



# 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: Tom Frost \*Phone: (614) 751-5710  
\*Applicant Address: 791 Science Blvd, Gahanna OH 43230 \*Fax: (614) 367-1125  
\*Applicant Email: Tom@wesneyconstruction.com

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

\*Property Owner Name: Saticoy Gahanna LLC \*Phone: \_\_\_\_\_  
\*Property Owner Address: 116 S Stygler Road \*Fax: \_\_\_\_\_  
\*Contact Name: David Feldman \*Email: \_\_\_\_\_

\*Address for Requested Variance: 116 S Stygler Road  
\*Parcel ID#: 025-001033-90 \*Current Zoning: C Commercial

\*Description of Variance Requested: 1171.03 Fence Standards: Any fence shall be designed, constructed and finished so the supporting members thereof shall face the property of the owner of the fence.

\*Applicant's Signature: *Tom Frost* \*Date: 10/23/2015

**\*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: \_\_\_\_\_

Description of the governing code and the requested variance: \_\_\_\_\_

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.  
PC File No.  
Public Hearing Date:

15/00071 RECEIVED P PAID  
1-17-2015 OCT 23 2015 OCT 23 2015  
(Received) (Paid) cc#

Revised 10-1-2014/cas

BY: SW BY: SW 5/107

(Accepted by PZA)



CITY OF GAHANNA

NOTICE OF VIOLATION

June 2, 2015

Wesney Construction  
Scott Wesney  
791 Science Blvd  
Gahanna, Ohio 43230

Re: 108-116 South Stygler Road

Dear Mr. Wesney

The Zoning Division has been made aware of a situation at 108-116 South Stygler Road, Gahanna Ohio 43230 that requires your immediate attention. An inspection, on June 2, 2015, showed you are responsible for the following code violation(s):

1171.03 FENCE STANDARDS.

Any fence constructed shall comply with the following standards

(m) Fences shall be maintained in good condition, be structurally sound, safe, and attractively finished at all times. Any repairs or replacement ordered by the zoning division shall be made within thirty (30) days of the date of the order. Grounds between fences and property lines and between fences shall be well maintained at all times. **Any fence shall be designed, constructed and finished so the supporting members thereof shall face the property of the owner of the fence.** If a fence does not meet these standards, the owner of the property with the fence shall be subject to the penalty in Section 1171.99.

The 8ft privacy fence that was built on the east side of the property shall be finished so the supporting members thereof shall face the property owner of the fence. Fence shall be turned around or faced out on the east side of the fence.

We request that you correct the aforementioned violation(s). **We will review this situation again on or after July 2, 2015**, to ensure compliance.

Zoning requirements are enacted for the protection of residential and commercial standards and property values of our neighborhoods, promotion of public health, and for the safety and general welfare of the citizens of our community. Compliance with these regulations ensures the rights of all citizens are protected.

If you have any questions, feel free to contact the Zoning Office between the hours of 8:00am and 5:00pm, Monday through Friday at 614.342.4025

Your prompt attention to this matter will be appreciated.

Sincerely,  
Brian Reynolds  
Code Enforcement Officer



"HERB CAPITAL OF OHIO"

## CHAPTER 1131 - VARIANCES

### 1131.04 PUBLIC HEARING.

At such hearing the applicant shall present a statement and adequate evidence, in such form as the Planning Commission may require, and the Planning Commission shall not grant a variance unless it finds that all of the following conditions apply to the case in question:

- (a) There are special circumstances or conditions applying to the land, building or use referred to in the application.
- (b) The granting of the variance is necessary for the preservation and enjoyment of substantial property rights.
- (c) The granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood.

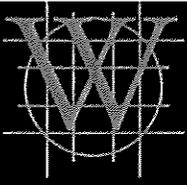
Reason for the variance request at 116 S Stygler Road, Gahanna Ohio 43230.

Request for variance to allow the fence to remain as is and to not change layout of new fence in order to have supporting members face the owner.

A). There are existing trees, bushes, ivy, miscellaneous vegetative growth surrounding the existing fence which prevents new vertical slats to be installed without extensive tree and vegetation removal which is on the adjacent property. This vegetation conceals approximately 70% of the visibility of the fence.

B). Making a change to the layout will incur a large cost for both the removal of the existing vegetation by the adjacent property owner to allow for the installation, and the cost for new material and labor to install vertical wood members on the rear side of the fence. Due to the vegetation that is present, making a change to the fence would not improve the quality of appearance to the adjacent property owner as the vegetation conceals approximately 70% of the visibility of the fence.

C). Approximately 70% of the fence is concealed by existing vegetative growth on the adjacent property owners property. The existing layout does no harm the health or safety of persons residing or working in the neighborhood of the proposed use and is not materially detrimental to the public welfare or injurious to property or improvements in such neighborhood.



**WESNEY**  
CONSTRUCTION

October 21, 2015

To Whom it May Concern:

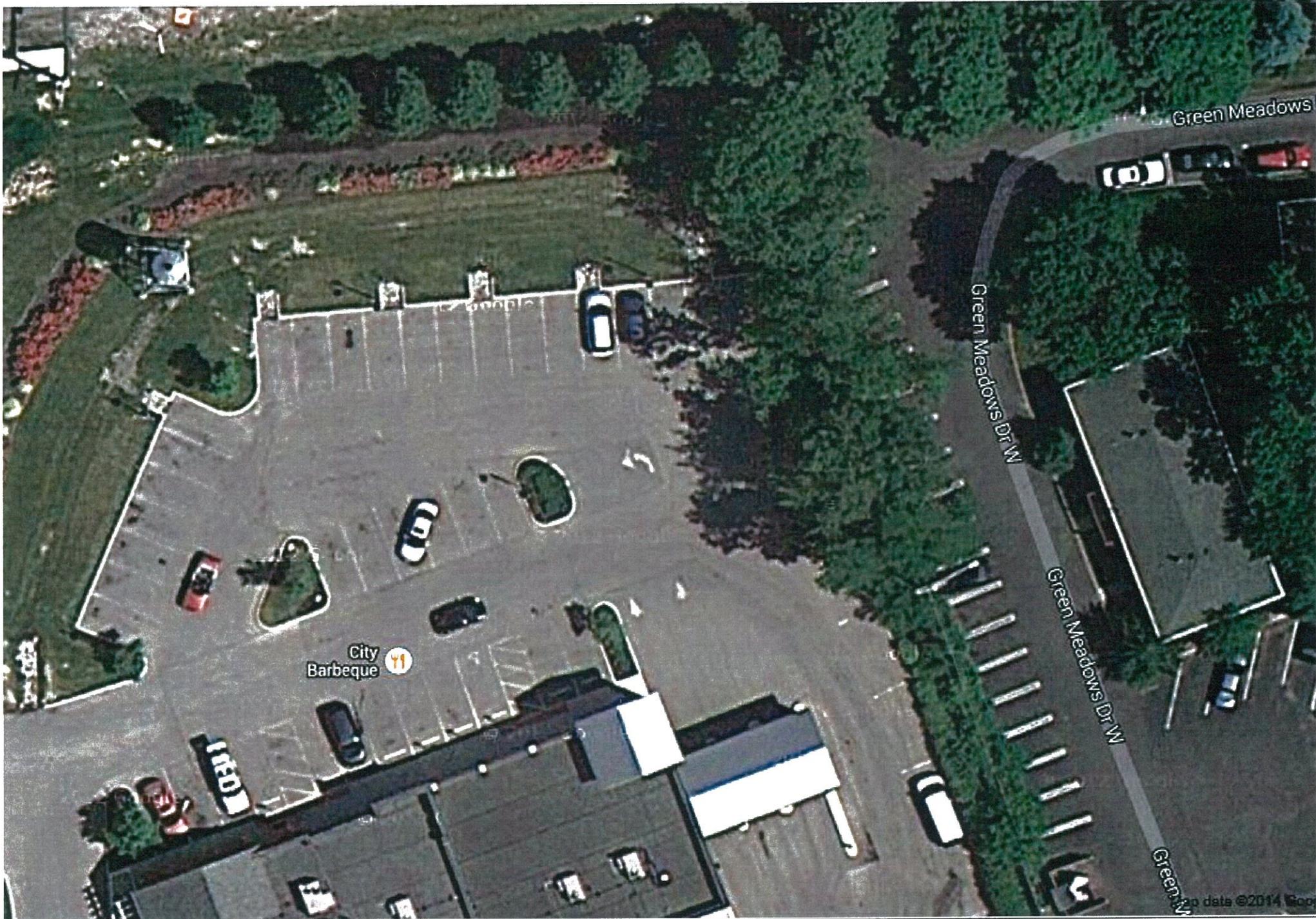
Re: Contiguous Property Owners

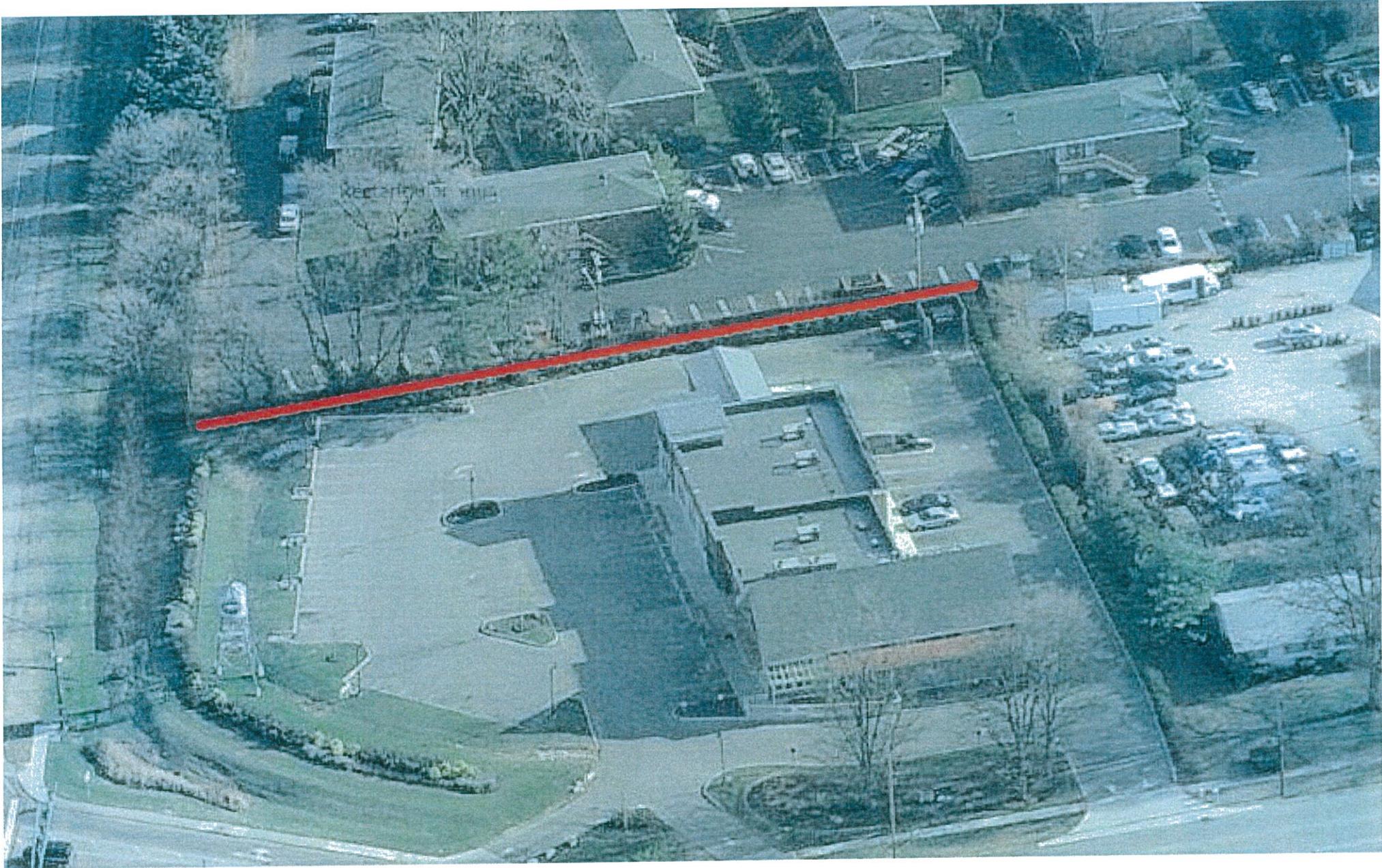
A-1 Body & Frame  
324 W. Johnstown Rd.  
Columbus, Ohio 43230

Gahanna Manor Apartment Homes  
306 W. Johnstown Rd.  
Gahanna, Ohio 43230

Sincerely,

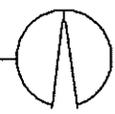
Scott Wesney  
President







Site Plan

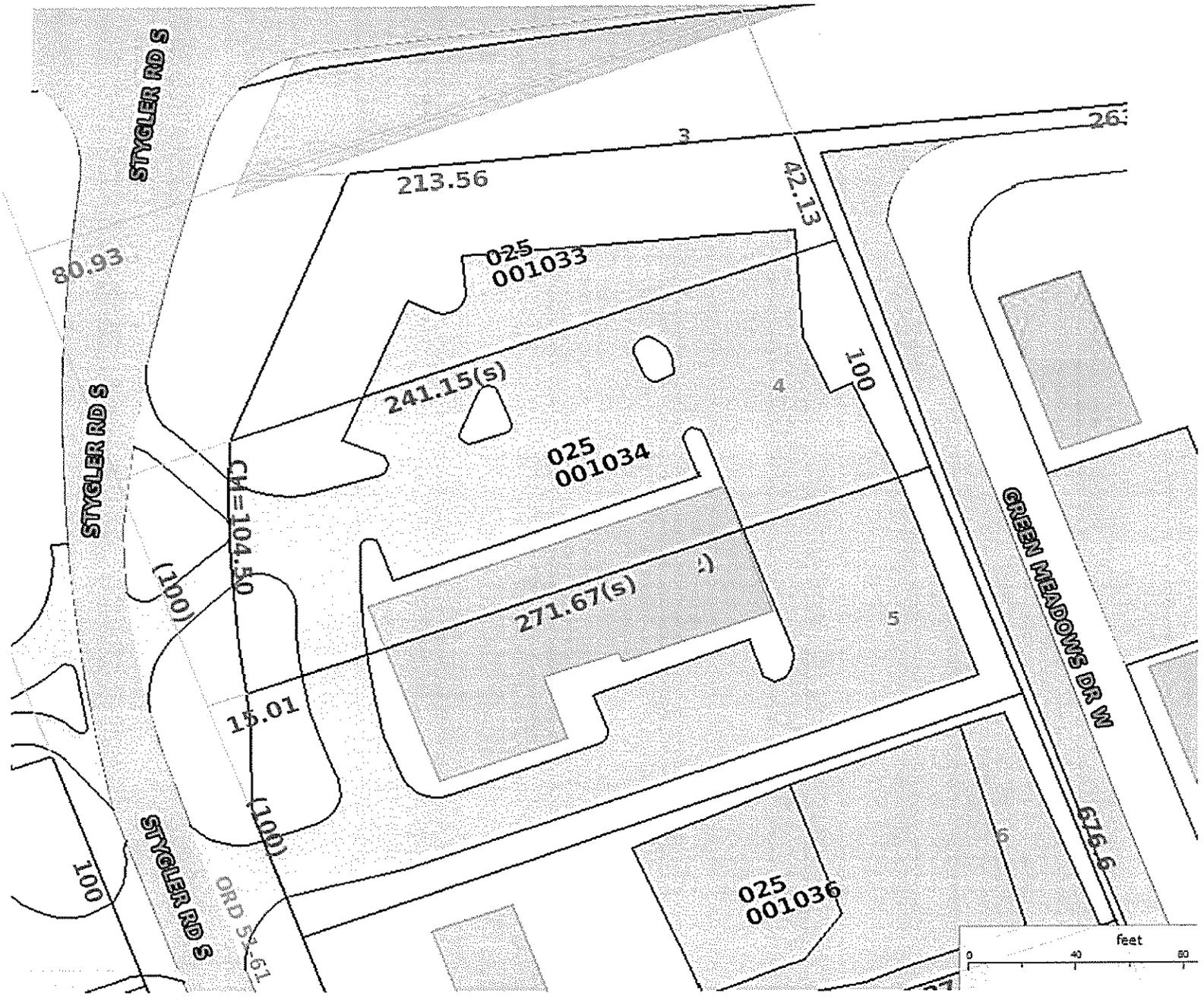


**Wesney**  
Construction

Full Service General Contractor  
Design/Build ° Program Analysis ° Construction Management  
791 Science Blvd, Gahanna, Ohio 43230 Ph. 614-751-5710 Ex. 614-367-1125

Scale = NONE  
Existing Plan  
Jan. 3, 2014

Wesbanco Gahanna Office  
162 S. Stygler Rd. Gahanna, OH, Zip

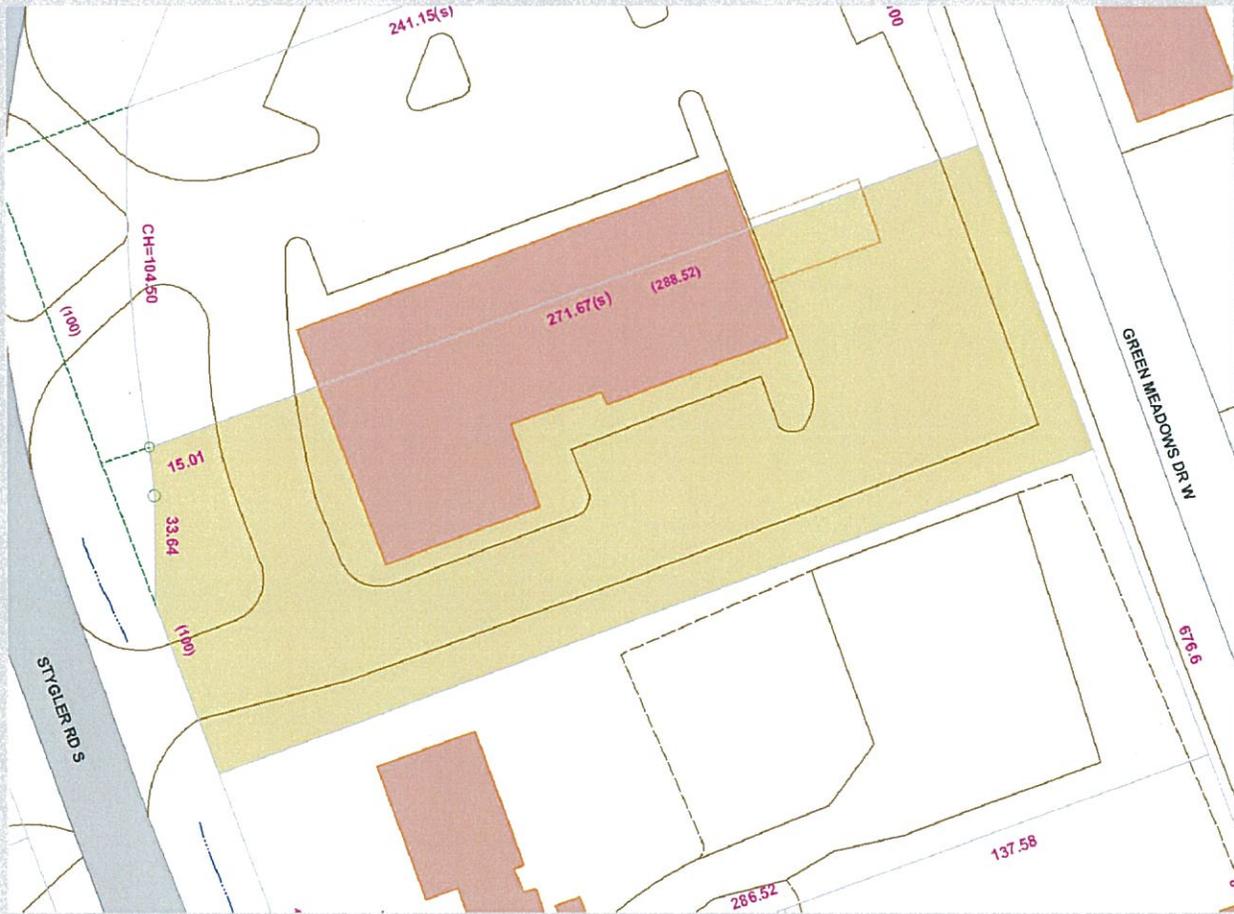


**Property Report**

Generated on 12/26/13 at 09:08:07 AM

Parcel ID: **025-001035-80**      Map Routing No: **025-N160S -007-80**      Card No: **1**      Location: **116 STYGLER RD**

GIS



**Disclaimer**

This drawing 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 drawing are notified that the public primary information source should be consulted for verification of the information contained on this drawing. The county and the mapping companies assume no legal responsibilities for the information contained on this drawing. Please notify the Franklin County GIS Division of any discrepancies.

The information on this web site is prepared for the real property inventory within this county. Users of this data are notified that the public primary information source should be consulted for verification of the information contained on this site. The county and vendors assume no legal responsibilities for the information contained on this site. Please notify the Franklin County Auditor's Real Estate Division of any discrepancies.

# MAP(GIS)

Map Routing Number

Owner

Location

025-N160S -005-90

[SATICOY GAHANNA LLC](#)

112 -116 STYGLER

Click owner name for additional records

County Location

Area Maps

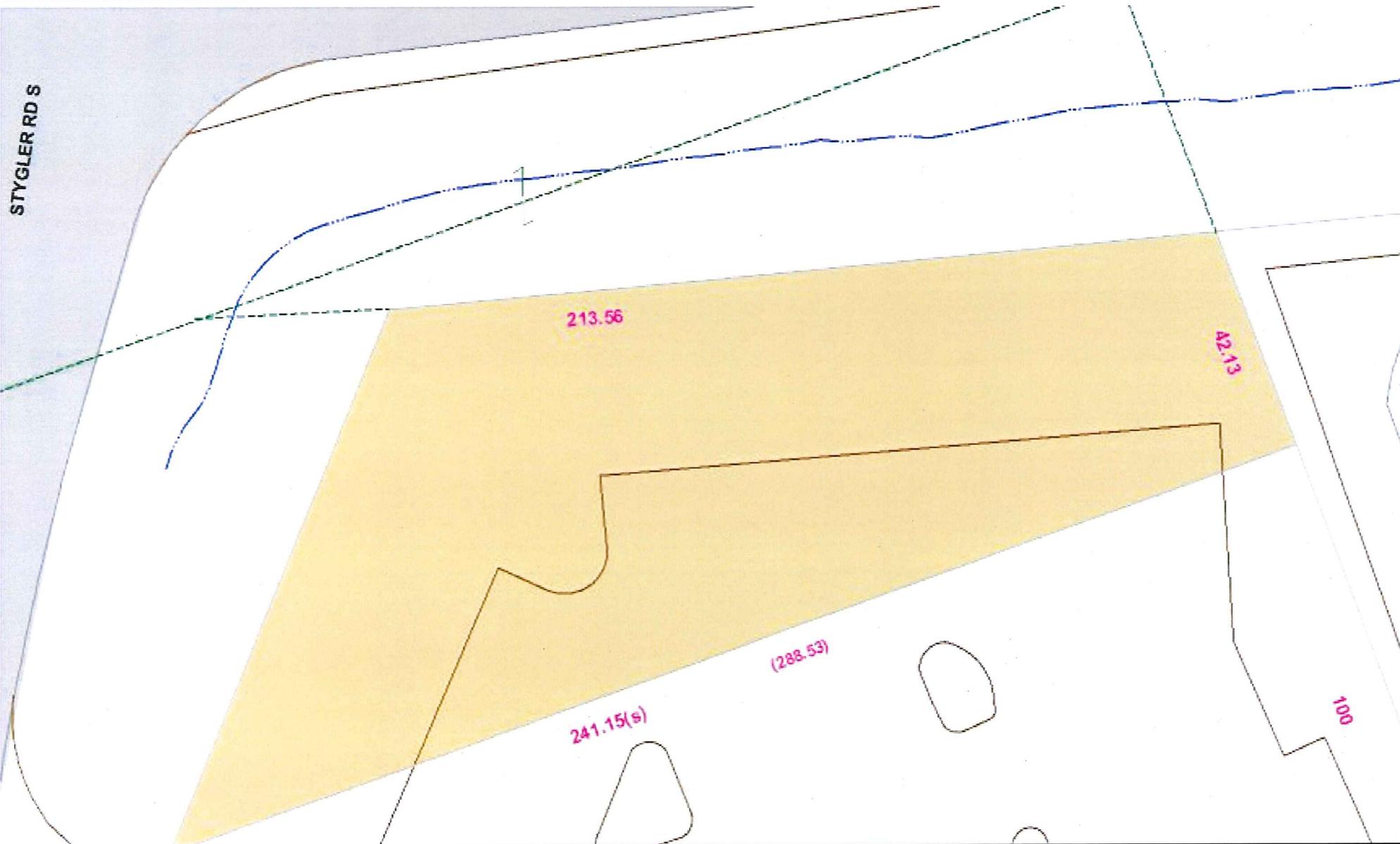
Select Items

Proximity Report

Theme Maps

Print

Legend



Select Language   
 Powered by Translate



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## MAP(GIS)

### Parcel Info

Parcel ID: **025-001033-90**      Map Routing Number: **025-N160S-005-90**      Owner: **SATICOY GAHANNA LLC.**      Location: **112 -116 STYGLER RD**  
Click owner name for additional records

### Summary

- [Property Profile](#)
- [Land](#)
- [Building](#)
- [Improvements](#)
- [Interactive Map](#)
- [MAP\(GIS\)](#)**
- [Sketch](#)
- [Photo](#)
- [Transfer History](#)
- [BOR Status](#)
- [CAUV Status](#)
- [Area Sales Activity](#)
- [Area Rentals](#)
- [Tax/Payment Info](#)
- [Current Levy Info](#)
- [Assessment Payoff](#)
- [Tax Distribution](#)
- [Rental Contact](#)
- [Property Reports](#)

- [Recorder's Office Document Search](#)
- [Area Sex Offender Inquiry](#)

[Pay Real Estate Taxes Here](#)



Data updated on: 2013-12-23 06:25:32



Current Map: 256 x 217

Click to view map using:

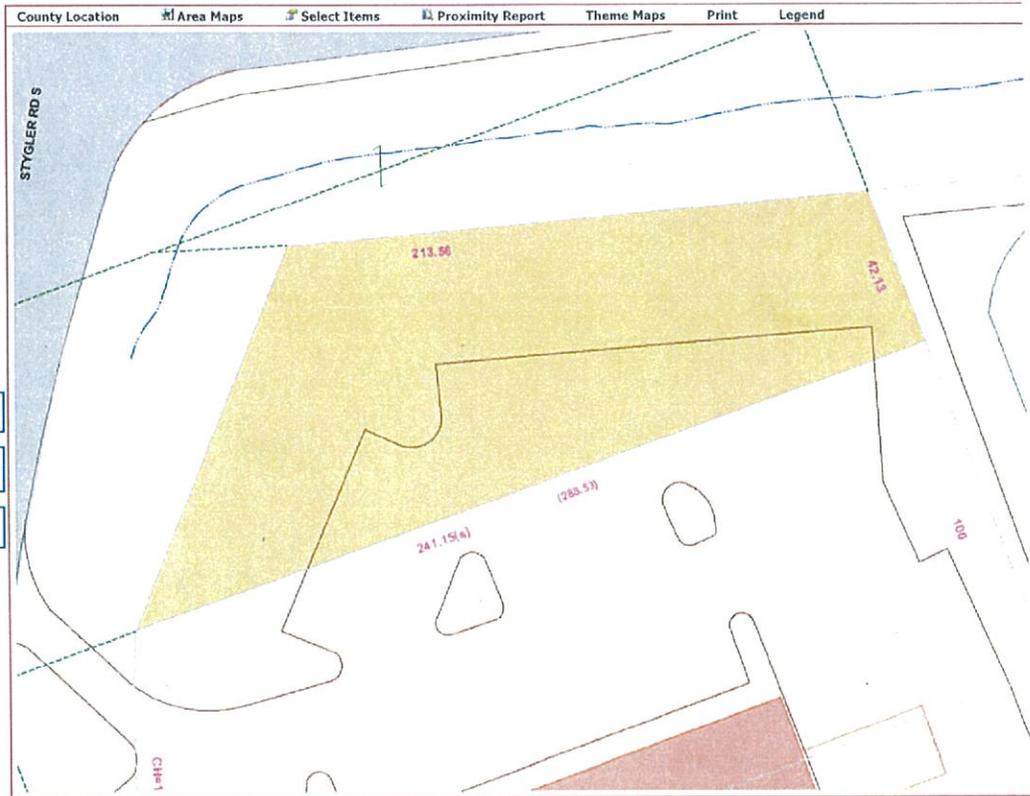


Image Date: Mon Dec 23 14:44:56 EST 2013

Ortho Photographs taken in 2013

The closest fire station from the center of this map is 1.0 miles away. Measurements are over straight-line distances.

Closest Fire Departments	
Mifflin Township - 134	1.0 miles
Mifflin Township - 131	1.4 miles
Columbus Station 28	1.5 miles

[County Recorder Documents](#)

[City of Gahanna GIS](#)

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	Parcel ID: 025-001035-00 Owner: SATICOY GAHANNA LLC Location: 116 STYGLER RD Sale Amt: \$0
	Parcel ID: 025-001033-00 Owner: SATICOY GAHANNA LLC Location: STYGLER RD Sale Amt: \$0
	Parcel ID: 025-002990-00 Owner: J R MANAGEMENT GROUP LLC Location: 306 JOHNSTOWN RD

213.56

42.13

(288.53)

241.15(s)

100

CH=104.50

(100)

271.67(s)

(288.52)

15.01

33.64

GREEN MEADOWS



Parcel  
Owner  
Location  
Sale



# CITY OF GAHANNA

## STAFF COMMENTS

Project Name: Wesney Construction - Fence  
Project Address: 116 S. Styler Rd.

### Planning and Development

The applicant requests a variance to section 1171.03(m) which requires fences be designed, constructed and finished so the supporting members thereof shall face the property of the owner of the fence. The applicant wishes to have the finished side of the fence face internally and the supports face the adjacent property to the east.

The applicants requested and received variance approval in July 2014 to allow for an 8' fence and to have the fence extend in the front yard. The fence was subsequently installed incorrectly with the supports facing the adjacent property.

Justification for the variance, as provided by the applicant, includes the fact that the adjacent property contains a substantial amount of vegetation which screens a significant portion of the fence, thus mitigating any visual irregularities. The applicant also provides that removal of the fence would occur at great cost, creating a financial burden.

Development staff recommends approval of the request since the adjacent property contains a significant amount of screening which mitigates visual impact of the fence.

### Location Map



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200 SOUTH HAMILTON ROAD, GAHANNA, OH 43230  
614-342-4000 PHONE 614-342-4100 FAX WWW.GAHANNA.GOV



# CITY OF GAHANNA

## Site Pictures



View of fence from the parking lot of  
Wes Banco.



View of fence from adjacent property,  
Manor Apartments.

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





## CITY OF GAHANNA

### STAFF COMMENTS

Project Name: Wesney Construction - Fence  
Project Address: 116 S. Stygler Rd.

The applicant seeks approval for a variance to allow the finished side of the fence to face the property owner on which the fence is installed. A variance was granted to allow the construction of an 8' fence on this property for security purposes. Since the installation of the fence (finished side in), it has been vandalized several times, with portions kicked out to allow access from the apartments to the east. We were made aware of the incorrect installation, and viewed the damage. We notified the property owner about the finished side in, and gave them the option of finishing the east side, or applying for a variance. There is so much vegetation on the east side of the fence that it would be very difficult to physically get in there to do the work. We have had no complaints about the fence from the neighbors

#### **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;
- 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



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## CITY OF GAHANNA

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*



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