



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

Economic Development & Planning Department
James Schimmer, Director

Franklin County Board of Zoning Appeals

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

Monday, June 16, 2014
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 May 19, 2014 meeting
5. New Business:

A. VA-3815 – Anthony Hray

Applicant/Owner:	Frank J Michalak JR
Agent:	James Hughes, Esq. / Aaron Glasgow. Esq.
Township:	Franklin Township
Site:	1814 Belmead Avenue (PID # 140-001255)
Acreage:	0.49-acres
Zoning:	Restricted Urban Residential District (R-8)
Utilities:	Public water and wastewater
Request:	Requesting a Variance from Section 501.024 to legitimize the construction of a fence that fails to meet the required fence materials for a fence located between a street and the principal structure in an area zoned Restricted Urban Residential (R-8).

B. VA-3816 – Anthony Hray

Applicant/Owner:	Everett Edmonds, Jr.
Township:	Hamilton Township
Site:	1918 Daugherty Avenue (PID # 150-000649)
Acreage:	0.14-acres
Zoning:	Rural District
Utilities:	Onsite water and wastewater
Request:	Requesting a Variance from Section 504.011 to allow the construction of a new single family home that fails to meet the required front building line setback in an area zoned Rural.

C. VA-3817 – Anthony Hray

Applicant:	REVIVE Remodeling / Mike Pirwitz
Owner:	Robert Bloomberg
Township:	Madison Township
Site:	5215 Winchester Place (PID #180-000178)
Acreage:	2.64-acres
Zoning:	Rural District
Utilities:	Onsite water and wastewater
Request:	Requesting a Variance from Section 512.02(2(a)) to allow the construction of an accessory building that fails to be located to the side or rear of the principal structure in an area zoned Rural.

6. Adjournment of Meeting to July 21, 2014



Commissioner Marilyn Brown • **Commissioner** Paula Brooks • **Commissioner** John O'Grady
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MINUTES OF THE FRANKLIN COUNTY BOARD OF ZONING APPEALS

Monday, May 19, 2014

The Franklin County Board of Zoning Appeals convened on the 26th floor, Franklin County Courthouse, 373 South High Street, Columbus, Ohio, 43215, on Monday, May 14, 2014.

Present were:

Gary Dever, Chairperson
Christopher Baer
Tim Guyton
Nancy Hunter

Franklin County Economic Development and Planning Department members:

Matt Brown, Planning Administrator
Anthony Hray, Planner

Chairperson Dever opened the hearing, which was followed by the swearing in of all witnesses by Mr. Brown.

The first order of business being approval of the minutes of the April 21, 2014, Franklin County Board of Zoning Appeals hearing. Mr. Guyton made a motion to approve the minutes. It was seconded by Ms. Hunter. The minutes were approved by a four-to-zero vote.

NEW BUSINESS:

The next order of business being Case No. VA/CU-3813. The applicant is AT&T Mobility. The owners are Eugene J. Boso and Diana H. Babbert. The agent is GPD Group. The site is located at 8684 Alkire Road. The township is Pleasant Township. It is 3.257 acres. It is in the Rural District.

The request is for a Variance from Section 302.0394(17) and a Conditional Use from Section 302.0394 of the Franklin County Zoning Resolution to allow the construction of a telecommunication tower that will fail to meet the required setback from a public park, resource protection district and greenway in an area zoned Rural.

Mr. Hray read and presented the case to the Franklin County Board of Zoning Appeals. Mr. Baer made a motion to table the case for 60 days at the request of the applicant. It was seconded by Mr. Guyton. The motion was approved by a four-to-zero vote.

The next order of business being Case No. VA-3814. The applicant is Jeff Haskett. The township is Norwich Township. It is located at 3948 Riverview Drive. It is 1.37 acres in size. It is in the Rural district. It has on-site water and wastewater. And the request is for a Variance from Section 110.041 to allow 150 South Front Street, FSL Suite 10 Columbus, Ohio 43215-7104
Tel: 614-525-3095 Fax: 614-525-7155 www.FranklinCountyOhio.gov

the construction of a new home on a non-conforming lot that fails to meet the required abutment on an improved, publicly maintained right-of-way in an area zoned Rural.

Mr. Matt Brown read and presented the case to the Franklin County Board of Zoning Appeals. Mr. Baer made a motion to approve a Variance from Section 110.041 with the following Staff recommendations:

1. The applicant must apply for and receive an approved residential zoning compliance and building permit from the Franklin County Economic Development and Planning Department.
2. The applicant must work with the Norwich Township Fire Department to incorporate fire suppression measures into the design of the home to protect health, safety and property. Evidence of approval from the Norwich Township Fire Department is required prior to the issuance of a certificate of zoning compliance and building permit.

Ms. Hunter seconded the motion. The motion was approved by a four-to-zero vote.

There being no further new business to come before the Board of Zoning Appeals, a motion was made by Mr. Baer to adjourn the hearing. It was seconded by Mr. Dever.

And, thereupon, the hearing adjourned at 2:44 p.m.

Minutes of the May 19, 2014, Board of Zoning Appeals hearing were approved this 16th day of June, 2014.

Signature



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

Economic Development & Planning Department
James Schimmer, Director

STAFF REPORT

Board of Zoning Appeals
June 16, 2014

Case VA-3815

Prepared by: Anthony Hray

Applicant/Owner:	Frank J. Michalak Jr.
Agent:	James Hughes, Esq./Aaron Glasglow, Esq.
Township:	Franklin Township
Site:	1814 Belmead Avenue (PID #140-001255)
Acreage:	0.49-acres
Zoning:	Restricted Suburban Residential (R-8) District
Utilities:	Public water and wastewater
Request:	Requesting a Variance from Section 501.024 to legitimize the construction of a fence that fails to meet the required fence materials for a fence located between a street and the principal structure in an area zoned Restricted Urban Residential (R-8).

Summary

The applicant is requesting a variance to legitimize the construction of a chain link fence between the street and the principal structure. Staff recommends approval with conditions.

Description of the Request

The subject site is located on the north side of Belmead Avenue, approximately one-tenth of a mile east of Harrisburg Pike. The site is part of the Gibson Park Place subdivision, platted in 1923. The site contains a single-family home, approximately 2,100 square feet in size, a 436 square foot accessory building and in-ground swimming pool.

In 2013, the property owner was approached by Franklin Township regarding the possibility of assuming ownership of a portion of the adjacent lot immediately to the east of the subject site. The adjacent lot, which had fallen into foreclosure, had been acquired by the Central Ohio Community Improvement Corporation, as part of the County Land Bank Program. The lot contained a single-family home which had been abandoned and was uninhabitable. Subsequently, the home was demolished and the lot was subdivided (lot line adjustment process) into two (2) equal portions; the western half being combined with the applicant's property and the remaining half being combined with the adjacent lot to the east (1794 Belmead Avenue).

Prior to the adjustment of the lot line, the front yard of the subject site, that being the yard space between the principal structure (dwelling) and the street, was enclosed by a chain link fence (non-conforming). To delineate the new property boundary, the applicant/owner, erected a new section of chain link fence in the front yard, which is not permitted.

Surrounding Area

The surrounding area is zoned Restricted Urban Residential (R-8) and is comprised of low to medium density single-family residential development.

Comprehensive Plan

The property is located in the planning area of the Southwest Area Plan, adopted in 2009. The plan recommends this property retain its current land use as low to medium density, single-family residential development. The existing use is in conformance with the Area Plan recommendation.

Staff Review

Variance from Section 501.024:

- Chain link fences shall not be permitted between a street and a principal structure
 - The applicant is requesting a variance to legitimize the construction of a chain link fence that is located between a street and a principal structure.

Franklin County Technical Review Agencies

No comments or concerns were posed by any of the Franklin County Technical Review Agencies.

Staff Analysis – Section 810.41

Section 810.041 – Approval of Variance:

- 1) *Special circumstances and conditions exist that do not apply to other properties in the same zoning district.*
 - » The subject site contains an existing, non-conforming chain link fence that is located between the street and principal structure. When the applicant/owner acquired a portion of the neighboring lot, he was instructed to delineate the new property boundary through the use of fencing or vegetation. In order to create a consistent landscape, the applicant chose to erect a new section of chain link fence to match the existing fencing already in place.
- 2) *A literal interpretation of the zoning resolution would deprive the applicant of rights enjoyed by other properties in the same zoning district.*
 - » A literal interpretation of the zoning resolution would require that the applicant utilize another acceptable form of fencing, other than chain link, to extend the existing chain link fence. Doing so would create an unusual and inconsistent appearance.
- 3) *No special circumstances or conditions apply to this property as a result of actions taken by the applicant.*
 - » No special circumstances or conditions apply as a result of any action of the applicant. The special circumstances and conditions are directly related to the adjustment of the lot boundaries and the applicant's understanding that extending the fence to delineate his new property boundary was required.
- 4) *Granting the variance will not confer on the applicant special privileges that are denied to other properties in the surrounding area.*
 - » Granting the request will not confer special privilege to the applicant due to the special circumstances and conditions described above.
- 5) *Granting the variance will not be injurious to private property or the public welfare in the surrounding area.*
 - » Allowing the fence to remain as proposed will not negatively impact the surrounding area or be detrimental to private property.

Recommendation

Staff recommendation is that the BZA approve a Variance from Section 501.024 to legitimize the construction of a fence that fails to meet the required fence materials for a fence located between a street and the principal structure with the following conditions:

1. The applicant/owner must apply for and receive an approved Certificate of Zoning Compliance from the Franklin County Economic Development and Planning Department.
2. The applicant/owner pays the applicable penalty fee according to the adopted 2014 Franklin County Economic Development and Planning Department Fee Schedule prior to the issuance of a Certificate of Zoning Compliance.
3. Should any portion of the chain link fence (existing non-conforming section and/or new section) require replacement or repair at any point in the future, the fence shall be constructed using acceptable materials that are permitted under Section 501.024. The fence shall not be replaced using in-kind chain link materials.

Resolution

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

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

_____ moves to approve a Variance from Section 501.024 of the Franklin County Zoning Resolution as outlined in the request above for the applicant identified in Case No. VA-3815 with the conditions in staff’s recommendation.

Seconded by: _____

Voting:

Findings of Fact

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

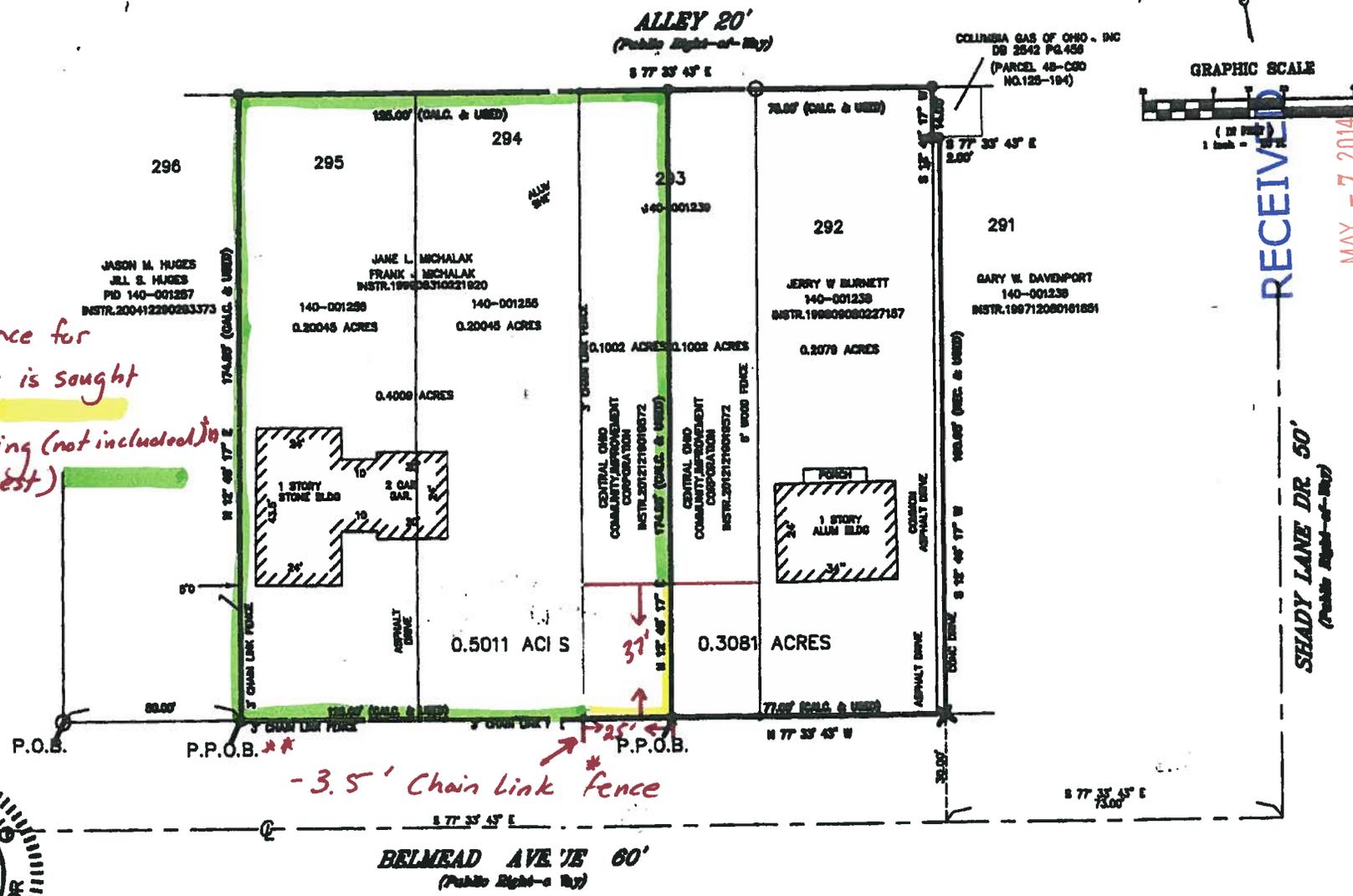
If the resolution fails for lack of support, the following are proposed findings of fact for adoption by the BZA:

_____ moves that the basis for denying the applicant’s request for the Variance from Section 501.024 as outlined in the request above for Case No. VA-3815 results from applicant’s failure to satisfy the criteria for granting a variance under Section 810.041.

Seconded by: _____

Voting:

SITUATED IN THE COUNTY OF FRANKLIN, STATE OF OHIO AND THE TOWNSHIP OF FRANKLIN BEING LOT NO. 2 294, 293, 292 AND PART OF 291 OF THE GIBSON PARK PLACE SUBDIVISION AS DELINEATED IN THE RECORDED PLAT BOOK 16 PAGE 9 OF FRANKLIN COUNTY RECORDER'S OFFICE



* Section of fence for which variance is sought is highlighted

** Existing fencing (not included) in variance request

-3.5' Chain link fence



1. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT OF 1965 AND THE SURVEYING BOARD RULES OF 1965.
2. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT OF 1965 AND THE SURVEYING BOARD RULES OF 1965.

ALL DIMENSIONS ARE BASED ON THE STATE PLATE CORNER MARKS...
 • 1/4" IRON PIN SET AND COVERED FILE IN 2013
 • 3/4" IRON PIN SET
 • FULL FILE AND CHAIN SET

DATE: 5-15-13
 FILE NO: 2013-001



COGIC FRANKLIN COUNTY LAND BANKS			
XYZ	DATE: 02-17-13	FILE NO: 13-001	
	SCALE: 1"=20'	BY: [Signature]	
	REVISED: 05-10-13	DATE: [Signature]	
	SURVEY SERVICE LTD.		DATE: [Signature]
FRANKLIN COUNTY, OHIO		DATE: [Signature]	

Frank and Jane Michalak

1814 Belmead Avenue

Columbus, Ohio 43223

Mr. and Mrs. Michalak,

My name is Tim Guyton. I am Chairman for the Franklin Township Trustees. I am reaching out to you to see if there is any interest in taking ownership of the soon to be vacated lot at 1800 Belmead. The quick history behind this property is the bank that owns the property has reached out to our County Land Bank, and offered the property to the land bank. The County will only accept properties where there is an "end use". In other words, the property will be taken over by someone quickly and put to use. In this case, I am helping the County to identify possible new owners. I have been instructed to ask the owners on each side of 1800 Belmead to see if they have any interest in this property. The property could go to both parties with the property split down the middle, or to either of the two abutting owners if there is only interest from one of the parties. If neither party is interested, the bank will still plan to tear down the structures and will be required to maintain the lot to reasonable standards. I suggest against this option because an empty lot does no good for property values and invites things that we may not necessarily want into our neighborhoods. These are the ground rules as I know them;

- 1) The bank is definitely tearing the structures down, leveling the property, and seeding and strawing. There is no opportunity to rehab the structures and keep them.
- 2) You may be required to pay to have a lot split done if the lot is to be split between two parties. The cost is unknown, but I think very reasonable. Once the lot becomes part of your ownership, you will be required to maintain it as your land. You will see a slight increase in your property taxes for the evaluation that is placed on the vacated property.
- 3) You would need to erect a fence or plantings along the side of the property furthest away from your current property edge so that the new lot shows as part of your existing property. This might require you moving an existing fence or relocate existing plantings.
- 4) Please discuss this with Jerry Burnett at 1794 Belmead. He is receiving the same offer and has been asked to discuss this with you.

Call me with questions. I can be reached on my cell at 348-3266. I need to be able to get back to the County land bank by end of 10/5 if you have interest.

Thanks for your consideration.

Tim Guyton



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MAY - 7 2014

Franklin County Planning Department
Franklin County, OH

VA-3815



VA-3815

Requesting a Variance from Section 501.024 to legitimize the construction of a fence that fails to meet the required fence materials for a fence located between a street and the principal structure in an area zoned Restricted Urban Residential.

0.49 acres
Franklin Township

1814 Belmead Ave.

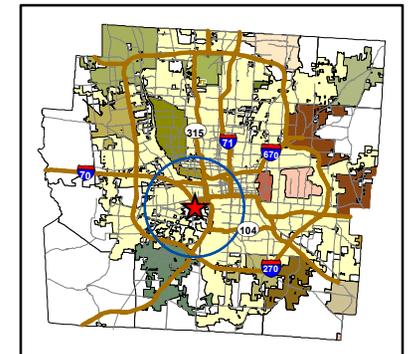
Parcels

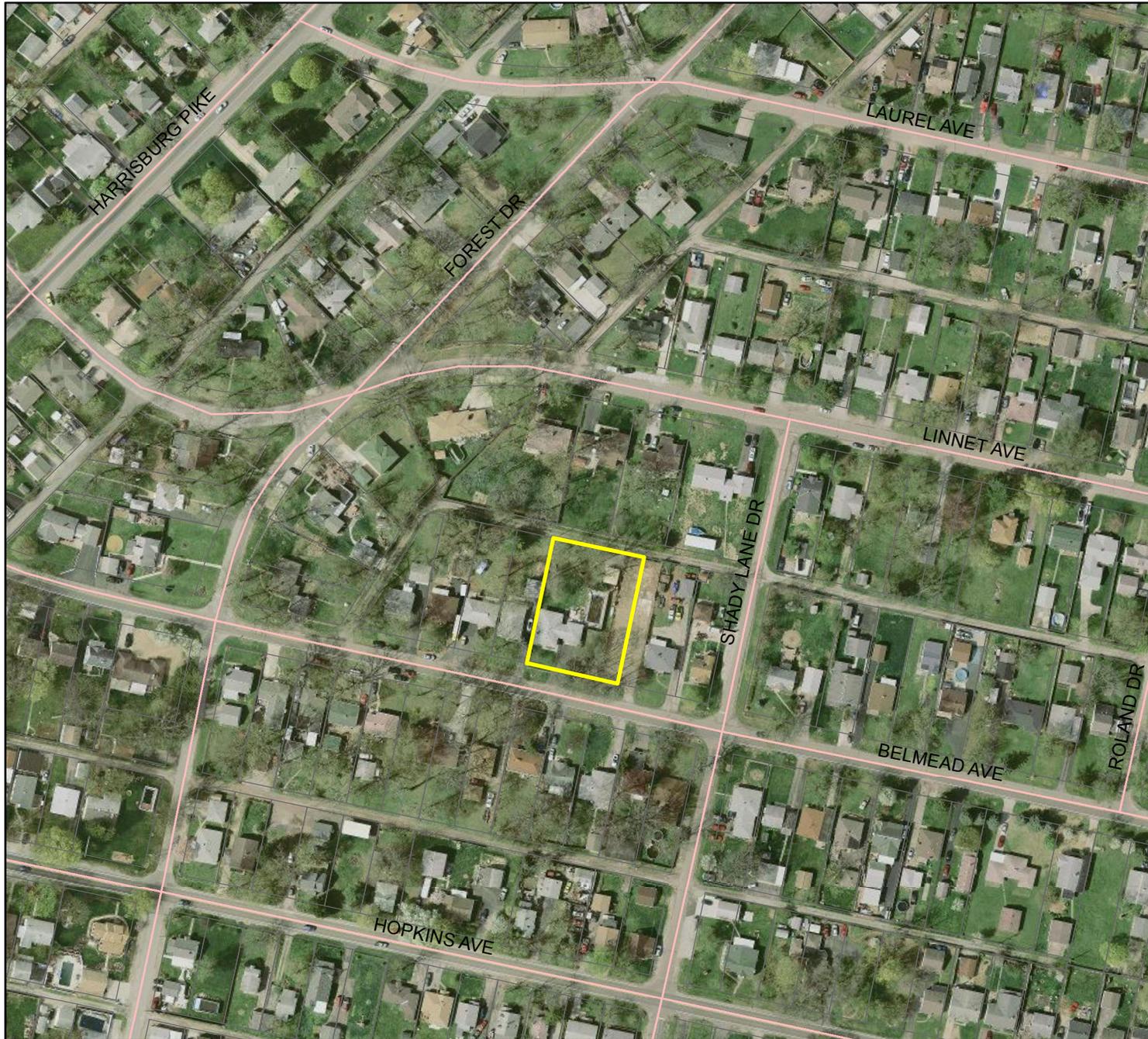
Streets

Franklin County Zoning

Community Commercial

Restricted Urban Residential



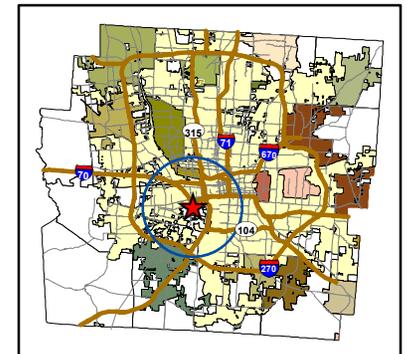


VA-3815

Requesting a Variance from Section 501.024 to legitimize the construction of a fence that fails to meet the required fence materials for a fence located between a street and the principal structure in an area zoned Restricted Urban Residential.

0.49 acres
Franklin Township

-  1814 Belmead Ave.
-  Parcels
-  Streets



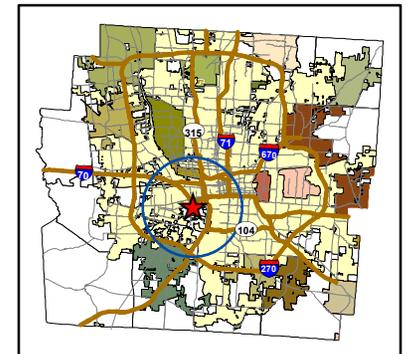


VA-3815

Requesting a Variance from Section 501.024 to legitimize the construction of a fence that fails to meet the required fence materials for a fence located between a street and the principal structure in an area zoned Restricted Urban Residential.

0.49 acres
Franklin Township

- New Chain Link Fence
- 1814 Belmead Ave.
- Parcels
- Streets





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

Economic Development & Planning Department
James Schimmer, Director

STAFF REPORT

Board of Zoning Appeals
June 16, 2014

Case VA-3816

Prepared by: Anthony Hray

Applicant/Owner:	Everett Edmonds, Jr.
Township:	Hamilton Township
Site:	1918 Daugherty Avenue (PID #150-00649)
Acreage:	0.14-acres
Zoning:	Rural District
Utilities:	Onsite water and wastewater
Request:	Requesting a Variance from Section 504.011 to allow the construction of a new single-family home that fails to meet the required front building line setback in an area zoned Rural.

Summary

The applicant is requesting a variance to legitimize the construction of a new single-family home that fails to meet the required front building line setback. Staff recommends **approval with conditions**.

Description of the Request

The subject site is located at the west end of Daugherty Avenue, on the north side of the street, approximately one-third of a mile west of Obetz-Reese Road. The site is part of the Walnut Heights Subdivision, platted in 1919. The site was previously developed with a single-family home that was demolished sometime between 2004 and 2007 according to aerial imagery. The applicant/owner was sited in January of 2014, by Franklin County Zoning Code Enforcement, for constructing a new single-family home without a Certificate of Zoning Compliance and Building Permit. Subsequently, the applicant filed the required applications; at which time a zoning review was completed discovering that the new home fails to meet the required front building setback.

Surrounding Area

Direction	Zoning	Land Use
North	Old Town Residential (Village of Obetz)	Vacant
South	Rural	Church
East	Rural	Single-family home
West	Rural	Single-family home

Comprehensive Plan

The Obetz and Hamilton Township Community Plan, adopted in 1999, recommends the subject site remain single-family residential. The request is consistent with this recommendation.

Staff Review

Variance from Section 504.011 – Required Setback:

- A structure or other use of land shall be located no closer to the street right-of-way than the established building line
 - The building line is established from the centerline of the right-of-way a distance equal to the width of the existing right-of-way.
 - The right-of-way width of Daugherty Avenue is 50 feet. Therefore, the required building line setback is 50 feet from the centerline of Daugherty Avenue.
 - The applicant is requesting approval to allow a setback of 40.8 feet; a variance of 9.2 feet

Franklin County Public Health

The applicant has received approval for a private water and wastewater permit, allowing the applicant to drill a new well and to utilize the pre-existing wastewater treatment system (septic tank and leach field). The applicant has also been instructed that the well serving the previous residence must be properly abandoned in accordance with Franklin County Public Health Regulations.

Staff Analysis – Section 810.41

Section 810.041 – Approval of Variance:

- 1) *Special circumstances and conditions exist that do not apply to other properties in the same zoning district.*
 - » A reduced setback is permitted under Section 504.014 of the Franklin County Zoning Resolution if existing structures or uses on both lots adjacent to the subject site have a setback less than the required setback. In this particular case, a single-family home is located on the adjacent lot to the west and maintains a setback of 39.5 feet. A single-family home is also located two lots to the east of the applicant's property, and maintains a setback of 39 feet. The two lots to the east are under common ownership; however, since the single-family home is located on a separate lot of record and not immediately adjacent to the subject site, the reduced setback cannot be applied. This unusual circumstance is not generally applicable to other properties in the same zoning district.
- 2) *A literal interpretation of the zoning resolution would deprive the applicant of rights enjoyed by other properties in the same zoning district.*
 - » A literal interpretation of the zoning resolution would require that the new home maintain the required setback. However, in this particular situation, the applicant's home will maintain a setback greater than both homes located on either side of the subject site.
- 3) *No special circumstances or conditions apply to this property as a result of actions taken by the applicant.*
 - » The applicant began construction having assumed that the reduced setback applied as described above. However, he was unaware that the home to the east was located on a separate lot of record and not immediately adjacent to his property as required by Section 504.014.
- 4) *Granting the variance will not confer on the applicant special privileges that are denied to other properties in the surrounding area.*
 - » Granting the request will not confer special privilege to the applicant based on the special circumstances mentioned above.
- 5) *Granting the variance will not be injurious to private property or the public welfare in the surrounding area.*
 - Granting the variance will not negatively affect any of the above.

Recommendation

Staff recommendation is that the BZA approve a Variance from Section 504.011 to allow the construction of new single-family home that fails to meet the required front building line setback with the following conditions:

1. The applicant/owner must apply for and receive an approved Certificate of Zoning Compliance and Building Permit from the Franklin County Economic Development and Planning Department.
2. The applicant must abandon the existing well, in compliance with the Franklin County Public Health Regulations, prior to the issuance of a Certificate of Zoning Compliance.
3. The applicant shall complete the home and receive an approved occupancy permit within one year of the date of approval; that being June 16, 2015.
4. The applicant is responsible for paying all outstanding penalty fees (according to 2014 Franklin County Economic Development and Planning Department Fee Schedule) associated with starting construction without a building permit and receiving zoning compliance after the fact. All fees are owed prior to the issuance of a Certificate of Zoning Compliance and Building Permit.

Resolution

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

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

_____ moves to approve a Variance from Section 504.011 of the Franklin County Zoning Resolution as outlined in the request above for the applicant identified in Case No. VA-3816 with the conditions in staff’s recommendation.

Seconded by: _____

Voting:

Findings of Fact

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

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

_____ moves that the basis for denying the applicant’s request for the Variance from Section 504.011 as outlined in the request above for Case No. VA-3816 results from applicant’s failure to satisfy the criteria for granting a variance under Section 810.041.

Seconded by: _____

Voting:

Myers Surveying Company, Inc.

2740 East Main Street, Columbus 43209 (Bexley), Ohio
614-235-8677 FAX:614-235-4559

A Mortgage Location Survey prepared for and certified to:

Everette Edmonds

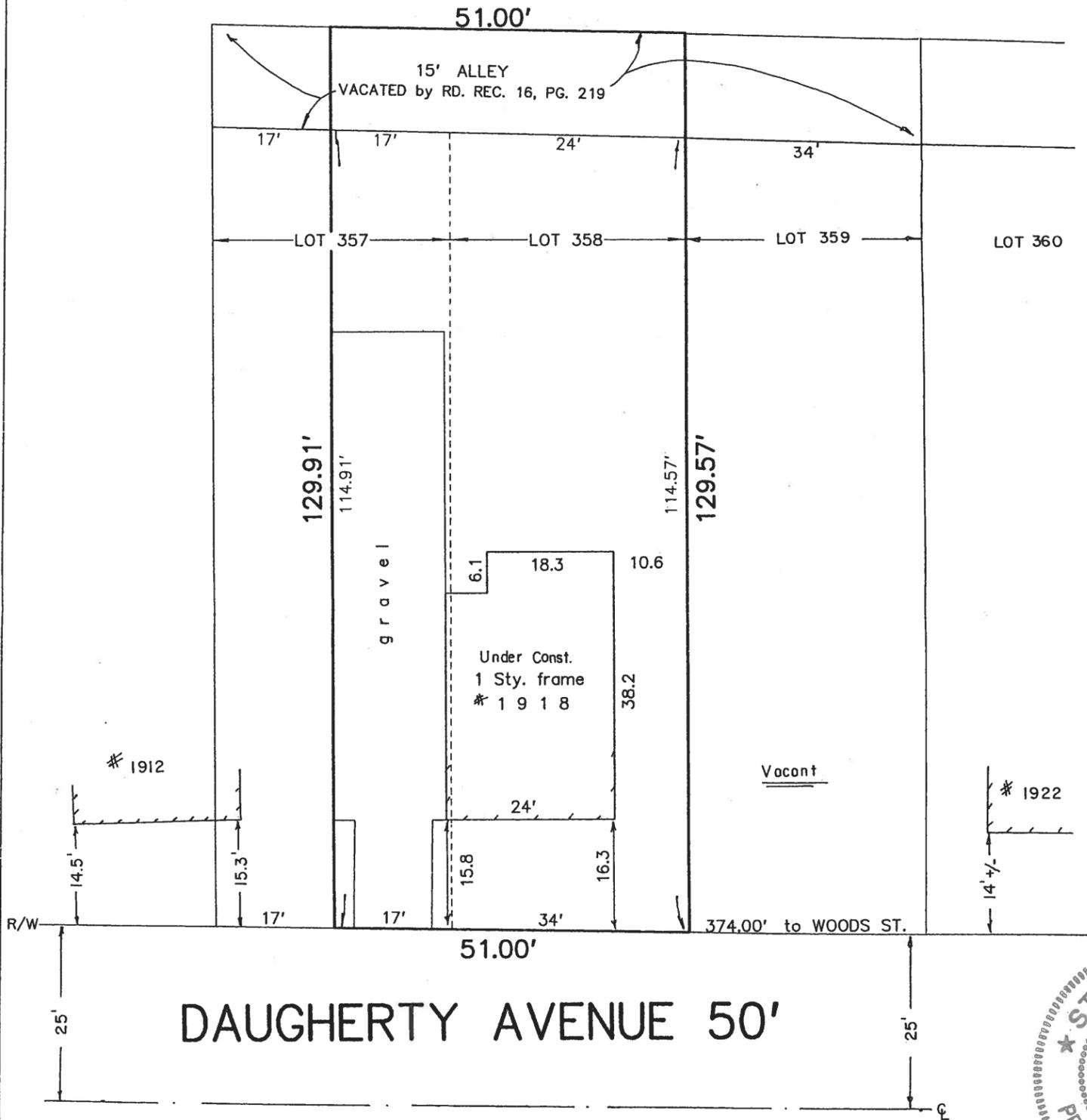
Legal Description: Situated in The State of Ohio, County of Franklin, Village of Reese Being Lot 358 and Part of Lot 357 and Part of Vacated Alley Walnut Heights, Plat Book 9, Page 3

Applicant:

Posted Address: 1918 Daugherty Ave., Reese, Ohio



Scale 1" = 20'
Date: 05/13/2014



We hereby certify that the foregoing Mortgage Location survey was prepared from actual field measurements in accordance with Chapter 4733-38 Ohio Administrative Code, and is not a boundary survey pursuant to Chapter 4733-37 of said code.

THE INFORMATION SHOWN HEREON IS NOT TO BE UTILIZED FOR THE INSTALLATION OF BUILDINGS, FENCES, LANDSCAPING OR OTHER PERMANENT IMPROVEMENTS.

Myers Surveying Co., Inc.

By *Albert J. Myers*
Professional Surveyor

Myers Order No. - 1-05/06/2014



201405061

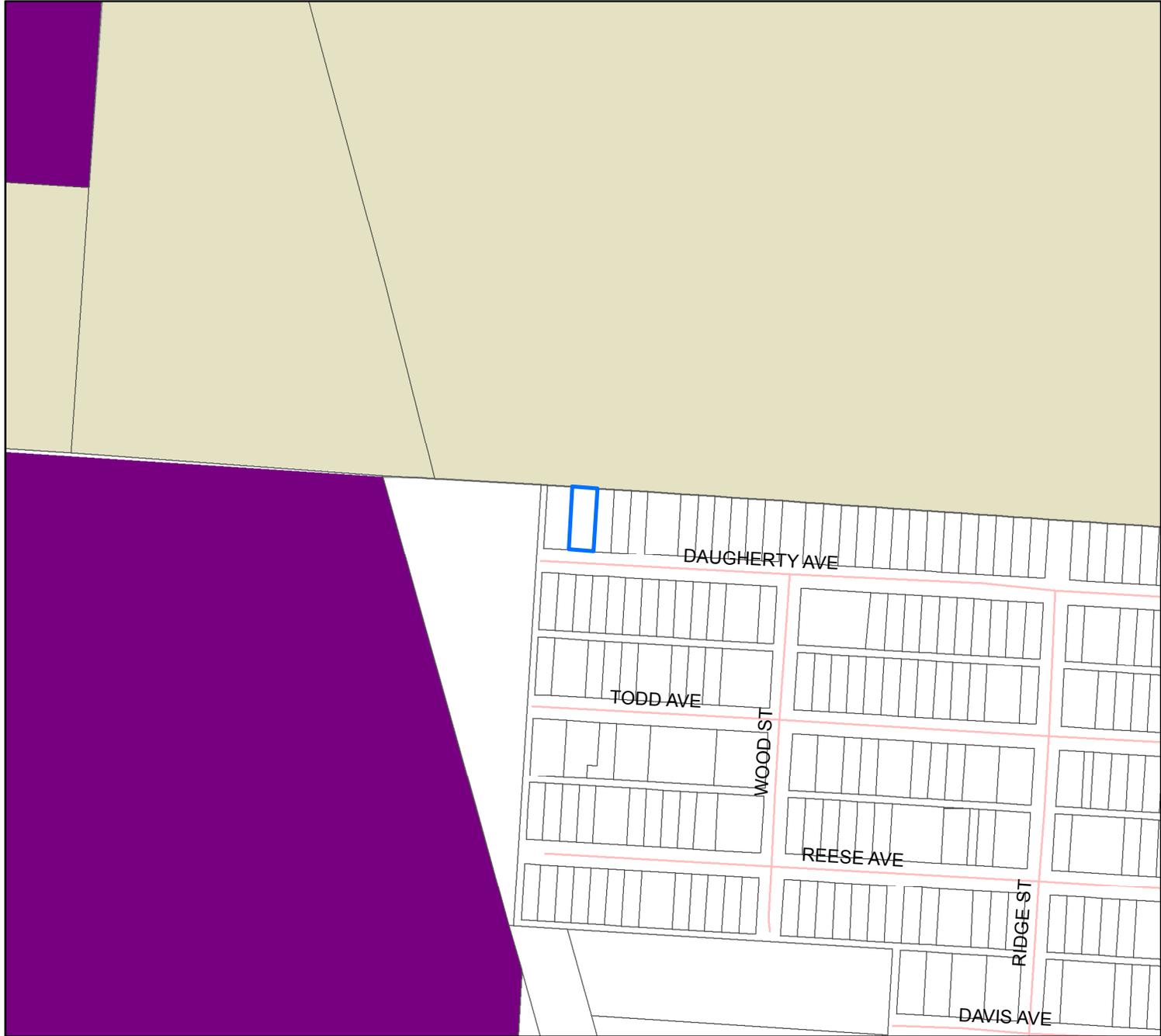
Rec. <i>CA</i>	Field <i>PO</i>	DWG <i>AM</i>	Ltr. <i>AM</i>	Ck.
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VA-3816

MAY 14 2014

County Planning Department
Franklin County, OH

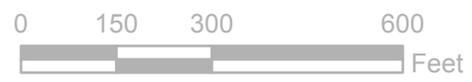
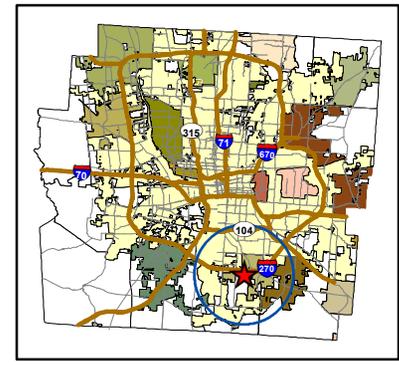


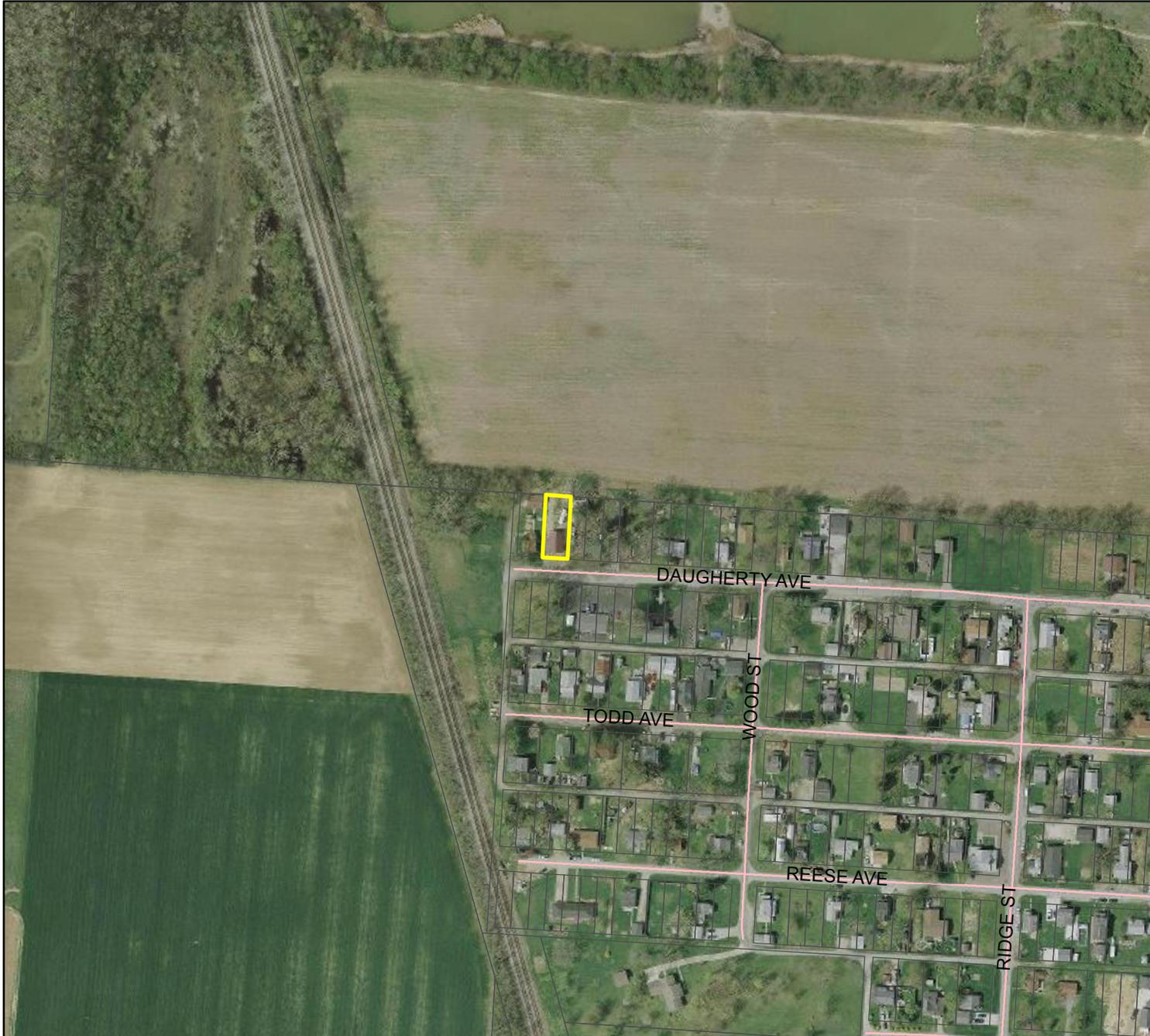
VA-3816

Requesting a Variance from Section 504.011 to allow the construction of a new single family home that fails to meet the required front building line setback in an area zoned Rural.

0.14 acres
Hamilton Township

-  1918 Daugherty Ave.
-  Parcels
-  Streets
- County Zoning**
-  Rural
-  General Industrial
- Corporate Boundaries**
-  Obetz



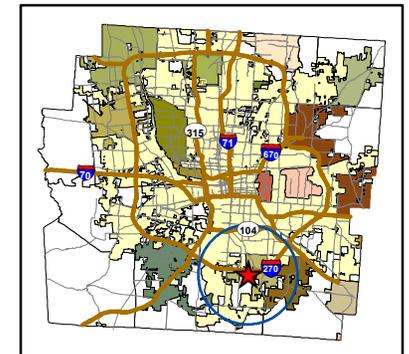


VA-3816

Requesting a Variance from Section 504.011 to allow the construction of a new single family home that fails to meet the required front building line setback in an area zoned Rural.

0.14 acres
Hamilton Township

-  1918 Daugherty Ave.
-  Parcels
-  Streets



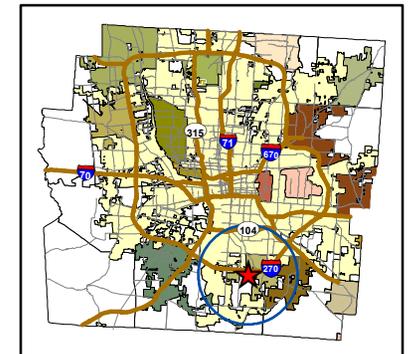


VA-3816

Requesting a Variance from Section 504.011 to allow the construction of a new single family home that fails to meet the required front building line setback in an area zoned Rural.

0.14 acres
Hamilton Township

-  1918 Daugherty Ave.
-  50 ft. Required Front Setback
-  Parcels
-  Streets





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

Economic Development & Planning Department
James Schimmer, Director

STAFF REPORT

Board of Zoning Appeals
June 16, 2014

Case VA-3817

Prepared by: Anthony Hray

Applicant	REVIVE Remodeling/Mike Pirwitz
Owner:	Rober Bloomberg
Township:	Madison Township
Site:	5215 Winchester Pike (PID #180-000178)
Acreage:	2.64-acres
Zoning:	Rural District
Utilities:	Onsite water and wastewater
Request:	Requesting a Variance from Section 512.02(2(a)) to allow the construction of an accessory building that fails to be located to the side or rear of the principal structure in an area zoned Rural.

Summary

The applicant is requesting a variance to allow the construction of an accessory building that will be located in front of the principal structure. The request fails to satisfy the criteria necessary for granting a variance under Section 810.041. Staff recommends **denial**.

Description of the Request

The subject site is located on the south side of Winchester Pike, approximately one-half mile east of the intersection of Winchester Pike and Ebright Road. The site is currently developed with a 1,967 square foot single-family home and a 120 square foot shed. The applicant is proposing to construct a 600 square foot accessory building that will be located in front of the principal structure (single-family home).

Surrounding Area

Direction	Zoning	Land Use
North	Rural	Building Materials Manufacturer/Contractor Single-Family Home
South	Rural	Park/Ball Field
East	Rural	Single-family home
West	Neighborhood Edge (Columbus) Neighborhood General (Columbus)	Vacant

Comprehensive Plan

The Blacklick-Madison Area Plan, adopted in 2011, recommends the subject site remain low density single-family residential. The request is consistent with this recommendation.

Staff Review

Variance from Section 512.02(2(a)) – Location of Residential Accessory Buildings:

- An accessory building shall be located to the side or rear of the principal structure
 - The proposed accessory building will be located approximately 13 feet in front of the principal structure

Franklin County Technical Review Agencies

No comments or concerns were posed by any of the Franklin County Technical Review Agencies.

Staff Analysis – Section 810.41

Section 810.041 – Approval of Variance:

- 1) *Special circumstances and conditions do not exist that do not apply to other properties in the same zoning district.*
 - » The applicant has failed to provide any special circumstances and conditions that apply specifically to the subject site. The applicant indicates in his application that a previously approved location for the proposed building is too “wet”; however, no further details were provided nor were any other circumstances or conditions indicated that would prevent the building from being located elsewhere on the property in compliance with the location requirements.
- 2) *A literal interpretation of the zoning resolution would not deprive the applicant of rights enjoyed by other properties in the same zoning district.*
 - » The applicant has adequate area on the lot to meet the location requirements and has failed to provide any explicit or distinct circumstances and conditions that apply specifically to the site in question.
- 3) *No special circumstances or conditions apply to this property as a result of actions taken by the applicant.*
 - » No special circumstances or conditions apply as a result of any action of the applicant.
- 4) *Granting the variance will confer on the applicant special privileges that are denied to other properties in the surrounding area.*
 - » Granting the request will confer special privilege on the applicant based on the fact that no special circumstances or conditions exist that would otherwise prevent compliance with the location requirement.
- 5) *Granting the variance will be injurious to private property and detrimental to the public welfare of the surrounding area.*
 - » Allowing the accessory building to be located in front of the principal structure would be uncharacteristic of the surrounding area. Additionally, the applicant received prior zoning and building plan approval for an alternate location on the site that complied with the location requirements. This area required substantial tree removal and has already been excavated. Granting the variance would allow additional tree removal and further excavation that would be unfavorable and detrimental to the public welfare.

Recommendation

Staff recommendation is that the BZA deny a Variance from Section 512.02(2(a)) to allow the construction of an accessory building that fails to be located to the side or rear of the principal structure. The reason for recommending denial is that the applicant has failed to satisfy the criteria necessary to grant a variance under Section 810.041.

Resolution

For your convenience, the following is a proposed resolution for approval of the applicant’s request:

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

_____ moves to approve a Variance from Section 512.02(2(a)) of the Franklin County Zoning Resolution as outlined in the request above for the applicant identified in Case No. VA-3817.

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 504.011 as outlined in the request above for Case No. VA-3817 results from applicant’s failure to satisfy the criteria for granting a variance under Section 810.041.

Seconded by: _____

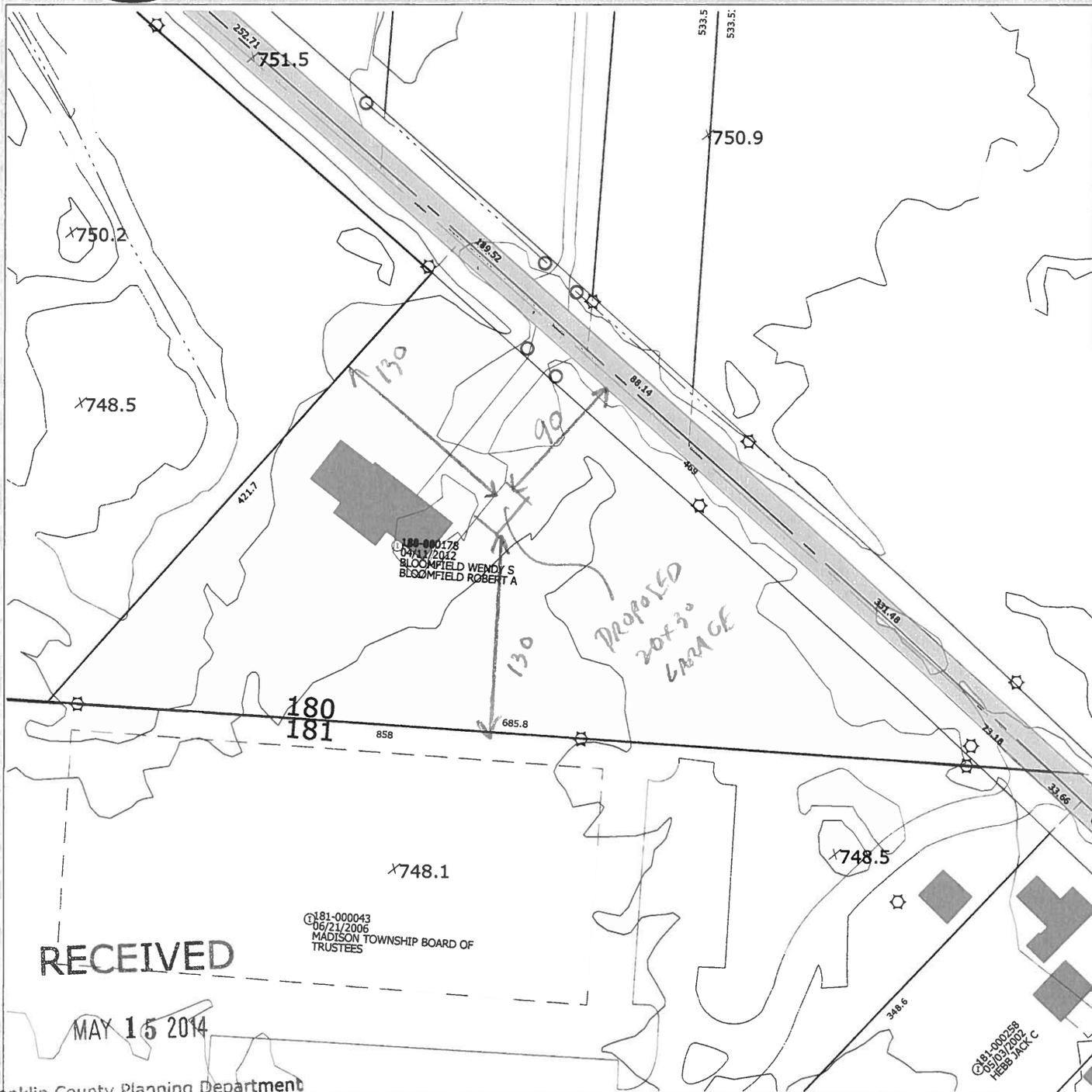
Voting:



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S

DATE: 5/15/14



RECEIVED

MAY 15 2014

Franklin County Planning Department
Franklin County, OH

Disclaimer

Scale = 100



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

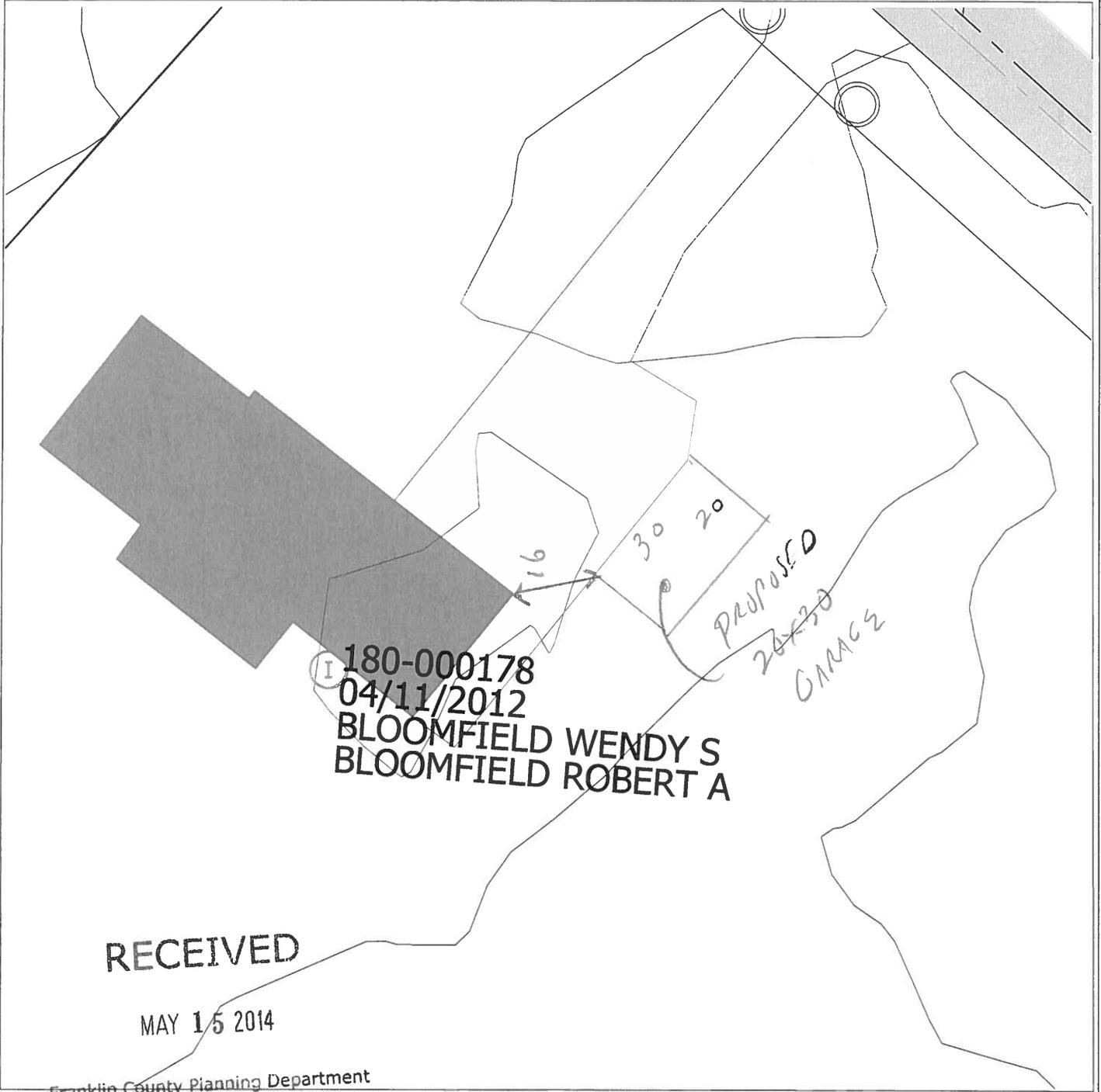
Real Estate / GIS Department



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S

DATE: 5/15/14



RECEIVED

MAY 15 2014

Franklin County Planning Department
Franklin County, OH

VA-3817

Disclaimer

Scale = 30

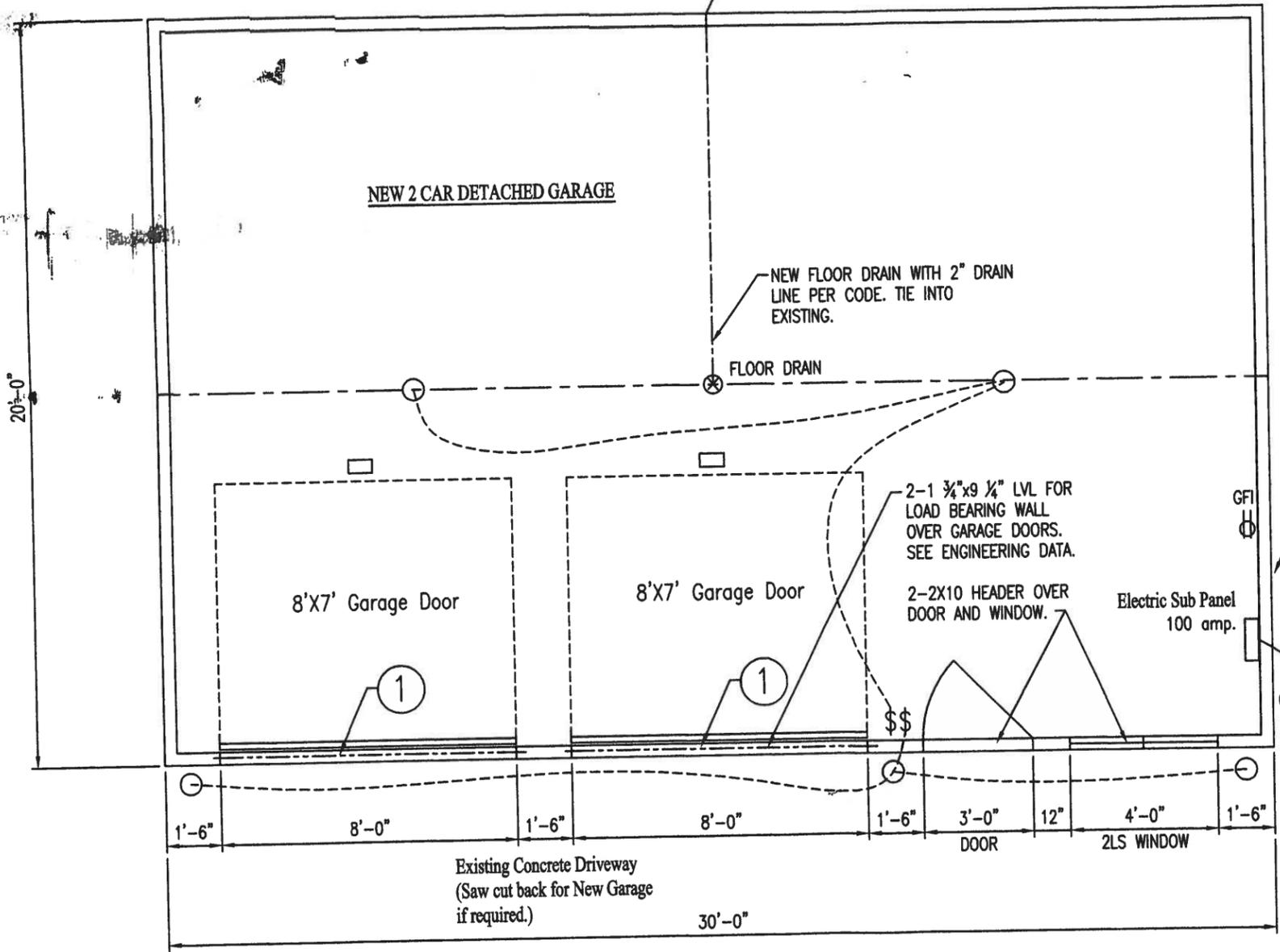


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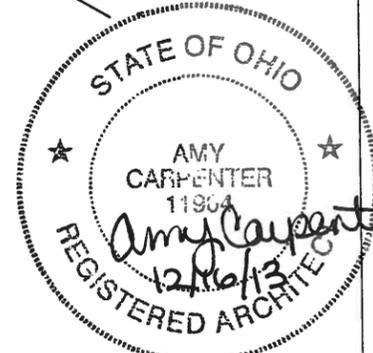
Real Estate / GIS Department

CONSTRUCTION NOTES:
 1. THIS IS A DETACHED 2 CAR UNHEATED GARAGE.
 2. IT WILL HAVE A NEW 100 AMP SUB PANEL FROM EXISTING HOUSE METER/SERVICE. LICENSED ELECTRICIAN TO PROVIDE ALL ADDITIONAL INFORMATION AND OBTAIN SEPARATE PERMIT.
 3. EXTERIOR TO BE T-111 OVER OSB AND HOUSE WRAP. SIDING AND TRIM TO MATCH EXISTING. OWNER TO PAINT.
 4. WALLS TO BE 2X4 FRAMING, 16" O.C. NO INTERIOR WALL OR CEILING FINISHES. NO INSULATION.
 5. EXISTING CONCRETE TO REMAIN. SAW CUT IF REQUIRED.

VA-3817



NEW 100 AMP. SUB PANEL FROM EXISTING HOUSE METER. LICENSED ELECTRICIAN TO PROVIDE ALL ADDITIONAL INFORMATION AND OBTAIN SEPARATE PERMIT.



RECEIVED

MAY 15 2014

Franklin County Planning Department
 Franklin County, OH

FLOOR PLAN

1/4"=1'-0"

Electric per NEC

- ⊕ = Electric Outlet
- \$ = Electric Switch
- = Light

Amy Carpenter
 Reg. No. 11904
 Exp. 12-31-13

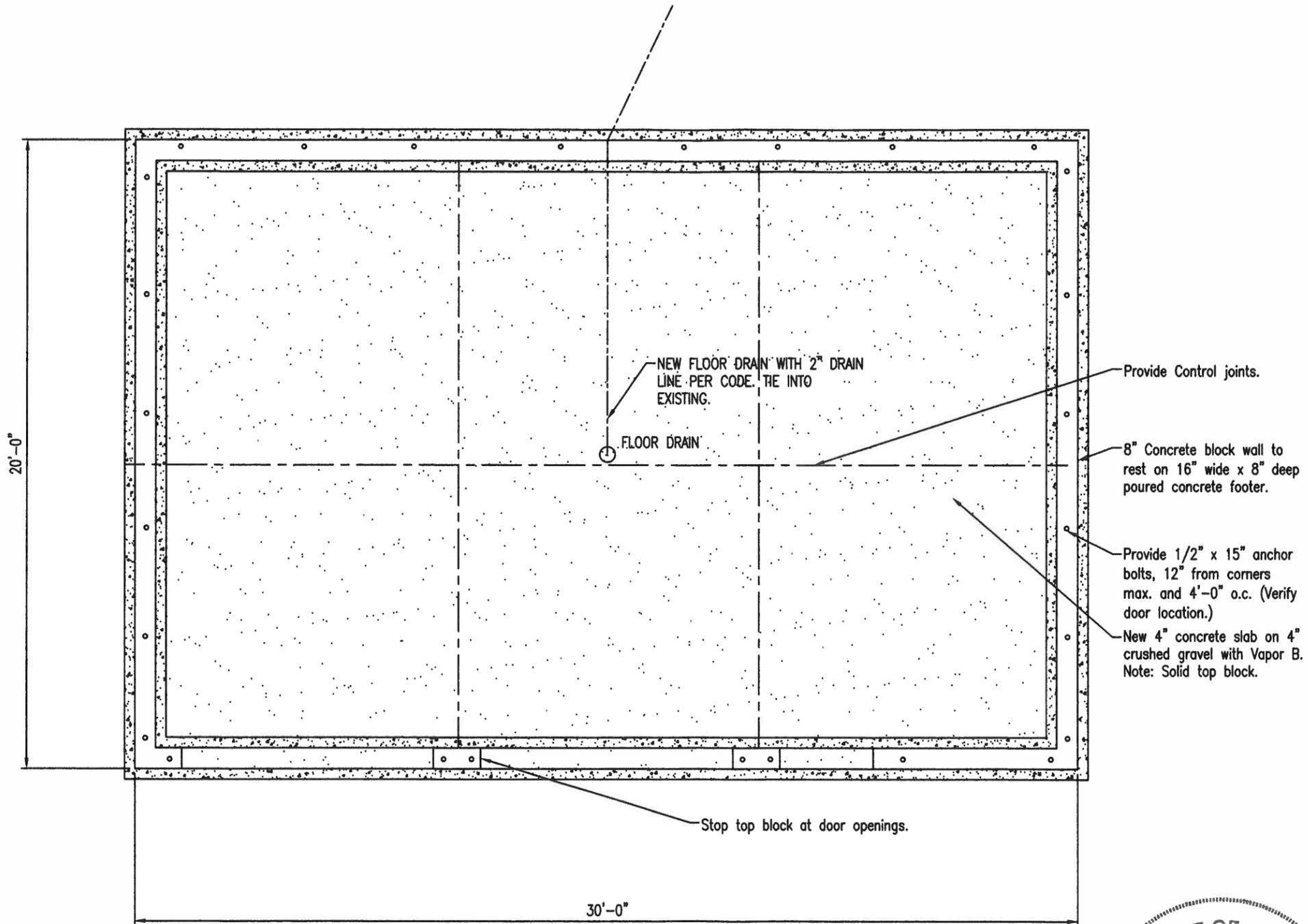
FLOOR PLAN

A-1

A NEW 2 CAR GARAGE for
 ROBERT BLOOMFIELD
 5215 WINCHESTER PIKE
 CANAL WIN., OHIO 43110

REVIVE HOME REMODELING
 MIKE PIRITZ-OWNER
 614-517-6350

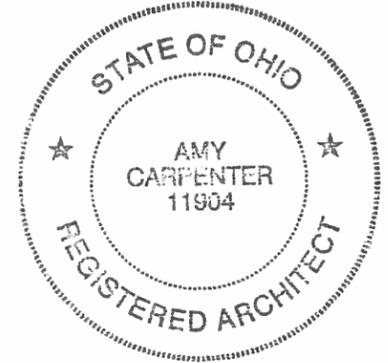
Contractors copy 12/16/13 for Permit



FOUNDATION PLAN

1/4"=1'-0"

SEE DETAIL DRAWING A-6

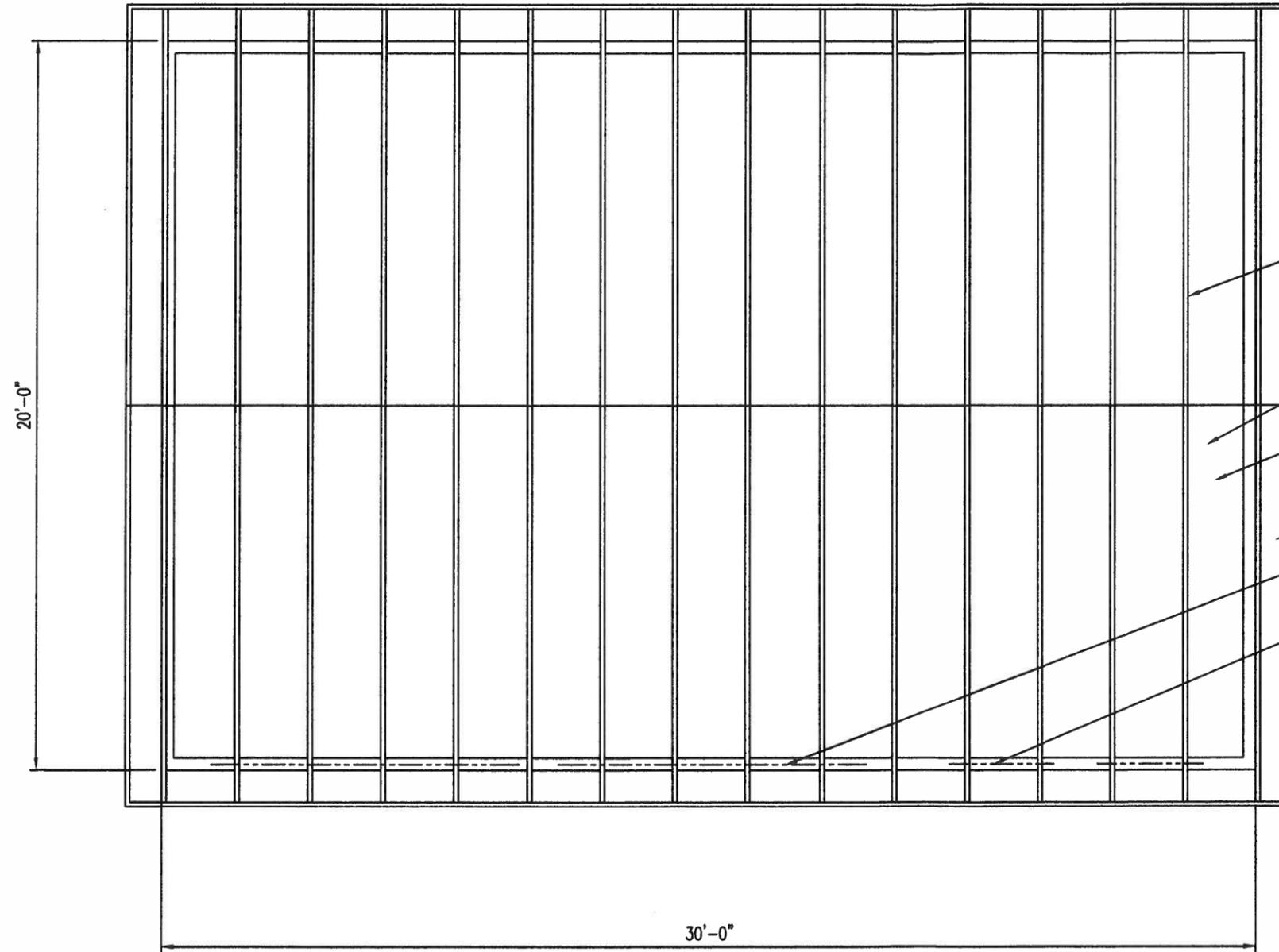


**A NEW 2 CAR GARAGE for
ROBERT BLOOMFIELD
5215 WINCHESTER PIKE
CANAL WIN., OHIO 43110**

**REVIVE HOME REMODELING
MIKE PIRITZ-OWNER
614-517-6350**

FOUNDATION

A-2



PRE-ENGINEERED ROOF TRUSSES, 24" o.c. ENGINEERING DATA TO BE SUPPLIED BY TRUSS CO. (UPON ORDERING AND PRIOR TO FRAMING INSPECTION.)

7/16" OSB WITH H-CLIPS. #15 FELT AND SHINGLES TO MATCH HOUSE.

NO INTERIOR FINISH.

BULB LIGHTS.

12" O.H. TYPICAL.

FRONT GARAGE DOOR HEADERS TO BE 2-9 1/4" LVL.

36" DOOR AND WINDOW TO HAVE 2-2X10 HEADERS.

ROOF PLAN

1/4"=1'-0"

SEE DETAIL DRAWING A-6

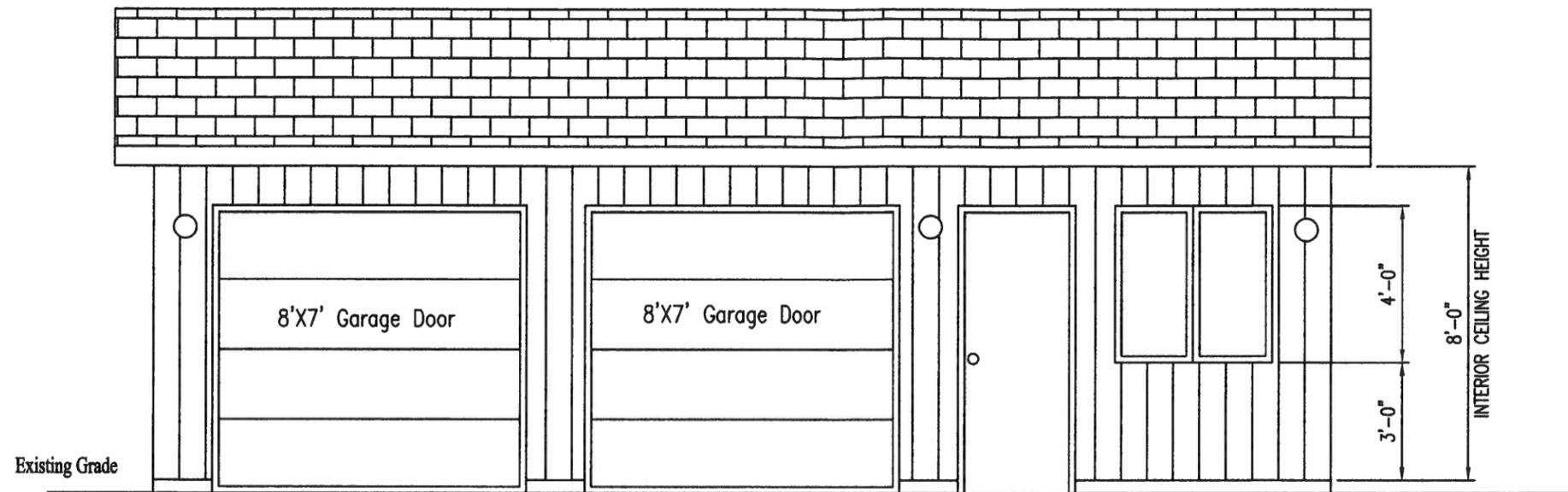


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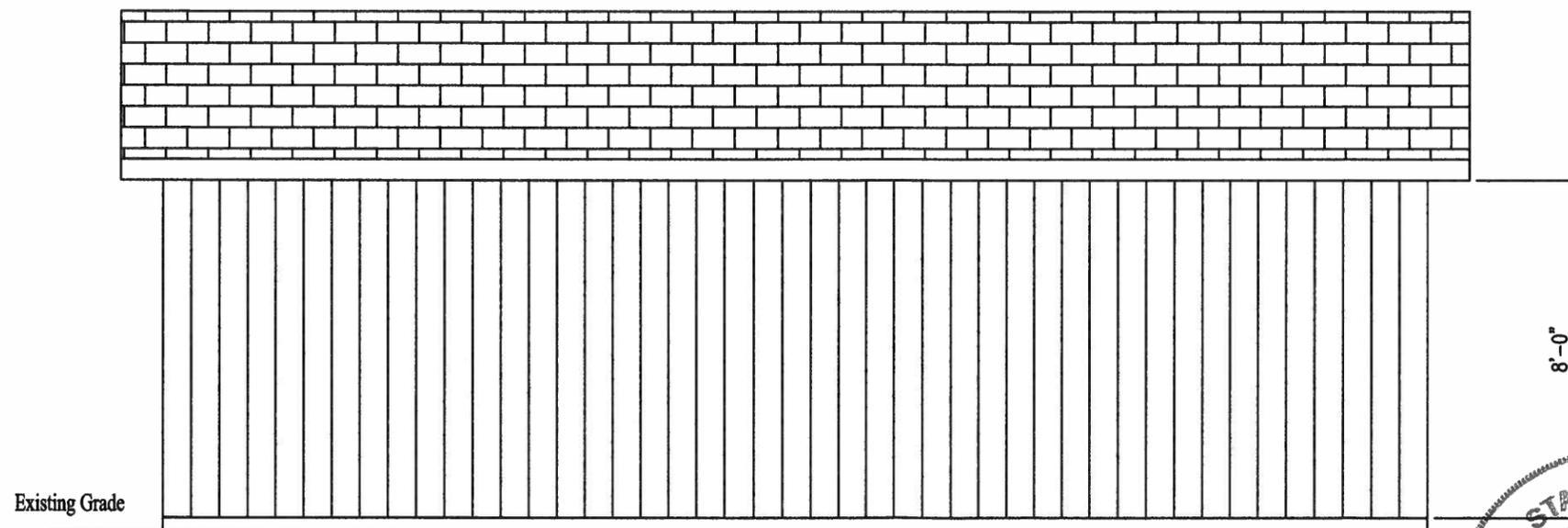
REVIVE HOME REMODELING
MIKE PIRITZ-OWNER
 614-517-6350

ROOF PLAN

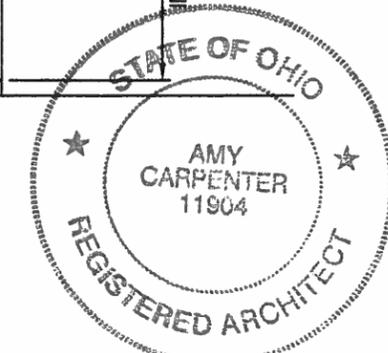
A-3



FRONT ELEVATION (A-WALL)
1/4"=1'-0"



REAR ELEVATION (C-WALL)
1/4"=1'-0"



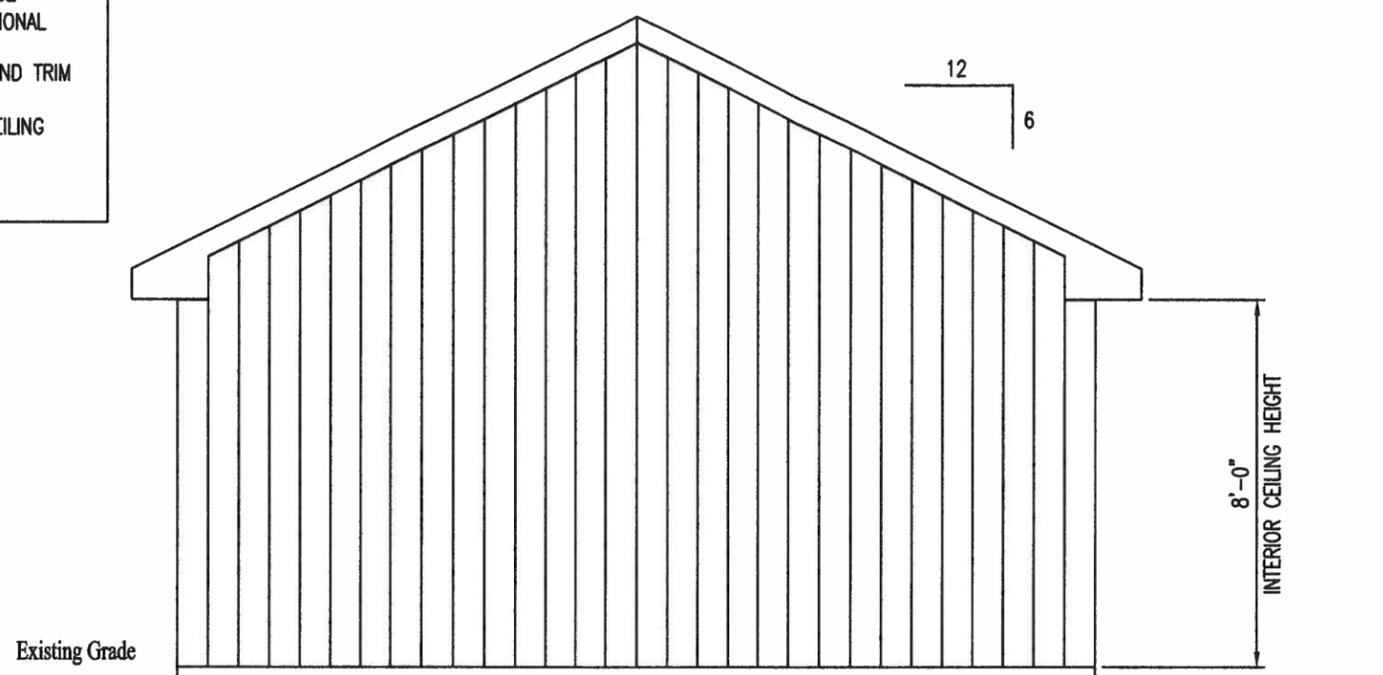
A NEW 2 CAR GARAGE for
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ELEVATIONS

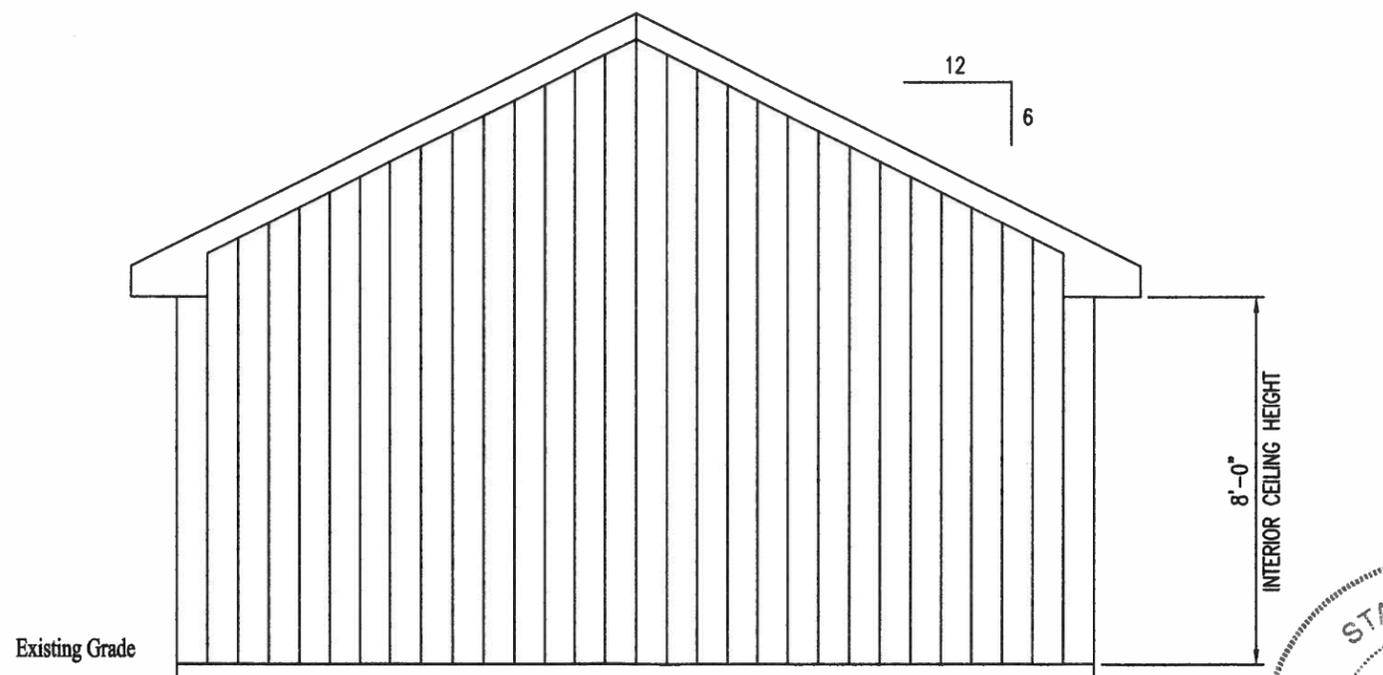
A-4

- CONSTRUCTION NOTES:
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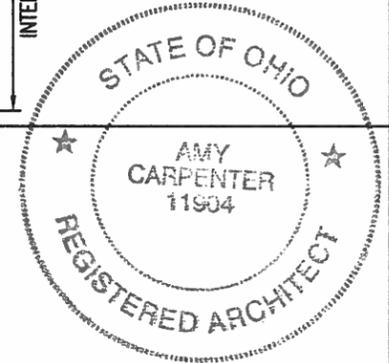
LEFT SIDE ELEVATION (B-WALL)

1/4"=1'-0"



RIGHT SIDE ELEVATION (D-WALL)

1/4"=1'-0"

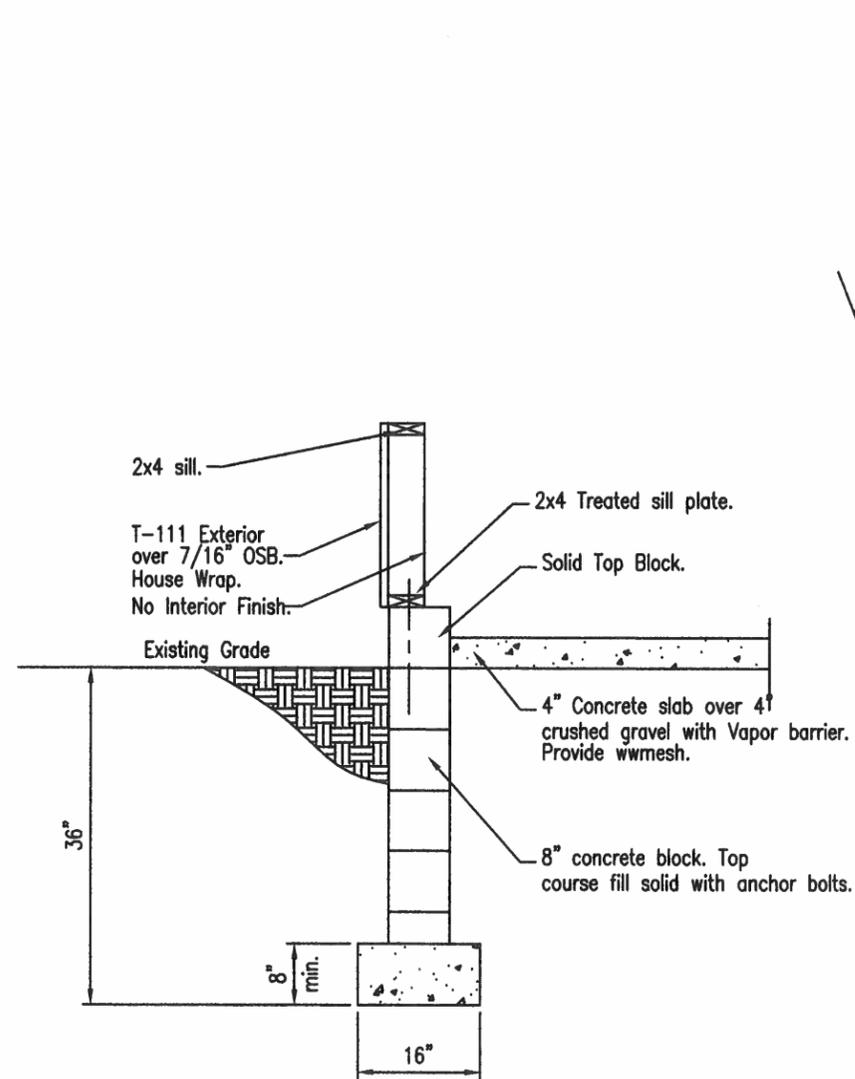


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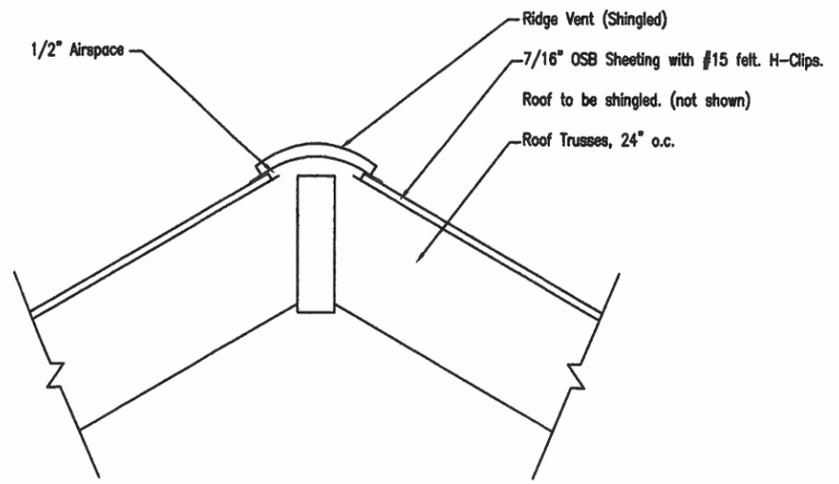
REVIVE HOME REMODELING
MIKE PIRITZ-OWNER
 614-517-6350

ELEVATIONS

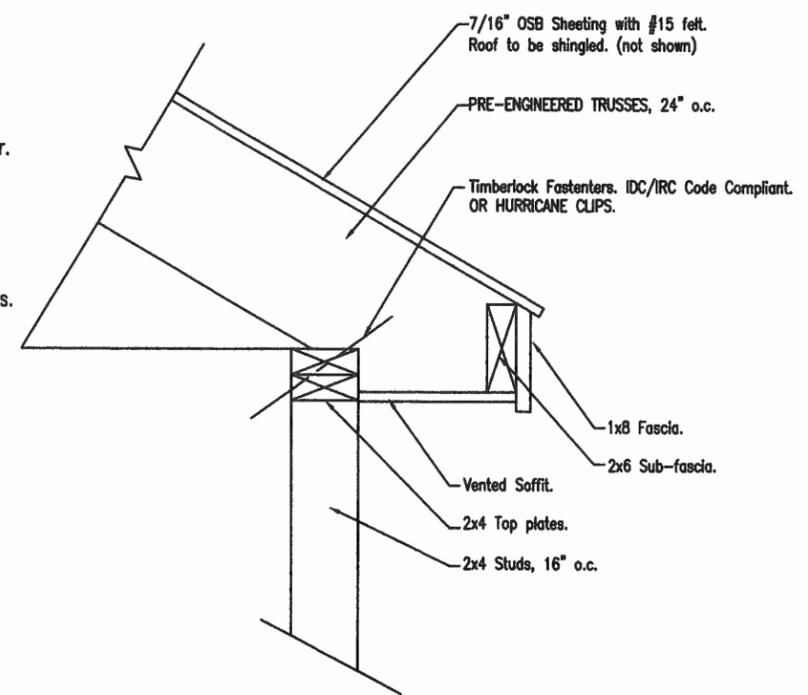
A-5



FOOTER SECTION
1/2"=1'-0"



RIDGE DETAIL
1 1/2"=1'-0"



SOFFIT DETAIL
1 1/2"=1'-0"

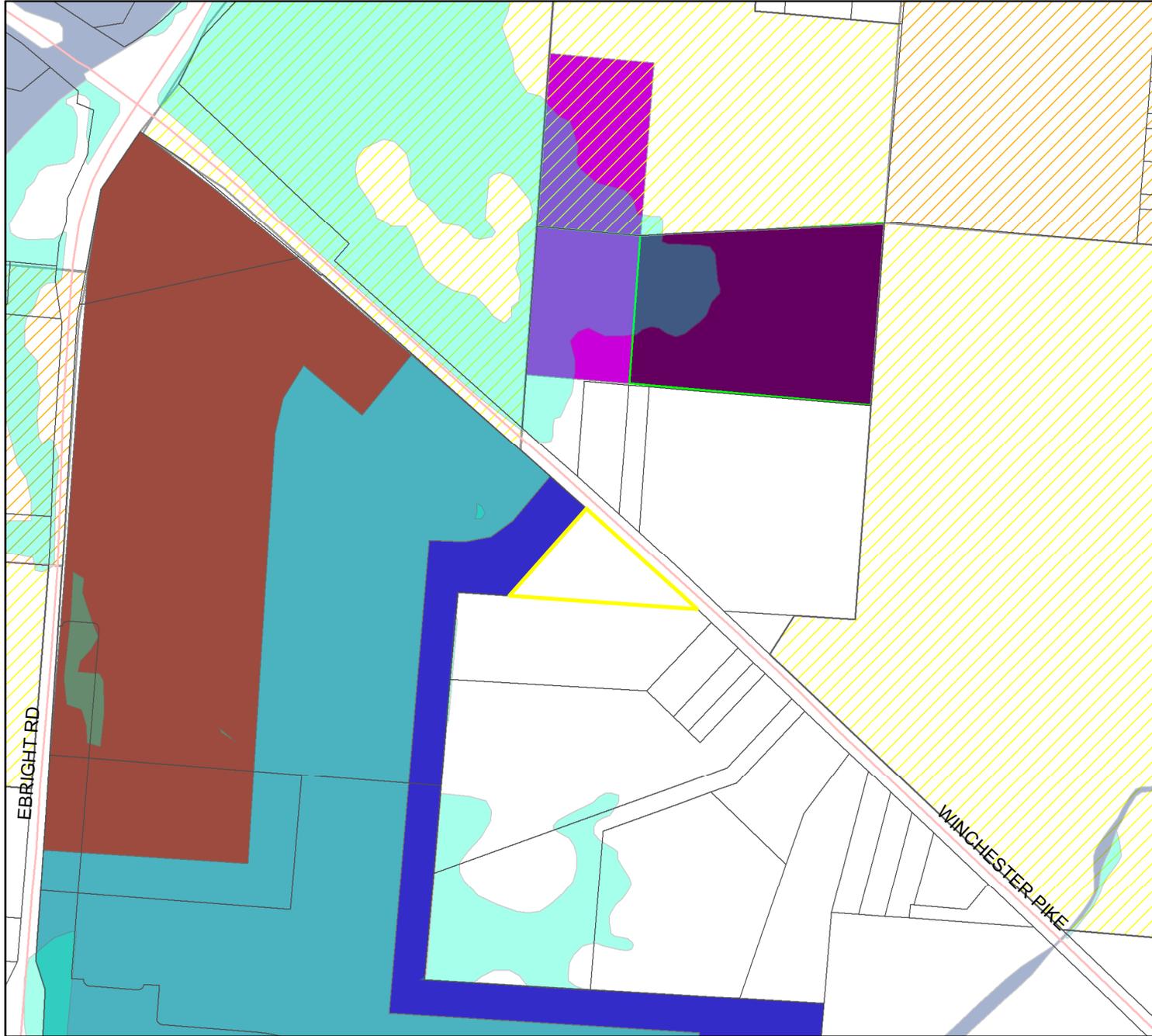


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DETAILS

A-6

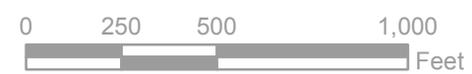
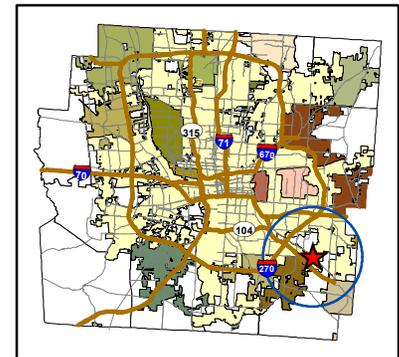


VA-3817

Requesting a Variance from Section 512.02(2(a)) to allow the construction of an accessory building that fails to be located to the side or rear of the principle structure in an area zoned Rural

2.64 acres
Madison Township

- 5215 Winchester Pike
- Parcels
- Streets
- Franklin County Floodplain**
- Floodway Fringe
- Floodway
- Columbus Zoning**
- Residential
- Multi-family
- Neighborhood Center
- Neighborhood Edge
- Neighborhood General
- County Zoning**
- Rural
- Limited Industrial
- Planned Industrial Park





VA-3817

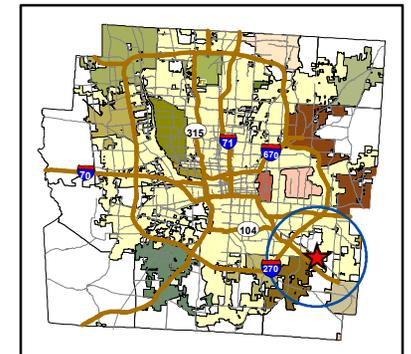
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Madison Township

-  5215 Winchester Pike
-  Parcels
-  Streets

Franklin County Floodplain

-  Floodway Fringe
-  Floodway





VA-3817

Requesting a Variance from Section 512.02(2(a)) to allow the construction of an accessory building that fails to be located to the side or rear of the principle structure in an area zoned Rural

2.64 acres
Madison Township

-  5215 Winchester Pike
-  Proposed Garage 30' x 20'
-  Parcels
-  Streets

