

14060006

File No: V-10 -2014

Fee: 300.00

Date Received: 6-5-14

Initials: CAS

Scheduled Public Hearing Date: 7-9-14

Check or Receipt Number: 24155



CITY OF GAHANNA

PLANNING COMMISSION
APPLICATION FOR VARIANCE

Property Address: 116 S. Stygler Rd. Gahanna Parcel ID #: 025-001033-90

Applicant: Wesney Construction

Contact: Scott Wesney Title: President

Address: 711 Science Blvd. Gahanna, Oh 43230

Phone: (614) 751-5710 Fax: (614) 367-1125 E-Mail: scott@wesneyconstruction.com

Status: Property Owner Option Holder Contractual Purchaser Agent

Property Owner: Saticoy Gahanna LLC

Contact: Lisa Tebbetts Title: _____

Address: 35 N. Fourth Street, 4th floor, Columbus, Ohio 43215

Phone (614) 883-1320 Fax: _____ E-Mail: _____

[Signature]
Signature of Applicant

Date 5/29/14

Note: Planning Commission members and/or City staff may visit the property prior to the hearing.
All correspondence will be to applicant above unless otherwise stated.

Submission Requirements

1. Submit eleven (11) copies folded (not rolled) to 11 X 17 size of a survey and legal description of the property certified by a registered surveyor. Any drawings submitted must include one copy that is no larger than 8½ x 11 inches.
2. Submit a list of all contiguous property owners and their mailing addresses.
3. Submit a statement of the reason(s) for the variance request. The statement should address the three (3) conditions listed on page two of this application that must be met in order for Planning Commission to grant the variance.
4. Application Fee: \$150 for single-family residential and \$300 for all other districts.

APPROVAL

Code Sections to be varied: 171.03(a) & (f) Current Zoning: CC

Short description of the governing code and the requested variance: To allow a fence to extend 6' in height to allow a fence to extend into front yard beyond the building setback line

In accordance with Section 1131 of the Codified Ordinances of the City of Gahanna, Ohio, I hereby certify that this project as stated above has been approved by the Planning Commission on _____.
A copy of the minutes is hereby attached. 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

Page 1 of 3

PAID
JUN 05 2014
BY: CAS CHK # 24155

Date
RECEIVED
JUN 05 2014
BY: CAS
Revised: 10/13

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Planning & Zoning Administrator

PAID JUN 05 2014 BY: CAS CHK# 24155

RECEIVED JUN 05 2014 BY: [Signature]

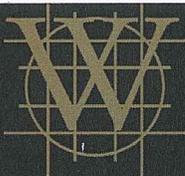
1131.04 PUBLIC HEARING.

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.

Planning Commission Information for All Applicants

1. All required information must be submitted with the application. Deadline for acceptance of applications is 5:00pm on the Tuesday four (4) weeks prior to the Public Hearing Date. No application will be forwarded to the Planning Commission until all information is received in the Planning & Zoning Office.
2. It is the responsibility of the applicant to have a court reporter present, at the applicant's expense, if they wish to have a verbatim transcript of the meeting. Please notify the Council Office in advance at (614) 342-4090 if a court reporter is going to be present.
3. Any drawings submitted must include one copy that is no larger than 8½ x 11 inches. If an application is amended at any time during the process, new drawings must be submitted.
4. The meeting agenda will be mailed to the applicant on the Friday prior to the Planning Commission meeting. If the agenda is to be mailed to someone other than the applicant, please note that on your application.
5. If a list of contiguous property owners needs to be submitted with an application, it must be compiled on a separate sheet of paper. The list must include the name and mailing address of each property owner. Showing them only on one of the plan sheets is not acceptable.
6. For Design Review applications, a materials list must be submitted with the application unless otherwise instructed by the Planning & Zoning Administrator. If materials are changed during the process, a new materials list must be submitted.
7. For multi-tenant ground sign, freestanding sign and master sign plan applications, location must be shown on a site plan. Location for a wall sign should be shown on a building elevation drawing. Color renderings of all signs must be submitted with the application.
8. Please review "Submission Requirements" on the application form before submitting your application to the Planning & Zoning Division.
9. Copies of specific sections of the zoning code are available in the Zoning Office at no charge. The entire zoning code with a map is available in the Council Office at a cost of \$25.00. The Zoning Code is also available online and can be found at www.conwaygreene.com/gahanna.htm.
10. Planning Commission members and/or City staff may visit the property prior to the hearing to review the application.



WESNEY
CONSTRUCTION

June 12, 2014

To Whom it May Concern:

Re: Statement of Reason for Variance Request

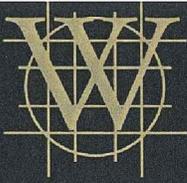
The installation of a fence at WesBanco on 116 S. Stygler Rd., is for public safety. This Retail Bank has been robbed, twice recently, and the escape route was to the East of the bank and through the apartment complex. We feel a six foot fence is too easy for someone to scale. Wesney Construction is proposing to install an 8 foot wood fence to add security.

Sincerely,

Scott Wesney
President

RECEIVED
JUN 12 2014

BY: _____



WESNEY
CONSTRUCTION

June 5, 2014

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

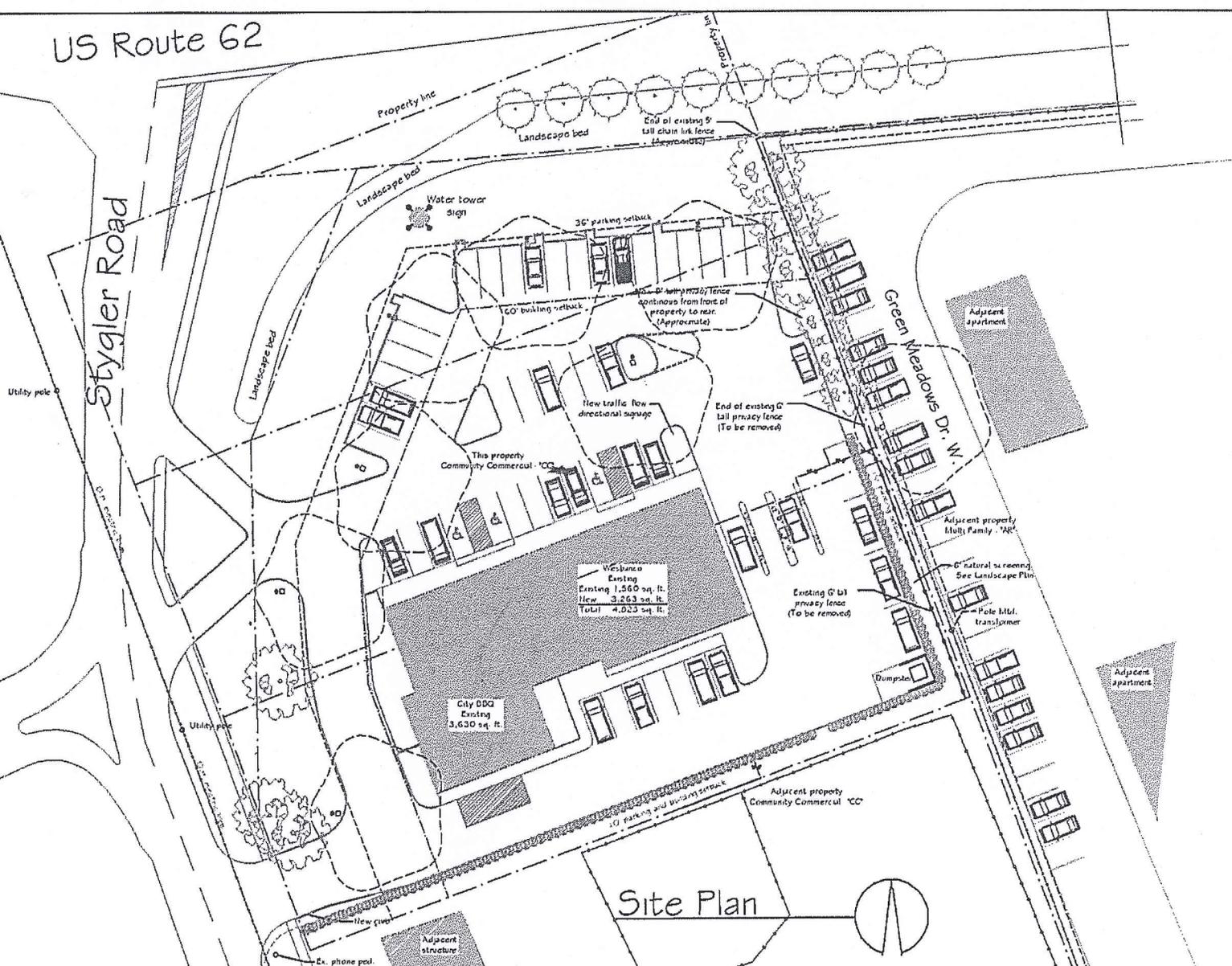
Sincerely,

Scott Wesley
President

US Route 62

Styler Road

Green Meadows Dr. W.



Site Plan



Wesney
Construction

Full Service General Contractor
Design/Build • Program Analysis • Construction Management

791 Science Blvd, Gahanna, Ohio 43230 Ph. 614-751-5710 Fx. 614-367-1125

Scale = NONE
Existing Plan
Jan. 3, 2014

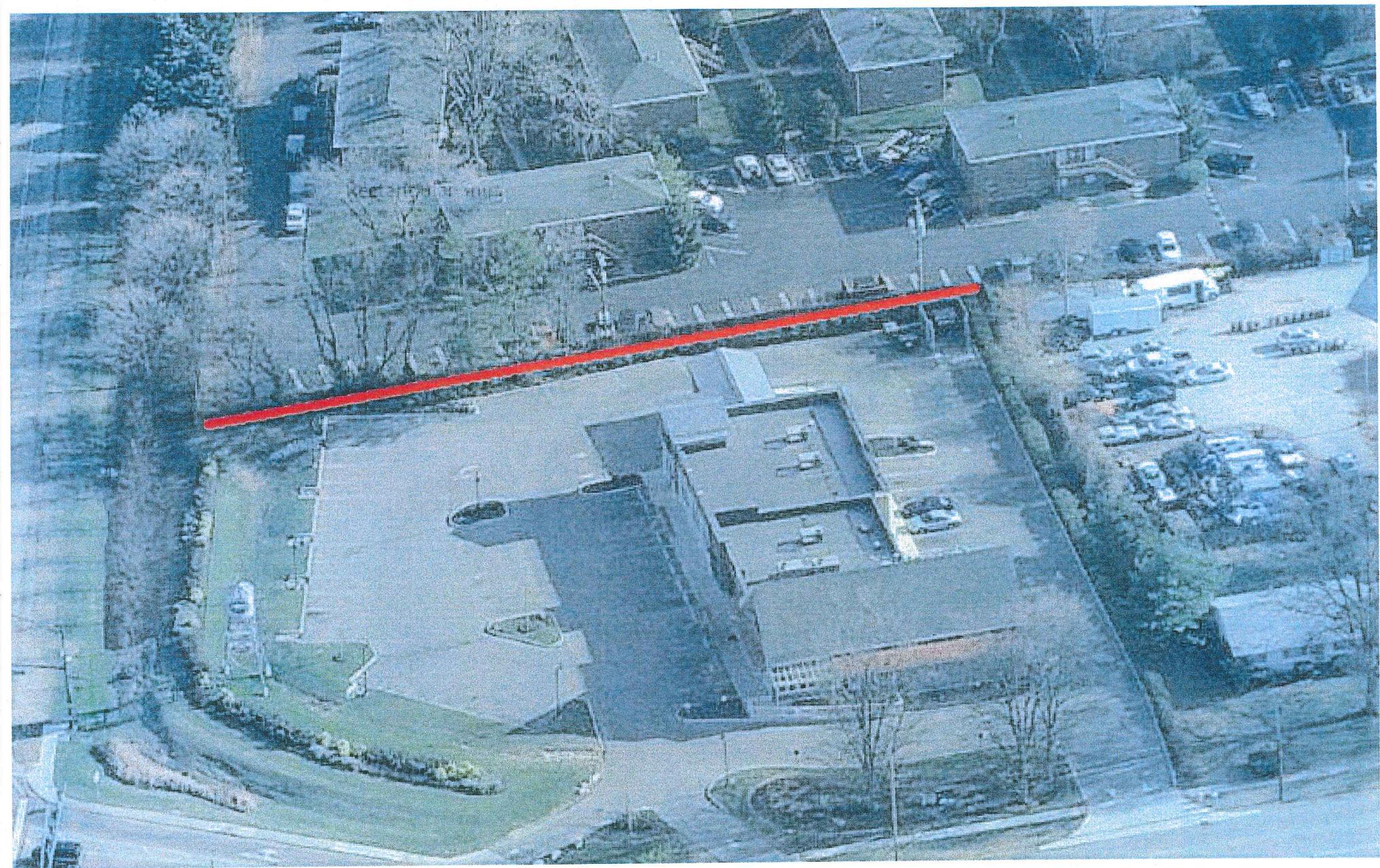
Wesbanco Gahanna Office

162 S. Styler Rd. Gahanna, OH

RECEIVED
JUN 12 2014

BY:







**Gahanna Police Department
Incident Report**

**Incident #: 13GAH-33055-OF
Call #: 13-33055**

Date/Time Reported: 10/31/2013 1409
Report Date/Time: 10/31/2013 2259
Occurred Between: 10/31/2013 1404-10/31/2013 1409
Status: Incident Open

Reporting Officer: Police Officer JASON JONES
Approving Officer: Sergeant ERNEST CHOUNG

Signature: _____

Signature: _____

#	OFFENSE (S)	ATTEMPTED	TYPE	DEGREE
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LOCATION TYPE: FINANCIAL INSTITUTION Zone: D1-COLLEGE PARK/HERITAGE
WESBANCO BANK
116 S STYGLER RD
GAHANNA OH 43230

1	Aggravated Robbery _ deadly weapon	N	Felony	1
	2911.01A1 29 2911	1		
	OCCURRED: 10/31/2013 1404			
	SUSPECTED OF USING: Not Applicable			
	MODUS OPERANDI: Entry-Front Door, Exit-Front Door			
	CRIMINAL ACTIVITY: None/Unknown			
	WEAPON/FORCED USED: Handgun			
	BIAS AGAINST: No Bias/Not Applicable			

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
---	-----------	-----	------	-----	-----	-------

1	WESBANCO 116 S STYGLER RD GAHANNA OH 43230 VICTIM CONNECTED TO OFFENSE NUMBER(S): 1					
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#	PERSON (S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
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1	BELL, JENNIFER I 8536 ROBBINS LOOP DR REYNOLDSBURG OH 43068 DOB: 12/06/1978 EMPLOYER: WESBANCO BANK	WITNESS	F	W	34		
2	COLLINS, CHRISTINA M 2628 HIAWATHA ST COLUMBUS OH 43211 DOB: 12/16/1976 EMPLOYER: WESBANCO	WITNESS	F	W	36		
3	WASSEL, JUSTIN M 7256 DONOVAN DR BLACKLICK OH 43004 DOB: 03/05/1973 EMPLOYER: WESBANCO	WITNESS	M	W	40		

**Gahanna Police Department
Incident Report**

Page: 2
06/05/2014

**Incident #: 13GAH-33055-OF
Call #: 13-33055**

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
4	KLING, RUSSELL B 23 DINSLEY PL SPRINGBORO OH 45066 DOB: 11/14/1959 EMPLOYER: WESBANCO	WITNESS	M	W	53		
5	BINNS, CATHRYN M 4286 WOODSTREAM DR COLUMBUS OH 43230 DOB: 09/12/1964 EMPLOYER: WESBANCO	WITNESS	F	W	49		
6	MALLORY, JONATHAN G 8815 STONEHENGE CIR PICKERINGTON OH 43147 DOB: 08/13/1979 EMPLOYER: WESBANCO	OTHER	M	W	34		
7	ROBINSON, DWAYNE S 1931 CAPLINGER DR GROVE CITY OH 43123 DOB: 09/25/1963 EMPLOYER: WESBANCO	OTHER	M	B	50		
8	SHAW, LISA G 1660 HARRISON POND DR NEW ALBANY OH 43054 DOB: 01/29/1962 EMPLOYER: WESBANCO	OTHER	F	W	51		

#	OTHER PROPERTIES	PROPERTY #	STATUS
1	UNDETERMINED AMOUNT OF CURRENCY QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 10/31/2013	VALUE: \$0.00	Stolen

Entered: 10/31/2013 @ 2318 Entry ID: 82
Modified: 11/01/2013 @ 0122 Modified ID: 76
Approved: 11/01/2013 @ 0123 Approval ID: 76

Officers were dispatched to 116 S. Stygler Rd. on the report of a robbery that just occurred. As officers were enroute, dispatch stated that the suspect was a male black wearing a black hat and left the area on foot towards the Green Meadow apartments.

While other officers checked the area for the suspect, Officer Hoffman and I made contact in the bank. I initially made contact with the three teller employees, Jennifer Bell, Chris Collins, and Justin Wassel. I tried to get a better description of the suspect and relay that to officers that were in the area. Jennifer stated that she watched the male party exit the bank and travel east through some bushes that separate the bank parking lot from the apartment complex. Officer Hoffman remained at the front door of the bank to deter any possible customers from entering.

Sgt. Murphy, Det. Power, Det. Cohagen, Det. Thomas all arrived on scene within minutes. I gave statement forms to all the employees that were in the bank at the time of the robbery. Two bank employees, Russell Kling and Melissa Binns were in an office and neither reported seeing the suspect or had any knowledge that the bank had been robbed until they were told by the other employees. Russell stated that the door to the office was just slightly open.

Det. Cohagen and Det. Thomas assisted Jennifer in trying to observe the bank video surveillance. After a few minutes, they found the suspect in the surveillance system. The male suspect was described as black, approximately early 20's, wearing a black baseball style hat, grey hooded sweatshirt with light blue inside the hood and on the sides, black or dark colored pants, wearing "Chuck Taylor" type shoes.

The suspect entered the bank and walked past Jennifer's teller station and made contact with Justin. The suspect stated two times that he was going to need all their money and also told them to step back. Justin complied with the demand as did Jennifer and Chris. As the suspect approached the tellers he pulled a handgun out of his sweatshirt pocket. Justin later stated that when the suspect took the handgun out of his pocket, he cocked it. (Justin made the hand motion of pulling the hammer back, not racking the slide.) All three tellers took money from their drawers and sat the money in front of them. The suspect picked up the money and left the bank. The video was consistent with the tellers statements.

The handgun was observed in the surveillance video but could only be described as a small black semi-automatic type.

Det. Power and I asked Justin a few additional description questions about the suspect. Justin stated that the male was clean shaven and did not speak with a noticeable accent. Justin stated that the male did not have any scars or marks on his face that stood out. An additional detail that Jennifer wrote in her statement was that she thought the black hat said "Vanz" embroidered across the top.

Detectives on scene conducted further interviews and scene processing which are not reflected in this officer's narrative.

** Portions of this report have been redacted **



**Gahanna Police Department
Incident Report**

**Incident #: 13GAH-36734-OF
Call #: 13-36734**

Date/Time Reported: 12/06/2013 1001
Report Date/Time: 12/06/2013 1127
Occurred Between: 12/06/2013 1000-12/06/2013 1003
Status: Incident Open

Reporting Officer: Police Officer MARVIN HIXON
Detective: Detective JOHN POWER
Approving Officer: Sergeant ERNEST CHOUNG

Signature: _____

Signature: _____

#	OFFENSE (S)	ATTEMPTED	TYPE	DEGREE
---	-------------	-----------	------	--------

LOCATION TYPE: FINANCIAL INSTITUTION Zone: D1-COLLEGE PARK/HERITAGE
WESBANCO BANK
116 S STYGLER RD
GAHANNA OH 43230

1	Aggravated Robbery _ dangerous ordnance 2911.01A2 29 2911	N	Felony	1
	OCCURRED: 12/06/2013 1000 SUSPECTED OF USING: Not Applicable MODUS OPERANDI: Entry-Front Door, Exit-Front Door CRIMINAL ACTIVITY: None/Unknown WEAPON/FORCED USED: Handgun BIAS AGAINST: No Bias/Not Applicable			

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
---	-----------	-----	------	-----	-----	-------

1	WESBANCO 116 S STYGLER RD GAHANNA OH 43230 VICTIM CONNECTED TO OFFENSE NUMBER(S): 1					
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#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
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1	COLLINS, CHRISTINA M 2628 HIAWATHA ST COLUMBUS OH 43211 DOB: 12/16/1976 EMPLOYER: WESBANCO	REPORTING PARTY	F	W	36		
2	WASSEL, JUSTIN M 3162 VISTA VIEW BLVD COLUMBUS OH 43231 DOB: 03/05/1973 EMPLOYER: WESBANCO	WITNESS	M	W	40		
3	DECKER, ZACHARY A 1111 WOODMAN DR COLUMBUS OH 43085 DOB: 05/26/1976 EMPLOYER: WESBANCO	WITNESS	M	W	37		

Gahanna Police Department
Incident Report

Page: 2
06/05/2014

Incident #: 13GAH-36734-OF
Call #: 13-36734

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
4	BELL, JENNIFER I 8536 ROBBINS LOOP DR REYNOLDSBURG OH 43068 DOB: 12/06/1978 EMPLOYER: WESBANCO BANK	WITNESS	F	W	35		

#	OTHER PROPERTIES	PROPERTY #	STATUS
1	US CURRENCY QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 12/06/2013	VALUE: \$8,710.00	Stolen

Gahanna Police Department

NARRATIVE FOR POLICE OFFICER MARVIN L HIXON

Ref: 13GAH-36734-OF

Page: 1

06/05/2014

Entered: 12/06/2013 @ 1408 Entry ID: 77
Modified: 12/08/2013 @ 0250 Modified ID: 76
Approved: 12/08/2013 @ 0253 Approval ID: 76

I Officer Marvin Hixon was dispatched to WesBanco bank located at 116 South Stygler Road on a robbery in progress and the robbery suspect held a teller at gun point. As I was in route to WesBanco some officers set up a perimeter and some started canvassing the area located east of WesBanco in the direction where dispatchers said the suspect ran.

Once I arrived I met Justin Wassel (teller) he said the suspect came into the bank wearing a red Ohio State UNIVERSITY (OSU) hooded sweatshirt and a red OSU ball cap with both hands in his front hooded sweatshirt pocket. J. Wassel said he and Christina Collins (teller) greeted the robbery suspect and he responded saying he was fine. The suspect walked up to C. Collins' teller station with J. Wassel near his teller station. The robbery suspect pulled out and cocked a handgun and said I want all the money in your drawers. C. Collins said as she pulled out her drawer and started to give the money to the suspect when he said I want what is in the vault as well. C. Collins said she told the suspect she had to call someone to get the codes for the vault because she and J. Wassel had the same code. J. Wassel said they had to call someone for the other code. He said C. Collins picked up the phone and the suspect said put it down. The suspect let C. Collins call Zack Decker's office but he did not answer the phone. C. Collins said the suspect said "you have 30 seconds to get the vault open" and J. Wassel walked over to the vault door and the suspect kept repeating I want the vault, hurry up.

As the suspect started a 30 second count down Z. Decker said he had dialed into a conference call and got up to close his door to his office and he noticed the suspect at the right teller station. Z. Decker said the suspect was holding a black pistol which appeared to be a 9mm. He said both he and Jennifer Bell were trying to open the vault door because the suspect had demanded money.

As the suspect was counting down J. Wassel said he heard fifteen and not long after that heard five and about the same time the vault was open and he grabbed some money straps and put them on the teller desk. J. Wassel said when he told the suspect to take the money, the suspect grabbed it and walked out the door. J. Wassel said he pushed the emergency button and J. Bell locked the door after the suspect left and then called 911. J. Wassel said the way the suspect was telling them to get the vault open, he believed that their lives depended on it.

J. Bell said the suspect ran eastbound south of the fence north of the apartments.

The suspect was described as a black male athletic build 5'5"-5'7", middle twenties.

Our detectives processed the crime scene and took video footage from the bank security cameras. Sergeant S. Murphy said she notified the Federal Bureau of Investigations of the incident. The suspect has not been identified at this time, however Detective Power suspects similarities between this incident and the most recent robbery at the same location.

** Portions of this report have been redacted **



CITY OF GAHANNA

STAFF COMMENTS

FILE: V-10 -2014
SUNGARD: 14060006
PROJECT: WesBanco
ADDRESS: 116 S Stygler Road
APPLICANT: Wesney Construction, Scott Wesney

ZONING COMMENTS:

The applicant seeks a variance to allow an 8' fence to be installed along the east property line. The proposed fence would extend from the southeast corner of the property to the existing Route 62 ROW fence. WesBanco has been robbed twice, and both times the robbers have fled through the apartment complex to the east. The 8' fence would provide a barrier to deter this avenue of escape.

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



"HERB CAPITAL OF OHIO"



CITY OF GAHANNA

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.

Respectfully Submitted By:



"HERB CAPITAL OF OHIO"

200 SOUTH HAMILTON ROAD, GAHANNA, OH 43230
614-342-4000 PHONE 614-342-4117 FAX WWW.GAHANNA.GOV



CITY OF GAHANNA

STAFF COMMENTS

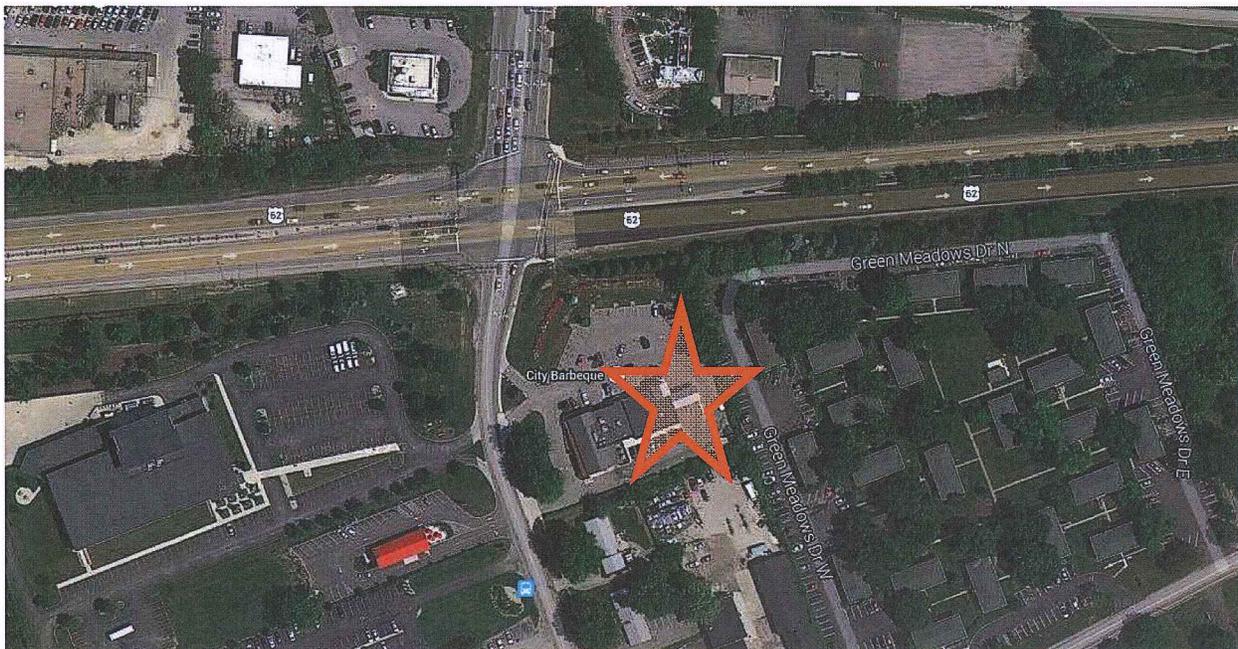
FILE: V-10-2014
SUNGARD: 14060006
PROJECT: WesBanco
ADDRESS: 116 S Stygler Road
APPLICANT: Wesley Construction, Scott Wesley

Department of Planning and Development:

The applicant is requesting a variance to allow an 8' foot wood fence along the eastern property line. A variance is required as the Code permits a maximum fence height of 6'. The increased fence height is necessary as the bank has been robbed twice, with the escape route along the east property line. The application package contains police reports verifying the recent robberies.

The site is located within the boundaries of the West Gahanna Development Study. The Study does not identify requirements for fencing such as height, style, and materials.

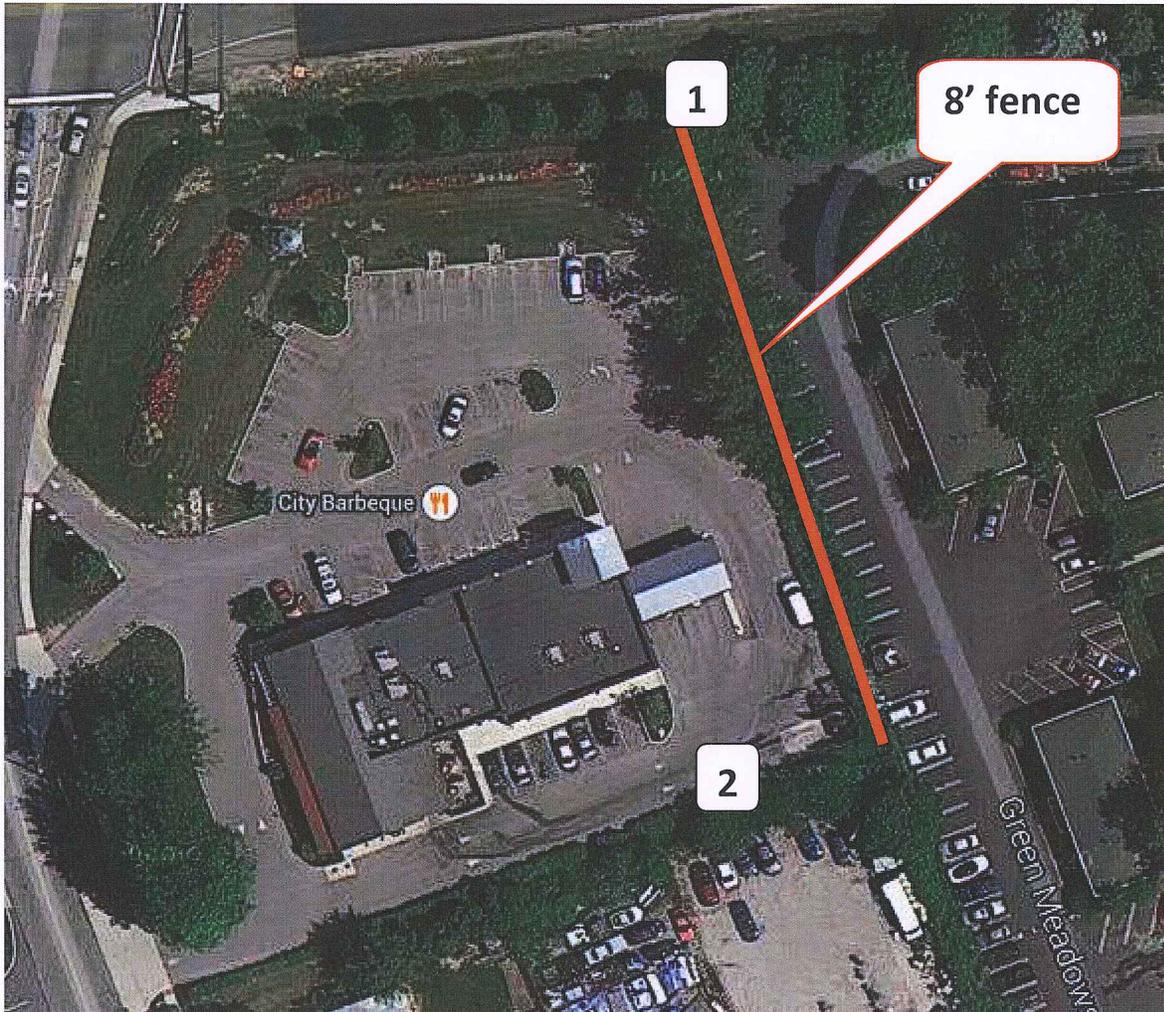
Aerial Map





CITY OF GAHANNA

Site Imagery



The picture above depicts the location of the proposed 8' fence. The numbers on the map correspond to the pictures taken by staff while on site.



CITY OF GAHANNA

Fence along 62, starts at Wes Banco/apartment property line and runs east



Trail between Wes Banco/apartment property line





CITY OF GAHANNA

Fence along south property line



Variance Criteria

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 the 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.

Staff finds that the request meets the variance criteria of Chapter 1131.

Michael Blackford
Deputy Director of Planning and Development



**CITY OF GAHANNA
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF POLICE**



MEMORANDUM

TO: Development Department

FROM: Dennis Murphy, Chief of Police

DATE: June 25, 2014

RE: WesBanco – Variance for 8’ Privacy Fence
116 S Stygler Road

The division of police does not have any issues with the proposed plan.

Dennis Murphy, Chief of Police



CITY OF GAHANNA

STAFF COMMENTS

FILE: V-10 -2014
SUNGARD: 14060006
PROJECT: WesBanco
ADDRESS: 116 S Stygler Road
APPLICANT: Wesney Construction, Scott Wesney

We have no comments as related to stormwater management, water distribution,
or sanitary sewer collection.

Respectfully Submitted By: Jeff Feltz



"HERB CAPITAL OF OHIO"

200 SOUTH HAMILTON ROAD, GAHANNA, OH 43230
614-342-4000 PHONE 614-342-4117 FAX WWW.GAHANNA.GOV



CITY OF GAHANNA

STAFF COMMENTS

FILE: V-10 -2014
SUNGARD: 14060006
PROJECT: WesBanco
ADDRESS: 116 S Stygler Road
APPLICANT: Wesney Construction, Scott Wesney

No comments

Respectfully Submitted By:

*Kenneth W. Fultz, P.E.
Chief Building Official*



"HERB CAPITAL OF OHIO"

200 SOUTH HAMILTON ROAD, GAHANNA, OH 43230
614-342-4000 PHONE 614-342-4117 FAX WWW.GAHANNA.GOV