



Jackson Township Franklin County, Ohio

Fiscal Officer
Ron Grossman

Board of Trustees
Ron McClure
David Burris
Jim Rauck

Administrator
Shane W. Farnsworth

Variance 2-VA-2021

Applicant: Paul & Emily Stickley
Property: 7598 Vern Place, (parcel #160-003041)

108.01 Nature of a Variance

On a particular property, extraordinary circumstances may exist making a strict enforcement of the applicable Development Standards of the Zoning Resolution unreasonable. Therefore, the procedure for Variance from Development Standards is provided to allow the flexibility necessary to adapt to changed or unusual conditions, both foreseen and unforeseen, under circumstances which do not ordinarily involve a change in the application of this Zoning Resolution. Applications for Variances are heard by the Board of Zoning Appeals, hereinafter the Board.

Sections of the Jackson Township Zoning Regulations requesting a Variance:

The applicant is requesting to construct a second accessory structure and exceed the 2,000 square feet maximum requirement.

303.02 Development Standards

- A. Location. Accessory uses and structures shall be located completely to the rear of the principal structure and shall be no closer than ten (10) feet from any part of the principal structure. Accessory uses and structures shall be no closer than five (5) feet to any rear and side property line. Accessory uses and structures shall not be located within a recorded easement.
- B. Quantity. A lot in a residential zoning district and residential portion of a planned district shall not contain more than two (2) accessory structures. A second accessory structure of the same purpose (i.e., a second storage barn, a second swimming pool, etc.) may not be constructed without first securing Variance approval from the Board of Zoning Appeals. The additional structure may only be permitted as a conditional use with the approval of the Board of Zoning Appeals.
- C. Exterior. In order to protect property values and encourage neighborhood stability an accessory structure shall have an exterior which meets these standards and is compatible in appearance to the principal residential structure on the parcel or lot. Compatibility shall be determined based upon the following criteria: exterior building materials, color, architecture, roof style, and siding.



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D. Area. The maximum permitted area of an accessory structure placed on a lot in a residential zoning district shall be based on the following lot categories on which the accessory structure is to be located.

3. Lot Size Four (4) or More Acres. An accessory structure shall be no larger than (2,000') square feet and shall not exceed a height of (22') feet as measured from the floor to the top of the roof with a minimum roof pitch of 4':1" and no door serving the accessory structure shall exceed 14' feet in height.

Action by the Board

The Board shall only approve a variance or modification thereof if 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.
 - *Applicant owns 4.3 acres and feels there is sufficient land to allow for this variance.*
 - *The current accessory building was built prior to their purchase of the property. The current building is not sufficient for their storage needs.*
 -
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 terms of this Zoning Resolution.
 - *Interpretation of this zoning resolution does not deprive this property owner rights commonly enjoyed by other property owners but does restrict how the property can be developed.*
3. That the special conditions and circumstances do not result from the action of the applicant.
 - *Special conditions and circumstances do not result from the action of the applicant.*



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4. That granting the variance requested will not confer on the applicant any special privilege that is denied this Zoning Resolution to other lands or structures in the same Zoning District.

- *No special privilege is conferred onto the applicant.*

5. That granting the variance will not adversely affect the health or safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.

- *The proposed building will be 150 feet from the road and located mostly behind and to the side of the home.*
- *It will be 300 feet from the neighbor's home across the street to the north and northeast.*
- *It will be 200 feet from the rear property line.*
- *The building will not obstruct any views of the pond, horizon, or any other views our neighbors may enjoy.*
- *The building will store vehicles.*

The variance request is to allow for a second accessory structure and to exceed the maximum square footage to 2,240 square feet. The zoning classification of Agriculture Conservation Open Space is already in place.

Attachments:

1. Variance Application
2. Site Map
3. Building Plan