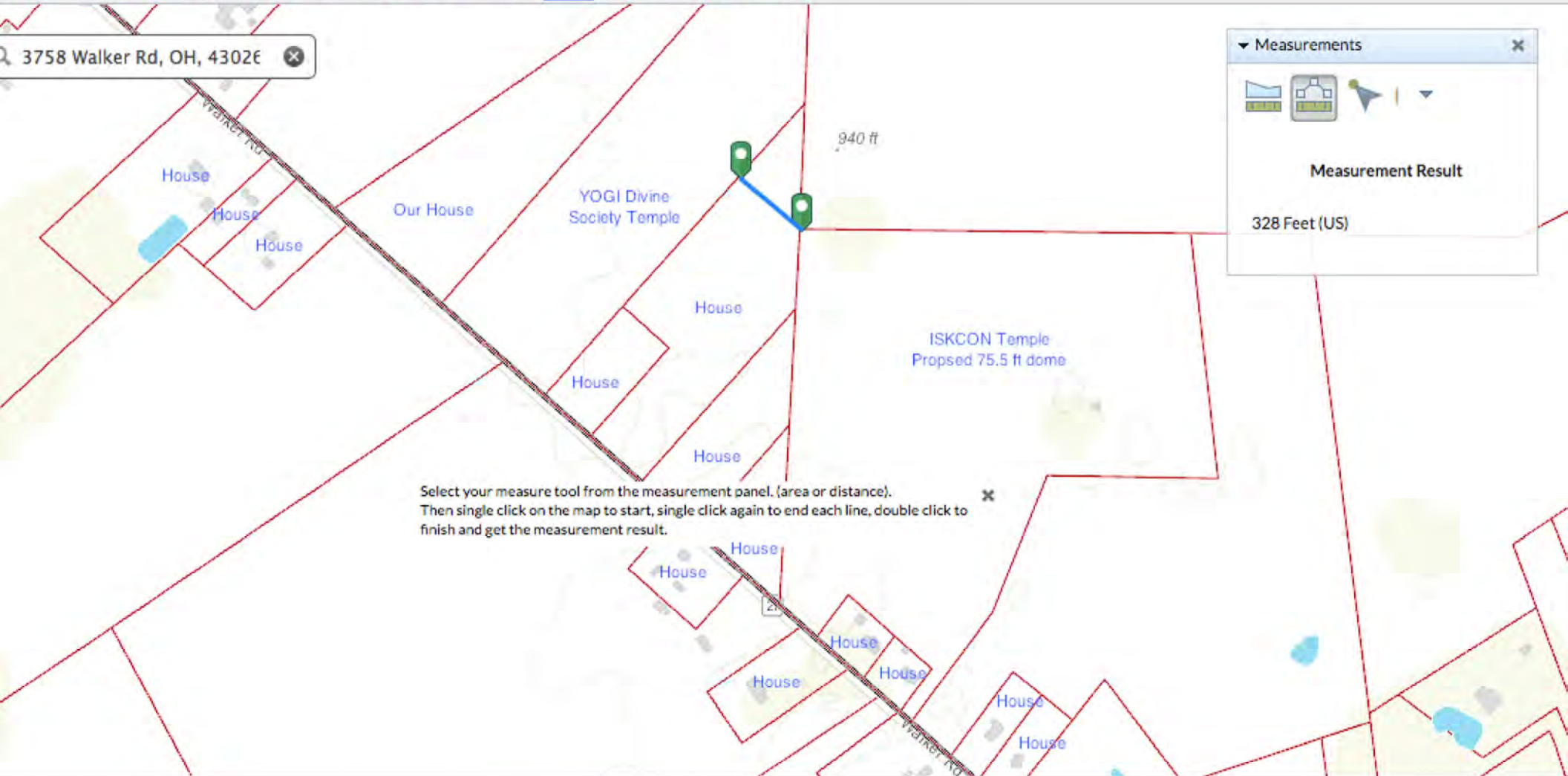
ONLINE TOOLS

REFERENCE

CONTACT MICHAEL



3758 Walker Rd, OH, 43026



Measurements

Measurement Result

328 Feet (US)

Select your measure tool from the measurement panel. (area or distance).
 Then single click on the map to start, single click again to end each line, double click to finish and get the measurement result.

Fisher, Brad M.

From: Sharon Brown <sha4fun333@yahoo.com>
Sent: Sunday, July 18, 2021 10:21 AM
To: Fisher, Brad M.
Subject: ATTN: Case # VA-4009

Dear Mr. Fisher,

This is our formal request for denying the structure to be located at Walker Road, Brown Township. Our concern is the 75-foot tall "peak" of the church. It WILL NOT blend into the surrounding area. This is the only thing we are opposed to. It will ruin the "country setting" that we have out here. It will be an eyesore!!! It is bad enough the traffic will be increasing on our small country roads, but this monstrosity cannot be allowed. We moved out here for the country setting and atmosphere.

Thank you for your time.

Sincerely Yours,
Sharon and George Brown

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Fisher, Brad M.

From: Myrna Oldaker <myo79@aol.com>
Sent: Friday, July 16, 2021 4:38 PM
To: Fisher, Brad M.
Subject: Attn: Case# VA-4009

I am highly AGAINST approving this variance to allow a huge structure to be built in our neighborhood. This is a country setting that everyone that lives in this area bought, built and worked for years to raise our families in a country setting. This is not the area for a monstrosity of a huge building to be built there. NO NO NO PLEASE DO NOT ALLOW THIS TO HAPPEN IN OUR BEAUTIFUL NEIGHBORHOOD

Respectfully
Myrna Oldaker

Sent from my iPad
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Fisher, Brad M.

From: Rodd Carmean <roddc123@gmail.com>
Sent: Thursday, July 15, 2021 6:42 PM
To: Fisher, Brad M.
Cc: rodd Carmean
Subject: Attn: Case#VA-4009

Dear Mr. Fisher,

My name is Rodd Carmean, and I live on Carter Road, very near the area in question for the above mentioned Zoning Variance request. I am against any building structure being built in this rural, residential area that is above the currently approved maximum height.

I was not able to sign the petition circulating due to my work schedule, so please consider this email as my signature on the petition. Talking to the neighbors on Carter and Walker Roads, there is not a person I have spoken to who is in agreement with this variance request, and my hope is that it will NOT be granted due to the overwhelming negative response of the home owners near and around the site in question. If this building receives approval to be built, it should ONLY be built in the currently approved maximum 35' building height in fairness to all the residents in this area. The question was asked, and the people have responded, No.

Sincerely,

Rodd Carmean
8474 Carter Road
Hilliard, OH. 43026

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Fisher, Brad M.

From: Cole R <coleruoff@gmail.com>
Sent: Friday, July 16, 2021 12:14 PM
To: Fisher, Brad M.
Subject: Fwd: Case# VA-4009

Hi, I'd like to voice my concerns with the below as well. Please don't allow it.

Thank you,

Cole Ruoff

----- Forwarded message -----

From: brianna warner <breenicole@sbcglobal.net>
Date: Fri, Jul 16, 2021 at 12:11 PM
Subject: Fwd: Case# VA-4009
To: Hubby us ❤️ <Coleruoff@gmail.com>

Thank you,
Bree

Begin forwarded message:

From: brian warner <brian0025warner@gmail.com>
Date: July 16, 2021 at 11:12:14 AM EDT
To: bradfisher@franklincountyohio.gov
Subject: Case# VA-4009

To whom it may concern

I would like to state our opposition to the planned building of a 75' structure!
Our Family has lived on Amity road for 33 years. We have loved the Natural scenic surroundings of Brown township . It will also be to close to The National registered Big Darby This structure goes against all Natural aspects of Brown Township The water run off it's self posses a great danger to the Big Darby water shed

Brian Warner
4042 amity rd
614-361-0225
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3644 Darby Knolls Blvd.
Hilliard, OH 43026
7/19/2021

Franklin County Board of Zoning Appeals
369 South High Street
Columbus, Ohio 43215

Re: Case VA-4009

Franklin County Board of Zoning Appeals,

My family resides near the proposed temple (as shown in the map attached to this letter). We moved to Brown Township for its rural setting knowing that the Franklin County Zoning Laws and the Brown Township Comprehensive Plan would keep us protected from large structures being built next to or near our home not related to agriculture. We have zoning laws for a reason and that is to protect residents of a community.

The maximum building height allowed is 38 ft. The ISKCON is requesting a variance that would DOUBLE the maximum allowed building height. If allowed, it will set a precedent for future developers in Brown Township. The Brown Township Comprehensive Plan encourages the preservation of the unique rural character and agricultural community present in Brown Township. A 75 ft tall dome does not preserve those characteristics.

According to ISKCONgreatercolumbus.com, they have practiced their faith since 1968 (53 years) "in 3 separate locations, each an ordinary building, each a house, each one similar to our current location." I understand a dome is part of their architectural culture, but, obviously it is not essential as their last 3 locations did not contain a dome; furthermore, not a 75 foot tall dome.

Not one person we have talked to, and that is as many as we could in the short window of time we had, is happy about this. All signed the petition and were hoping to make it to the meeting today in opposition of this building. We moved to the rural part of this county for a reason, to get away from this exact thing. Not have it built in between houses.

You can see the land owned by the YOGI Divine Society of NJ is 328 ft from the ISKCON property line. They are also a religious organization and have informed us they want to build a Hindu Indian Temple as well. If our zoning laws cannot be upheld for the variance applied for, what is going to stop them from doing the same thing 328 ft away from another Temple with homes stuck in between? Please DO NOT allow a new precedent to be set for future builders in this community. We all request you DENY this request for variance.

Thank you in advance,

John and Erika Schorejs

Fisher, Brad M.

From: Skip Smith <skipsmith51@gmail.com>
Sent: Friday, July 16, 2021 11:44 AM
To: Fisher, Brad M.
Subject: Attn: Case#VA-4009 Opposition to request for variance Section 302.047 Case #VA-4009

We are respectfully opposing the request for variance Section 302.047 Case #VA-4009 and ask that this be voted down. There are no buildings in Brown Township that are this height. As much of this area around this location is either rural, agricultural or low density housing this structure as proposed would be visible from great distances. This is a non-conforming structure and will adversely impact this rural area and setting.

George and Karen Smith
4000 Amity Road
Hilliard, OH. 43026
skipsmith51@gmail.com
614-937-6915

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Fisher, Brad M.

From: Naomi <tigerlilly9088@gmail.com>
Sent: Friday, July 16, 2021 10:47 AM
To: Fisher, Brad M.
Subject: Fwd: Case# VA - 4009
Attachments: Case # VA-4009.pdf

Please find a signed copy of my written statement in opposition to granting the variance in case VA-4009. ISKCON temple not complying with Rule 302.047

Please confirm receipt.

Naomi Tucker
3634 Walker Road
614-753-5587

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July 16, 2021

Hello. Thank you for the opportunity to speak. My name is Naomi Tucker and I live at 3634 Walker road. I share the west property line with the International Society for Krishna Consciousness, ISKCON. I am here to ask that the commission deny the zoning variance to build a 75 ft high temple.

So how big is 75 ft? 75ft is equal to two telephone poles. 75ft is equal to a 7 story building. Let me say that again. 75 ft is equal to a 7 story building. In fact, they are asking for DOUBLE the 38 foot limit! Rule 302.047 was enacted for a reason; to prevent superstructures like this from damaging the skyline or impeding our majestic views.

Franklin County Zoning Resolution designates this location as rural and Brown Township Comprehensive Plan describes it as low density rural, both of which have a maximum building height of 38 feet. 75 ft is too tall for a building in a rural agricultural community.

7 story buildings are not rural. Rule 302.047 is in place to preserve our rural community from high-rise offices, apartments and 7 story domes.

Despite Bradley High School being in the City of Hilliard and being taller than 38ft it blends into the rural environment. Also, the building materials and colors blend into the landscape. A 75 ft, 7 story building does not blend in to the rural environment.

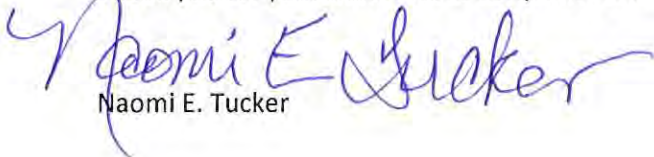
While we welcome a religious community joining our quiet town, we do not want or deserve to be shaded by a 7 story dome blocking out the sky.

Brown Township is a rare gem in Franklin County. Should you drive around Brown Township you will immediately notice the rural, agricultural, natural landscape. Because of rule 302.047 there are no buildings rising above the tree lines. The sounds of nature fill the air and in the evening there is minimal lighting creating a unique ability to star gaze so close to a metropolitan area. Please preserve this rare gem and deny the variance.

I purchased my property because of the idyllic rural environment. I have 5 acres where I have built my dream home, my forever home. I am slowly returning about half of the property to a native plant low grass and wild flower meadow. My property has been designated a monarch butterfly waystation. I have even named my property Monarch Meadows. Having a 75 ft building, a 7 story building, rising above the tree line impeding on my meadow is not the dream home landscape I bought.

We have gone door to door and asked what people think and the response was loud. The citizens do not want a 7 story building. The citizens object to this variance, I object this variance. I ask you deny the variance and protect our rural community from this and additional building that do not meet rule 302.047.

Thank you for your time. Please deny this variance.


Naomi E. Tucker

Fisher, Brad M.

From: brian warner <brian0025warner@gmail.com>
Sent: Friday, July 16, 2021 11:12 AM
To: Fisher, Brad M.
Subject: Case# VA-4009

To whom it may concern

I would like to state our opposition to the planned building of a 75' structure!

Our Family has lived on Amity road for 33 years. We have loved the Natural scenic surroundings of Brown township . It will also be to close to The National registered Big Darby This structure goes against all Natural aspects of Brown Township The water run off it's self posses a great danger to the Big Darby water shed

Brian Warner
4042 amity rd
614-361-0225
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Fisher, Brad M.

From: Erika Weise <erika_weise@yahoo.com>
Sent: Friday, July 16, 2021 10:03 AM
To: Fisher, Brad M.
Subject: Attn: Case # VA-4009

To Whom it May Concern:

We, as Brown Township residents, are strongly opposed to the variance requested by the ISKCON Temple. We specifically bought our property and built in 2007 in order to live in a rural community. The height of this proposed structure would not fit the residential and agricultural look of our community. Approval of this variance would set a bad precedent for future development and would negatively affect the value of our home because it reduces the distinctive appeal of Brown Township.

Thank you for maintaining and upholding the building restrictions that are already in place.

Carl and Erika Weise
3572 Darby Knolls Blvd
Hilliard, OH 43026

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Fisher, Brad M.

From: brad zonker <daddylawng@sbcglobal.net>
Sent: Friday, July 16, 2021 11:40 AM
To: Fisher, Brad M.
Subject: Attn: Case # VA-4009

I oppose the request for variance from Franklin County zoning resolution:
section302.047, Case # VA-4009

Sincerely,

Bradley Zonker
2100 Walker Rd.
Hilliard, Ohio 43026

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3684 Walker Rd
Hilliard, OH 43026
7/16/2021

Franklin County Board of Zoning Appeals
369 South High Street
Columbus, Ohio 43215

Re: Case VA-4009

Franklin County Board of Zoning Appeals,

I reside next to the proposed temple (as shown in the map attached to this letter) along with my wife and two girls. We moved to Brown Township for its rural setting knowing that the Franklin County Zoning Laws and the Brown Township Comprehensive Plan would keep us protected from large structures being built next to or near our home not related to agriculture. We have zoning laws for a reason and that is to protect residents of a community. The maximum building height allowed is 38 ft. The ISKCON is requesting a variance that would DOUBLE the maximum allowed building height. If allowed, it will set a precedent for future developers in Brown Township. The Brown Township Comprehensive Plan encourages the preservation of the unique rural character and agricultural community present in Brown Township. A 75 ft tall dome does not preserve those characteristics.

According to ISKCONgreatercolumbus.com, they have practiced their faith since 1968 (53 years) "in 3 separate locations, each an ordinary building, each a house, each one similar to our current location." I understand a dome is part of their architectural culture, but it is not essential and certainly does not need to be 75 feet tall.

I have knocked on doors in our community of Brown Township near the proposed site of the structure to notify neighbors of this variance being applied for and every single person we spoke to signed a petition against it. There are over 130 residents within a mile of the proposed structure who are against this variance. Not one person we spoke to was for it, so that tells you how egregious this request for variance is.

Furthermore, as shown on the attached map, you can see the land owned by the YOGI Divine Society of NJ to the left of our property line, which is 328 ft from the ISKCON property line. They are also a religious organization and have informed us they want to build a Hindu Indian Temple as well. If our zoning laws cannot be upheld for the variance applied for, what is going to stop them from doing the same thing 328 ft away from another Temple with homes stuck in between? You cannot allow a new precedent to be set for future builders in this community. We ask that you deny this request for variance.

Thank you,

Mike and Amanda Davell



RECEIVED

JUL 16 2021

Franklin County Planning Department
Franklin County, OH

VA-4009



AUDITOR OFFICE

SEARCH

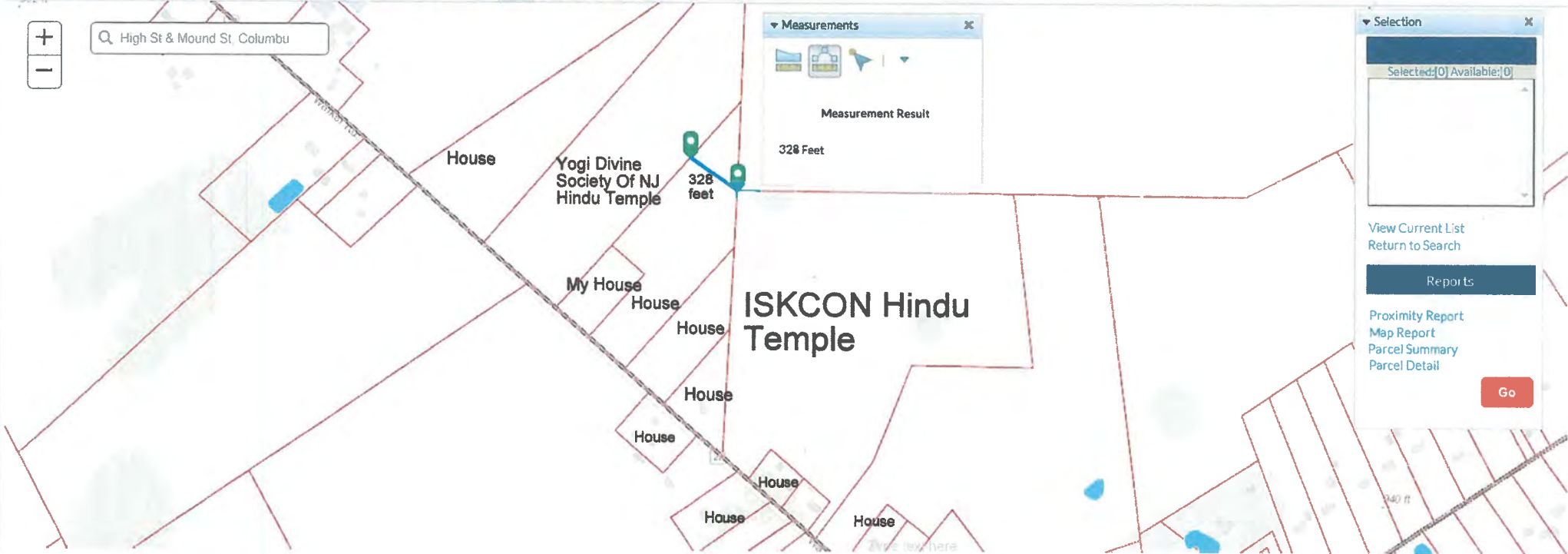
ONLINE TOOLS

REFERENCE

CONTACT MICHAEL



High St & Mound St, Columbu



Measurements

Measurement Result

328 Feet

Selection

Selected: 0 | Available: 0

View Current List
Return to Search

Reports

Proximity Report
Map Report
Parcel Summary
Parcel Detail

Go

RECEIVED

JUL 16 2021

Franklin County Planning Department
Franklin County, OH

VA-4009

Friday, July 16th, 2021

Chris and Jamie Jury
3662 Walker Rd.
Hilliard, OH 43026

Attn: Case # V A-4009
Franklin County Economic & Development
150 S. Front St. #10
Columbus, Ohio 43215

Dear Members of the Franklin County Board of Zoning Appeals,

As stated in the Resolution Adopting the Brown Township Comprehensive Plan, "Brown Township residents have consistently advocated the need for comprehensive land use planning in order to achieve a community vision". This vision as stated in the Brown Township Comprehensive Plan includes its goals for the preservation of the unique natural environment and its features as well as the rural character and lifestyle for all existing and future township residents.

This vision has been preserved through the Brown Township Comprehensive Plan and the Franklin County Zoning Resolution Section 302.047. We strongly oppose Case # V A-4009 as it is proposing a structure in the height of 75 and a half feet tall. There are no buildings located in Brown Township that exceed this 38-foot threshold. As written in the appeal application, there is a silo across from the proposed building location that extends beyond the 38-foot height regulation however, the silo is exempt from this code due to its agricultural use and it is also a symbol of the midwestern agricultural heritage of the township in which the comprehensive plan is set to preserve.

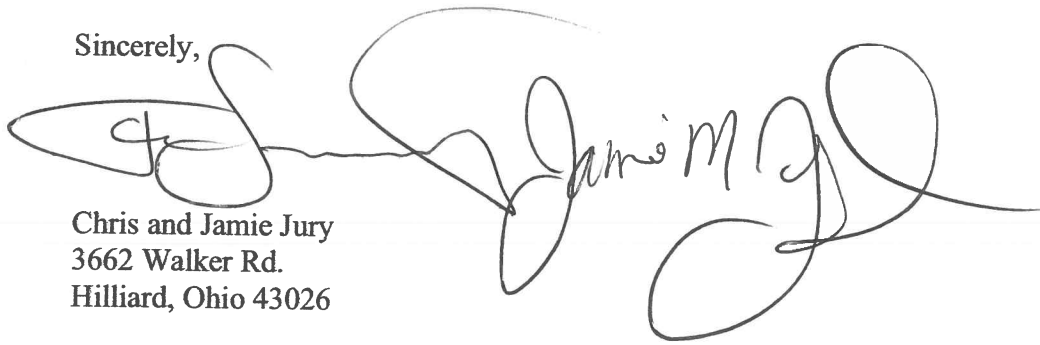
Approving such a radical variance would set a dangerous precedent within the Brown Township borders. It is stated in Section 810.041 of the Staff Report for this variance that "special conditions exist which are peculiar to the land or structure involved which are not applicable to other lands or structures in the same zoning district". This is emphatically incorrect. As seen on Appendix 1, the map shows that our property also borders parcel ID 120-000043-00 owned by Yogi Divine Society of NJ Inc. According to the information provided on Google, this property is located at 3740 Walker Rd. Hilliard, OH and it states that it is a Hindu Temple in Franklin County, Ohio (Appendix 2). Therefore, this condition and circumstance does apply to other properties in the district. These properties are located only 328 feet apart with our property located directly between them.

The applicant of V A-4009, International Society for Krishna Consciousness (ISKCON) has proposed this structure which is a Hindu Temple stating religious freedoms. However, this structure, as desired by ISKCON, isn't essential for their religious practices as evidenced on their website (<https://iskcongreatercolumbus.com>) as quoted "We have been privileged and blessed to serve Sri Sri Radha Natabara and the Columbus community since 1968, in three separate locations, each an ordinary building, each a house, each one similar to our current location." As reported on the variance report, "staff found multiple examples of ISKON temples throughout the United States that do not have structures that are near the proposed structure height with this application". Therefore, there are other ISKON temples that serve similar congregation sizes throughout the United States that do not reach the height requested in V A-4009.

According to Wikipedia, "most building engineers, inspectors, architects and similar professionals define a high-rise as a building that is at least 75 feet tall". Therefore, if this variance is approved and this precedent is set, there is potential that we could have two structures located on two sides of our property that reach the height definition of a high rise building. We live in a rural area and are ourselves preserving the agricultural heritage of Brown Township by starting a Christmas Tree Farm. We have planted thousands of trees, work with OSU Extension to improve soil health with a strong focus on environmental preservation. Our vision is to be able to share our farm and its rural characteristics with the surrounding community. If the proposed variance is approved, the height alone would make it impossible to preserve the rural nature of our farm as is clearly demonstrated in Appendix 3. Most native trees do not reach the proposed height to screen out these properties. In Ohio, White Pine is the only evergreen listed as native, therefore, six months out of the year and during Christmas time, when we welcome visitors to our farm, there are no leaves to provide a landscape buffer between ourselves and the proposed structure. This structure would change the rural landscape to reflect one which is more of what you would find in an urban area.

We ask the Board of Zoning appeals to carefully consider all of these facts when making a decision that would forever change the rural nature of our township and community. We appreciate your time and consideration as you consider the protections offered under the Brown Township Comprehensive Plan and the Franklin County Zoning Resolution Section 302.047.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Chris and Jamie Jury". The signature is written in a cursive, flowing style with large loops and flourishes.

Chris and Jamie Jury
3662 Walker Rd.
Hilliard, Ohio 43026

Appendix 1

property.franklincountyauditor.com/_web/maps/mapadv.aspx



AUDITOR OFFICE

SEARCH

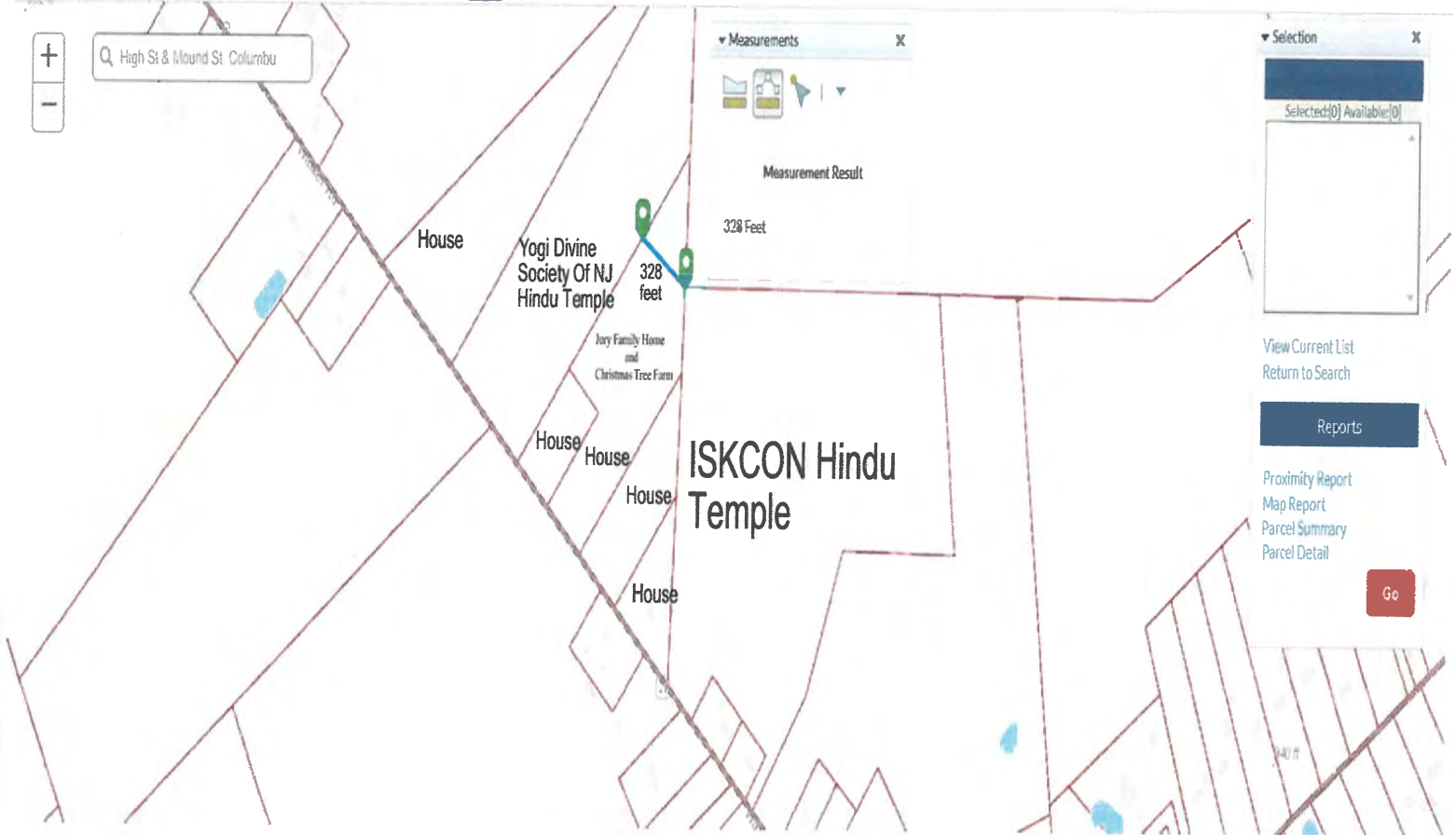
ONLINE TOOLS

REFERENCE

CONTACT MICHAEL



High St & Mound St Columbus



Measurements x

Measurement Result

328 Feet

Selection x

Selected: 0 Available: 0

View Current List
Return to Search

Reports

Proximity Report
Map Report
Parcel Summary
Parcel Detail

Go

Appendix 2



Yogi Divine Society

27



Yogi Divine Society

[Directions](#)

[Save](#)

Hindu temple in Franklin County, Ohio

Located in: ISKCON Greater Columbus - coming soon

Address: 3740 Walker Rd, Hilliard, OH 43026

[Suggest an edit](#) · [Own this business?](#)

Add missing information

[Add place's phone number](#)

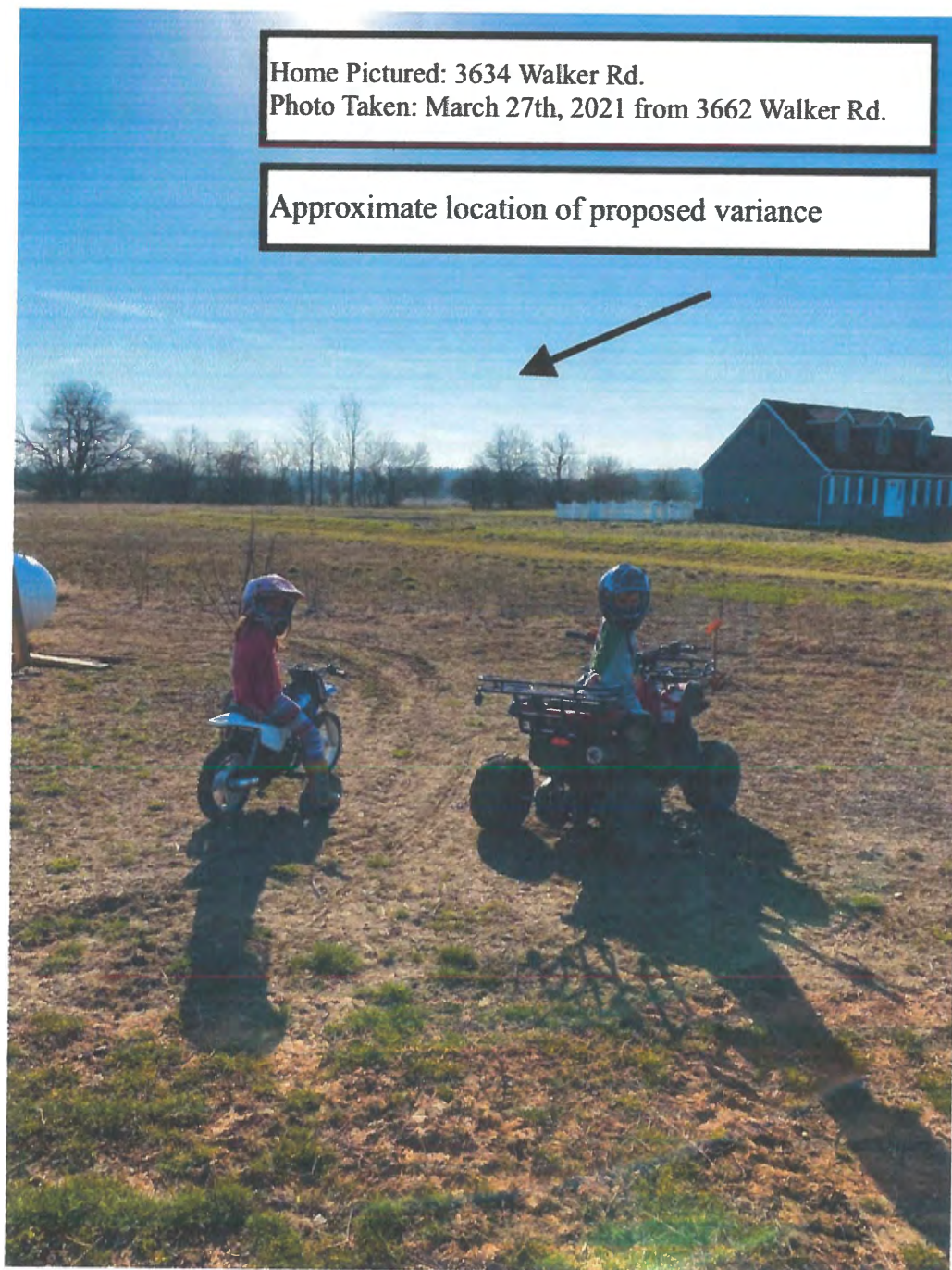
[Add business hours](#)

[Add website](#)

Know this place? [Share the latest info](#)

[Questions & answers](#)

Appendix 3



July 14, 2021



VA-4009

3520 Walker Road
Hilliard, Ohio 43016

Franklin County Economic Development and Planning Department
150 South Front Street, FSL Suite 10, Columbus, Ohio 43215

RE: Case #VA-4009

Please note the enclosed comments regarding VA-4009. Questions may be addressed to us at 614-307-2910 or 614-297-1095.

Sincerely,

A handwritten signature in black ink that reads "Jeff Long". The signature is stylized and cursive.

Jeff Long

Cc: Brad Fisher ✓

June 20, 2021

Paula and Jeff Long
3520 Walker Rd.
Hilliard, OH 43026

To Whom it May Concern,

We live at 3520 Walker Rd. The back of our yard butts directly against the proposed Iskon Temple site.

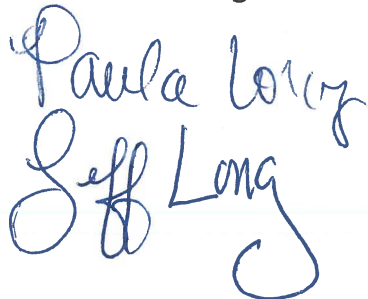
We understand the temple will be set back several hundred yards from Walker Rd. and will be screened within a grove of trees. We do not think the addition of the temple will detract from our enjoyment of the beautiful country view from our home.

We have had the honor of meeting several Monks, families and other members of the proposed temple. We have found them to be quiet, generous and kind people. We believe they will be positive neighbors here on Walker Rd.

The temple dome is an important factor in the architecture of their place of worship just as a steeple is to a Christian church or a minaret is to a Muslim mosque. We, therefore, have no negative feelings about allowing the members of the Iskon Temple to build their place of worship in a way that celebrates their faith.

Sincerely,

Paula and Jeff Long

Handwritten signatures of Paula Long and Jeff Long in blue ink. The signature for Paula Long is written above the signature for Jeff Long.

July 15, 2021

RECEIVED

JUL 19 2021

Franklin County Planning Department
Franklin County, OH

Franklin County Economic Development and Planning Department
150 South Front Street, FSL Suite 10
Columbus, Ohio 43215

VA-4009

ATTN: Brad Fisher

RE: VA-4009

Mr. Fisher:

In reviewing the above referenced proposal it became evident that there are multiple interpretations of what constitutes acceptable heights. Note the enclosed pictures.

Although the application of a Rural Zone may not be applicable, is it correct to assume that there are height requirements in every zoning district?

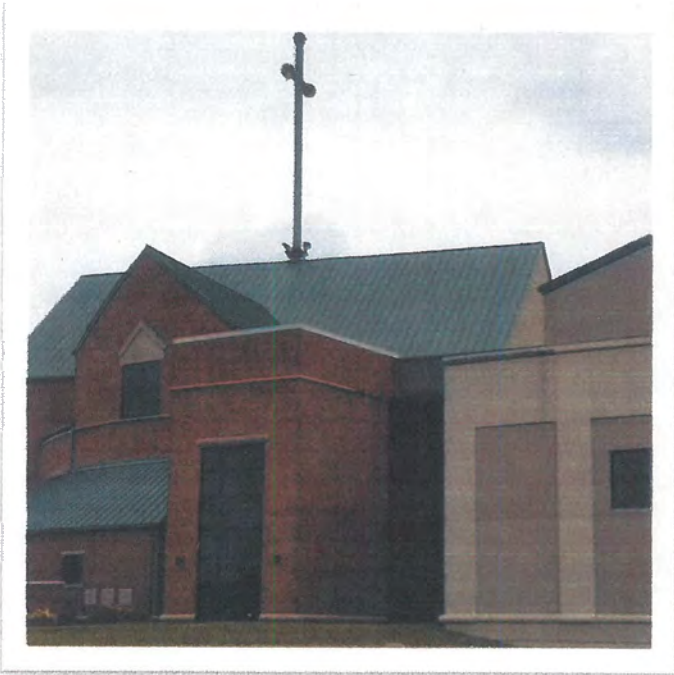
In addition to churches must silos adhere to the current zoning ordinances or is it correct to assume that silo height above current limitations, such as the silos at 3489 Walker, are grand – fathered?

Regards

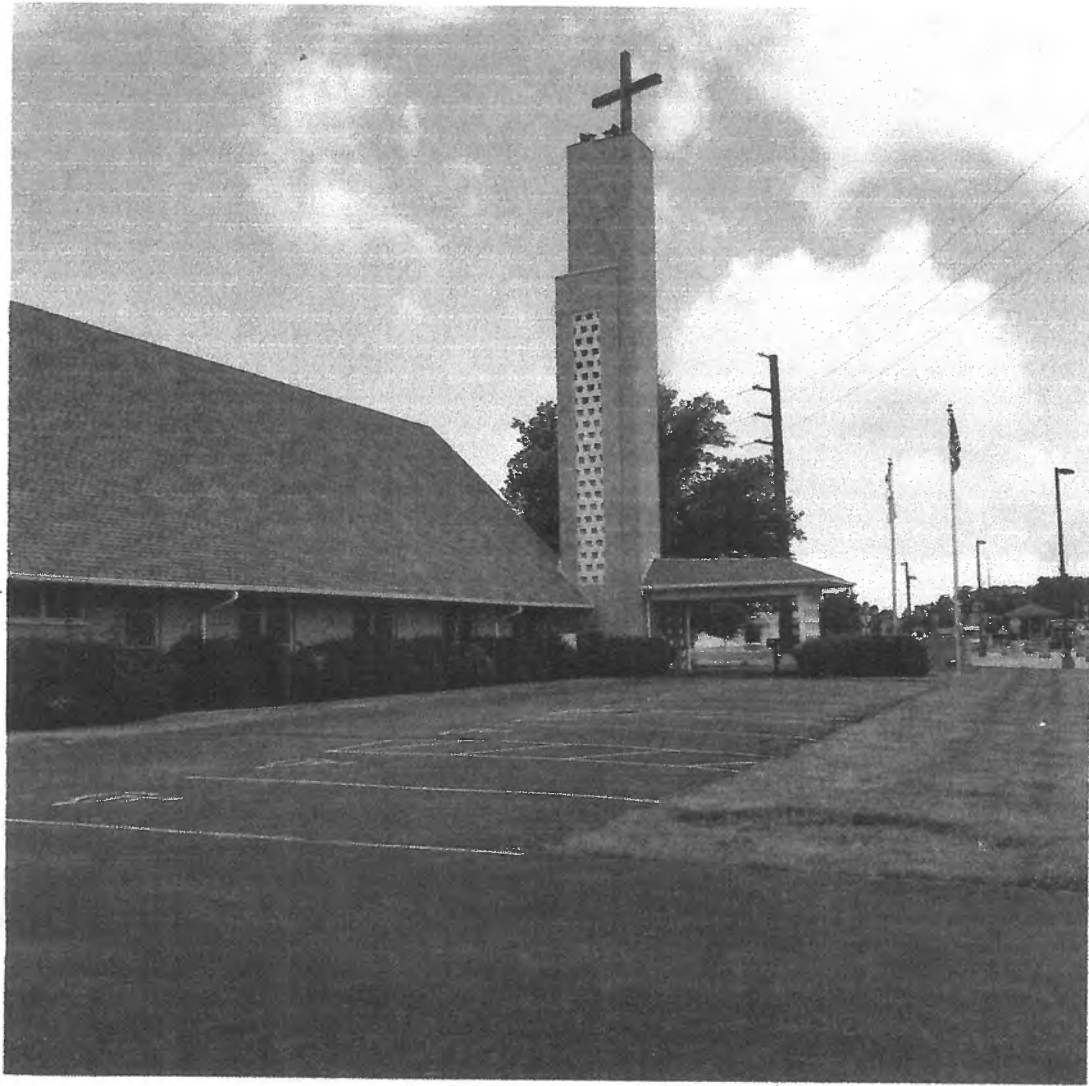
Jeff Long



The Church at Mill Run
Upper Arlington Lutheran Church, Hilliard Campus
3500 Mill Run Drive, Hilliard



**Hilliard United Methodist Church
5445 Scioto Darby Road, Hilliard**



Northwest Bible Church
6639 Scioto Darby Road, Hilliard



Fisher, Brad M.

From: Eric Ayles <aylesbills@gmail.com>
Sent: Wednesday, July 14, 2021 8:25 PM
To: Fisher, Brad M.
Subject: ATTN: Case# VA-4009

Hello,

I am writing to express my concern for the potential variance from the Franklin County Zonong Resolution: Section 302.047. As a member of the local business and finance community, as well as, the Hilliard community I see the value of what this structure can bring to the community, but the value of this potential addition to the community seems to be outshined by what the impending size of the structure will do to the scenic beauty of the area.

I hope that you do not take lightly the potential effects of not just this structure but the precedent this will set in our greater rural communities. This type of zoning change is a slippery slope that we must actively weigh the pros and cons for before making way for the additional sprawl and clutter of our horizon lines. As I am sure you are aware these choices once made are much harder to reverse once they have been initiated. Please pause and consider the ramifications of this decision. I am sure in your deliberation you will make a sound decision for your community.

Thank you,

Eric Ayles

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Fisher, Brad M.

From: brianna warner <breenicole@sbcglobal.net>
Sent: Friday, July 16, 2021 4:01 PM
To: Fisher, Brad M.
Subject: Opposition to case VA-4009

To whom it may concern,

I am writing to you in opposition to the variance for a 75ft structure on Walker road. I grew up in the area and feel that a structure of this height would greatly impact the scenic area. Consideration should be taken for the Big Darby creek and previous measures taken in the area or protect our wildlife and water shed.

Thank you,
Bree Ruoff
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Fisher, Brad M.

From: ROBERT BOWER <bbower2366@icloud.com>
Sent: Friday, July 16, 2021 12:59 PM
To: Fisher, Brad M.
Subject: Attn: Case# VA-4009

I am opposed to the variance on the above case. Thank you.

Robert Bower
2366 Amity Rd
Hilliard Ohio 43026
Brown Township

Sent from my iPad
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Fisher, Brad M.

From: Karen Boyd <karenannboyd@icloud.com>
Sent: Friday, July 16, 2021 3:45 PM
To: Fisher, Brad M.
Subject: Attn:Case# VA-4009

I am opposed to the approval of this variance. Living near Brown Township and traveling on Walker Road for a variety of reasons, I think this would interfere with our lives, causing traffic issues and other problems. The height of the building is too tall and would invite other tall/taller buildings to be built. This is the last area of Hilliard that has not been overly impacted by the growth spurt and we need to protect as much of this area as possible.

Thank-you, Karen Boyd

Sent from my iPhone
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Fisher, Brad M.

From: cmbrazeau@gmail.com
Sent: Monday, July 19, 2021 9:02 AM
To: Fisher, Brad M.
Subject: Attn: Case# VA-4009

Mr. Fisher,

I had sent this to your email inbox last Friday from my work email, but received an undelivered message over the weekend so I am just resending from my personal email.

Thank you,

Craig Brazeau

From: Craig Brazeau <cbrazeau@na.honda.com>
Sent: Sunday, July 18, 2021 7:56 PM
To: cmbrazeau@gmail.com
Subject: FW: Attn: Case# VA-4009

From: Craig Brazeau
Sent: Friday, July 16, 2021 1:28 PM
To: bradfisher@franklincountyohio.gov
Subject: Attn: Case# VA-4009

Dear Mr. Fisher,

I am corresponding today to state that I disagree with the variance request for this case due to the significant increase in height over the rural zoning requirements for our area.

Sincerely,

Craig Brazeau
3547 Darby Knolls Blvd.
Hilliard, OH

Confidentiality Notice: This transmission (including any attachments) may contain confidential information belonging to the sender and is intended only for the use of the party or entity to which it is addressed. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, retention or the taking of action in reliance on the contents of this transmission is strictly prohibited. If you have received this transmission in error, please immediately notify the sender and erase all information and attachments.

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Fisher, Brad M.

From: Sharon Brown <tlcpetsitr@yahoo.com>
Sent: Sunday, July 18, 2021 10:17 AM
To: Fisher, Brad M.
Subject: ATTN: Case #VA-4009

Dear Mr. Fisher,

This is my formal request for denying the structure to be located at XXXX Walker Road, Brown Township. My concern is the 75-foot tall "peak" of the church. It WILL NOT blend into the surrounding area. This is the only thing I am opposed to. It will ruin the "country setting" that we have out here. It will be an eyesore!!! It is bad enough the traffic will be increasing on our small country roads, but this monstrosity cannot be allowed.

Thank you for your time.

Pawsitively,
Sharon Brown

*Sharon Brown, Owner/President
Sharon's TLC Pet Cottage LLC
www.tlcpetcompanion.com*

*Precious Secrets Sheltie Rescue (Retired)
<http://www.pssr.org>*

*Central Ohio Sheltie Rescue
<http://www.centralohiosheltierescue.com>*

*Tri-State Collie Rescue
<http://www.tristatecollierescue.org>*

"If there are no dogs when I get to heaven, then I want to go where they went"

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Fisher, Brad M.

From: Christopher Warner <christopher.l.warner@gmail.com>
Sent: Friday, July 16, 2021 2:59 PM
To: Fisher, Brad M.
Subject: Case #VA-4009

I oppose the Request for Variance, in re: Case #VA-4009. To be clear, I am only opposed to the height variance. I support the establishment of the new complex. As you are certainly aware, pertaining to Rural Districts, the Franklin County Zoning Code at Section 302.047 expressly states: "Maximum Height – Thirty-eight (38) feet, measured from the average grade on the lowest side of the structure to the peak of the roof."

People live where they choose based on lifestyle, expectations, and other community considerations. It is these very things that are protected by zoning restrictions. Brown Township, located in the vicinity of Hilliard, is zoned as a Rural District. The requested variance isn't a mere one-foot or two-foot request; rather, Case #VA-4009 in actuality requests a doubling of the stated height restriction. Therefore, I oppose the Request for Variance, in re: Case #VA-4009.

Respectfully,

CHRISTOPHER L. WARNER, JD
Colonel, United States Army (Retired)
(614) 205-7699

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Fisher, Brad M.

From: Tomi Carmean <tforteca@yahoo.com>
Sent: Wednesday, July 14, 2021 9:29 PM
To: Fisher, Brad M.
Subject: Attn: Case# VA-4009

Dear Brad,

I am contacting you because I am a home owner at 8474 Carter Road, Hilliard, Ohio, and I understand there is a request for a variance for the case I've listed in the subject line. I am AGAINST the approval of this variance in our rural area.

Sincerely
Tomi Forte Carmean
Caution

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Fisher, Brad M.

From: Brandy Cook <brandycook07@gmail.com>
Sent: Friday, July 16, 2021 11:01 AM
To: Fisher, Brad M.
Subject: VA-4009

Brad,
I'm emailing you to provide my objection to the request of the variance in height for case VA-4009.

I can be reached at (614) 296-0067 for additional comments.

Thanks,
Brandy

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Fisher, Brad M.

From: Serena Faulk <serenafaulk16@gmail.com>
Sent: Friday, July 16, 2021 9:37 AM
To: Fisher, Brad M.
Subject: Attn: Case# VA-4009

Hi,
I oppose to approve the variance on case VA-4009.

Sincerely
Serena

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3615 Walker Road,
Hilliard, Ohio 43026
July 14, 2021

Mr. Brad Fisher
Franklin County Board of Zoning Appeals
369 South High Street
Columbus, Ohio 43215

Re: Case VA-4009

Dear Mr. Fisher,

I, alongside my wife and our 2 daughters, own a home that is essentially directly across the proposed site of the new Krishna temple. In our 4 years living in the home, we've greatly enjoyed the joys of semi-rural life, but have also welcomed and met wonderful new neighbors as former farm lots continue to transition to new home lots. In my letter re: Case VA-4009, I'd like to comment specifically on the resolution to allow a structure to exceed the maximum permitted height.

First, the facts.

1. This is an area dominated by farms and single family homes. From my yard, with binoculars, you'd be hard pressed to find a single structure, telephone pole, etc. that is taller than 38 feet. Perhaps, the football field lights at Hilliard Bradley (4 miles away) are the closest you could get to. The notes reference "other properties in the same zoning district," and while I'm not sure how large the zoning district is, there's not a tall property for many miles of this specific location.
2. The current ISKCON Columbus facility does not have a dome that meets the requirements they've outlined as required to practice for the faith. From my research, ISKCON Columbus has been worshipping in the location for many years. As the notes state, other ISKCON facilities across the country do not meet these stated requirements.
3. The zoning rules state a max height of 38 feet, and ISKCON is requesting a variance of nearly double the height. This is not a minimal difference, and if approved, I do wonder why these zoning requirements exist.

Second, the likely scenarios.

1. The reality is that, if approved, this property will stand out for miles, regardless of its proximity to the road. This includes being highly visible from the new \$500k+ homes in the new Heritage Preserve neighborhood, from 100 year old farm homes, and from the many new builds.
2. Property values will be impacted, especially for the immediate neighbors. This isn't even considering the traffic increase, the lights from the parking lot, the water runoff, etc. A 78

foot temple dome that stands out will impact property values.

3. This will set a new precedent for all future builds. If a facility can get the board to approve a double height variance, how would the board be able to decline any future requests (religious or nonreligious)

I respect the religious practices of ISKCON and will welcome them as neighbors upon their opening. I'm also not ignorant to the fact that Columbus is a high growth city and won't always stay the same. However, approving the height of the structure will have a great impact. I urge the board to reconsider its approval.

Sincerely,

Billy Fischer
Erika Fischer

Fisher, Brad M.

From: Cole Cristal Colin Joe Foreman <ccjforeman@yahoo.com>
Sent: Friday, July 16, 2021 12:55 PM
To: Fisher, Brad M.
Subject: Attn: Case# VA-4009

Hello we are seriously opposed to this structure. The high school and middle school have brought more traffic to our countryside than what we expected and we definitely don't need a structure like this bringing more traffic and more people into our countryside. We love our country and our safety out here but when places are allowed to build like this around us a little bit of our safety goes away every time. If you would consider stopping this it would be greatly appreciated. Thank you very much.

[Sent from Yahoo Mail for iPhone](#)

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Fisher, Brad M.

From: Diane Hartman <dmfohartman@yahoo.com>
Sent: Friday, July 16, 2021 4:05 PM
To: Fisher, Brad M.
Subject: Attn: case#VA-4009

I oppose the building of the 75 ft structure on Walker Road

Diane Fox

Sent from my iPhone
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Fisher, Brad M.

From: Christina Hopkins <lilhoppie897@gmail.com>
Sent: Thursday, July 15, 2021 9:24 AM
To: Fisher, Brad M.
Subject: Attn case #VA-4009

Hello!! I've lived in Hilliard all my life, graduated from Hilliard schools, my kids will graduate from Hilliard Schools and I lived off Hubbard Rd for 16 years. The rural feel is the attraction to the area. If you allow this tall of a building to be built, it will open the door for apartment buildings, office buildings etc.. to be added to a small farm town community. It's a very slippery slope. My family and I humbly ask you decline the variance. The building itself would bring great diversity to the area but the height is an issue. Please let me know if you need any additional information.

Thank you

The Hopkins Family

Sent from my iPhone

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Fisher, Brad M.

From: Amy Yahoo (rocketmail) <hopsonamy@rocketmail.com>
Sent: Monday, July 19, 2021 9:14 AM
Cc: Fisher, Brad M.
Subject: VA-4009 concerns

Hello, Mr. Fisher.

Wanted to submit an official concern/ appeal to the height variance request that has been submitted for a property off Morris road In The Hilliard area.

Some structures need a few feet here or there but almost doubling the allowable height to me would not blend into the existing landscape. Even the drawing shows the obvious prominence of the dome on the top of the structure.

In doing some research on the plans of the organization, they want to blend with the natural surroundings which to me seems any thing 'but' blending in to a rural setting with this huge architectural feature.

Please confirm you have my captured my opposable to the variance.



Thanks.

Amy Hopson

hopsonamy@rocketmail.com

Caution

Fisher, Brad M.

From: Christopher Jackson <jackson.christopher.d@gmail.com>
Sent: Friday, July 16, 2021 3:30 PM
To: Fisher, Brad M.
Subject: Walker Rd. ISKON Temple Height

Mr. Fisher,

I live at 4150 Walker Rd, Hilliard, OH 43026 and am writing to express my opinion on the proposed ISKON temple. The temple sounds like an amazing addition to the area as they intend to follow all guidelines related to green spaces and agriculture for this area. However, I do not understand the request to violate the guidelines on structure height. There are numerous ISKON temples across the country that are not 75ft tall.

I would ask that this matter be addressed by enforcing the guidelines in place for building height (not allowing an exception) as it will dramatically change the landscape of this area as well as undermine the intent of preservation with which the guidelines were established. Again, I am solely contesting the height as the temple itself could be a welcome addition to the area.

Thank you for your attention to this matter. I am available to discuss further if needed.

Thank you,

Chris Jackson
4150 Walker Rd
Hilliard, OH 43026
937-416-6689

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Fisher, Brad M.

From: April Magoteaux <april.lee.mag@gmail.com>
Sent: Friday, July 16, 2021 7:26 AM
To: Fisher, Brad M.
Subject: Attn: Case# VA - 4009

Hello Mr. Fisher,

Please note my opposition to approval of a variance for Case #VA - 4009. Our rural neighborhood would be marred by allowance of this variance. The current zoning preserves the beauty and enjoyment of our area.

Thank you, April

Sent from my iPhone
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Fisher, Brad M.

From: Karen Manske <ekmmanske@gmail.com>
Sent: Friday, July 16, 2021 3:31 PM
To: Fisher, Brad M.
Subject: Fwd: Case No. VA-4009

Sent from my iPad

Begin forwarded message:

From: Karen Manske <ekmmanske@gmail.com>
Date: July 16, 2021 at 3:21:36 PM EDT
To: bradleyfisher@franklincountyohio.gov
Subject: Case No. VA-4009

Dear Mr. Fisher,

We are writing to request a denial of a variance that has been requested in the above case number.

We have been residents of Brown Township since 1983 - residing at 3886 Amity Rd.

It is our opinion that the Brown Township zoning requirements exist for the following reasons: to protect the residential property owners who reside in Brown Township, to protect the Big Darby watershed and to maintain the rural integrity of the area.

The proposed 75' variance request along with the size of the complex proposed should be denied as Brown Township is not the setting for such a commercial building. This is a rural community. Putting a commercial structure in a rural area without sewer and water will most definitely create major issues for all the residence in the area. It most certainly will compromise the water tables for everyone. A further concern - does this commercial structure comply with the The Big Darby Accord?

It is our opinion that this type of commercial structure does not fit the master plan for Brown Township and its residents. We request the pending variance(s) be denied.

Thank you for your time and consideration.

Eric and Karen Manske

Sent from my iPad

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Fisher, Brad M.

From: Len Martin <lenbob5@protonmail.com>
Sent: Friday, July 16, 2021 7:38 AM
To: Fisher, Brad M.
Subject: Case #VA-4009

I do not agree with the proposed variance.

My name is:

Charles Martin

3741 Darby Knolls Blvd.

Hilliard, OH 43026

Thanks

Sent from ProtonMail for iOS

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Fisher, Brad M.

From: TIM MAY <keystonewinston@sbcglobal.net>
Sent: Thursday, July 15, 2021 6:11 PM
To: Fisher, Brad M.
Subject: Attn: Case# VA-4009

Mr. Fisher,

I write in opposition to the proposed variance which would allow the subject structure to exceed the maximum permitted height of 38 feet. Indeed, the proposal is for 75.5 feet, nearly twice the current allowed maximum.

Further, I feel this would serve as more of a precedence than a variance. The proposed building should never have been designed with the idea of exceeding the standing rule, or with the idea that designing in conflict of the rule and then asking for the variance would bring an automatic approval.

Thanks for your consideration. My wife and I have lived at our current address, thus in Brown Twp. and Franklin County, since 1985.

Frederick May
6944 Davis Rd.
Hilliard OH. 43026

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3758 Walker Rd
Hilliard, Ohio 43026
7.16.2021

Brad Fisher
Franklin County Board of Zoning Appeals
369 South High Street
Columbus, Ohio 43215

Re: Case VA-4009

Dear Mr. Fisher,

I reside in close proximity to the proposed temple along with my family of seven. We moved to Brown Township for its rural setting knowing that the Franklin County Zoning Laws and the Brown Township Comprehensive Plan would keep us protected from oversized structures being built next to or near our home. Zoning laws are written for a reason and that is to protect the residents of a community.

We are writing to oppose the variance requested for the international Society for Krishna Consciousness- Section 302.047, being considered for development on Walker Rd. It is scheduled to go before the Franklin County Board of appeals on July 19th, 2021. We believe that the proposed height of 75.5 feet exceeds the limit set by both Franklin County Zoning Laws and the Brown Township Comprehensive Plan in a rural setting and we firmly oppose the proposed variance. The exceeding height will intrude on the rural character and agricultural community currently present in Brown Township.

According to www.iskcongreatercolumbus.com, they have practiced their faith since 1968, "in 3 separate locations, each a common building, each a house and each one similar to our current location." This shows that a building with a height of 75.5 feet is not essential to the practice of their faith.

Furthermore, the Franklin County Zoning Resolution already denied the height request in 2017. This proposed variance is substantially identical to the original proposal brought before the board in 2017. The current variance in question is not in compliance with your own regulations.

Lastly, as shown on the attached map, you can see the land owned by the Yogi Divine Society of New Jersey to the right of our property line. They are also a religious organization wanting to build an oversized structure so if the height of the structure is approved, it will set precedent to this group and others moving forward. Any developer or builder will be able to apply for a variance and build structures exceeding 38 feet. Rural zoning compliance will become obsolete.

As stated above, we decline the variance #VA-4009, for International Society for Krishna Consciousness in Brown Township, Franklin County due to the proposed structure exceeding the maximum allowable height (38 feet) in accordance with the Franklin County Zoning Laws and the Brown Township Comprehensive Plan.

Thanks,

Jessica Mott and Chad Kohn



AUDITOR OFFICE

SEARCH

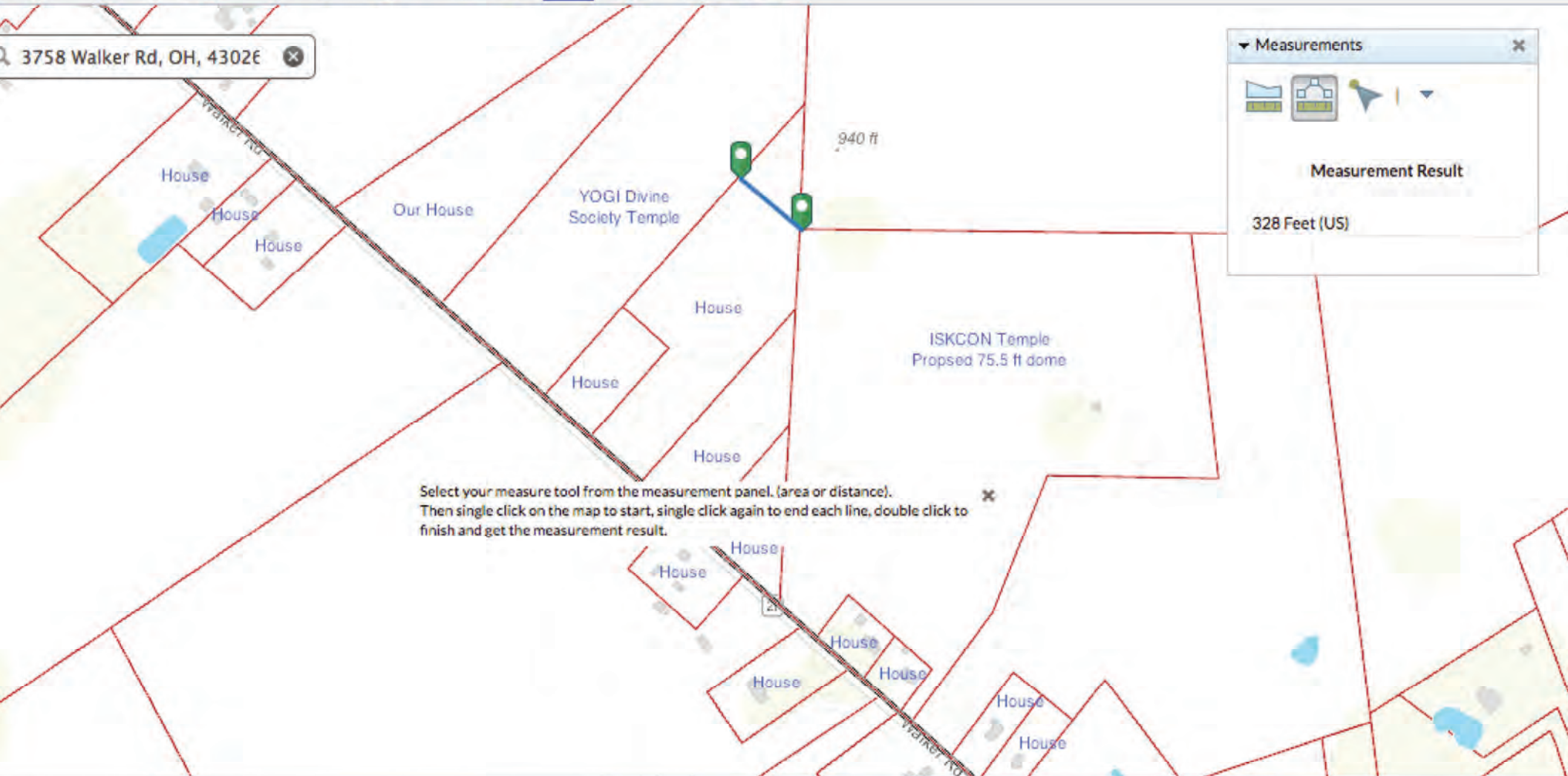
ONLINE TOOLS

REFERENCE

CONTACT MICHAEL



3758 Walker Rd, OH, 43026



Measurements

Measurement Result

328 Feet (US)

Select your measure tool from the measurement panel. (area or distance).
 Then single click on the map to start, single click again to end each line, double click to finish and get the measurement result.

Fisher, Brad M.

From: Sharon Brown <sha4fun333@yahoo.com>
Sent: Sunday, July 18, 2021 10:21 AM
To: Fisher, Brad M.
Subject: ATTN: Case # VA-4009

Dear Mr. Fisher,

This is our formal request for denying the structure to be located at Walker Road, Brown Township. Our concern is the 75-foot tall "peak" of the church. It WILL NOT blend into the surrounding area. This is the only thing we are opposed to. It will ruin the "country setting" that we have out here. It will be an eyesore!!! It is bad enough the traffic will be increasing on our small country roads, but this monstrosity cannot be allowed. We moved out here for the country setting and atmosphere.

Thank you for your time.

Sincerely Yours,
Sharon and George Brown

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Fisher, Brad M.

From: Myrna Oldaker <myo79@aol.com>
Sent: Friday, July 16, 2021 4:38 PM
To: Fisher, Brad M.
Subject: Attn: Case# VA-4009

I am highly AGAINST approving this variance to allow a huge structure to be built in our neighborhood. This is a country setting that everyone that lives in this area bought, built and worked for years to raise our families in a country setting. This is not the area for a monstrosity of a huge building to be built there. NO NO NO PLEASE DO NOT ALLOW THIS TO HAPPEN IN OUR BEAUTIFUL NEIGHBORHOOD

Respectfully
Myrna Oldaker

Sent from my iPad
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Fisher, Brad M.

From: Rodd Carmean <roddc123@gmail.com>
Sent: Thursday, July 15, 2021 6:42 PM
To: Fisher, Brad M.
Cc: rodd Carmean
Subject: Attn: Case#VA-4009

Dear Mr. Fisher,

My name is Rodd Carmean, and I live on Carter Road, very near the area in question for the above mentioned Zoning Variance request. I am against any building structure being built in this rural, residential area that is above the currently approved maximum height.

I was not able to sign the petition circulating due to my work schedule, so please consider this email as my signature on the petition. Talking to the neighbors on Carter and Walker Roads, there is not a person I have spoken to who is in agreement with this variance request, and my hope is that it will NOT be granted due to the overwhelming negative response of the home owners near and around the site in question. If this building receives approval to be built, it should ONLY be built in the currently approved maximum 35' building height in fairness to all the residents in this area. The question was asked, and the people have responded, No.

Sincerely,
Rodd Carmean
8474 Carter Road
Hilliard, OH. 43026

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Fisher, Brad M.


From: Cole R <coleruoff@gmail.com>
Sent: Friday, July 16, 2021 12:14 PM
To: Fisher, Brad M.
Subject: Fwd: Case# VA-4009

Hi, I'd like to voice my concerns with the below as well. Please don't allow it.

Thank you,

Cole Ruoff

----- Forwarded message -----

From: brianna warner <breenicole@sbcglobal.net>
Date: Fri, Jul 16, 2021 at 12:11 PM
Subject: Fwd: Case# VA-4009
To: Hubby us  <Coleruoff@gmail.com>

Thank you,
Bree

Begin forwarded message:

From: brian warner <brian0025warner@gmail.com>
Date: July 16, 2021 at 11:12:14 AM EDT
To: bradfisher@franklincountyohio.gov
Subject: Case# VA-4009

To whom it may concern

I would like to state our opposition to the planned building of a 75' structure!
Our Family has lived on Amity road for 33 years. We have loved the Natural scenic surroundings of Brown township . It will also be to close to The National registered Big Darby This structure goes against all Natural aspects of Brown Township The water run off it's self posses a great danger to the Big Darby water shed

Brian Warner
4042 amity rd
614-361-0225
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Fisher, Brad M.

From: Skip Smith <skipsmith51@gmail.com>
Sent: Friday, July 16, 2021 11:44 AM
To: Fisher, Brad M.
Subject: Attn: Case#VA-4009 Opposition to request for variance Section 302.047 Case #VA-4009

We are respectfully opposing the request for variance Section 302.047 Case #VA-4009 and ask that this be voted down. There are no buildings in Brown Township that are this height. As much of this area around this location is either rural, agricultural or low density housing this structure as proposed would be visible from great distances. This is a non-conforming structure and will adversely impact this rural area and setting.

George and Karen Smith
4000 Amity Road
Hilliard, OH. 43026
skipsmith51@gmail.com
614-937-6915

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Fisher, Brad M.

From: Naomi <tigerlilly9088@gmail.com>
Sent: Friday, July 16, 2021 10:47 AM
To: Fisher, Brad M.
Subject: Fwd: Case# VA - 4009
Attachments: Case # VA-4009.pdf

Please find a signed copy of my written statement in opposition to granting the variance in case VA-4009. ISKCON temple not complying with Rule 302.047

Please confirm receipt.

Naomi Tucker
3634 Walker Road
614-753-5587

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July 16, 2021

Hello. Thank you for the opportunity to speak. My name is Naomi Tucker and I live at 3634 Walker road. I share the west property line with the International Society for Krishna Consciousness, ISKCON. I am here to ask that the commission deny the zoning variance to build a 75 ft high temple.

So how big is 75 ft? 75ft is equal to two telephone poles. 75ft is equal to a 7 story building. Let me say that again. 75 ft is equal to a 7 story building. In fact, they are asking for DOUBLE the 38 foot limit! Rule 302.047 was enacted for a reason; to prevent superstructures like this from damaging the skyline or impeding our majestic views.

Franklin County Zoning Resolution designates this location as rural and Brown Township Comprehensive Plan describes it as low density rural, both of which have a maximum building height of 38 feet. 75 ft is too tall for a building in a rural agricultural community.

7 story buildings are not rural. Rule 302.047 is in place to preserve our rural community from high-rise offices, apartments and 7 story domes.

Despite Bradley High School being in the City of Hilliard and being taller than 38ft it blends into the rural environment. Also, the building materials and colors blend into the landscape. A 75 ft, 7 story building does not blend in to the rural environment.

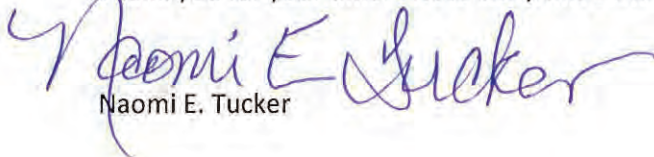
While we welcome a religious community joining our quiet town, we do not want or deserve to be shaded by a 7 story dome blocking out the sky.

Brown Township is a rare gem in Franklin County. Should you drive around Brown Township you will immediately notice the rural, agricultural, natural landscape. Because of rule 302.047 there are no buildings rising above the tree lines. The sounds of nature fill the air and in the evening there is minimal lighting creating a unique ability to star gaze so close to a metropolitan area. Please preserve this rare gem and deny the variance.

I purchased my property because of the idyllic rural environment. I have 5 acres where I have built my dream home, my forever home. I am slowly returning about half of the property to a native plant low grass and wild flower meadow. My property has been designated a monarch butterfly waystation. I have even named my property Monarch Meadows. Having a 75 ft building, a 7 story building, rising above the tree line impeding on my meadow is not the dream home landscape I bought.

We have gone door to door and asked what people think and the response was loud. The citizens do not want a 7 story building. The citizens object to this variance, I object this variance. I ask you deny the variance and protect our rural community from this and additional building that do not meet rule 302.047.

Thank you for your time. Please deny this variance.


Naomi E. Tucker

Fisher, Brad M.

From: brian warner <brian0025warner@gmail.com>
Sent: Friday, July 16, 2021 11:12 AM
To: Fisher, Brad M.
Subject: Case# VA-4009

To whom it may concern

I would like to state our opposition to the planned building of a 75' structure!

Our Family has lived on Amity road for 33 years. We have loved the Natural scenic surroundings of Brown township . It will also be to close to The National registered Big Darby This structure goes against all Natural aspects of Brown Township The water run off it's self posses a great danger to the Big Darby water shed

Brian Warner
4042 amity rd
614-361-0225
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Fisher, Brad M.

From: Erika Weise <erika_weise@yahoo.com>
Sent: Friday, July 16, 2021 10:03 AM
To: Fisher, Brad M.
Subject: Attn: Case # VA-4009

To Whom it May Concern:

We, as Brown Township residents, are strongly opposed to the variance requested by the ISKCON Temple. We specifically bought our property and built in 2007 in order to live in a rural community. The height of this proposed structure would not fit the residential and agricultural look of our community. Approval of this variance would set a bad precedent for future development and would negatively affect the value of our home because it reduces the distinctive appeal of Brown Township.

Thank you for maintaining and upholding the building restrictions that are already in place.

Carl and Erika Weise
3572 Darby Knolls Blvd
Hilliard, OH 43026

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Fisher, Brad M.

From: brad zonker <daddylawng@sbcglobal.net>
Sent: Friday, July 16, 2021 11:40 AM
To: Fisher, Brad M.
Subject: Attn: Case # VA-4009

I oppose the request for variance from Franklin County zoning resolution:
section302.047, Case # VA-4009

Sincerely,

Bradley Zonker
2100 Walker Rd.
Hilliard, Ohio 43026

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3684 Walker Rd
Hilliard, OH 43026
7/16/2021

Franklin County Board of Zoning Appeals
369 South High Street
Columbus, Ohio 43215

Re: Case VA-4009

Franklin County Board of Zoning Appeals,

I reside next to the proposed temple (as shown in the map attached to this letter) along with my wife and two girls. We moved to Brown Township for its rural setting knowing that the Franklin County Zoning Laws and the Brown Township Comprehensive Plan would keep us protected from large structures being built next to or near our home not related to agriculture. We have zoning laws for a reason and that is to protect residents of a community. The maximum building height allowed is 38 ft. The ISKCON is requesting a variance that would DOUBLE the maximum allowed building height. If allowed, it will set a precedent for future developers in Brown Township. The Brown Township Comprehensive Plan encourages the preservation of the unique rural character and agricultural community present in Brown Township. A 75 ft tall dome does not preserve those characteristics.

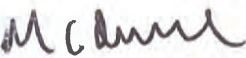

According to ISKCONgreatercolumbus.com, they have practiced their faith since 1968 (53 years) "in 3 separate locations, each an ordinary building, each a house, each one similar to our current location." I understand a dome is part of their architectural culture, but it is not essential and certainly does not need to be 75 feet tall.

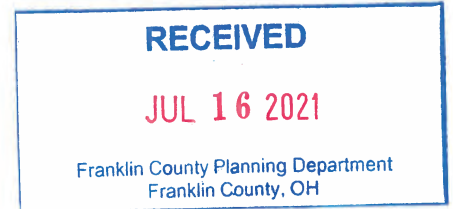
I have knocked on doors in our community of Brown Township near the proposed site of the structure to notify neighbors of this variance being applied for and every single person we spoke to signed a petition against it. There are over 130 residents within a mile of the proposed structure who are against this variance. Not one person we spoke to was for it, so that tells you how egregious this request for variance is.

Furthermore, as shown on the attached map, you can see the land owned by the YOGI Divine Society of NJ to the left of our property line, which is 328 ft from the ISKCON property line. They are also a religious organization and have informed us they want to build a Hindu Indian Temple as well. If our zoning laws cannot be upheld for the variance applied for, what is going to stop them from doing the same thing 328 ft away from another Temple with homes stuck in between? You cannot allow a new precedent to be set for future builders in this community. We ask that you deny this request for variance.

Thank you,

Mike and Amanda Davell



VA-4009



AUDITOR OFFICE

SEARCH

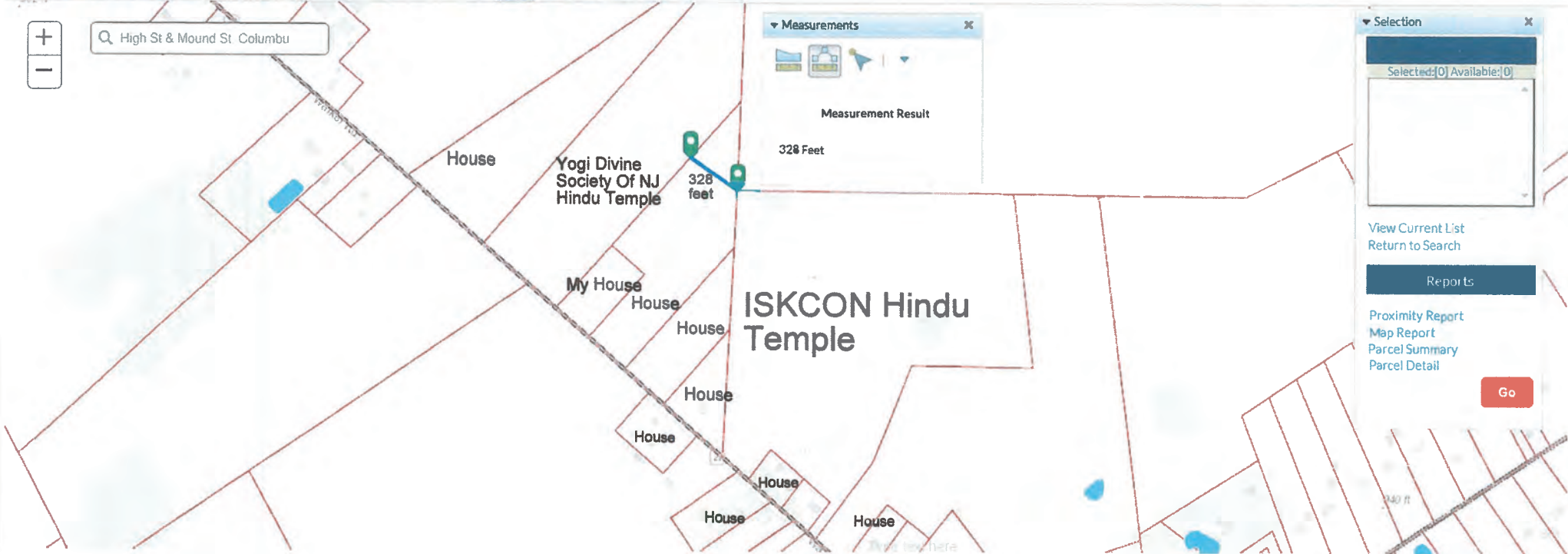
ONLINE TOOLS

REFERENCE

CONTACT MICHAEL



High St & Mound St, Columbus



Measurements

Measurement Result

328 Feet

Selection

Selected: 0 | Available: 0

View Current List

Return to Search

Reports

Proximity Report

Map Report

Parcel Summary

Parcel Detail

Go

Fisher, Brad M.

From: brianna warner <breenicole@sbcglobal.net>
Sent: Friday, July 16, 2021 4:01 PM
To: Fisher, Brad M.
Subject: Opposition to case VA-4009

To whom it may concern,

I am writing to you in opposition to the variance for a 75ft structure on Walker road. I grew up in the area and feel that a structure of this height would greatly impact the scenic area. Consideration should be taken for the Big Darby creek and previous measures taken in the area or protect our wildlife and water shed.

Thank you,
Bree Ruoff
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Fisher, Brad M.

From: ROBERT BOWER <bbower2366@icloud.com>
Sent: Friday, July 16, 2021 12:59 PM
To: Fisher, Brad M.
Subject: Attn: Case# VA-4009

I am opposed to the variance on the above case. Thank you.

Robert Bower
2366 Amity Rd
Hilliard Ohio 43026
Brown Township

Sent from my iPad
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Fisher, Brad M.

From: Karen Boyd <karenannboyd@icloud.com>
Sent: Friday, July 16, 2021 3:45 PM
To: Fisher, Brad M.
Subject: Attn:Case# VA-4009

I am opposed to the approval of this variance. Living near Brown Township and traveling on Walker Road for a variety of reasons, I think this would interfere with our lives, causing traffic issues and other problems. The height of the building is too tall and would invite other tall/taller buildings to be built. This is the last area of Hilliard that has not been overly impacted by the growth spurt and we need to protect as much of this area as possible.

Thank-you, Karen Boyd

Sent from my iPhone
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Fisher, Brad M.

From: cmbrazeau@gmail.com
Sent: Monday, July 19, 2021 9:02 AM
To: Fisher, Brad M.
Subject: Attn: Case# VA-4009

Mr. Fisher,

I had sent this to your email inbox last Friday from my work email, but received an undelivered message over the weekend so I am just resending from my personal email.

Thank you,

Craig Brazeau

From: Craig Brazeau <cbrazeau@na.honda.com>
Sent: Sunday, July 18, 2021 7:56 PM
To: cmbrazeau@gmail.com
Subject: FW: Attn: Case# VA-4009

From: Craig Brazeau
Sent: Friday, July 16, 2021 1:28 PM
To: bradfisher@franklincountyohio.gov
Subject: Attn: Case# VA-4009

Dear Mr. Fisher,

I am corresponding today to state that I disagree with the variance request for this case due to the significant increase in height over the rural zoning requirements for our area.

Sincerely,

Craig Brazeau
3547 Darby Knolls Blvd.
Hilliard, OH

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Fisher, Brad M.

From: Sharon Brown <tlcpetsitr@yahoo.com>
Sent: Sunday, July 18, 2021 10:17 AM
To: Fisher, Brad M.
Subject: ATTN: Case #VA-4009

Dear Mr. Fisher,

This is my formal request for denying the structure to be located at XXXX Walker Road, Brown Township. My concern is the 75-foot tall "peak" of the church. It WILL NOT blend into the surrounding area. This is the only thing I am opposed to. It will ruin the "country setting" that we have out here. It will be an eyesore!!! It is bad enough the traffic will be increasing on our small country roads, but this monstrosity cannot be allowed.

Thank you for your time.

Pawsitively,
Sharon Brown

*Sharon Brown, Owner/President
Sharon's TLC Pet Cottage LLC
www.tlcpetcompanion.com*

*Precious Secrets Sheltie Rescue (Retired)
<http://www.pssr.org>*

*Central Ohio Sheltie Rescue
<http://www.centralohiosheltierescue.com>*

*Tri-State Collie Rescue
<http://www.tristatecollierescue.org>*

"If there are no dogs when I get to heaven, then I want to go where they went"

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Fisher, Brad M.

From: Christopher Warner <christopher.l.warner@gmail.com>
Sent: Friday, July 16, 2021 2:59 PM
To: Fisher, Brad M.
Subject: Case #VA-4009

I oppose the Request for Variance, in re: Case #VA-4009. To be clear, I am only opposed to the height variance. I support the establishment of the new complex. As you are certainly aware, pertaining to Rural Districts, the Franklin County Zoning Code at Section 302.047 expressly states: "Maximum Height – Thirty-eight (38) feet, measured from the average grade on the lowest side of the structure to the peak of the roof."

People live where they choose based on lifestyle, expectations, and other community considerations. It is these very things that are protected by zoning restrictions. Brown Township, located in the vicinity of Hilliard, is zoned as a Rural District. The requested variance isn't a mere one-foot or two-foot request; rather, Case #VA-4009 in actuality requests a doubling of the stated height restriction. Therefore, I oppose the Request for Variance, in re: Case #VA-4009.

Respectfully,

CHRISTOPHER L. WARNER, JD
Colonel, United States Army (Retired)
(614) 205-7699

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Fisher, Brad M.

From: Tomi Carmean <tforteca@yahoo.com>
Sent: Wednesday, July 14, 2021 9:29 PM
To: Fisher, Brad M.
Subject: Attn: Case# VA-4009

Dear Brad,

I am contacting you because I am a home owner at 8474 Carter Road, Hilliard, Ohio, and I understand there is a request for a variance for the case I've listed in the subject line. I am AGAINST the approval of this variance in our rural area.

Sincerely
Tomi Forte Carmean
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Fisher, Brad M.

From: Brandy Cook <brandycook07@gmail.com>
Sent: Friday, July 16, 2021 11:01 AM
To: Fisher, Brad M.
Subject: VA-4009

Brad,
I'm emailing you to provide my objection to the request of the variance in height for case VA-4009.

I can be reached at (614) 296-0067 for additional comments.

Thanks,
Brandy

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Fisher, Brad M.

From: Serena Faulk <serenafaulk16@gmail.com>
Sent: Friday, July 16, 2021 9:37 AM
To: Fisher, Brad M.
Subject: Attn: Case# VA-4009

Hi,
I oppose to approve the variance on case VA-4009.

Sincerely
Serena

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3615 Walker Road,
Hilliard, Ohio 43026
July 14, 2021

Mr. Brad Fisher
Franklin County Board of Zoning Appeals
369 South High Street
Columbus, Ohio 43215

Re: Case VA-4009

Dear Mr. Fisher,

I, alongside my wife and our 2 daughters, own a home that is essentially directly across the proposed site of the new Krishna temple. In our 4 years living in the home, we've greatly enjoyed the joys of semi-rural life, but have also welcomed and met wonderful new neighbors as former farm lots continue to transition to new home lots. In my letter re: Case VA-4009, I'd like to comment specifically on the resolution to allow a structure to exceed the maximum permitted height.

First, the facts.

1. This is an area dominated by farms and single family homes. From my yard, with binoculars, you'd be hard pressed to find a single structure, telephone pole, etc. that is taller than 38 feet. Perhaps, the football field lights at Hilliard Bradley (4 miles away) are the closest you could get to. The notes reference "other properties in the same zoning district," and while I'm not sure how large the zoning district is, there's not a tall property for many miles of this specific location.
2. The current ISKCON Columbus facility does not have a dome that meets the requirements they've outlined as required to practice for the faith. From my research, ISKCON Columbus has been worshipping in the location for many years. As the notes state, other ISKCON facilities across the country do not meet these stated requirements.
3. The zoning rules state a max height of 38 feet, and ISKCON is requesting a variance of nearly double the height. This is not a minimal difference, and if approved, I do wonder why these zoning requirements exist.

Second, the likely scenarios.

1. The reality is that, if approved, this property will stand out for miles, regardless of its proximity to the road. This includes being highly visible from the new \$500k+ homes in the new Heritage Preserve neighborhood, from 100 year old farm homes, and from the many new builds.
2. Property values will be impacted, especially for the immediate neighbors. This isn't even considering the traffic increase, the lights from the parking lot, the water runoff, etc. A 78

foot temple dome that stands out will impact property values.

3. This will set a new precedent for all future builds. If a facility can get the board to approve a double height variance, how would the board be able to decline any future requests (religious or nonreligious)

I respect the religious practices of ISKCON and will welcome them as neighbors upon their opening. I'm also not ignorant to the fact that Columbus is a high growth city and won't always stay the same. However, approving the height of the structure will have a great impact. I urge the board to reconsider its approval.

Sincerely,

Billy Fischer
Erika Fischer

Fisher, Brad M.

From: Cole Cristal Colin Joe Foreman <ccjforeman@yahoo.com>
Sent: Friday, July 16, 2021 12:55 PM
To: Fisher, Brad M.
Subject: Attn: Case# VA-4009

Hello we are seriously opposed to this structure. The high school and middle school have brought more traffic to our countryside than what we expected and we definitely don't need a structure like this bringing more traffic and more people into our countryside. We love our country and our safety out here but when places are allowed to build like this around us a little bit of our safety goes away every time. If you would consider stopping this it would be greatly appreciated. Thank you very much.

[Sent from Yahoo Mail for iPhone](#)

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Fisher, Brad M.

From: Diane Hartman <dmfohartman@yahoo.com>
Sent: Friday, July 16, 2021 4:05 PM
To: Fisher, Brad M.
Subject: Attn: case#VA-4009

I oppose the building of the 75 ft structure on Walker Road

Diane Fox

Sent from my iPhone
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Fisher, Brad M.

From: Christina Hopkins <lilhoppie897@gmail.com>
Sent: Thursday, July 15, 2021 9:24 AM
To: Fisher, Brad M.
Subject: Attn case #VA-4009

Hello!! I've lived in Hilliard all my life, graduated from Hilliard schools, my kids will graduate from Hilliard Schools and I lived off Hubbard Rd for 16 years. The rural feel is the attraction to the area. If you allow this tall of a building to be built, it will open the door for apartment buildings, office buildings etc.. to be added to a small farm town community. It's a very slippery slope. My family and I humbly ask you decline the variance. The building itself would bring great diversity to the area but the height is an issue. Please let me know if you need any additional information.

Thank you

The Hopkins Family

Sent from my iPhone

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Fisher, Brad M.

From: Amy Yahoo (rocketmail) <hopsonamy@rocketmail.com>
Sent: Monday, July 19, 2021 9:14 AM
Cc: Fisher, Brad M.
Subject: VA-4009 concerns

Hello, Mr. Fisher.

Wanted to submit an official concern/ appeal to the height variance request that has been submitted for a property off Morris road In The Hilliard area.

Some structures need a few feet here or there but almost doubling the allowable height to me would not blend into the existing landscape. Even the drawing shows the obvious prominence of the dome on the top of the structure.

In doing some research on the plans of the organization, they want to blend with the natural surroundings which to me seems any thing 'but' blending in to a rural setting with this huge architectural feature.

Please confirm you have my captured my opposable to the variance.



Thanks.

Amy Hopson

hopsonamy@rocketmail.com

Caution

Fisher, Brad M.

From: Christopher Jackson <jackson.christopher.d@gmail.com>
Sent: Friday, July 16, 2021 3:30 PM
To: Fisher, Brad M.
Subject: Walker Rd. ISKON Temple Height

Mr. Fisher,

I live at 4150 Walker Rd, Hilliard, OH 43026 and am writing to express my opinion on the proposed ISKON temple. The temple sounds like an amazing addition to the area as they intend to follow all guidelines related to green spaces and agriculture for this area. However, I do not understand the request to violate the guidelines on structure height. There are numerous ISKON temples across the country that are not 75ft tall.

I would ask that this matter be addressed by enforcing the guidelines in place for building height (not allowing an exception) as it will dramatically change the landscape of this area as well as undermine the intent of preservation with which the guidelines were established. Again, I am solely contesting the height as the temple itself could be a welcome addition to the area.

Thank you for your attention to this matter. I am available to discuss further if needed.

Thank you,

Chris Jackson
4150 Walker Rd
Hilliard, OH 43026
937-416-6689

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Fisher, Brad M.

From: April Magoteaux <april.lee.mag@gmail.com>
Sent: Friday, July 16, 2021 7:26 AM
To: Fisher, Brad M.
Subject: Attn: Case# VA - 4009

Hello Mr. Fisher,

Please note my opposition to approval of a variance for Case #VA - 4009. Our rural neighborhood would be marred by allowance of this variance. The current zoning preserves the beauty and enjoyment of our area.

Thank you, April

Sent from my iPhone
Caution

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Fisher, Brad M.

From: Karen Manske <ekmmanske@gmail.com>
Sent: Friday, July 16, 2021 3:31 PM
To: Fisher, Brad M.
Subject: Fwd: Case No. VA-4009

Sent from my iPad

Begin forwarded message:

From: Karen Manske <ekmmanske@gmail.com>
Date: July 16, 2021 at 3:21:36 PM EDT
To: bradleyfisher@franklincountyohio.gov
Subject: Case No. VA-4009

Dear Mr. Fisher,

We are writing to request a denial of a variance that has been requested in the above case number.

We have been residents of Brown Township since 1983 - residing at 3886 Amity Rd.

It is our opinion that the Brown Township zoning requirements exist for the following reasons: to protect the residential property owners who reside in Brown Township, to protect the Big Darby watershed and to maintain the rural integrity of the area.

The proposed 75' variance request along with the size of the complex proposed should be denied as Brown Township is not the setting for such a commercial building. This is a rural community. Putting a commercial structure in a rural area without sewer and water will most definitely create major issues for all the residence in the area. It most certainly will compromise the water tables for everyone. A further concern - does this commercial structure comply with the The Big Darby Accord?

It is our opinion that this type of commercial structure does not fit the master plan for Brown Township and its residents. We request the pending variance(s) be denied.

Thank you for your time and consideration.

Eric and Karen Manske

Sent from my iPad

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Fisher, Brad M.

From: Len Martin <lenbob5@protonmail.com>
Sent: Friday, July 16, 2021 7:38 AM
To: Fisher, Brad M.
Subject: Case #VA-4009

I do not agree with the proposed variance.

My name is:

Charles Martin

3741 Darby Knolls Blvd.

Hilliard, OH 43026

Thanks

Sent from ProtonMail for iOS

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Fisher, Brad M.

From: TIM MAY <keystonewinston@sbcglobal.net>
Sent: Thursday, July 15, 2021 6:11 PM
To: Fisher, Brad M.
Subject: Attn: Case# VA-4009

Mr. Fisher,

I write in opposition to the proposed variance which would allow the subject structure to exceed the maximum permitted height of 38 feet. Indeed, the proposal is for 75.5 feet, nearly twice the current allowed maximum.

Further, I feel this would serve as more of a precedence than a variance. The proposed building should never have been designed with the idea of exceeding the standing rule, or with the idea that designing in conflict of the rule and then asking for the variance would bring an automatic approval.

Thanks for your consideration. My wife and I have lived at our current address, thus in Brown Twp. and Franklin County, since 1985.

Frederick May
6944 Davis Rd.
Hilliard OH. 43026

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3758 Walker Rd
Hilliard, Ohio 43026
7.16.2021

Brad Fisher
Franklin County Board of Zoning Appeals
369 South High Street
Columbus, Ohio 43215

Re: Case VA-4009

Dear Mr. Fisher,

I reside in close proximity to the proposed temple along with my family of seven. We moved to Brown Township for it's rural setting knowing that the Franklin County Zoning Laws and the Brown Township Comprehensive Plan would keep us protected from oversized structures being built next to or near our home. Zoning laws are written for a reason and that is to protect the residents of a community.

We are writing to oppose the variance requested for the international Society for Krishna Consciousness- Section 302.047, being considered for development on Walker Rd. It is scheduled to go before the Franklin County Board of appeals on July 19th, 2021. We believe that the proposed height of 75.5 feet exceeds the limit set by both Franklin County Zoning Laws and the Brown Township Comprehensive Plan in a rural setting and we firmly oppose the proposed variance. The exceeding height will intrude on the rural character and agricultural community currently present in Brown Township.

According to www.iskcongreatercolumbus.com, they have practiced their faith since 1968, "in 3 separate locations, each a common building, each a house and each one similar to our current location." This shows that a building with a height of 75.5 feet is not essential to the practice of their faith.

Furthermore, the Franklin County Zoning Resolution already denied the height request in 2017. This proposed variance is substantially identical to the original proposal brought before the board in 2017. The current variance in question is not in compliance with your own regulations.

Lastly, as shown on the attached map, you can see the land owned by the Yogi Divine Society of New Jersey to the right of our property line. They are also a religious organization wanting to build an oversized structure so if the height of the structure is approved, it will set precedent to this group and others moving forward. Any developer or builder will be able to apply for a variance and build structures exceeding 38 feet. Rural zoning compliance will become obsolete.

As stated above, we decline the variance #VA-4009, for International Society for Krishna Consciousness in Brown Township, Franklin County due to the proposed structure exceeding the maximum allowable height (38 feet) in accordance with the Franklin County Zoning Laws and the Brown Township Comprehensive Plan.

Thanks,

Jessica Mott and Chad Kohn



AUDITOR OFFICE

SEARCH

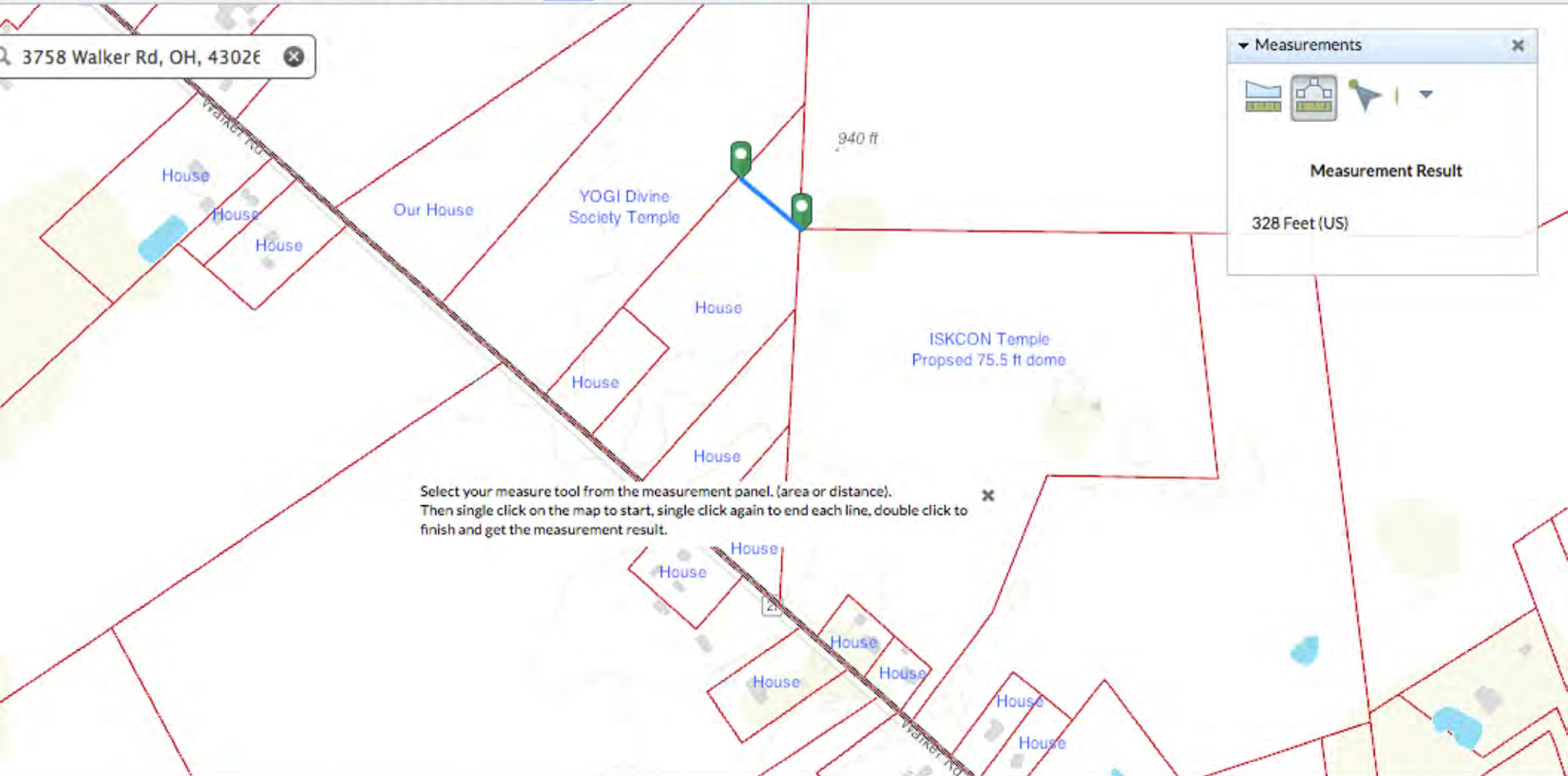
ONLINE TOOLS

REFERENCE

CONTACT MICHAEL



3758 Walker Rd, OH, 43026



Measurements

Measurement Result

328 Feet (US)

Select your measure tool from the measurement panel. (area or distance).
 Then single click on the map to start, single click again to end each line, double click to finish and get the measurement result.

Fisher, Brad M.

From: Sharon Brown <sha4fun333@yahoo.com>
Sent: Sunday, July 18, 2021 10:21 AM
To: Fisher, Brad M.
Subject: ATTN: Case # VA-4009

Dear Mr. Fisher,

This is our formal request for denying the structure to be located at Walker Road, Brown Township. Our concern is the 75-foot tall "peak" of the church. It WILL NOT blend into the surrounding area. This is the only thing we are opposed to. It will ruin the "country setting" that we have out here. It will be an eyesore!!! It is bad enough the traffic will be increasing on our small country roads, but this monstrosity cannot be allowed. We moved out here for the country setting and atmosphere.

Thank you for your time.

Sincerely Yours,
Sharon and George Brown

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Fisher, Brad M.

From: Myrna Oldaker <myo79@aol.com>
Sent: Friday, July 16, 2021 4:38 PM
To: Fisher, Brad M.
Subject: Attn: Case# VA-4009

I am highly AGAINST approving this variance to allow a huge structure to be built in our neighborhood. This is a country setting that everyone that lives in this area bought, built and worked for years to raise our families in a country setting. This is not the area for a monstrosity of a huge building to be built there. NO NO NO PLEASE DO NOT ALLOW THIS TO HAPPEN IN OUR BEAUTIFUL NEIGHBORHOOD

Respectfully
Myrna Oldaker

Sent from my iPad
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Fisher, Brad M.

From: Rodd Carmean <roddc123@gmail.com>
Sent: Thursday, July 15, 2021 6:42 PM
To: Fisher, Brad M.
Cc: rodd Carmean
Subject: Attn: Case#VA-4009

Dear Mr. Fisher,

My name is Rodd Carmean, and I live on Carter Road, very near the area in question for the above mentioned Zoning Variance request. I am against any building structure being built in this rural, residential area that is above the currently approved maximum height.

I was not able to sign the petition circulating due to my work schedule, so please consider this email as my signature on the petition. Talking to the neighbors on Carter and Walker Roads, there is not a person I have spoken to who is in agreement with this variance request, and my hope is that it will NOT be granted due to the overwhelming negative response of the home owners near and around the site in question. If this building receives approval to be built, it should ONLY be built in the currently approved maximum 35' building height in fairness to all the residents in this area. The question was asked, and the people have responded, No.

Sincerely,
Rodd Carmean
8474 Carter Road
Hilliard, OH. 43026

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Fisher, Brad M.


From: Cole R <coleruoff@gmail.com>
Sent: Friday, July 16, 2021 12:14 PM
To: Fisher, Brad M.
Subject: Fwd: Case# VA-4009

Hi, I'd like to voice my concerns with the below as well. Please don't allow it.

Thank you,

Cole Ruoff

----- Forwarded message -----

From: brianna warner <breenicole@sbcglobal.net>
Date: Fri, Jul 16, 2021 at 12:11 PM
Subject: Fwd: Case# VA-4009
To: Hubby us  <Coleruoff@gmail.com>

Thank you,
Bree

Begin forwarded message:

From: brian warner <brian0025warner@gmail.com>
Date: July 16, 2021 at 11:12:14 AM EDT
To: bradfisher@franklincountyohio.gov
Subject: Case# VA-4009

To whom it may concern

I would like to state our opposition to the planned building of a 75' structure!
Our Family has lived on Amity road for 33 years. We have loved the Natural scenic surroundings of Brown township . It will also be to close to The National registered Big Darby This structure goes against all Natural aspects of Brown Township The water run off it's self posses a great danger to the Big Darby water shed

Brian Warner
4042 amity rd
614-361-0225
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Fisher, Brad M.

From: Skip Smith <skipsmith51@gmail.com>
Sent: Friday, July 16, 2021 11:44 AM
To: Fisher, Brad M.
Subject: Attn: Case#VA-4009 Opposition to request for variance Section 302.047 Case #VA-4009

We are respectfully opposing the request for variance Section 302.047 Case #VA-4009 and ask that this be voted down. There are no buildings in Brown Township that are this height. As much of this area around this location is either rural, agricultural or low density housing this structure as proposed would be visible from great distances. This is a non-conforming structure and will adversely impact this rural area and setting.

George and Karen Smith
4000 Amity Road
Hilliard, OH. 43026
skipsmith51@gmail.com
614-937-6915

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Fisher, Brad M.

From: Naomi <tigerlilly9088@gmail.com>
Sent: Friday, July 16, 2021 10:47 AM
To: Fisher, Brad M.
Subject: Fwd: Case# VA - 4009
Attachments: Case # VA-4009.pdf

Please find a signed copy of my written statement in opposition to granting the variance in case VA-4009. ISKCON temple not complying with Rule 302.047

Please confirm receipt.

Naomi Tucker
3634 Walker Road
614-753-5587

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July 16, 2021

Hello. Thank you for the opportunity to speak. My name is Naomi Tucker and I live at 3634 Walker road. I share the west property line with the International Society for Krishna Consciousness, ISKCON. I am here to ask that the commission deny the zoning variance to build a 75 ft high temple.

So how big is 75 ft? 75ft is equal to two telephone poles. 75ft is equal to a 7 story building. Let me say that again. 75 ft is equal to a 7 story building. In fact, they are asking for DOUBLE the 38 foot limit! Rule 302.047 was enacted for a reason; to prevent superstructures like this from damaging the skyline or impeding our majestic views.

Franklin County Zoning Resolution designates this location as rural and Brown Township Comprehensive Plan describes it as low density rural, both of which have a maximum building height of 38 feet. 75 ft is too tall for a building in a rural agricultural community.

7 story buildings are not rural. Rule 302.047 is in place to preserve our rural community from high-rise offices, apartments and 7 story domes.

Despite Bradley High School being in the City of Hilliard and being taller than 38ft it blends into the rural environment. Also, the building materials and colors blend into the landscape. A 75 ft, 7 story building does not blend in to the rural environment.

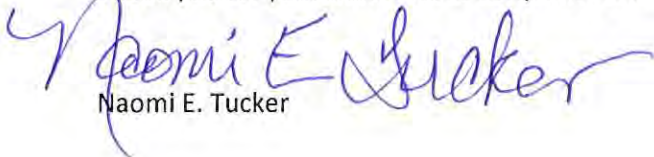
While we welcome a religious community joining our quiet town, we do not want or deserve to be shaded by a 7 story dome blocking out the sky.

Brown Township is a rare gem in Franklin County. Should you drive around Brown Township you will immediately notice the rural, agricultural, natural landscape. Because of rule 302.047 there are no buildings rising above the tree lines. The sounds of nature fill the air and in the evening there is minimal lighting creating a unique ability to star gaze so close to a metropolitan area. Please preserve this rare gem and deny the variance.

I purchased my property because of the idyllic rural environment. I have 5 acres where I have built my dream home, my forever home. I am slowly returning about half of the property to a native plant low grass and wild flower meadow. My property has been designated a monarch butterfly waystation. I have even named my property Monarch Meadows. Having a 75 ft building, a 7 story building, rising above the tree line impeding on my meadow is not the dream home landscape I bought.

We have gone door to door and asked what people think and the response was loud. The citizens do not want a 7 story building. The citizens object to this variance, I object this variance. I ask you deny the variance and protect our rural community from this and additional building that do not meet rule 302.047.

Thank you for your time. Please deny this variance.


Naomi E. Tucker

Fisher, Brad M.

From: brian warner <brian0025warner@gmail.com>
Sent: Friday, July 16, 2021 11:12 AM
To: Fisher, Brad M.
Subject: Case# VA-4009

To whom it may concern

I would like to state our opposition to the planned building of a 75' structure!

Our Family has lived on Amity road for 33 years. We have loved the Natural scenic surroundings of Brown township . It will also be to close to The National registered Big Darby This structure goes against all Natural aspects of Brown Township The water run off it's self posses a great danger to the Big Darby water shed

Brian Warner
4042 amity rd
614-361-0225
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Fisher, Brad M.

From: Erika Weise <erika_weise@yahoo.com>
Sent: Friday, July 16, 2021 10:03 AM
To: Fisher, Brad M.
Subject: Attn: Case # VA-4009

To Whom it May Concern:

We, as Brown Township residents, are strongly opposed to the variance requested by the ISKCON Temple. We specifically bought our property and built in 2007 in order to live in a rural community. The height of this proposed structure would not fit the residential and agricultural look of our community. Approval of this variance would set a bad precedent for future development and would negatively affect the value of our home because it reduces the distinctive appeal of Brown Township.

Thank you for maintaining and upholding the building restrictions that are already in place.

Carl and Erika Weise
3572 Darby Knolls Blvd
Hilliard, OH 43026

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Fisher, Brad M.

From: brad zonker <daddylawng@sbcglobal.net>
Sent: Friday, July 16, 2021 11:40 AM
To: Fisher, Brad M.
Subject: Attn: Case # VA-4009

I oppose the request for variance from Franklin County zoning resolution:
section302.047, Case # VA-4009

Sincerely,

Bradley Zonker
2100 Walker Rd.
Hilliard, Ohio 43026

Caution

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3684 Walker Rd
Hilliard, OH 43026
7/16/2021

Franklin County Board of Zoning Appeals
369 South High Street
Columbus, Ohio 43215

Re: Case VA-4009

Franklin County Board of Zoning Appeals,

I reside next to the proposed temple (as shown in the map attached to this letter) along with my wife and two girls. We moved to Brown Township for its rural setting knowing that the Franklin County Zoning Laws and the Brown Township Comprehensive Plan would keep us protected from large structures being built next to or near our home not related to agriculture. We have zoning laws for a reason and that is to protect residents of a community. The maximum building height allowed is 38 ft. The ISKCON is requesting a variance that would DOUBLE the maximum allowed building height. If allowed, it will set a precedent for future developers in Brown Township. The Brown Township Comprehensive Plan encourages the preservation of the unique rural character and agricultural community present in Brown Township. A 75 ft tall dome does not preserve those characteristics.

According to ISKCONgreatercolumbus.com, they have practiced their faith since 1968 (53 years) "in 3 separate locations, each an ordinary building, each a house, each one similar to our current location." I understand a dome is part of their architectural culture, but it is not essential and certainly does not need to be 75 feet tall.

I have knocked on doors in our community of Brown Township near the proposed site of the structure to notify neighbors of this variance being applied for and every single person we spoke to signed a petition against it. There are over 130 residents within a mile of the proposed structure who are against this variance. Not one person we spoke to was for it, so that tells you how egregious this request for variance is.

Furthermore, as shown on the attached map, you can see the land owned by the YOGI Divine Society of NJ to the left of our property line, which is 328 ft from the ISKCON property line. They are also a religious organization and have informed us they want to build a Hindu Indian Temple as well. If our zoning laws cannot be upheld for the variance applied for, what is going to stop them from doing the same thing 328 ft away from another Temple with homes stuck in between? You cannot allow a new precedent to be set for future builders in this community. We ask that you deny this request for variance.

Thank you,

Mike and Amanda Davell



RECEIVED

JUL 16 2021

Franklin County Planning Department
Franklin County, OH

VA-4009



AUDITOR OFFICE

SEARCH

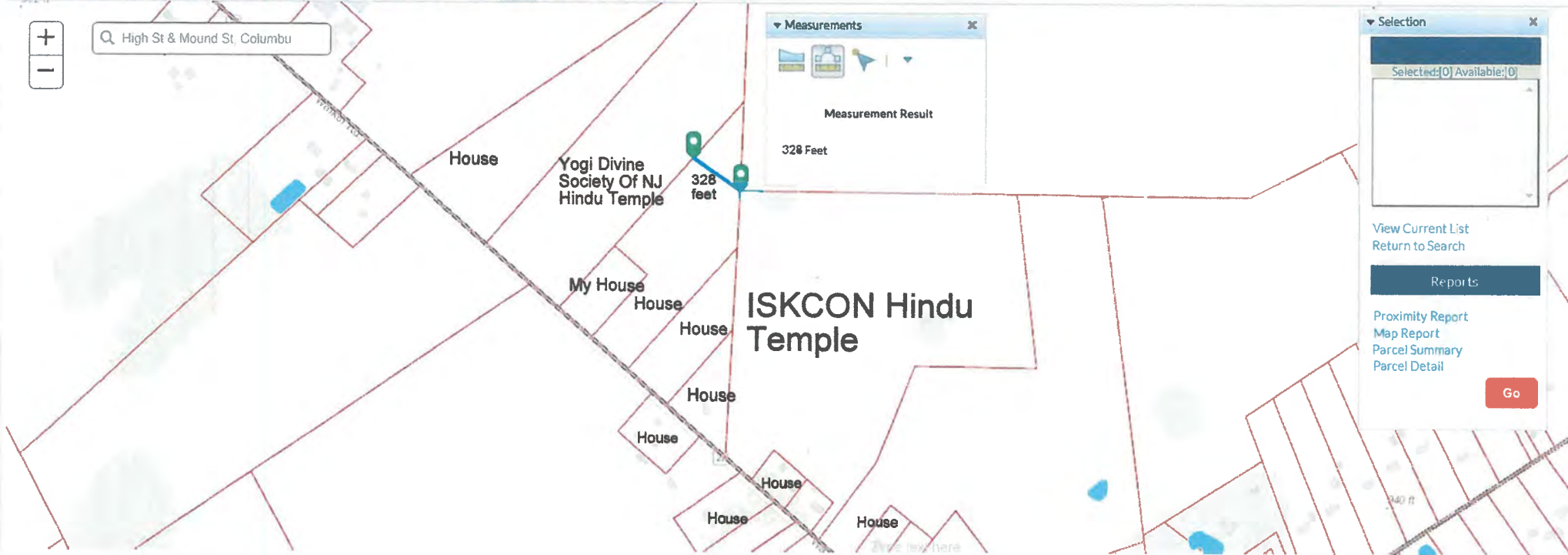
ONLINE TOOLS

REFERENCE

CONTACT MICHAEL



High St & Mound St, Columbu



Measurements

Measurement Result

328 Feet

Selection

Selected: 0 Available: 0

View Current List
Return to Search

Reports

Proximity Report
Map Report
Parcel Summary
Parcel Detail

Go

July 14, 2021



VA-4009

3520 Walker Road
Hilliard, Ohio 43016

Franklin County Economic Development and Planning Department
150 South Front Street, FSL Suite 10, Columbus, Ohio 43215

RE: Case #VA-4009

Please note the enclosed comments regarding VA-4009. Questions may be addressed to us at 614-307-2910 or 614-297-1095.

Sincerely,

A handwritten signature in black ink that reads "Jeff Long". The signature is stylized with large loops.

Jeff Long

Cc: Brad Fisher ✓

June 20, 2021

Paula and Jeff Long
3520 Walker Rd.
Hilliard, OH 43026

To Whom it May Concern,

We live at 3520 Walker Rd. The back of our yard butts directly against the proposed Iskon Temple site.

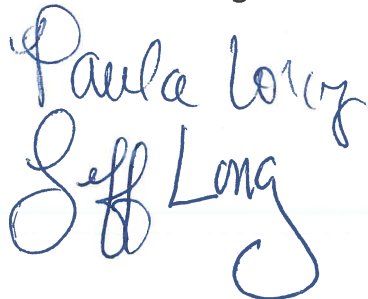
We understand the temple will be set back several hundred yards from Walker Rd. and will be screened within a grove of trees. We do not think the addition of the temple will detract from our enjoyment of the beautiful country view from our home.

We have had the honor of meeting several Monks, families and other members of the proposed temple. We have found them to be quiet, generous and kind people. We believe they will be positive neighbors here on Walker Rd.

The temple dome is an important factor in the architecture of their place of worship just as a steeple is to a Christian church or a minaret is to a Muslim mosque. We, therefore, have no negative feelings about allowing the members of the Iskon Temple to build their place of worship in a way that celebrates their faith.

Sincerely,

Paula and Jeff Long

Handwritten signatures of Paula Long and Jeff Long in blue ink. The signature for Paula Long is written above the signature for Jeff Long. Both signatures are in a cursive, flowing style.

July 15, 2021

RECEIVED

JUL 19 2021

Franklin County Planning Department
Franklin County, OH

Franklin County Economic Development and Planning Department
150 South Front Street, FSL Suite 10
Columbus, Ohio 43215

VA-4009

ATTN: Brad Fisher

RE: VA-4009

Mr. Fisher:

In reviewing the above referenced proposal it became evident that there are multiple interpretations of what constitutes acceptable heights. Note the enclosed pictures.

Although the application of a Rural Zone may not be applicable, is it correct to assume that there are height requirements in every zoning district?

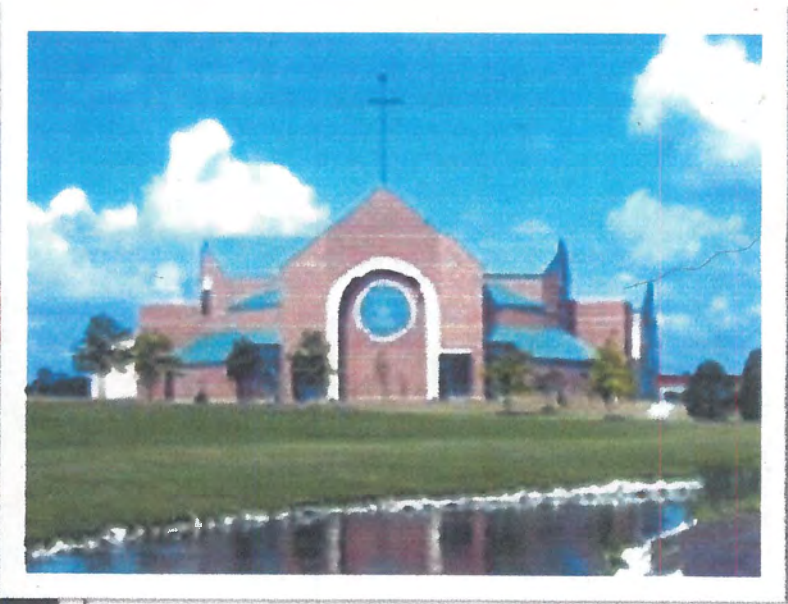
In addition to churches must silos adhere to the current zoning ordinances or is it correct to assume that silo height above current limitations, such as the silos at 3489 Walker, are grand – fathered?

Regards

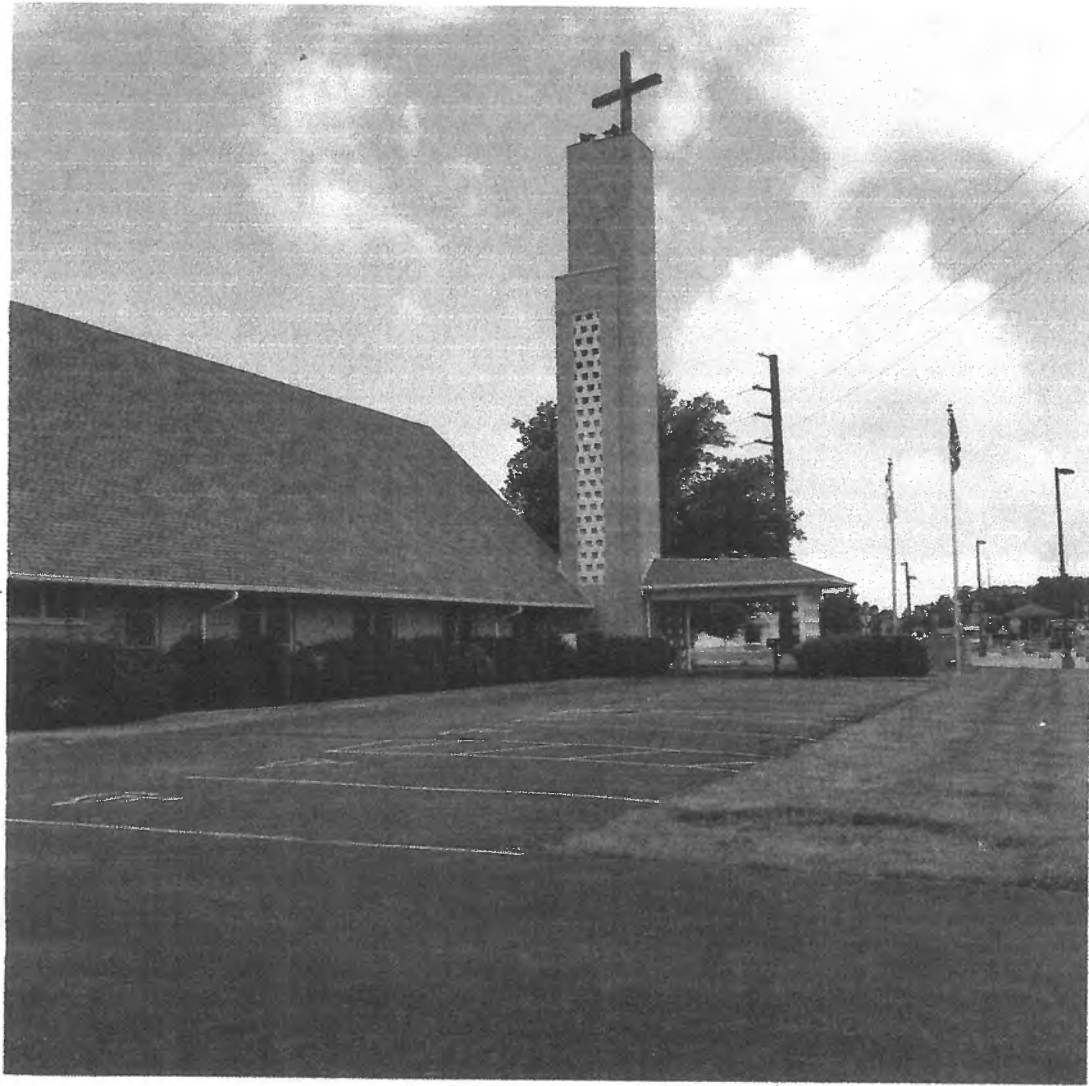
Jeff Long



The Church at Mill Run
Upper Arlington Lutheran Church, Hilliard Campus
3500 Mill Run Drive, Hilliard



**Hilliard United Methodist Church
5445 Scioto Darby Road, Hilliard**



Northwest Bible Church
6639 Scioto Darby Road, Hilliard



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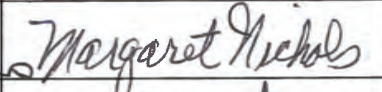

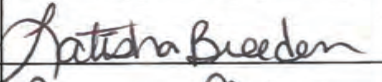
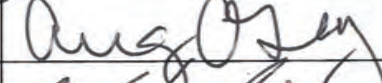

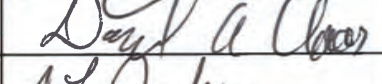

JUL 16 2021

Franklin County Planning Department
Franklin County, OH

VA-4009







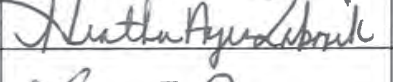
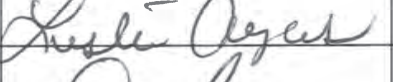
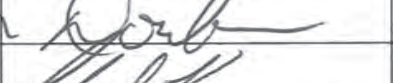

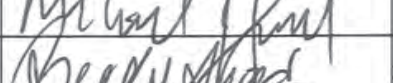

Petition to: Decline Variance Case # V A-4009

Petition summary and background	The applicant for zoning variance case # V A-4009, International Society for Krishna Consciousness is requesting a Variance to allow a structure to exceed the maximum permitted height of 38 feet in an area zoned Rural, in accordance with section 302.047 of the Franklin County Zoning Resolution.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now and to decline Variance # V A-4009 for International Society for Krishna Consciousness, Brown Township, 3508 Walker Rd. (PID #120-000031)

Printed Name	Signature	Address	Comment	Date
Matthew Jones		7643 Patterson Rd, Hilliard 43026	Do not approve Variance	7/15/2021
Carol Esposito		7675 Patterson Rd. Hilliard, OH 43026	Do not approve	7/15/21
Brenda Esposito		7675 Patterson Rd Hilliard, OH 43026		
Nicole Yoder		8147 Patterson Rd Hilliard OH 43026	Do not approve	7-15-21
Stephen Yoder		8147 Patterson Rd Hilliard OH 43026	DO NOT APPROVE	7-15-21
Margaret Nichols		3200 Walker Rd. Hilliard OH 43026	Do not approve	7-15-21
Ellis Breeden		7121 Davis Rd	Do not approve	7-15-21
Latisha Breeden		7121 Davis Rd	Do Not Approve	7-15-21
Angie O'Leary		7131 Davis Rd	do not Approve	7-15-21
Grant Goodwin		7140 Davis Rd	DO NOT APPROVE!	7-15-21
David Claus		6930 Davis rd	Do Not Approve	7-15-21
CHRIS JACKSON		6906 DAVIS RD	Do Not APPROVE	7/15/21

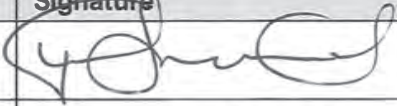
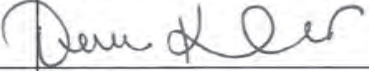
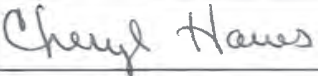
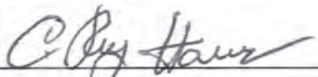
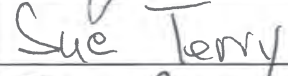
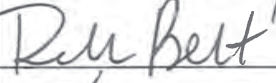

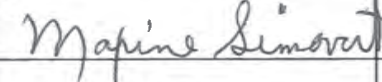

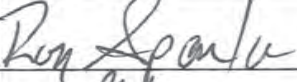

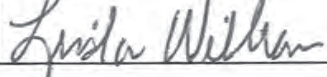
Petition to: Decline Variance Case # V A-4009

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Printed Name	Signature	Address	Comment	Date
H. Williams		7422 DAVIS RD.		7-14-21
Don Schneider		7254 DAVIS RD		7-14-21
Valentina Aude		7235 DAVIS RD		7/14/21
Jesse Kiet		7183 DAVIS RD		7/14/21
Frederick May		6944 Davis Rd.	Variance far exceeds ht. maximum	7/14/21
John Boch		3100 Walker Rd		7-14-21
Heather Ayzubik		3420 Walker Rd		7-15-21
Lestie Ayres		3119 Walker Rd		7/15/21
Dorey Seiber		3119 Walker Rd		7/15/21
CHAD KERNS		3166 Walker Rd		7/15/21
MIKE SPAED		3130 WALKER RD		7/15/21
Becky Speed		3130 Walker Rd		7/15/21






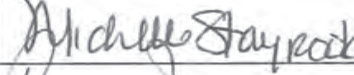



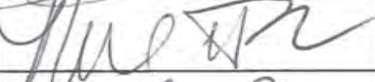
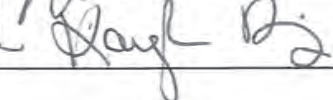
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Printed Name	Signature	Address	Comment	Date
CHRIS. W. JURY		3662 WALKER RD, HILLIARD, OH 43026.		07/14/2021
Dawn Koehler		7680 DAVIS Rd Hilliard OH 43026		7/14/21
CHERYL HAWS		7540 DAVIS RD HILLIARD OH 43026		7-14-21
C Roy Haws		7540 Davis Rd Hilliard Oh.		7-14-21
Sue Terry		Hilliard. 7500 Davis Rd, OH		7-14-21
Rebecca Belt		7469 Davis Rd Hilliard OH 43026		7-14-21
Heino Simovar		7482 DAVIS RD Hilliard 43026		7-14-21
MAXINE SIMOVAR		7482 DAVIS RD- HILLIARD		7-14-21
Kristen Brant		7472 Davis Rd Hilliard		7/14/21
RON SPARKS		7467 DAVIS RD Hilliard		7/14/21
Bedric Sallaberry		7461 Davis Rd Hilliard		7/14/21
LINDA WILLIAMS		7422 Davis Rd. Hilliard		7/14/21




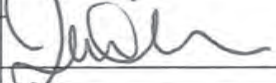



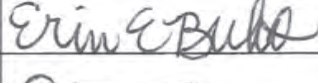


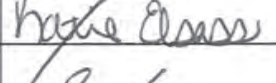

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Printed Name	Signature	Address	Comment	Date
Jeremy MAX		8159 MORRIS Rd Hilliard OH 43026	Height is too Large	7/14/21
Marzia Kiss		8159 MORRIS Rd Hilliard OH 43026	Too tall	7/14/21
Chris Morley		8635 MORRIS Rd Hilliard OH 43026		7/14/21
Amanda Morley		8635 MORRIS Rd Hilliard OH 43026		7/14/21
Linda Owens		8550 MORRIS Rd Hilliard OH 43026		7/14/21
Michelle Steyrock		7806 MORRIS Road Hilliard OH 43026	Does not align with the aesthetic of Brown Twp.	7/14/21
Bryce Steyrock		7806 MORRIS Rd. Hilliard, OH 43026	"	7/14/21
George Wokwin		8154 MORRIS Rd. Hilliard, OH 43026	Height does not align	7/14/21
Melissa Wood	Melissa Wood	8154 MORRIS Rd Hilliard OH 43026	Too high. It should blend w/ the surroundings	7/14/2021
Brandon Dickson		8555 MORRIS Rd Hilliard OH 43026	NO NEEDS	7/14/21
Melissa Dickson		8555 MORRIS Rd HILLIARD OH 43026	too tall	7/14/21
KAYLEE BIDWELL		8320 CARTER RD. HILLIARD, OH 43026	too tall	7/15/21






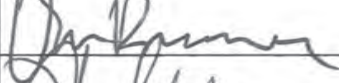
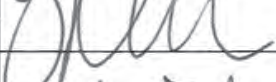
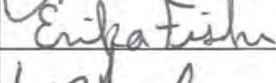
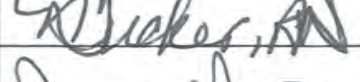
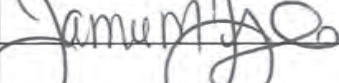
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Printed Name	Signature	Address	Comment	Date
Michael Davell		3684 Walker Rd. Hilliard OH 43026		7-14-21
Amande Davell		3684 Walker Rd Hilliard, OH 43026		7-14-21
Chad Kohn		3758 Walker Rd. Hilliard, OH 43026		7/14/21
JESSICA MOTT		3758 Walker Rd Hilliard OH 43026		7/14/21
Scott Deaver		3828 Walker Rd Hilliard, OH 43026		7/14/21
ROBERT STONEBRAKER		3821 WALKER RD HILLIARD		7/14/21
Mickey Seay		3955 Walker Rd Hilliard		7/14/21
Erin Buhrts		3955 Walker Rd Hilliard		7/14/21
Cassandra Christensen		4150 Walker Rd 43026		7/14/21
Chris Jackson		4150 Walker 43026		7/14/21
Hattie Elsass		4485 Walker Rd. 43026		7/14/21
Greg Elsass		4485 Walker Rd 43026		7/14/21







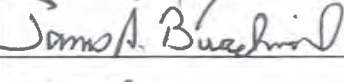




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Printed Name	Signature	Address	Comment	Date
Anna Mae Nolden		3500 Walker Rd. ^{Hilliard} off		7-14-21
BULEN Krizman		3330 Walker Rd		7-14-21
HAROLD FISK		3400 WALKER RD		7-14-21
MATT Zabawicki		3420 WALKER RD		7-14-21
Rusty Davis		3375 walker rd		7-14-21
Von Kramer		3489 walker rd		7-14-21
Maria Schaefer		3464 Walker Rd		7/14/21
Erika Fischer		3615 Walker Rd		7/15/21
Naomi Tucker		3634 walker Rd		7/15/21
Jamie Jury		3662 Walker Rd.		7/15/21

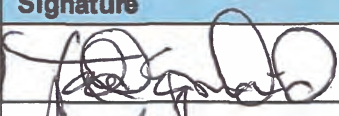
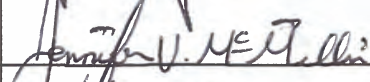
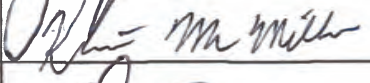

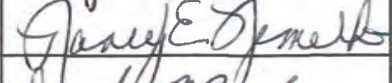
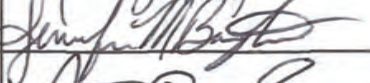
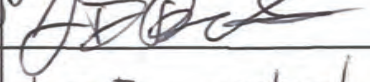


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Printed Name	Signature	Address	Comment	Date
KEVIN BUCK		7150 DAVIS Rd. Hilliard OH 43026		7/15/21
BOBBIE BUCK		7150 DAVIS Rd Hilliard OH 43026		7/15/2021
MATT CHRISTIAN		7300 DAVIS Rd Hilliard, OH 43026		7/15/2021
EMILY CHRISTIAN		7300 Davis Rd. Hilliard, OH 43026		7/15/2021
JENNIFER SAXTON		6870 Davis Rd		7/15/21
DAVID KEYS		6778 DAVIS Rd.		7/15/21
JAMES BURCHINAL		6680 Davis Rd.		7-15-21
Cheryl Burchinal		6680 Davis Rd		7-15-21
Rachel Rhodes		6666 Davis R	I have no problem with a hindu temple, just the height	7-15-21
WILLIAM BUTSKA		6677 DAVIS Rd.		7.15-21
MELISSA BRAZEAU		3547 Darby Knolls Blvd.		7-16-21

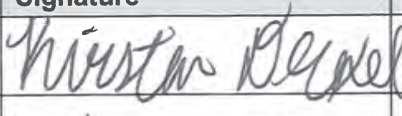




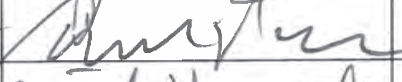
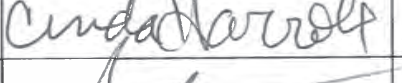
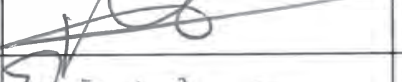
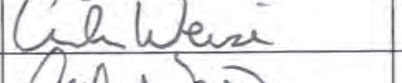
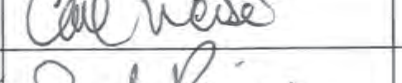
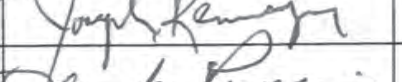
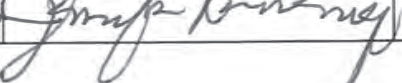
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Printed Name	Signature	Address	Comment	Date
Todd Espenschied		8666 Carter Rd		7/15/21
JENNIFER V. McMillin		3800 Amity Rd		7-15-21
Kelvin McMillin		3800 Amity Rd		7-15-21
George Nemeth		7805 MORRIS Rd		7-15-21
Nancy E. Nemeth		7815 MORRIS Rd.		7-15-21
Jen Bevington		8166 Morris Rd	Right Requesting Height Restriction Please	7-15-2021
JASON BEVINGTON		8166 MORRIS Rd		7-15-21
Barbara		8666 Carter Rd		7/15/21
Angie Buck		3620 Darby Knolls Rd		7/15/21

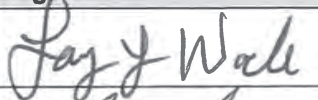

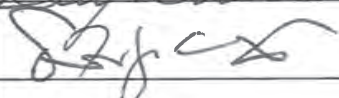
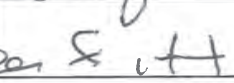
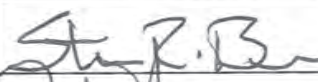

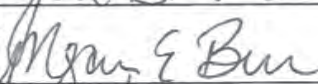

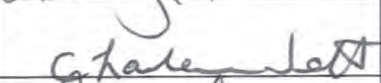
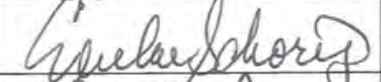


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Printed Name	Signature	Address	Comment	Date
Kirsten Drexel		3012 Darbyknolls Blvd	duel	7-15-21
Heather Healy		3693 Darby Knolls Blvd		
Alex Martinez		3643 Darby Knolls Blvd		7-15-21
Joe Baels		3599 Darby Knoll Blvd		7-15-2021
John Dye		3599 Darby Knolls Blvd		7-15-2021
Chris Pader		2507 Darby Knolls Blvd		7-15-2021
Cinda Harold		3508 Darby Knolls Blvd		07/15/21
Mike Harold		3548 Darby Knolls Blvd		7/15/21
Erika Weise		3572 Darby Knolls Blvd.		7/15/21
CARL WEISE		3572 DARBY KNOLLS BLVD		7/15/21
Joseph Reinemeyer		3596 Darby Knolls Blvd.		7/15/21
Jennifer Reinemeyer		3596 Darby Knolls Blvd		7/15/21

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Printed Name	Signature	Address	Comment	Date
Larry Wade		4175 Walker Rd		7-14-21
Gay Sowers		8300 Carter Rd		7/14/21
Sarah Catlett		8520 Carter rd		7/14/21
Edmond Hill		8550 Carter Rd		7-14-21
STEVEN BROWN		8572 CARTER RD		7-14-21
Juli Brown		8572 Carter Rd		7-14-21
Megan Brown		8572 Carter Rd		7/14/21
Tracey Hanson		8588 Carter Rd.		7/14/21
Charlene Jeff		8612 Carter Rd.		7/14/21
Erika Schorej's		3644 Darby Knolls Blvd		7-14-21
Sheila Core		3668 Darby Knolls Blvd		7-14-21
Leshia Reed		3692 Darby Knolls Blvd		7-15-21



STAFF REPORT

Board of Zoning Appeals
September 20, 2021

Case: CU-4014

Prepared by: Brad Fisher

Owner/Applicant:	Visitine Hart Road, LLC. – Steve Smith
Township:	Franklin Township
Site:	Hart Road (PID #140-000190), 660 Hart Road (PID #140-000385), Richter Road (PID #140-002156)
Acreage:	36.5-acres
Zoning:	General Industrial (GI) and Rural
Request:	Requesting a Conditional Use from Sections 346.032 and 610.06(7) of the Franklin County Zoning Resolution to allow for the permanent placement of fill in the floodway fringe in an area zoned General Industrial (GI) and Rural.

Summary

The applicant is requesting a Conditional Use to allow for the permanent placement of fill in the floodway fringe in an area zoned General Industrial (GI) and Rural. The request does not meet the criteria necessary for granting a Conditional Use. Staff recommends ***denial***.

Description of the Request

The subject site includes three parcels located on the north side of Hart Road, between Richter Road and Harmon Road in Franklin Township. The site has included a large pond since the early 1960's, which encompasses almost the entire site. The applicant is proposing to convert the existing pond on site to a clean fill disposal area with the intent of elevating the property above the Base Flood Elevation (BFE).

Almost the entire site is located in the regulatory floodplain. The placement of permanent fill in the regulatory floodplain is a Conditional Use subject to compliance with development standards.

History

December 18, 1989 – Case: CU-2404

Requested a conditional use to allow for the permanent placement of fill (construction demolition fill) and allow for the temporary storage of impound vehicles in the regulatory floodplain. The application was conditionally approved; however, the application has expired as the conditions of approval were never met.

May 19, 1997 – Case: CU-2965

Requested a conditional use to allow for industrial buildings to be located in the regulatory floodplain. The application was conditionally approved; however, the application has expired as the conditions of approval were never met.

Surrounding Area

Properties to the north and south are zoned General Industrial (GI) in Franklin Township and used industrially. Properties to the west are zoned Rural in Franklin Township and developed with low-density residential uses. Those properties are located in the H.E. Richter's Subdivision, which was platted in

1922. Properties to the east are zoned Manufacturing in the City of Columbus and developed with commercial uses. The associated floodplain is attributable to flooding effects from the Scioto River located to the east of the site.

Area Plan

The Southwest Area Plan, adopted in 2009, recommends the site for landfill and quarry uses. The design of these uses should be sensitive to the needs of the land, residents, and other adjacent uses. The Plan's Guidelines and Strategies recommends that abandoned quarries be restored with land uses that are compatible with the community and maximize recreational reuse potential where appropriate. Another guideline is to minimize negative impacts of industrial uses on residential areas.

The applicant's request does not keep with the Plan's recommendations as filling the pond to an elevation that is approximately 30 feet higher than the adjacent residential subdivision could negatively impact residents. Being that the site is adjacent to a residential subdivision, if redeveloped all required buffering and screening to the residential properties must be provided, however the required buffering and screening could not adequately protect nearby residents from a use or development at the proposed elevations. Additionally, the proposed elevations are not conducive to allow for the site to be developed.

Technical Review Committee Comments

Franklin County Engineer's office

- Additional right-of-way must be dedicated to meet 40 feet half right-of-way for the entire subject site as quit claim deed to the Franklin County Board of County Commissioner's.
- Per the Franklin County Access Management Regulations, each parcel has the right to one driveway. Additional driveways need to be justified by a traffic study. As there are two existing driveways, those may be grandfathered in, but the addition of a 3rd driveway causes concern. With the addition of the gravel driveway on the west end of the property, one of the existing driveways along Hart Rd shall be removed. Further Access Management considerations will need to be addressed when/if the site is developed to a more intense use.
- It's unclear where existing pond water will drain to prior to adding fill.
- The highest-grade elevation is proposed at 730 feet, while the highest-grade elevation to the west in the H.E. Richter's residential subdivision is 700 feet. There is concern that the subject site will push water onto the adjacent parcels and roadway as the pond is filled.
- A proposed ditch line is identified on the site plan submitted around the west, north and east sides of the subject site. It's unclear why there is not a proposed ditch line along the south side of the site.

Franklin Soil and Water Conservation District

The proposed fill of the site must be permitted through OEPA and meet the Franklin County Stormwater Drainage Manual requirements. The FSWCD is in support of filling the pond to the existing waterline/ground elevation provided the existing water storage potential of the site is preserved.

Franklin County Economic Development and Planning Department

- It's unclear what type of material is included with the proposed "clean fill" and where the material will be coming from. Any proposed clean fill should be in compliance with Section 3745-400-01(E) of the Ohio Administrative Code (OAC) unless there are other intentions which would raise other concerns.
- The hours of operation were not included with application materials.
- The site plan submitted does not identify how the site will be secured or include information on how drivers will gain access to the secured site.
- The surrounding area has a history of flooding which impacts homes on a regular basis. No stormwater management details were provided to ensure that existing stormwater flows from

adjacent properties are maintained and that no increased flood heights would result from the proposed fill.

Staff Review

Conditional Use from Section 346.032 – Other Industrial Uses:

- Any other lawful industrial uses in the GI district.
 - The applicant requested a Conditional Use to allow the placement of clean fill.
 - Staff has identified the most appropriate Standard Industrial Classification (SIC) code for the proposed use as SIC 4953. This SIC code is not a listed permitted or conditional use in the General Industrial zoning district and therefore a conditional use to allow for a lawful industrial use is needed.

Conditional Use from Section 610.06(7) – Permanent Placement of Fill in the Floodway Fringe:

- Temporary or permanent placement of material, fill, or spoil of any type or other such mounding or embankment or additions or extensions thereto are Conditional Uses in the Floodway Fringe.
 - A Conditional Use to allow the placement of fill in the Floodway Fringe is required.
 - The site's current elevation ranges from 691 feet to 722 feet, with the highest grade being located along the road right-of-way. The existing depth of the pond is undetermined. The applicant is requesting to permanently place fill that will elevate most of the property to 720 feet, with the highest elevation being 730 feet. The base flood elevation (BFE) of the property appears to be 701 feet, however the applicant did not provide a BFE determination from a qualified professional as required by Section 610.013 of the Zoning Resolution.

Staff Analysis

Section 815.041 – Approval of Conditional Use:

The Board of Zoning Appeals shall only approve an application for a Conditional Use if the following three (3) conditions are met:

- 1) *The proposed use is a Conditional Use of the Zoning District, and the applicable Development Standards established in this Zoning Resolution are met.*
 - » The proposed permanent fill is a Conditional Use in the floodplain area.
 - » The applicant indicated the site is to be filled to allow for future development.
 - Staff notes that the proposed elevation is significantly higher than needed to achieve flood protection for this site. The adjacent residential properties to the west have an approximate elevation of 702 feet. It is unclear how the site could potentially be developed with the proposed elevations.
- 2) *The proposed development is in accordance with applicable plans or policies for the area.*
 - » The request to fill the pond is not supported by the Southwest Area Plan as nearby residential properties would be negatively impacted by the proposed elevations of the site, while potentially leaving the site undevelopable based on the proposed elevations. Additionally, the adjacent residential properties could suffer increased flood heights from the proposed fill.
- 3) *The proposed use will be in keeping with the existing land use character of the area.*
 - » No use is proposed at this time, however the applicant indicated that the site is intended to be developed in the future.
 - Staff notes that the proposed elevation of 730 feet is not conducive to allow for future development of this site. Additionally, the residential subdivision to the west would be negatively impacted by the proposed filling of the site at the proposed elevations. Staff believes that an appropriate maximum elevation for the site is 712 feet as the nearby Scioto River BFE is 711 feet.

Recommendation

Based on Staff’s analysis, Staff recommends *denial* of a Conditional Use from Sections 346.032 and 610.06(7) of the Franklin County Zoning Resolution to allow for the permanent placement of fill in the floodway fringe in an area zoned General Industrial (GI) and Rural.

Resolution

For your convenience, the following is a proposed resolution:

Proposed Resolution for Request:

_____ moves to approve a Conditional Use from Sections 346.032 and 610.06(7) of the Franklin County Zoning Resolution as outlined in the request for the applicant identified in Case No. CU-4014 with the recommended staff conditions.

Seconded by: _____

Voting:

Findings of Fact

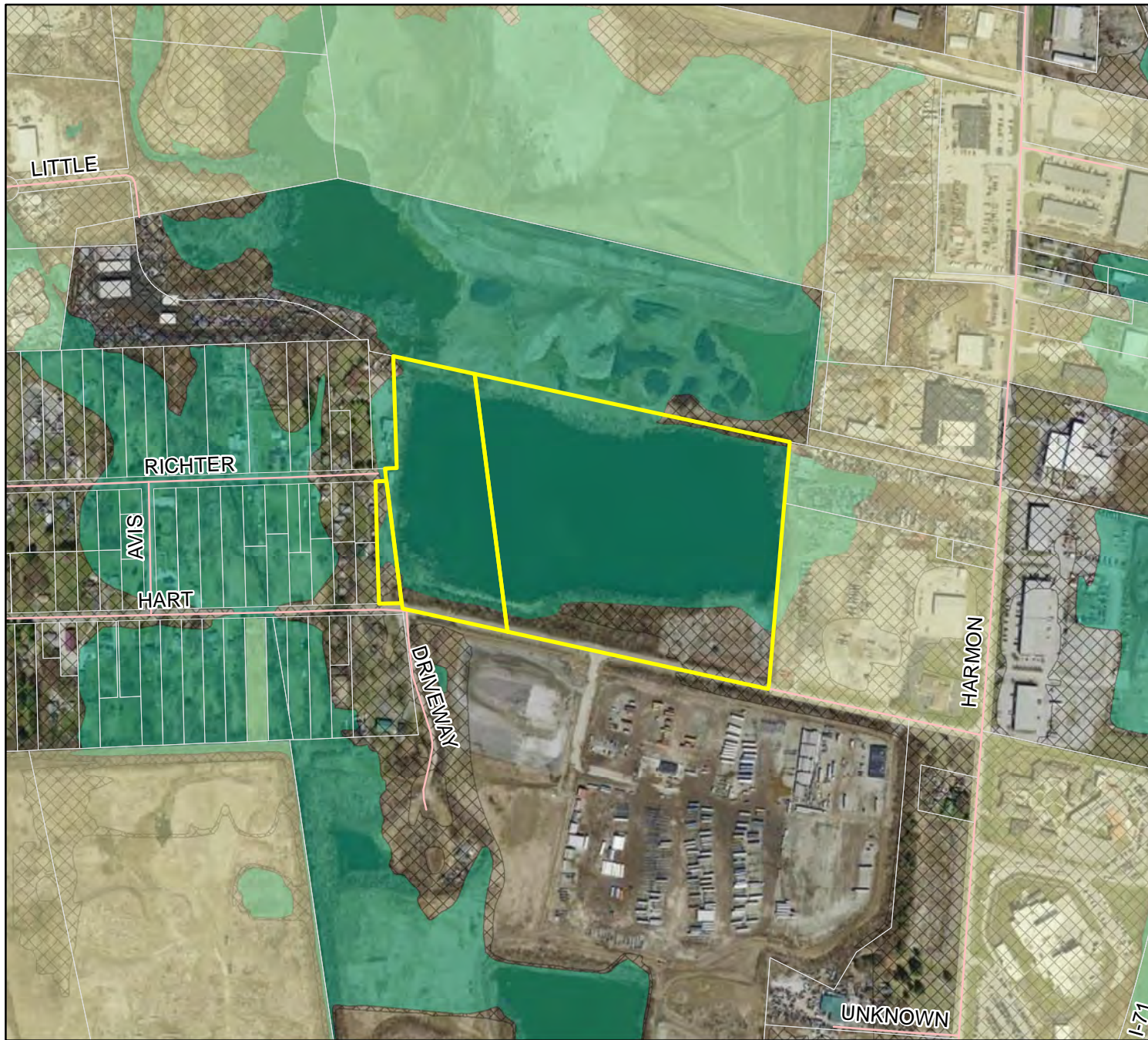
For your convenience, the following are proposed findings of fact:

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 conditional use from Sections 346.032 and 610.06(7) of the Franklin County Zoning Resolution as outlined in the request for the applicant identified in Case No. CU-4014 results from applicant’s failure to satisfy the criteria for granting a conditional use under Section 815.041.

Seconded by: _____




Voting:





CU-4014

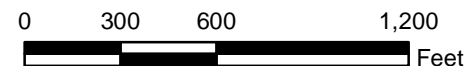
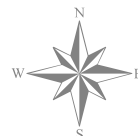
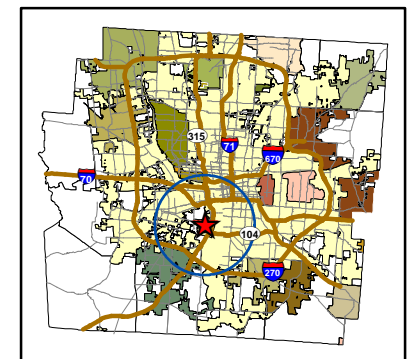
Requesting a Conditional Use from Sections 346.032 and 610.06(7) of the Franklin County Zoning Resolution to allow for the permanent placement of fill in the floodway fringe in an area zoned General Industrial (GI) and Rural.

Acres: 36.5-acres
Township: Franklin Township

-  660 Hart Road
-  Streets
-  Parcels
-  Columbus

Franklin County Floodplain

-  100 year floodplain
-  Protected by levee



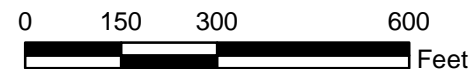
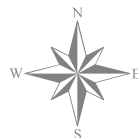
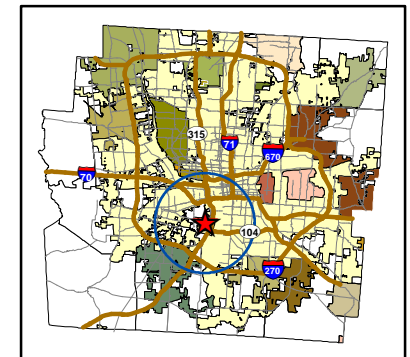


CU-4014

Requesting a Conditional Use from Sections 346.032 and 610.06(7) of the Franklin County Zoning Resolution to allow for the permanent placement of fill in the floodway fringe in an area zoned General Industrial (GI) and Rural.

Acres: 36.5-acres
Township: Franklin Township

- 660 Hart Road
- Streets
- Parcels
- Columbus





CU-4014

Requesting a Conditional Use from Sections 346.032 and 610.06(7) of the Franklin County Zoning Resolution to allow for the permanent placement of fill in the floodway fringe in an area zoned General Industrial (GI) and Rural.

Acres: 36.5-acres
Township: Franklin Township

660 Hart Road

Streets

Parcels

Franklin County Zoning

Rural

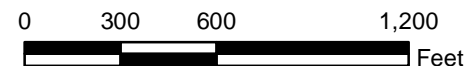
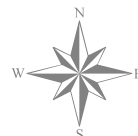
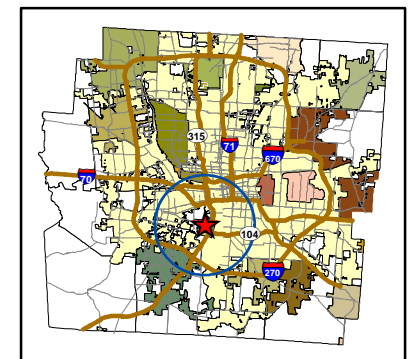
Limited Industrial

General Industrial

Columbus Zoning

Residential

Manufacturing



STAFF REPORT

Board of Zoning Appeals
September 20, 2021

Case: VA-4015

Prepared by: Brad Fisher

Owner/Applicant:	Harley & Katherine Langley
Township:	Madison Township
Site:	3317 Latonia Court (PID #180-004173)
Acreage:	0.28-acres
Zoning:	Restricted Urban Residential (R-8) District
Utilities:	Public water and sewer
Request:	Requesting a Variance from Section 610.081(1) of the Franklin County Zoning Resolution and Section 4.2-1(A(1)) of the Franklin County Special Resolution NFIP Regulation to allow for the construction of a single-family home in the floodplain that fails to meet elevation requirements in an area zoned Restricted Urban Residential (R-8).

Summary

The applicant is requesting Variances to allow for the construction of a single-family home in the floodplain that fails to meet elevation requirements in an area zoned Restricted Urban Residential (R-8). The request does not satisfy all criteria necessary for granting a variance. Staff recommends ***denial*** of a variance to Section 610.081(1) of the Franklin County Zoning Resolution. Staff recommends ***denial*** of a Variance to Section 4.2-1(A(1)) of the Franklin County Special Resolution NFIP Regulation.

Description of the Request

The subject site is located on the west side of Latonia Court, east of Noe Bixby Road in Madison Township. The site was developed with a single-family home in the late 1960's. Based on aerial imagery, that home was demolished and removed from the site between 2012 and 2013. The site was recently redeveloped with a 2,490 square foot single-family home. A 792 square foot attached garage is proposed on the west side of the home. The proposed construction is entirely located in the regulatory floodplain. The owner began construction of the buildings before applying for a Certificate of Zoning Compliance, Building Permit, and NFIP permit. The owner was issued a zoning violation notice dated August 6, 2020 informing the owner that a certificate of zoning compliance is required prior any change of use or development of land. The owner applied for a certificate of zoning compliance on April 13, 2021 to allow for the proposed development and the application was denied on May 13, 2021. This variance request is to address the deficiencies identified in the zoning compliance review related to the elevation of the structure.

Surrounding Land Use/Zoning

The subject site and all surrounding properties are located in Madison Township, zoned Restricted Urban Residential (R-8) and developed with low density residential uses.

Area Plan

The Blacklick-Madison Area Plan, adopted in 2011, includes a Future Land Use Map that recommends the site for medium density residential uses and identifies a stream buffer on the site. Corresponding zoning districts include Limited Suburban Residential (R-2), Suburban Residential (R-4) and Restricted

Urban Residential (R-8). Another recommendation is to limit and mitigate floodplain development. The Plan's Vision for Healthy Living recommends that when a proposal requires approval from a decision making Board, the applicant must provide information on how they will offset lost storage capacity.

The request keeps with the recommended single-family residential use of the property. However, the applicant has not provided proof that they will limit and mitigate the development in the floodplain. Additionally, the applicant did not provide information about how the development will offset the lost flood storage capacity.

Staff Review

Franklin County Zoning Resolution

Variance from Section 610.081(1) – Buildings and Structures in the Floodplain:

- Flood protection shall be achieved by elevating the building. Buildings shall not be permitted with flood levels below the base flood elevation (BFE). The lowest floor, including basement, shall be at least 1 foot plus floodway computation increases above the base flood elevation.
 - The BFE is 757.2 feet above sea level (ASL) and the floodway computation increase for the property is 0.5 feet. The required elevation for residential construction is therefore $757.2' + 1' + 0.5' = 758.7'$.
 - The current elevation of the lowest floor is 753.3' or 5.4' below the minimum lowest floor elevation.
 - A variance of 5.4 feet is required

Franklin County Special Resolution National Flood Insurance Program (NFIP) Regulation

Variance from Section 4.2-1(A(1)) – Residential Construction:

- Flood protection shall be achieved by elevating the structure; the lowest floor, including basement, shall be at least 1 foot plus floodway computation increases above BFE.
 - The BFE is 757.2 feet above sea level (ASL) and the floodway computation increase for the property is 0.5 feet. The required elevation for residential construction is therefore $757.2' + 1' + 0.5' = 758.7'$.
 - The current elevation of the lowest floor is 753.3' or 5.4' below the minimum lowest floor elevation.
 - A variance of 5.4 feet is required

Technical Review Committee Agency Review

Franklin Soil and Water Conservation District & Franklin County Engineer's Office

Indicated no concerns with the proposed development.

Franklin County Drainage Engineer's Office

Requires additional information identifying where the sump pump and downspout will discharge.

Franklin County Economic Development and Planning Department

The following items were noted in the certificate of zoning compliance denial letter and no information has been provided to determine if these standards will be achieved:

- Section 610.071 of the FCZR and Section 4.1-1(1) of the Special Resolution requires that new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- Section 610.073 of the FCZR and Section 4.1-7 of the Special Resolution requires that activities and developments shall be planned, designed, constructed, and installed consistent with the need to minimize damages in time of flooding.
- Section 4.1-2(3) of the Special Resolution requires that all new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air

conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

Staff Analysis

Franklin County Zoning Resolution

Section 810.041 – Approval of Variance:

The Board of Zoning Appeals shall only approve a variance or modification thereof if all the following findings are made:

- 1) *That 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 the special circumstance is that the property is located in an established neighborhood and the site was originally developed with a single-family home prior to the adoption of the floodplain regulations. The previous home has since been demolished and the applicant intends to construct a new home in a similar manner.
 - » Staff does not believe that the site originally being developed prior to the adoption of the floodplain regulations warrants the reconstruction of a single-family home and garage in a manner that will not protect the building from flood damage during a flood event. No special conditions or circumstances have been identified by the applicant, or found by staff, that would have prevented the owner from elevating the structure prior to construction.
- 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.*
 - » Staff does not believe a literal interpretation of the adopted regulations would deprive the applicant rights commonly enjoyed by other properties. The original development of the site and surrounding area pre-dated floodplain development standards and if any non-conforming structures were substantially damaged or substantially improved then the (re)construction would be required to comply with current standards.
- 3) *That the special conditions and circumstances do not result from the action of the applicant.*
 - » The applicant indicated that there was an elevation change.
 - » Staff is unclear of what the elevation change referred to by the applicant is regarding. The current floodplain map for the property has an effective date of June 17, 2008 and the base flood elevation for the area has not changed since that time.
 - » Staff notes that the building has been partially erected prior to receiving approval of a Zoning Compliance. If the property owner had applied for the proper permitting prior to initiating construction, then the current deficiencies could have been addressed.
- 4) *That 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 indicated that the request is to build on a lot that was previously developed, which would not grant a special privilege.
 - » Staff believes that approving the request would set a precedent for allowing the construction of unsafe structures in the floodplain when no special circumstance has been identified.
- 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 injurious to private property or public improvements in the vicinity.*
 - » The applicant does not believe that the variances requested would have any adverse impacts as the property was vacant and overgrown with weeds when they purchased the property in 2019. The applicant has cut down weeds, reducing pollen and bugs on site. Additionally, the applicant has gotten rid of rodents and wildlife and reduced drug activity in the area by cleaning up the site.
 - » Staff believes that granting the variance will allow the construction of a single-family home and garage to be at risk of substantial damage from flooding that could negatively impact future residents and set a precedent to allow for at risk development. Aside from the property damage that

would occur to the structures based on using non-flood damage resistant materials and elevating the structure, the proposal will negatively impact the safety of future residents and cause damage to their personal property. If approved, the home and garage could have up to 5.4 feet of flood water inside the structures during a 100-year flood event.

Special Resolution National Flood Insurance Program (NFIP) Regulation

Section 4.2-1(A(1)) – Approval of Variance:

The Board of Zoning Appeals shall only approve a Variance or modification thereof if all the following findings are made:

- 1) *A showing of good and sufficient cause;*
 - » The applicant indicated that the request is to reconstruct a home on a site that was previously developed with a single-family home that pre-dated the floodplain regulations.
 - » Staff does not believe that there is good and sufficient cause to allow a new home to be constructed and not meet all floodplain standards.
- 2) *A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the property. Increased cost or inconvenience of meeting the requirements of these regulations does not constitute an exceptional hardship to the applicant;*
 - » The applicant indicated that there is no other alternative other than receiving the requested variances.
- 3) *A determination that the granting of a variance will not result in increased flood heights beyond that which is allowed in this resolution, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified or conflict with existing local laws or resolutions; and,*
 - » Granting the variances will result in additional threats to public safety, specifically the property owner and adjacent residential properties, and potential increases to public expenses. Such public expense increases may be at the local level for emergency services and at the national level associated with increased flood insurance program payouts.
- 4) *A determination that the structure or other development is protected by methods to minimize flood damages.*
 - » Methods to minimize flood damage have not been identified. Additionally, not elevating the building above the BFE would allow for significant damage to the structure in a flood event.

Recommendation

Based on Staff's analysis, Staff recommends ***denial*** of a Variance from Section 610.081(1) of the Franklin County Zoning Resolution to allow for the construction of a single-family home in the floodplain that fails to meet elevation requirements in an area zoned Restricted Urban Residential (R-8). The reason for denial is that the proposal fails to satisfy the criteria of Section 810.041 of the Franklin County Zoning Resolution for granting a variance.

Based on Staff's analysis, Staff recommends ***denial*** of a Variance from Section 4.2-1(A(1)) of the Franklin County Special Resolution NFIP Regulation to allow for the construction of a single-family home in the floodplain that fails to meet elevation requirements in an area zoned Restricted Urban Residential (R-8). The reason for denial is that the proposal fails to satisfy the criteria of Section 3.5-2(5) of the Franklin County Special Resolution NFIP Regulation for granting a variance.

Resolution

For your convenience, the following is a proposed resolution for the Variance request from Section 610.081(1) of the Franklin County Zoning Resolution and Sections 4.2-1(A(1)) of the Franklin County Special Resolution NFIP Regulation.

Proposed Resolution for Request from Section 610.081(1) and 4.2-1(A(1)):

_____ moves to approve a Variance from Section 610.081(1) of the Franklin County Zoning Resolution and a Variance from Section 4.2-1(A(1)) of the Special Resolution National Flood Insurance Program (NFIP) Regulation as outlined in the request for the applicant identified in Case No. VA-4015.

Voting: _____

Seconded by: _____

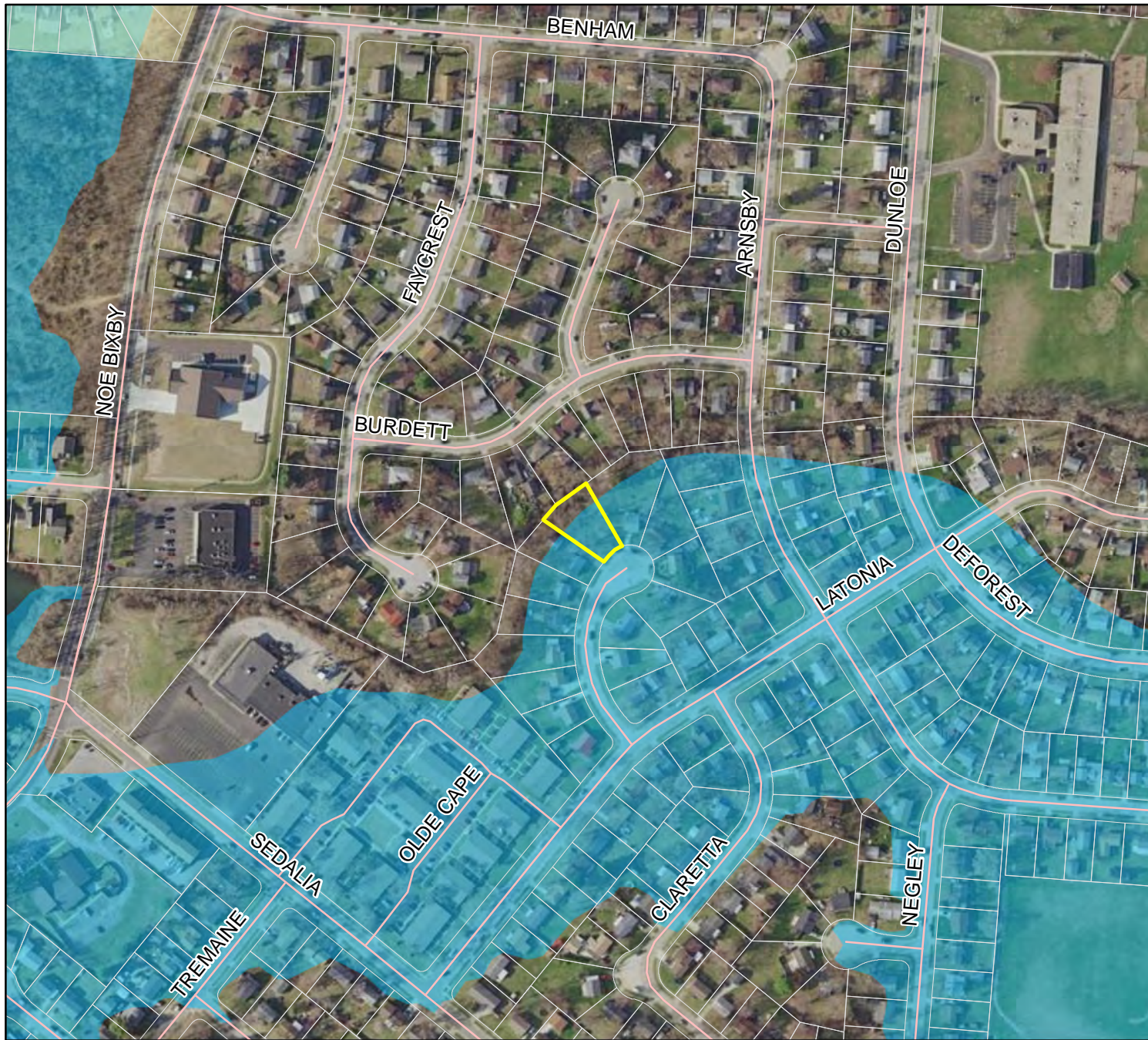
Findings of Fact

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 610.081(1) of the Franklin County Zoning Resolution and a Variance from Section 4.2-1(A(1)) of the Special Resolution National Flood Insurance Program (NFIP) Regulation as outlined in the request for Case No. VA-4015 results from the applicant's failure to satisfy the criteria for granting a Variance under Section 810.041 of the Franklin County Zoning Resolution and Section 3.5-2(5) of the Special Resolution National Flood Insurance Program (NFIP) Regulation.

Voting: _____






Seconded by: _____

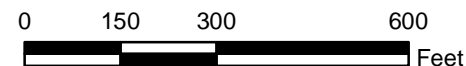
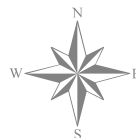
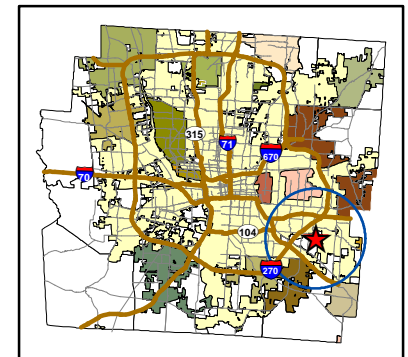


VA-4015

Requesting a Variance from Section 610.081(1) of the Franklin County Zoning Resolution and Section 4.2-1(A(1)) of the Franklin County Special Resolution NFIP Regulation to allow for the construction of a single-family home in the floodplain that fails to meet elevation requirements in an area zoned Restricted Urban Residential (R-8).

Acres: 0.28-acres
Township: Madison Township

-  3317 Latonia Court
 -  Streets
 -  Parcels
 -  Columbus
- Franklin County Floodplain**
-  100 year floodplain



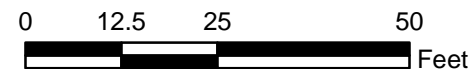
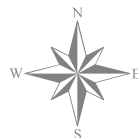
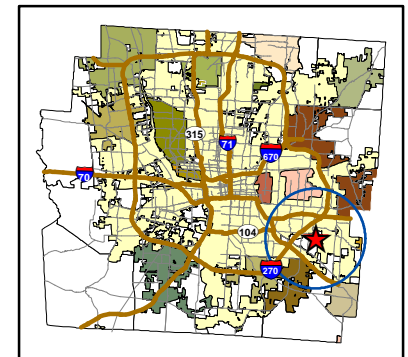


VA-4015

Requesting a Variance from Section 610.081(1) of the Franklin County Zoning Resolution and Section 4.2-1(A(1)) of the Franklin County Special Resolution NFIP Regulation to allow for the construction of a single-family home in the floodplain that fails to meet elevation requirements in an area zoned Restricted Urban Residential (R-8).

Acres: 0.28-acres
Township: Madison Township

- 3317 Latonia Court
- Parcels



Myers Surveying Company, Inc.

2740 East Main Street, Columbus 43209 (Bexley), Ohio

614-235-8677

FAX: 614-235-4559

A Plot Plan prepared for and certified to:

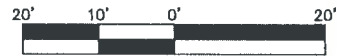
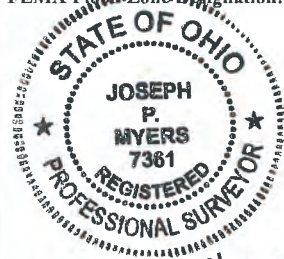
Harley Langley

Legal Description: Situated in The State of Ohio, County of Franklin, Township of Madison, Being Lot 1404 of Blacklick Estates No. 6, Plat Book 37, Page 42

Applicant:

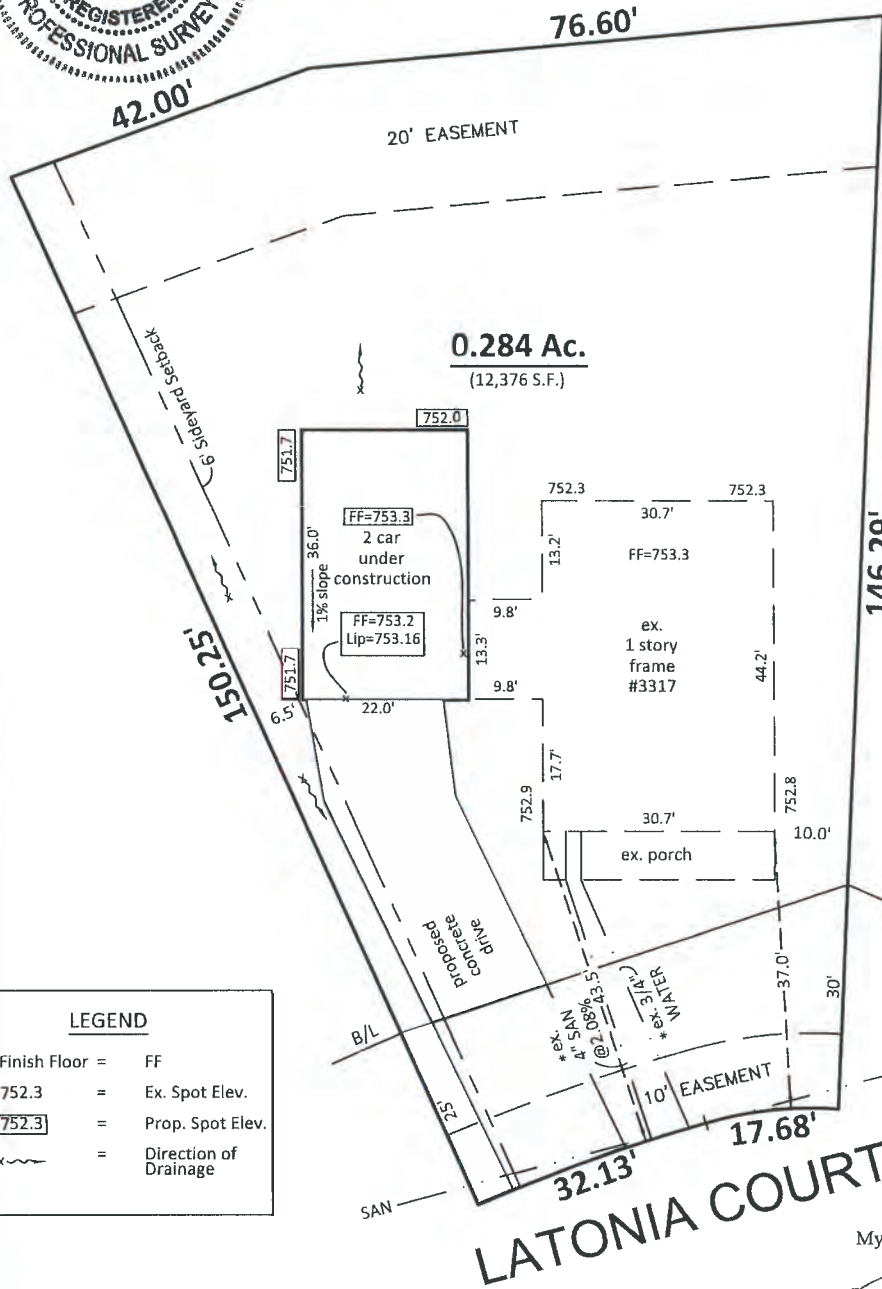
Posted Address: 3317 Latonia Court, Madison Township, Ohio

FEMA Flood Zone Designation: Zone "AE" as per F.I.R.M. 390167 0361K - Base Flood Elevation = 757.2' (NAVD88)



Scale 1" = 20'

Date: 03/16/2021



RECEIVED
AUG 12 2021
 Franklin County Planning Department
 Franklin County, OH
VIA-4015

LEGEND	
Finish Floor =	FF
752.3 =	Ex. Spot Elev.
752.3 =	Prop. Spot Elev.
x ~~~~~	Direction of Drainage

* Information Per Installer

LATONIA COURT

Myers Surveying Co., Inc

By *Joseph P. Myers*

Professional Surveyor

Plot Plan For Building Purpose.

Myers Order No.-11-11/11/2020	Rec.	Field	DWG.	Ltr.	Ck.
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May 13, 2021

Harley Williams and Katherine White Langley
3317 Latonia Ct.
Columbus, OH 43232

Re: Residential Zoning Compliance Application RZ# 21-145 (3317 Latonia Ct.)

Mr. and Mrs. Langley,

This correspondence is regarding Residential Zoning Compliance Application RZ-21-145, filed April 13, 2021 with the proposal for a new residence at 3317 Latonia Ct. (Parcel # 180-004173). The property is located in the Restricted Urban Residential (R-8) zoning district and is located in the regulatory floodplain. The application has been reviewed for compliance with the applicable development standards set forth in Section 312, Section 610 and Article V of the Franklin County Zoning Resolution (FCZR), and the requirements of the Franklin County Special Resolution National Flood Insurance Program (NFIP) Regulation (Special Resolution). The application fails to meet all applicable standards and has therefore been denied based on the following:

1. Section 312.043 – Side Yard- For a one-family dwelling there shall be a minimum of six (6) feet.
 - Proposed side yard for the attached garage is 3'4".
2. Section 610.06(2) – Conditional Use in the Floodway Fringe– Residential, commercial, industrial, manufacturing or similar structures or buildings, with the exception of mobile/modular or manufactured homes or structures which are prohibited uses in special flood hazard areas.
 - Residential construction in the floodway fringe requires a conditional use.
3. Section 610.081(1) (FCZR) and Section 4.2-1(A(1)) (Special Resolution) – Residential Construction– Flood protection shall be achieved by elevating the structure; the lowest floor, including basement, shall be at least one foot above the Base Flood Elevation, plus Floodway computation increases; Floodway computation increase range from 0.0 to 0.5 feet and are listed in the Flood Insurance Study published by FEMA and available at the Franklin County Development Department.
 - The base flood elevation for the property is 757.2' and the floodway computation increase is 0.5'. The required elevation for residential construction is therefore $757.2' + 1' + 0.5' = 758.7'$.
 - The current elevation of the lowest floor is 753.3' or 5.4' below the minimum lowest floor elevation. The structure would need to be elevated 5.4' to achieve the minimum lowest floor elevation.

Additional Information

The proposed development is required to meet other development standard as listed in the Zoning Resolution and Special Resolution. No application for an NFIP permit has been submitted and insufficient information was submitted to determine if these standards will be achieved:

- Section 610.071 (FCZR) and Section 4.1-1(1) (Special Resolution) –Anchoring– All new construction and substantial improvements shall be anchored to prevent flotation,

collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

- Section 610.073 (FCZR) and Section 4.1-7 (Special Resolution) –Minimize Flood Damage– All activities and developments shall be planned, designed, constructed and installed consistent with the need to minimize damages in time of flooding.
- Section 4.1-2(3) (Special Resolution) –Construction Material and Methods– All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

Technical agency review

Franklin County Drainage Engineer- Requires additional information on where the sump pump and downspouts will discharge. Along with the catch basin information.

Options

The property is currently in violation of zoning and floodplain requirements and there are three possible options to resolve these violations.

1. You may remove all illegal development from the site and return it to the predevelopment condition.
2. You may file a new Residential Zoning Compliance Application with a new scaled site plan showing compliance with the above standards with the \$75.00 application fee.
3. You may apply to the Board of Zoning Appeals (BZA) for a conditional use to allow residential construction in the regulatory floodplain and for variances to the development standards identified as not being met. Please note that there is no guarantee that variance and conditional use requests will be granted. The BZA reviews and makes a decision on variance requests based on the criteria in Section 810.04 of the Franklin County Zoning Resolution and Section 3.5-2 of the Special Resolution. The BZA reviews and makes a decision on conditional use requests based on the criteria in Section 815.04 of the Franklin County Zoning Resolution. The fee to file a variance request is \$350.00 and the fee to file a conditional use request is \$350, both made payable to the Franklin County Treasurer.

Should you have any questions or require any additional information, please feel free to contact me at 614-525-4879 or tbarr@franklincountyohio.gov.

Respectfully,



Terry N. Barr
Planning Project Coordinator

Cc: Josh Wareham, Residential Building Official
Matt Brown, Planning Administrator
Adria Fields, Assistant Prosecuting Attorney

Anthony and Desiree Greene
3299 Arnsby Road
Columbus, OH 43232



VA-4015
CU-4016

September 13, 2021

ATTN: Case #VA-4015
Franklin County Economic Development and Planning Department
150 S. Front St. FSL Suite 10
Columbus, OH 43215

TO WHOM IT MAY CONCERN:

With regard to the matter of the requests by Harley and Katherine Langley on the property located at 3317 Latonia Court (PID # 180-004173) Madison Township, for:

1. a Variance from Section 610.06(1) of the Franklin County Zoning Resolution to allow for the construction of a single-family home in the floodplain that fails to meet elevation requirements in an area zoned Restricted Urban Residential (R-8) and
2. a Conditional Use from Section 610.06(2) of the Franklin County Zoning Resolution to allow for the construction of a single-family home in the floodway fringe in an area zoned Restricted Urban Residential (R-S);

the granting of the (1) the Variance and (2) the Conditional Use puts our home in danger of being flooded, so we request that neither of these be granted.

Regards

A handwritten signature in black ink, appearing to read "A. A. Greene", written over a horizontal line.

Anthony A. Greene

A handwritten signature in black ink, appearing to read "D. E. Greene", written over a horizontal line.

Desiree E. Greene

STAFF REPORT

Board of Zoning Appeals
September 20, 2021

Case: CU-4016

Prepared by: Brad Fisher

Owner/Applicant:	Harley & Katherine Langley
Township:	Madison Township
Site:	3317 Latonia Court (PID #180-004173)
Acreage:	0.28-acres
Zoning:	Restricted Urban Residential (R-8) District
Request:	Requesting a Conditional Use from Section 610.06(2) of the Franklin County Zoning Resolution to allow for the construction of a single-family home in the floodway fringe in an area zoned Restricted Urban Residential (R-8).

Summary

The applicant is requesting a Conditional Use to allow for the construction of a single-family home in the floodway fringe in an area zoned Restricted Urban Residential (R-8). The request does not meet the criteria necessary for granting a conditional use. Staff recommends ***denial***.

Description of the Request

The subject site is located on the west side of Latonia Court, east of Noe Bixby Road in Madison Township. The site was developed with a single-family home in the late 1960's. That home was demolished and removed from the site between 2012 and 2013. The site was recently redeveloped with a 2,490 square foot single-family home. A 792 square foot attached garage is proposed on the west side of the home. The proposed construction is entirely located in the regulatory floodplain. The owner began construction of the buildings before applying for a Certificate of Zoning Compliance, Building Permit, and NFIP permit.

Surrounding Area

The subject site and all surrounding properties are located in Madison Township, zoned Restricted Urban Residential (R-8) and developed with low density residential uses.

Area Plan

The Blacklick-Madison Area Plan, adopted in 2011, includes a Future Land Use Map that recommends the site for medium density residential uses and identifies a stream buffer on the site. Corresponding zoning districts include Limited Suburban Residential (R-2), Suburban Residential (R-4) and Restricted Urban Residential (R-8). Another recommendation is to limit and mitigate floodplain development. The Plan's Vision for Healthy Living recommends that when a proposal requires approval from a decision making Board, the applicant must provide information on how they will offset lost storage capacity.

The request keeps with the recommended single-family residential use of the property. However, the applicant has not provided proof that they will limit and mitigate the development in the floodplain. Additionally, the applicant did not provide information about how the development will offset the lost flood storage capacity.

Technical Review Committee Comments

Franklin Soil and Water Conservation District & Franklin County Engineer's Office

Indicated no concerns with the proposed development.

Franklin County Drainage Engineer's Office

Requires additional information identifying where the sump pump and downspout will discharge.

Franklin County Economic Development and Planning Department

The following items were noted in the certificate of zoning compliance denial letter and no information has been provided to determine if these standards will be achieved:

- Section 610.071 of the FCZR and Section 4.1-1(1) of the Special Resolution requires that new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- Section 610.073 of the FCZR and Section 4.1-7 of the Special Resolution requires that activities and developments shall be planned, designed, constructed, and installed consistent with the need to minimize damages in time of flooding.
- Section 4.1-2(3) of the Special Resolution requires that all new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

Staff Review

Conditional Use from Section 610.06(2) – Residential Structures in the Floodway Fringe:

- Residential, commercial, industrial, manufacturing or similar structures or buildings, with the exception of mobile/modular homes or structures which are prohibited uses in a special flood hazard areas area Conditional Uses in the Floodway Fringe provided they meet all applicable standards and requirements of this resolution.
 - A Conditional Use to allow the construction of a residential structure in the Floodway Fringe is required.
 - Staff notes that all applicable standards and requirements of the Zoning Resolution and the Special Resolution NFIP Regulation have not been met.

Staff Analysis

Section 815.041 – Approval of Conditional Use:

The Board of Zoning Appeals shall only approve an application for a Conditional Use if the following three (3) conditions are met:

- 1) *The proposed use is a Conditional Use of the Zoning District, and the applicable Development Standards established in this Zoning Resolution are met.*
 - » The proposed residential structure is a Conditional Use in the floodplain area, however all applicable standards and requirements of this resolution and the Special Resolution NFIP Regulation have not been met.
 - » The applicant has requested a variance to Section 610.081(1) of the Zoning Resolution and Section 4.2-1(A(1)) of the Special Resolution NFIP Regulation to allow the residential structure to reduce the required home elevation from 758.7 feet to 753.3 feet, which is 5.4 feet below the minimum lowest floor elevation. Additionally, no information was provided to ensure the home is properly anchored, constructed to minimize damages in time of flooding and all services are designed to prevent water from entering or accumulating components during a flood event.
- 2) *The proposed development is in accordance with applicable plans or policies for the area.*
 - » The request is not in accordance with the adopted plan for the area. The applicant has not provided proof that they will limit and mitigate the development in the floodplain. Additionally, the

applicant did not provide information about how the development will offset the lost flood storage capacity.

- 3) *The proposed use will be in keeping with the existing land use character of the area.*
 - » The proposed single-family residential development will be in character with the area. However, potential damage to the site and neighboring properties due to not meeting all floodplain requirements could have a negative impact on the subject site and neighboring properties, which would essentially impact the character of the area.

Recommendation

Based on Staff’s analysis, Staff recommends *denial* of a Conditional Use from Section 610.06(2) of the Franklin County Zoning Resolution to allow for the construction of a single-family home in the floodway fringe in an area zoned Restricted Urban Residential (R-8).

Resolution

For your convenience, the following is a proposed resolution:

Proposed Resolution for Request:

_____ moves to approve a Conditional Use from Section 610.06(2) of the Franklin County Zoning Resolution as outlined in the request for the applicant identified in Case No. CU-4016.

Seconded by: _____

Voting:

Findings of Fact

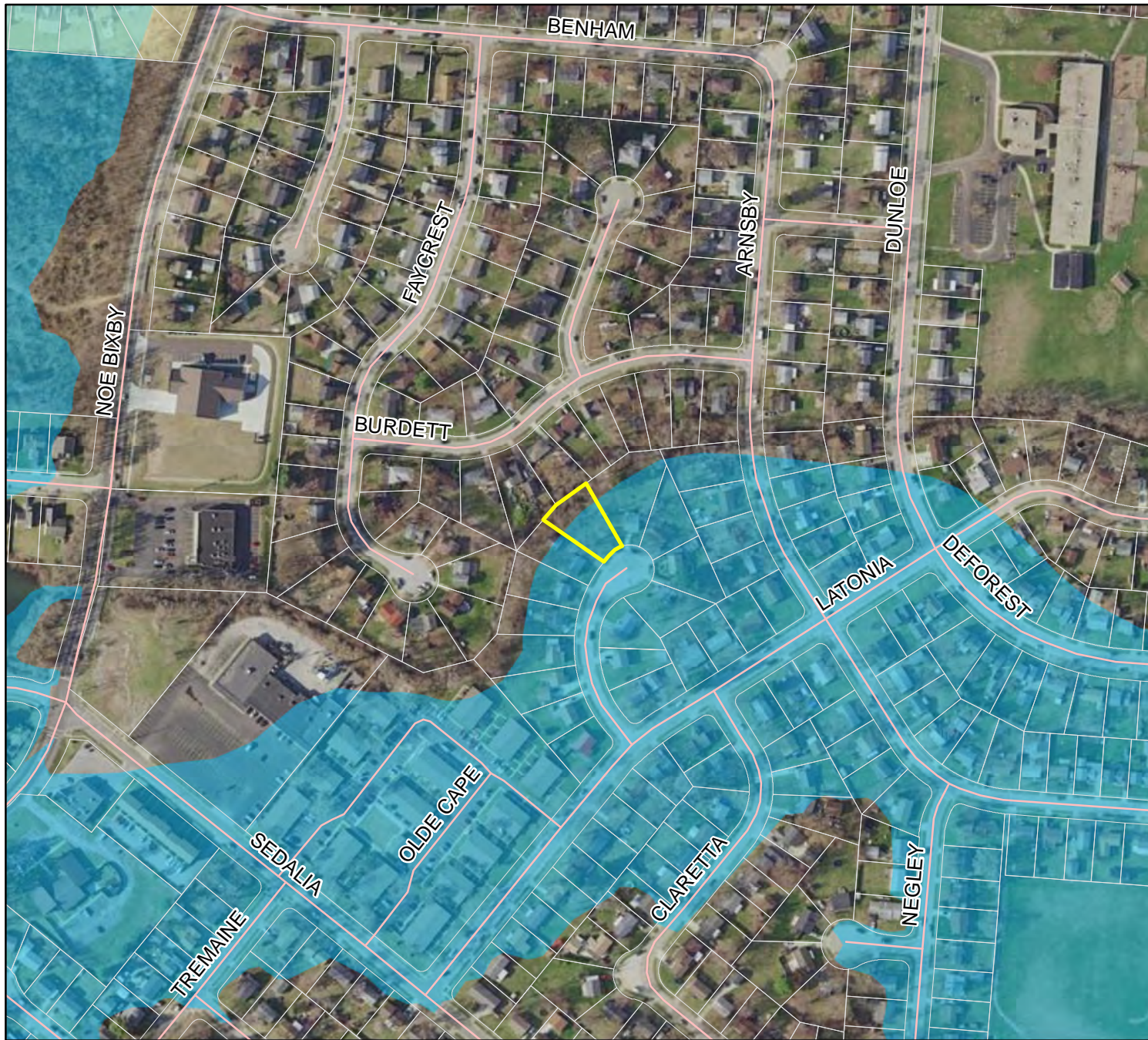
For your convenience, the following are proposed findings of fact:

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 conditional use from Section 610.06(2) of the Franklin County Zoning Resolution as outlined in the request for the applicant identified in Case No. CU-4016 results from applicant’s failure to satisfy the criteria for granting a conditional use under Section 815.041.

Seconded by: _____





Voting:




CU-4016

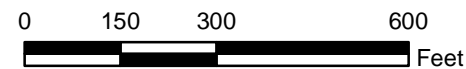
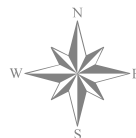
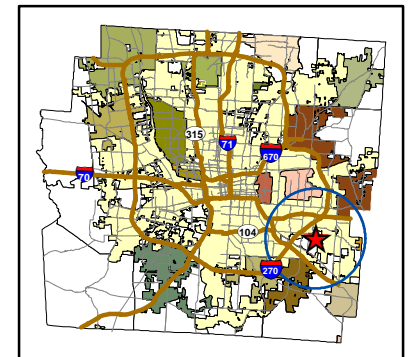
Requesting a Conditional Use from Section 610.06(2) of the Franklin County Zoning Resolution to allow for the construction of a single-family home in the floodway fringe in an area zoned Restricted Urban Residential (R-8).

Acres: 0.28-acres
Township: Madison Township

-  3317 Latonia Court
-  Streets
-  Parcels
-  Columbus

Franklin County Floodplain

-  100 year floodplain



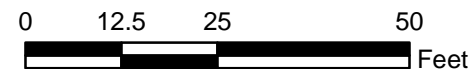
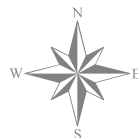
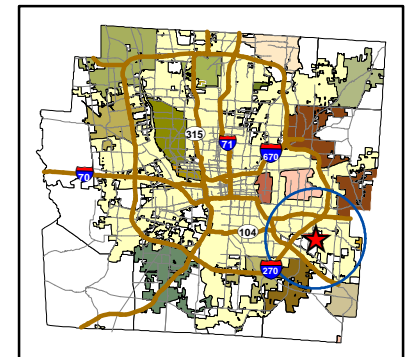


CU-4016

Requesting a Conditional Use from Section 610.06(2) of the Franklin County Zoning Resolution to allow for the construction of a single-family home in the floodway fringe in an area zoned Restricted Urban Residential (R-8).

Acres: 0.28-acres
Township: Madison Township

- 3317 Latonia Court
- Parcels



Myers Surveying Company, Inc.

2740 East Main Street, Columbus 43209 (Bexley), Ohio
614-235-8677 FAX:614-235-4559

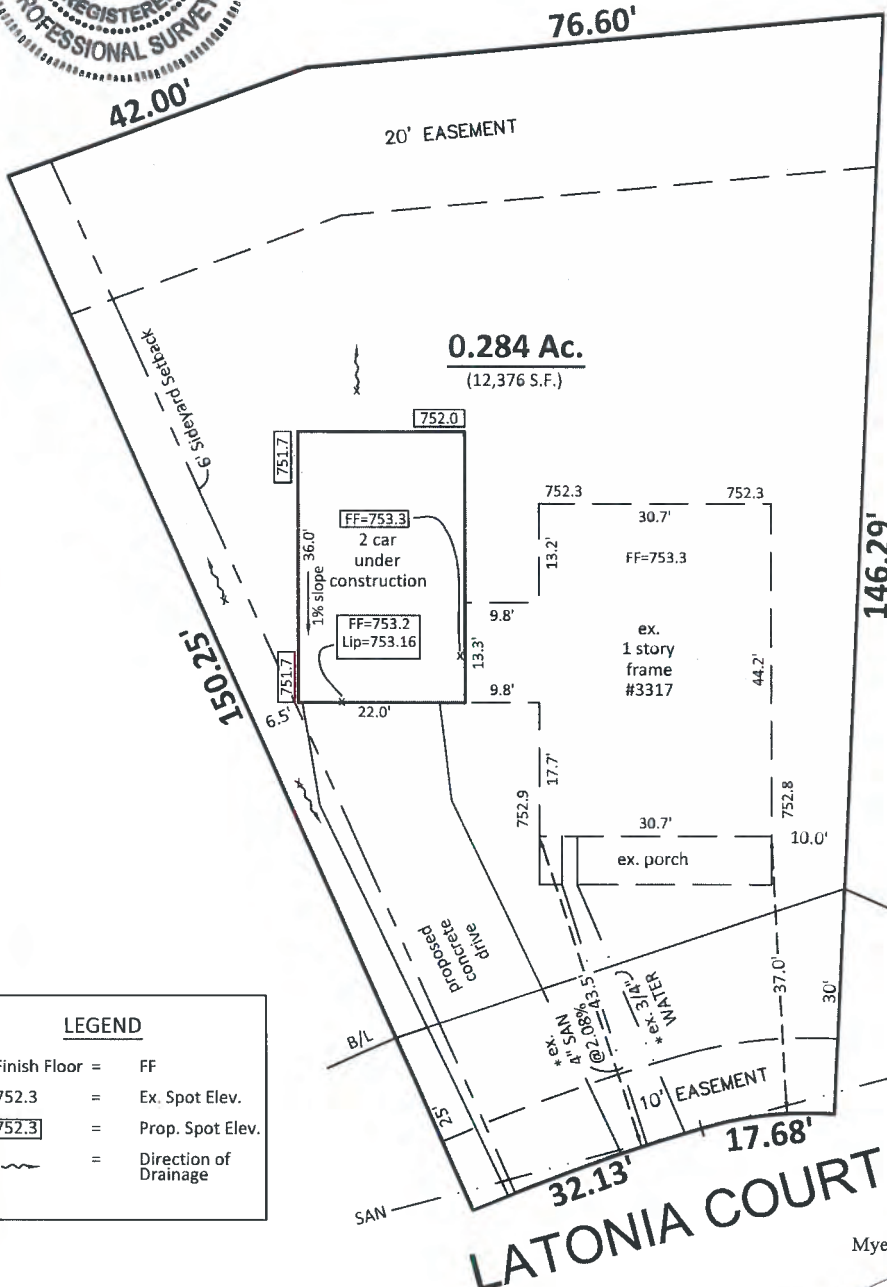
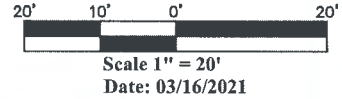
A Plot Plan prepared for and certified to:
Harley Langley

Legal Description: Situated in The State of Ohio, County of Franklin, Township of Madison, Being Lot 1404 of Blacklick Estates No. 6, Plat Book 37, Page 42

Applicant:

Posted Address: 3317 Latonia Court, Madison Township, Ohio

FEMA Flood Zone Designation: Zone "AE" as per F.I.R.M. 390167 0361K - Base Flood Elevation = 757.2' (NAVD88)



RECEIVED
AUG 12 2021
Franklin County Planning Department
Franklin County, OH
CU-4016

LEGEND	
Finish Floor =	FF
752.3 =	Ex. Spot Elev.
752.3 (boxed) =	Prop. Spot Elev.
x ~~~~~ =	Direction of Drainage

* Information Per Installer

LATONIA COURT

Myers Surveying Co., Inc

By *Joseph P. Myers*

Professional Surveyor

Plot Plan For Building Purpose.

Myers Order No.-11-11/11/2020	Rec.	Field	DWG.	Ltr.	Ck.
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Franklin County
Board of Commissioners

**ECONOMIC DEVELOPMENT
& PLANNING**

May 13, 2021

Harley Williams and Katherine White Langley
3317 Latonia Ct.
Columbus, OH 43232

Re: Residential Zoning Compliance Application RZ# 21-145 (3317 Latonia Ct.)

Mr. and Mrs. Langley,

This correspondence is regarding Residential Zoning Compliance Application RZ-21-145, filed April 13, 2021 with the proposal for a new residence at 3317 Latonia Ct. (Parcel # 180-004173). The property is located in the Restricted Urban Residential (R-8) zoning district and is located in the regulatory floodplain. The application has been reviewed for compliance with the applicable development standards set forth in Section 312, Section 610 and Article V of the Franklin County Zoning Resolution (FCZR), and the requirements of the Franklin County Special Resolution National Flood Insurance Program (NFIP) Regulation (Special Resolution). The application fails to meet all applicable standards and has therefore been denied based on the following:

1. Section 312.043 – Side Yard- For a one-family dwelling there shall be a minimum of six (6) feet.
 - Proposed side yard for the attached garage is 3'4".
2. Section 610.06(2) –Conditional Use in the Floodway Fringe– Residential, commercial, industrial, manufacturing or similar structures or buildings, with the exception of mobile/modular or manufactured homes or structures which are prohibited uses in special flood hazard areas.
 - Residential construction in the floodway fringe requires a conditional use.
3. Section 610.081(1) (FCZR) and Section 4.2-1(A(1)) (Special Resolution) –Residential Construction– Flood protection shall be achieved by elevating the structure; the lowest floor, including basement, shall be at least one foot above the Base Flood Elevation, plus Floodway computation increases; Floodway computation increase range from 0.0 to 0.5 feet and are listed in the Flood Insurance Study published by FEMA and available at the Franklin County Development Department.
 - The base flood elevation for the property is 757.2' and the floodway computation increase is 0.5'. The required elevation for residential construction is therefore $757.2' + 1' + 0.5' = 758.7'$.
 - The current elevation of the lowest floor is 753.3' or 5.4' below the minimum lowest floor elevation. The structure would need to be elevated 5.4' to achieve the minimum lowest floor elevation.

Additional Information

The proposed development is required to meet other development standard as listed in the Zoning Resolution and Special Resolution. No application for an NFIP permit has been submitted and insufficient information was submitted to determine if these standards will be achieved:

- Section 610.071 (FCZR) and Section 4.1-1(1) (Special Resolution) –Anchoring– All new construction and substantial improvements shall be anchored to prevent flotation,

collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

- Section 610.073 (FCZR) and Section 4.1-7 (Special Resolution) –Minimize Flood Damage– All activities and developments shall be planned, designed, constructed and installed consistent with the need to minimize damages in time of flooding.
- Section 4.1-2(3) (Special Resolution) –Construction Material and Methods– All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

Technical agency review

Franklin County Drainage Engineer- Requires additional information on where the sump pump and downspouts will discharge. Along with the catch basin information.

Options

The property is currently in violation of zoning and floodplain requirements and there are three possible options to resolve these violations.

1. You may remove all illegal development from the site and return it to the predevelopment condition.
2. You may file a new Residential Zoning Compliance Application with a new scaled site plan showing compliance with the above standards with the \$75.00 application fee.
3. You may apply to the Board of Zoning Appeals (BZA) for a conditional use to allow residential construction in the regulatory floodplain and for variances to the development standards identified as not being met. Please note that there is no guarantee that variance and conditional use requests will be granted. The BZA reviews and makes a decision on variance requests based on the criteria in Section 810.04 of the Franklin County Zoning Resolution and Section 3.5-2 of the Special Resolution. The BZA reviews and makes a decision on conditional use requests based on the criteria in Section 815.04 of the Franklin County Zoning Resolution. The fee to file a variance request is \$350.00 and the fee to file a conditional use request is \$350, both made payable to the Franklin County Treasurer.

Should you have any questions or require any additional information, please feel free to contact me at 614-525-4879 or tbarr@franklincountyohio.gov.

Respectfully,



Terry N. Barr
Planning Project Coordinator

Cc: Josh Wareham, Residential Building Official
Matt Brown, Planning Administrator
Adria Fields, Assistant Prosecuting Attorney



STAFF REPORT

Board of Zoning Appeals
September 20, 2021

Case: VA-4017

Prepared by: Brad Fisher

Owner/Applicant:	Penny & Ronald Dalton
Township:	Franklin Township
Site:	923 Derrer Rd (PID #140-004936)
Acreage:	0.22-acres
Zoning:	Rural
Utilities:	Public water and sewer
Request:	Requesting a Variance from Sections 512.02(2) and 512.02(2(a)) of the Franklin County Zoning Resolution to allow the construction of an accessory building that would not meet accessory building size and location requirements in an area zoned Rural.

Summary

The applicant is requesting a Variance to allow the construction of an accessory building that would not meet accessory building size and location requirements in an area zoned Rural. The request does not meet the criteria necessary for granting a variance. Staff recommends ***denial***.

Description of the Request

The subject site is located at the northwest corner of Glorious Road and Derrer Road in Franklin Township. The site includes a 1,667 square foot single-family home that was constructed in 1954 and one shed.

The proposed development would include a 440 square foot (20'x22') shed and a 660 square foot (22'x30') car port, which would be a combined 1,100 square feet in size. The one existing shed would be removed if the variance is approved.

The maximum permitted accessory building size for a property under 1-acre is 720 square feet. The proposed accessory building size would be 1,100 square feet. The variance request is to exceed the maximum permitted size by 380 square feet. Accessory buildings shall be located to the side or rear of the principal structure and no closer than 10 feet from the principal structure. The proposed car port would be located 14 +/- feet forward of the established front building line. A variance of 14 +/- feet is required. The proposed shed and car port would be setback 6 feet and 8 inches from the principal structure. A variance of 3 feet and 4 inches is required.

Staff notes that the site plan submitted is not drawn to scale, therefore the measurements made by Staff are approximate.

Surrounding Area

The subject site and all surrounding properties are located in the Rosary No. 2 subdivision and developed with low to medium-density residential uses in Franklin Township. The lots to the north, west and south are zoned Rural and lots to the east are zoned Suburban Apartment Residential (R-24).

Area Plan

The Hilltop Land Use Plan, adopted by the City of Columbus in 2019 recommends the area for medium-density residential uses.

The subject site includes a single-family residential use on the property. However, allowing for an accessory building to not meet the required size and setback requirements as proposed would not respect the community's character.

Staff Review

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

- The total square footage of accessory buildings may not exceed 720 square feet.
 - The proposed accessory building square footage is 1,100 square feet.
 - A Variance of 380 square feet is required.

Variance from Section 512.02(2(a)) – Accessory Building Location:

- An accessory building shall be located to the side or rear of the principal structure and shall be no closer than 10 feet from any part of the principal structure.
 - The proposed accessory building (car port) would be located 14 +/- feet forward of the home.
 - A Variance of 14 +/- feet is required.
 - The proposed accessory building (car port and shed) would be located 6 feet and 8 inches from the west side of the principal structure.
 - A variance of 3 feet and 4 inches is required.

Technical Review Committee Agency Review

Expressed no concerns with the request.

Staff Analysis

Section 810.041 – Approval of Variance:

The Board of Zoning Appeals shall only approve a variance or modification thereof if all the following findings are made:

- 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 a 22 foot by 50 foot (1,100 square feet) building is needed to cover their two trucks.
 - » Staff is unclear why a building of this size is needed to cover two trucks. Typical quad-cab full sized trucks are 20 +/- feet long and under 7 feet wide. Two trucks of this size could be covered by a structure that is 720 square feet in size.
- 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 most of their neighbors have carports or garages.
 - » Staff agrees that carports, garages and also lean-to's are typical in this area, however the variances that have been requested by the applicant have not been granted to other properties in the general vicinity of the subject site.
- 3) *The special conditions and circumstances do not result from the action of the applicant;*
 - » Staff does not believe that owning two trucks serves as a special circumstance. Staff believes that the maximum permitted accessory building size of 720 square feet will accomplish the applicant's goal to store their trucks while meeting all requirements of the Zoning Resolution.
- 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 believes that granting the variance would set a precedent for constructing an accessory building that is in excess of the permitted size and location without a valid special condition or circumstance.

- 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 indicated that the proposed development would not adversely affect the health or safety of persons residing or working in the area.

Recommendation

Based on Staff’s analysis, Staff’s recommendation is that the Board of Zoning Appeals deny a Variance from Sections 512.02(2) and 512.02(2(a)) of the Franklin County Zoning Resolution to allow the construction of an accessory building that would not meet accessory building size and location requirements in an area zoned Rural.

Resolution

For your convenience, the following is a proposed resolution:

Proposed Resolution for Request:

_____ moves to approve a Variance from Sections 512.02(2) and 512.02(2(a)) of the Franklin County Zoning Resolution as outlined in the request for the applicant identified in Case No. VA-4017.

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 512.02(2) and 512.02(2(a)) of the Franklin County Zoning Resolution as outlined in the request for the applicant identified in Case No. VA-4017 results from applicant’s failure to satisfy the criteria for granting a variance under Section 810.041.

Seconded by: _____





Voting:

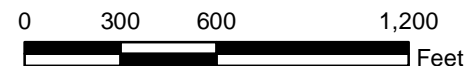
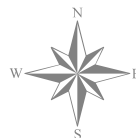
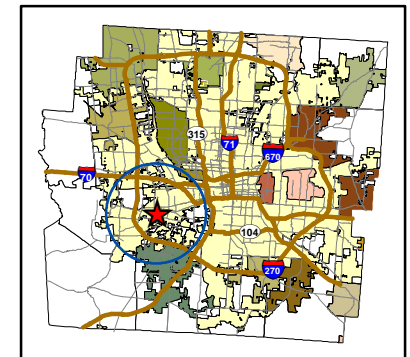


VA-4017

Requesting a Variance from Sections 512.02(2) and 512.02(2(a)) of the Franklin County Zoning Resolution to allow the construction of an accessory building that would not meet accessory building size and location requirements in an area zoned Rural.

Acres: 0.22-acres
Township: Franklin Township

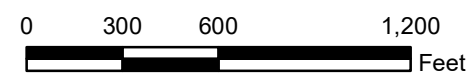
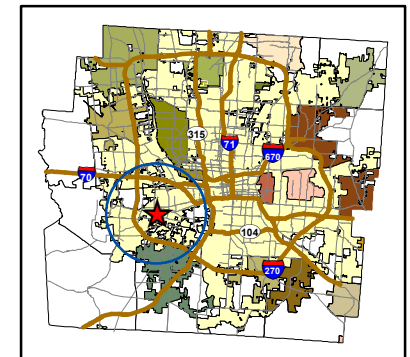
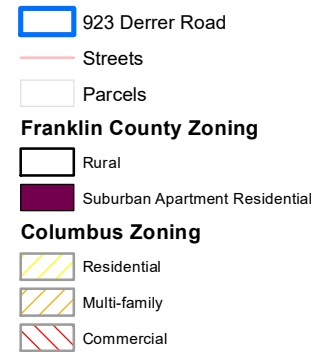
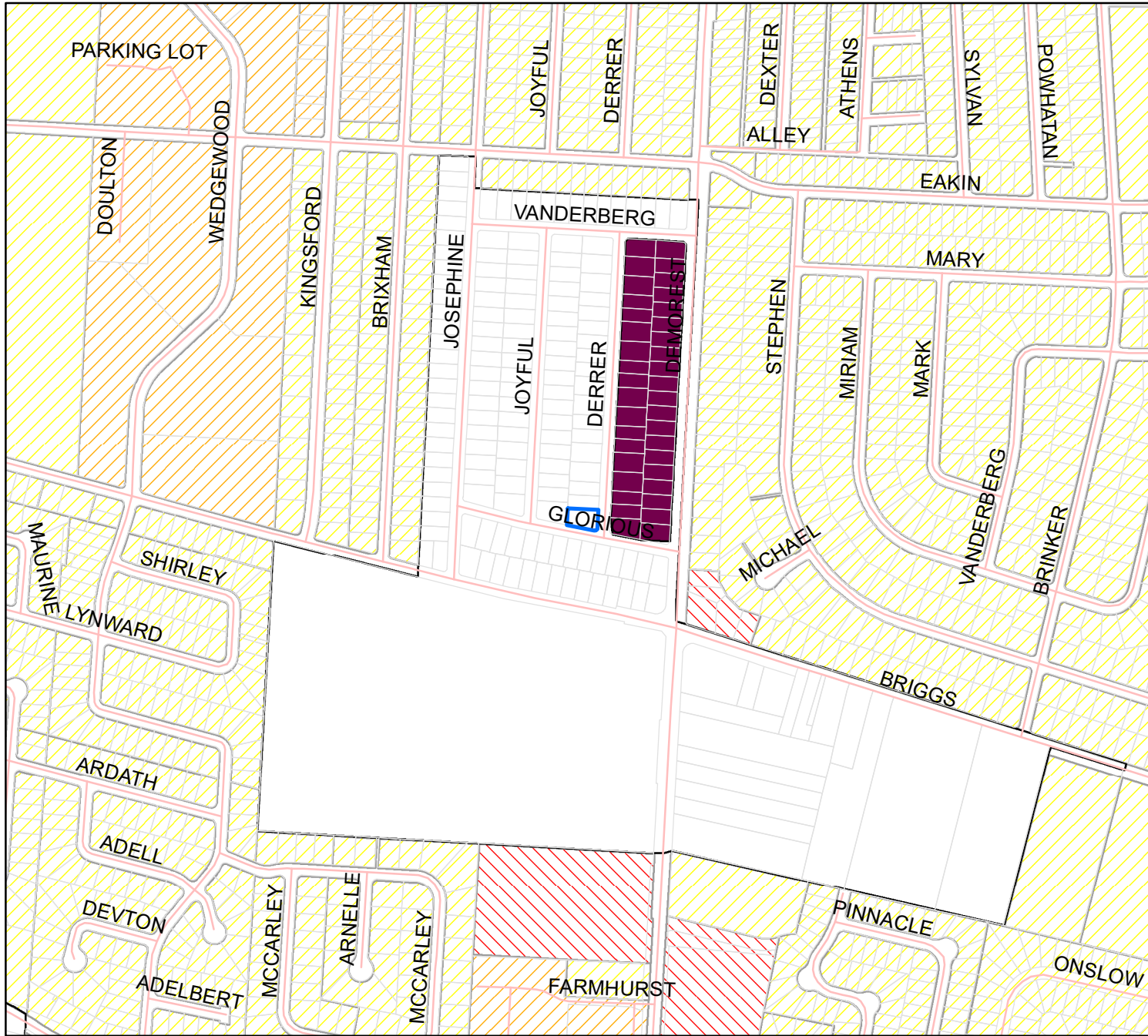
-  923 Derrerr Road
-  Streets
-  Parcels
-  Columbus



VA-4017

Requesting a Variance from Sections 512.02(2) and 512.02(2(a)) of the Franklin County Zoning Resolution to allow the construction of an accessory building that would not meet accessory building size and location requirements in an area zoned Rural.

Acres: 0.22-acres
Township: Franklin Township






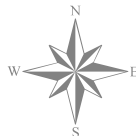
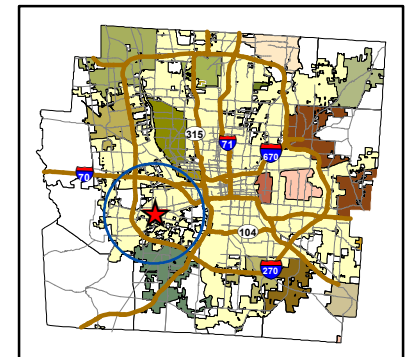


VA-4017

Requesting a Variance from Sections 512.02(2) and 512.02(2(a)) of the Franklin County Zoning Resolution to allow the construction of an accessory building that would not meet accessory building size and location requirements in an area zoned Rural.

Acres: 0.22-acres
Township: Franklin Township

-  923 Derrer Road
-  Streets
-  Parcels








921 - 923
DERRER
RD

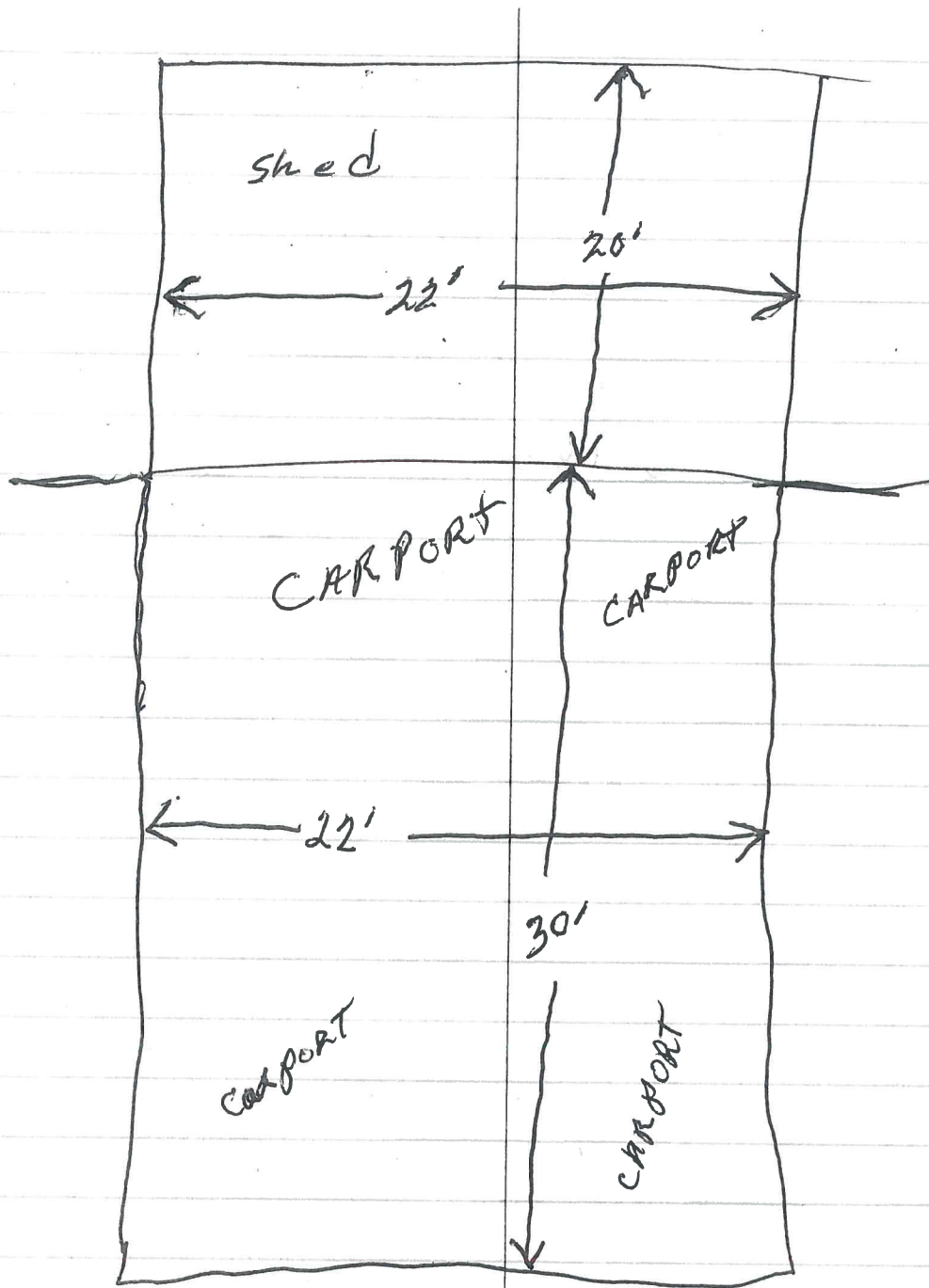
RECEIVED
AUG 11 2021
Franklin County Planning Department
Franklin County, OH

VA-4017

Legend

-  TaxParcel_CondoUnitStack_LGIM
-  Streets
-  FIRM Panels





outside to outside
 6' 8" from side of house
 3' 4"

RECEIVED
AUG 11 2021
 Franklin County Planning Department
 Franklin County, OH

UA-4017