

# Application for Variance

City of Gahanna, Ohio ■ Planning Commission  
200 S. Hamilton Road, Gahanna, OH 43230 ■ Phone: (614) 342-4025 ■ Fax: (614) 342-4117

**\*REQUIRED INFORMATION:** All correspondence will be addressed to the applicant. Planning Commission members or City staff may conduct a site visit prior to a Planning Commission Public Hearing.

\*Applicant Name: DAVID HOPLER \*Phone: 614-623-7927  
\*Applicant Address: 287 HARROW BLVD, 43230 \*Fax: N/A  
\*Applicant Email: david.hopler@gmail.com

\*Applicant's Relationship to Project: Land Owner:  Option Holder:  Cont. Purchaser:  Agent:

\*Property Owner Name: \_\_\_\_\_ \*Phone: \_\_\_\_\_  
\*Property Owner Address: \_\_\_\_\_ \*Fax: \_\_\_\_\_  
\*Contact Name: \_\_\_\_\_ \*Email: \_\_\_\_\_

\*Address for Requested Variance: 287 HARROW BLVD, 43230  
\*Parcel ID#: 025-004098 \*Current Zoning: PUD

\*Description of Variance Requested: Requesting to have 6 foot privacy fence in side yard - from rear corner to front of house for privacy from pool.

\*Applicant's Signature: D. C. Hopler \*Date: 5/13/16

**\*SUBMISSION REQUIREMENTS:** Applications are not complete until all submission requirements are received and accepted by the Planning and Zoning Administrator.

1. Two (2) 11" x 17" copies of a survey and legal description of the property certified by a registered surveyor.
2. One (1) digital copy of completed application and associated documents.
3. A list of contiguous property owners and their mailing addresses.
4. Pre-printed mailing labels for all contiguous property owners.
5. A statement of the reason(s) for the Variance request. The statement must address the three (3) conditions listed on page 2 of this application in order for Planning Commission to grant approval for the Variance.
6. Application Fee of \$150 for Single-Family Residential Districts and \$300 for all other Zoning Districts.

## \*PLANNING AND ZONING ADMINISTRATOR REVIEW AND APPROVAL:

Code Sections to be varied: 1171.03 (h)

Description of the governing code and the requested variance: to be erected in the side yard Is allow a privacy fence

In accordance with Section 1131 of the Codified Ordinances of the City of Gahanna, Ohio, I hereby certify that this project, as stated above, was for approved by the City of Gahanna Planning Commission on \_\_\_\_\_. The applicant shall comply with any conditions approved by the Planning Commission and shall comply with all building, zoning and landscaping regulations now in place.

Planning & Zoning Administrator's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**For Internal Use:**  
SunGard File No. 16050027  
PC File No. V-4-2016  
Public Hearing Date: \_\_\_\_\_

Revised 10-1-2014/cas



(Accepted by PZA)

Dear Gahanna Planning Commission,

As you review our variance request for our privacy fence, my wife and I would ask that you take the following into consideration:

1. We believe that approving this variance and allowing us to have a 100% private fence between us and the pool would increase the value of our home and would make it more desirable for buyers if we ever had to sell it.
2. We do not believe this variance to be that substantial – 30 feet of fence with a 1.8 inch gap vs. private. Because we live next door to the pool and do not have neighbors on that side, it would not be affecting anyone.
3. We do not believe that making our side-yard fence fully private would have any kind of negative affect on our neighborhood or the adjoining properties. We believe making the entire fence private would be more aesthetically pleasing than having 70% private and 30% open.
4. Approving this variance would not affect delivery of any governmental services.
5. Before we purchased the property in March of 2015, we searched on Gahanna.gov to see if we would need a fence permit to build a 6 foot privacy fence, and naturally I clicked on the link that was titled “Building Permits” and saw under the building fees that you only needed a permit if the fence was higher than 6 feet:

	Sidewalk <i>Per square foot</i>	\$6.30	
<b>Fences Over 6 Feet High</b>		\$61.05	Includes fence permit and 3% BBS fee
Fire Protection Systems – OBC Multi-Family or Commercial Fire Alarm System <i>First 1,000 square feet</i>		\$154.50	\$.03 each additional square foot of fire alarm system; \$5,000 maximum; includes 3%

So even with the pool and park being next door, we still felt comfortable buying the home believing that we would be able to put in the fence to keep our yard private from the public.

Another factor that helped our decision in buying the home were all of the privacy bushes between the parking lot and us – but those were all bulldozed at the beginning of 2016 leaving no privacy between our house and the pool/parking lot. Knowing that those bushes were there played a big factor in us purchasing the house. We understand that the pool was there when we moved in, but so were all of the bushes, and the city removed them. That is what made us move forward with our fence project.

6. Due to the nature of our side-yard, it would not be possible for us to grow/plant shrubs (for more privacy) behind the fence if we were required to keep the 30% opening. Not to mention planting large shrubs is an added expense after we have already spent thousands on the fence, we also have a concrete walkway in our side-yard that runs along side the fence and leaves no room for this option. We are open to other ideas but still believe that having the entire fence private would look the best for our property and the neighborhood.
7. The city just rebuilt the housing around the trash dumpster at Hunter's Ridge Pool which is located right next to our fence, and our fence material matches the architecture there, and our fence also matches other dog-eared style fences in our neighborhood.
8. We also do not believe that granting our variance would be hazardous to passing traffic or would cause any harm to any individual.

It would on the other hand help my wife and I to have a little more peace and comfort knowing that our back yard is private from the public who use the pool and park – especially during the summer. Last year our house got egged and I believe that allowing us to have the privacy fence between our property and the parking lot would help us feel a lot more comfortable.

Lastly, my wife and I both come from very large families (8 and 7 kids) and we have several young nieces and nephews who are constantly over at our house. We love living in Gahanna and we love the community and hope to be here long-term. Family is so important to us and we want to make sure that our nieces and nephews (and our future children) always feel safe when they are at our home. That is why we want this small amount of privacy between the pool and us. We don't believe we are asking for too much. We wanted the front fencing on our house to be more private but we still abided by Gahanna's codes and regulations. We are only asking for this small portion to be private.

Thank you taking these factors into consideration,

**David & Deborah Hople**  
287 Harrow Blvd  
Gahanna, OH 43230

***Contiguous Property Owners to 287 Harrow Blvd, 43230***

**Michael & Leslie Shivley** 643 Harrow Ct Columbus OH 43230  
**Raymond Horn Jr** 659 Caroway Blvd Columbus OH 43230  
**Herb & Donna Klopfer** 288 Harrow Blvd Columbus, OH 43230  
**Kyle & Darcel Day** 294 Harrow Blvd Columbus OH 43230  
**Bessie Tener** 300 Harrow Blvd Columbus OH 43230  
**Donna Davis** 633 Harrow Ct Columbus OH 43230  
**Kosmas Synadinos** 625 Harrow Ct Columbus OH 43230  
**Hunters Ridge Pool** 341 Harrow Blvd, Columbus, OH 43230

ParcelID: 025-004098-00  
HOPLER DAVID C

Map-Rt: 025-N039H -001-00  
287 HARROW BL

Owner

Owner HOPLER DAVID C  
HOPLER DEBORAH J  
Owner Address 4657 N HIGH ST APT # A  
COLUMBUS OH 43214

Legal Description 287 HARROW BLVD  
HUNTERS RIDGE  
LOT 42

Calculated Acres .27  
Legal Acres 0

[View Google Map](#)

Most Recent Transfer

Transfer Date MAR-03-2015  
Transfer Price \$178,000

2015 Tax Status

Property Class R - Residential  
Land Use 510 - ONE-FAMILY DWLG ON PLATTED LOT  
Tax District 025 - CITY OF GAHANNA-GAHANNA  
JEFFERSON  
School District 2506 - GAHANNA JEFFERSON CSD  
City/Village GAHANNA CITY  
Township MIFFLIN TWP  
Appraisal Neighborhood 05201  
Tax Lien No  
CAUV Property No  
Owner Occ. Credit 2015: No 2016: Yes  
Homestead Credit 2015: No 2016: No  
Board of Revision No  
Zip Code 43230

2015 Current Market Value

	Land	Improvements	Total
Base	35,200	135,600	170,800
TIF			
Exempt			

Total	35,200	135,600	170,800
CAUV	0		

**2015 Taxable Value**

	Land	Improvements	Total
Base	12,320	47,460	59,780
TIF Exempt			
Total	12,320	47,460	59,780

**2015 Taxes**

Net Annual Tax	Taxes Paid	CDQ
4,447.22	2,223.61	

**Dwelling Data**

Yr Built	Tot Fin Area	Rooms	Bedrooms	Full Baths	Half Baths
1971	2,032	8	4	2	1

**Site Data**

Frontage	Depth	Acres	Historic District
88	135	.2727	

**ParcelID: 025-004098-00**  
**HOPLER DAVID C**

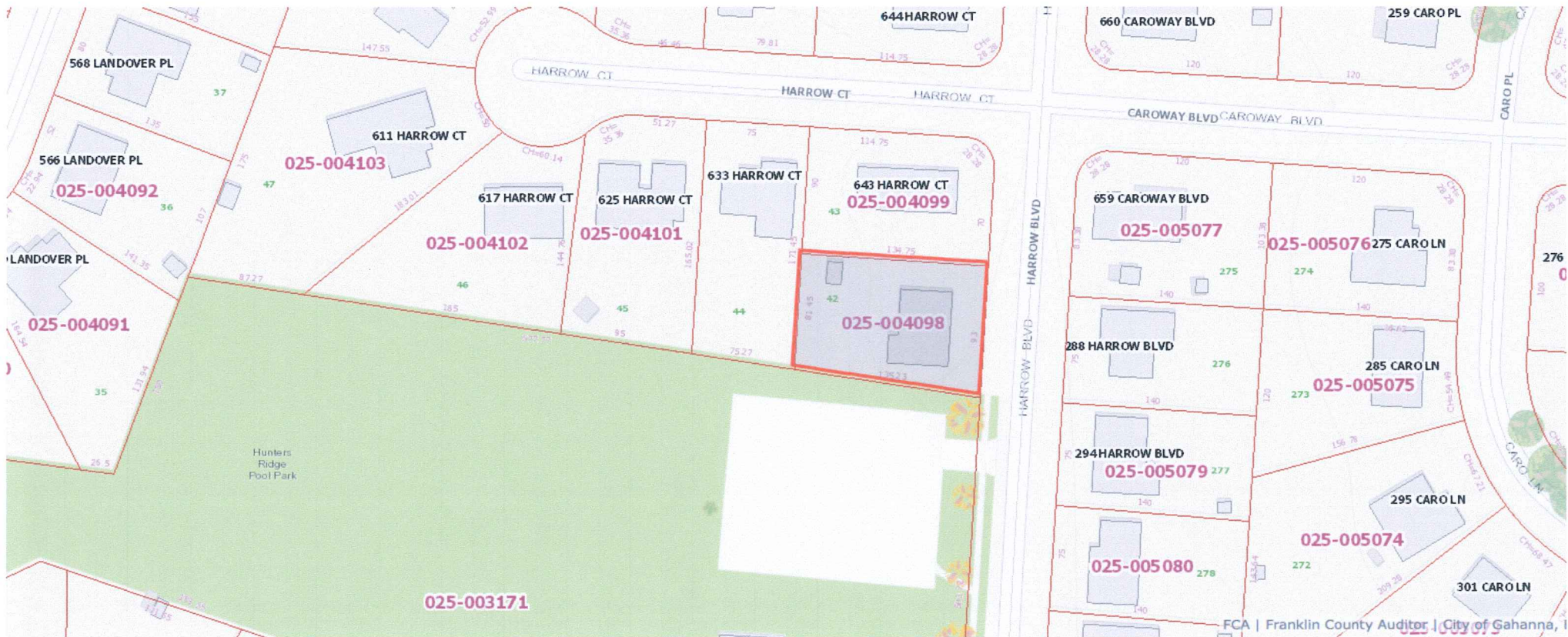
**Map-Rt: 025-N039H -001-00**  
**287 HARROW BL**

**Land Characteristics**

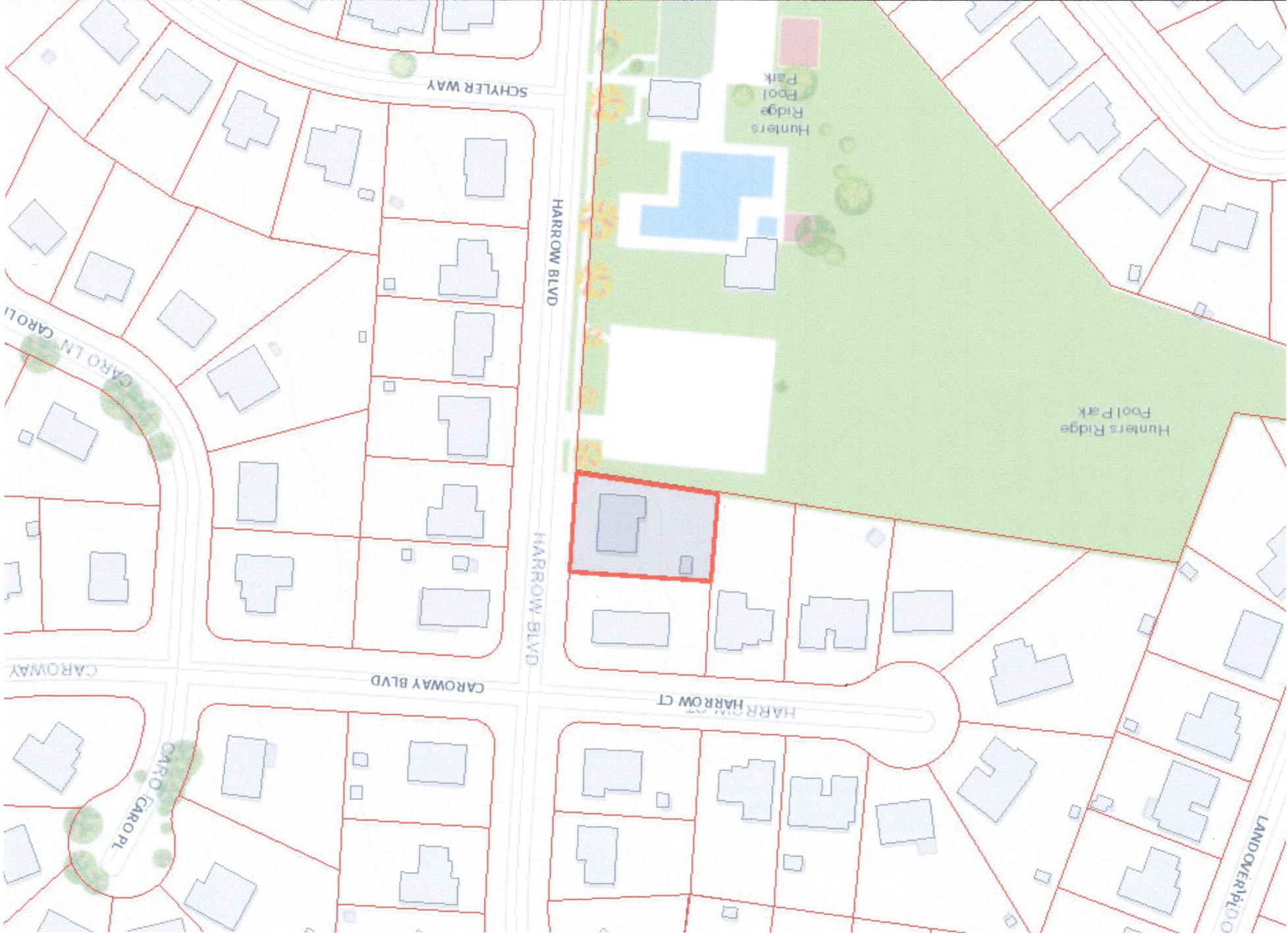
<b>Lot Type</b>	<b>Act Front</b>	<b>Eff Front</b>	<b>Eff Depth</b>	<b>Acres</b>
F1-FRONT FOOT	88.3	88.0	135.0	.27

**Site Characteristics**

Property Status	Developed
Best Use Class	R - RESIDENTIAL
Neighborhood	05201
Elevation	Street Level
Terrain	Flat
Street / Road	Paved
Traffic	Mod Heavy
Irregular Shape	No
Excess Frontage	Yes
Alley	No
Sidewalk	Yes
Corner Lot	No
Wooded Lot	No
Waterfront	No
View	No







**(We have received a copy of this survey & find the conditions acceptable.)**

**236-15-S**

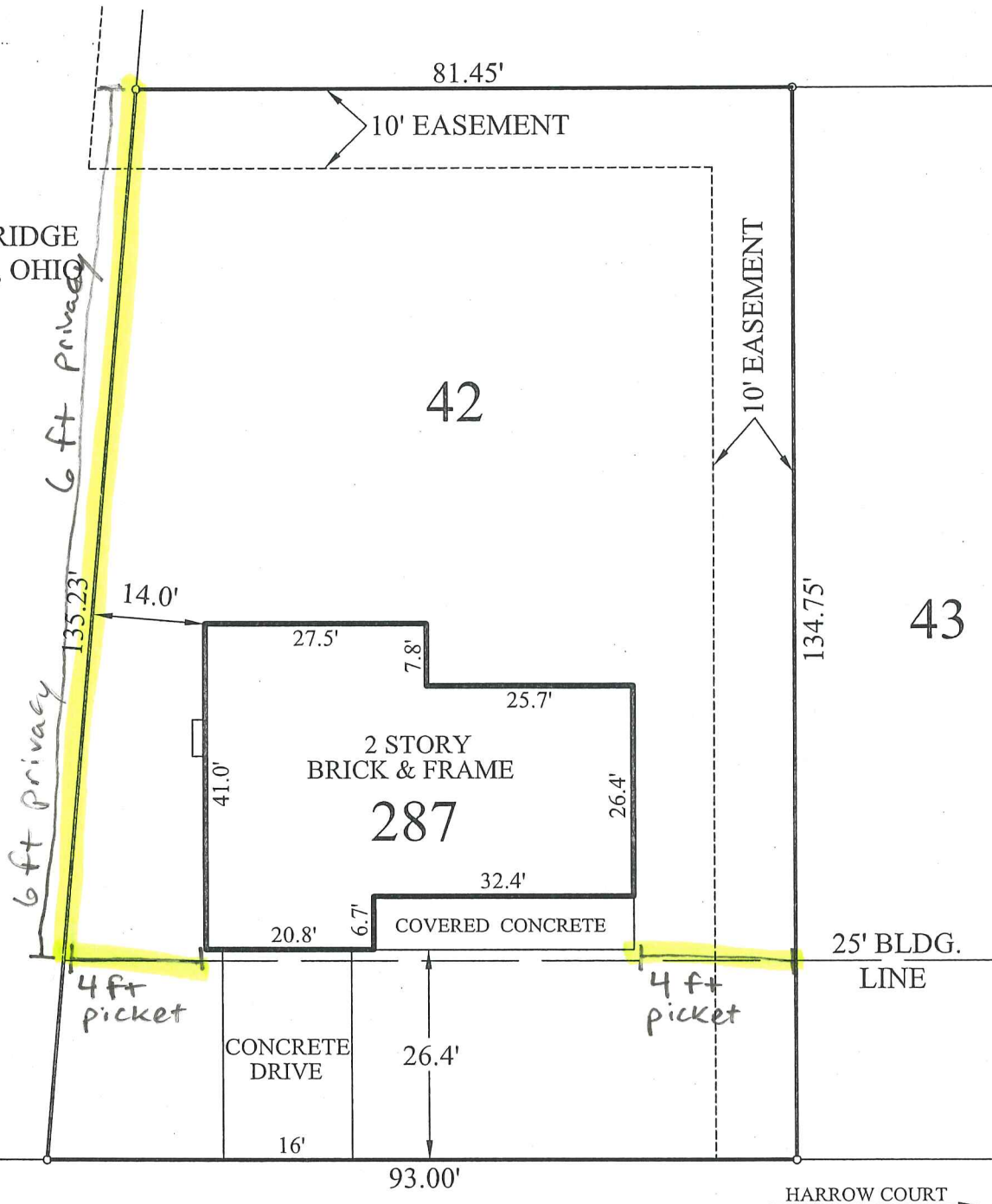
Order No.

CERTIFIED TO TALON TITLE AGENCY COUNTY OF FRANKLIN

LENDER AMERICAN EAGLE MORTGAGE CO. P.B. 40 PG. 89 OR./D.B. \_\_\_\_\_ PG. \_\_\_\_\_

BUYER HOPLER SCALE 1" = 20' DATE 2-20-15 DRN KB CH DBM

LOT NO. 42  
HUNTERS RIDGE  
GAHANNA, OHIO



## HARROW BOULEVARD 60'

We hereby certify that the foregoing MORTGAGE LOCATION SURVEY was prepared in accordance with Chapter 4733-38, Ohio Administrative Code, and is not a boundary survey pursuant to Chapter 4733-37, Ohio Administrative Code. This plat is prepared for mortgage loan and title purposes only and is not to be construed as having been prepared for the owner or for the use of the owner for any purposes.

THIS PROPERTY IS LOCATED IN

FLOOD ZONE X

COMMUNITY PANEL 39049C

PAGE 0213-K DATE 6-17-08

By David B. McCoy





## CITY OF GAHANNA

### STAFF COMMENTS

Project Name: David Hopley - Fence

Project Address: 287 Harrow Blvd

#### Planning & Development

#### Variance Criteria

Standards related to area requirements is a lesser standard than that which relate to use. An application for an area variance need not establish unnecessary hardship: it is sufficient that the application show practical difficulties.

In determining whether a property owner seeking an area variance has encountered practical difficulties, Planning Commission shall consider and weigh the following factors:

- A. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;

*While the property could have a beneficial use without granting the variance, permitting a 6' tall privacy fence in the side yard would provide substantial relief from an unusual situation. The adjacent use, City pool, could negatively impact the value and enjoyment of the applicant's property due to the view and noise. A privacy fence would allow for outdoor enjoyment and privacy. Thus maintaining its property value.*

- B. Whether the variance is substantial;

*The request does not appear to be substantial in nature. The variance affects roughly 40' of the property. This area is adjacent to a parking lot. It does not appear to affect any residents.*

- C. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;

*Granting the variance appears to not alter the character of the neighborhood.*

- D. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse);

- E. Whether the property owner purchased the property with the knowledge of the zoning restriction;



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## CITY OF GAHANNA

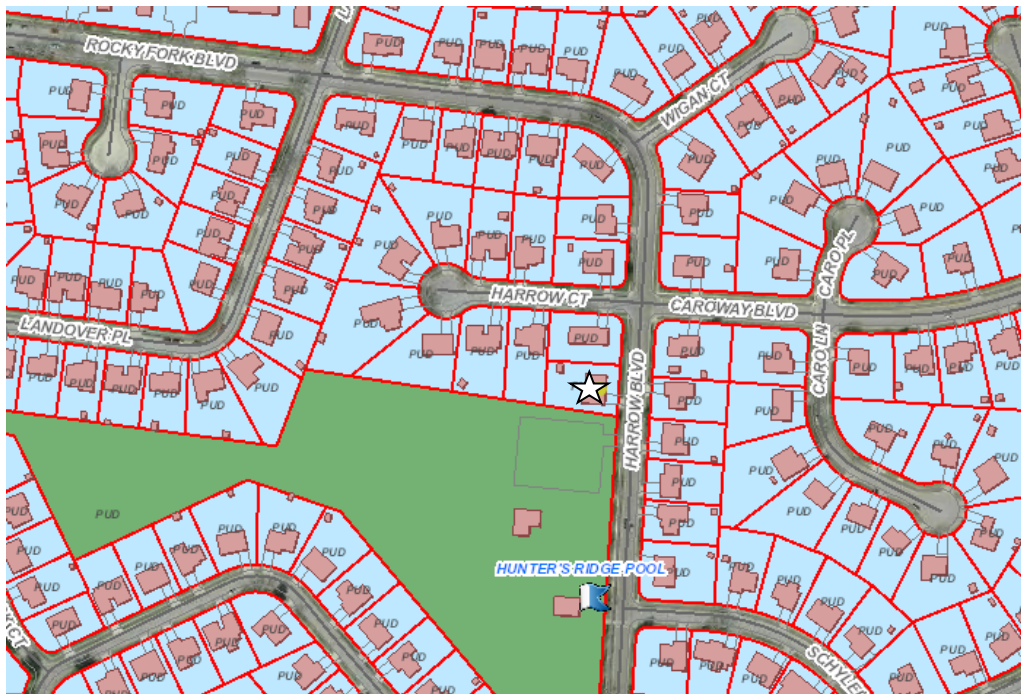
- F. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;

*Vegetation could be an alternative to the fence, however, plantings do not always provide the same level or consistency of screening.*

- G. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance;
- H. Whether the fence is sufficiently compatible with the architectural and design character of the immediate neighborhood; and
- I. Whether the fence will be hazardous to passing traffic or otherwise detrimental to the public safety and welfare.

It is Planning and Development staff's opinion that the fence is compatible with the existing character of the neighborhood and that it does not create a detrimental impact. Therefore, staff recommends approval of the request.

### Zoning Map



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# CITY OF GAHANNA

## Aerial



## Site Pictures



Newly constructed fence in the rear yard, adjacent to the pool parking lot.





# CITY OF GAHANNA



Side yard with fence waiting to be installed.



View of parking area and pool from applicant's side yard.

Respectfully Submitted By:  
Michael Blackford, AICP  
Deputy Director of Planning and Development





## CITY OF GAHANNA

### STAFF COMMENTS

Project Name: David Hopley - Fence  
Project Address: 287 Harrow Blvd

The applicant seeks a variance to allow a privacy fence in the side yard. A fence permit was applied for and granted to allow the 4' picket sections at the front build line, 6' privacy from the rear corner of the house to the rear property line, and 6' picket from the front corner of the house to the rear corner of the house. Most of the fence has been constructed, except for the 6' section, approximately 40+ feet, from the front corner of the house to the rear corner of the house. The posts and stringers have been installed in this section, pending the decision of the Planning Commission on the variance request.

- **1171.05 - VARIANCES AND APPEALS.**

(a)

*Variance Procedure.*

(1)

The standard for granting a variance which relates solely to area requirements is a lesser standard than that applied to variances which relate to use. An application for an area variance need not establish unnecessary hardship: it is sufficient that the application show practical difficulties.

In determining whether a property owner seeking an area variance has encountered practical difficulties, Planning Commission shall consider and weigh the following factors:

A.

Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;

B.

Whether the variance is substantial;

C.

Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;

D.

Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse);

E.

Whether the property owner purchased the property with the knowledge of the zoning restriction;

F.

Whether the property owner's predicament feasibly can be obviated through some method other than a variance;



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## CITY OF GAHANNA

- G. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance;
  - H. Whether the fence is sufficiently compatible with the architectural and design character of the immediate neighborhood; and
  - I. Whether the fence will be hazardous to passing traffic or otherwise detrimental to the public safety and welfare.
- (2) In granting such variance, the Planning Commission may specify the size, type and location of the fence, and impose such other reasonable terms, restrictions and conditions as it may deem to be in the public interest.
- (b) *Appeals.* Any person affected by any decision of the Planning and Zoning Administrator or the Planning Commission made pursuant to this chapter may file an appeal with the Board of Zoning and Building Appeals.

Respectfully Submitted By:

**BONNIE GARD**

Planning & Zoning Administrator  
Department of Public Service  
Division of Building & Zoning



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