


VARIANCE APPLICATION

PROPERTY INFORMATION		
Project/Property Address: 361 Canfield Drive Gahanna OH 43230		Project Name/Business Name:
Parcel #: 025-002414	Zoning: (see <u>Map</u>) R-4 	Acreage: .15

VARIANCE SPECIFICATIONS
Description of Variance Request: Placement of a shed. We are asking for a variance to the Back yard and 5' guidelines for placement a shed from the property line. A replacement shed has been set in the same location as a previous shed that has been in this location for over 25 year. Due to the shape of the property (Pie shape) the shed was set on the side of the house close to the ..
STAFF USE ONLY: (Code Section):
1145.06 - Yard requirements 1167.17(b) Accessory Use Structure Permitted

APPLICANT INFORMATION	
Applicant Name (Primary Contact): Kristi NYe	Applicant Address: 361 Canfield Drive Gahanna OH 43230
Applicant E-mail: Nye9ch@aol.com	Applicant Phone: 614-560-6013
Business Name (if applicable):	

ADDITIONAL CONTACTS	
Please list all applicable contacts for correspondence	
Name(s)	Contact Information (phone/email)
Property Owner Name: (if different from Applicant)	Property Owner Contact Information (phone no./email):

ADDITIONAL INFORMATION ON NEXT PAGE....

INTERNAL
USE

Zoning File No. 1-0113-2024

RECEIVED: MAC
DATE: 4/3/2024

PAID: \$250
DATE: 4/3/2024

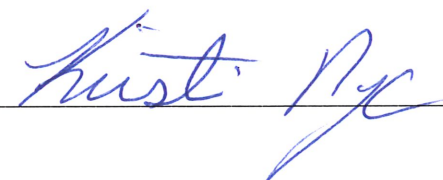
Updated
Apr 2022

VARIANCE APPLICATION - SUBMISSION REQUIREMENTS

TO BE COMPLETED/SUBMITTED BY THE APPLICANT:
1. Review Gahanna Code <u>Chapter 1131</u> (<i>visit www.municode.com</i>) (<i>Sign Variances, refer to Chapter <u>1165.12</u>; Fence Variances, <u>1171.05</u>; Flood Plain Variances, <u>1191.18</u></i>)
2. Survey of property certified by a registered surveyor (<i>11"x17" copy</i>) if Applicable - Site Plan, drawings, or survey that depicts where the Variance is requested.
3. Renderings, drawings, and/or pictures of the proposed project
4. A statement of the reason(s) for the variance request that address the following three conditions: (<i>not applicable for Sign, Fence, or Flood Plain Variances; see code referenced in #1 above for applicable criteria</i>) - Special circumstances or conditions - Necessary for preservation and enjoyment of property rights - Will not adversely affect the health or safety
5. List of contiguous property owners & their mailing address
6. One set of pre-printed mailing labels for all contiguous property owners
7. Application fee (<i>in accordance with the <u>Building & Zoning Fee Schedule</u></i>)
8. Application & all supporting documents submitted in digital format
9. Application & all supporting documents submitted in hardcopy format
10. Authorization Consent Form Complete & Notarized (<i>see page 3</i>)

APPLICANT SIGNATURE BELOW CONFIRMS THE SUBMISSION REQUIREMENTS HAVE BEEN COMPLETED

I certify that the information on this application is complete and accurate to the best of my knowledge, and that the project as described, if approved, will be completed in accordance with the conditions and terms of that approval.

Applicant Signature:  Date: 3/12/20

PLEASE NOTE:

- The Public Hearing will not occur until the City of Gahanna reviews the Application for Code Consistency. Applications that are not consistent with the code will not be scheduled for hearing.
- The application expires if no action is taken 6 months from the date of the last staff comment letter.

AUTHORIZATION CONSENT FORM

(must sign in the presence of a notary)

If you are filling out more than one application for the same project & address, you may submit a copy of this form with additional applications.

PROPERTY OWNER

IF THE PROPERTY OWNER IS THE APPLICANT, SKIP TO NEXT SECTION

As the property owner/authorized owner's representative of the subject property listed on this application, hereby authorize the applicant/representative to act in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all terms and agreements made by the applicant/representative.

_____ (property owner name printed)

_____ (property owner signature) _____ (date)

Subscribed and sworn to before me on this _____ day of _____, 20____.

State of _____ County of _____

Stamp or Seal

Notary Public Signature: _____

Applicant/Property Owner/Representative

AGREEMENT TO COMPLY AS APPROVED As the applicant/representative/owner of the subject property listed on this application, I hereby agree that the project will be completed as approved with any conditions and terms of the approval, and any proposed changes to the approval shall be submitted for review and approval to City staff.

AUTHORIZATION TO VISIT THE PROPERTY I hereby authorize City representatives to visit, photograph and post notice *(if applicable)* on the subject property as described.

APPLICATION SUBMISSION CERTIFICATION I hereby certify that the information on this application is complete and accurate to the best of my knowledge.

Kristi Nye
_____ (applicant/representative/property owner name printed)

Kristi Nye _____ (applicant/representative/property owner signature) 4-2-2024 _____ (date)

Subscribed and sworn to before me on this 2nd day of April, 2024.

State of Ohio County of Franklin

Notary Public Signature: Kelly Wicker



Variance for 361 Canfield Gahanna Ohio

Owner Kristi and Dan Nye 614-560-6013

List of neighbors

353 Canfield Drive, Gahanna Ohio 43230

Owner

Nathan and Bonnie Rodgers

1163 Grandview Ave

Columbus OH 43212

362 Banbury Drive, Gahanna Ohio 43230

Owner

Isabella Kaufman

361 Banbury Drive

Gahanna OH 43230

368 Banbury Drive, Gahanna OH 43230

Owner

Vera Darst

368 Banbury Drive

Gahanna OH 43230

367 Canfield Drive, Gahanna OH 43230

Owner

Cameron A Sullivan

367 Canfield Drive

Gahanna OH 43230

Petition for a Variance for 361 Canfield Drive, Gahanna OH 43530

Daniel and Kristi Nye
361 Canfield Drive
Gahanna OH 43230

April 17, 2024

This letter is a petition for a variance for 361 Canfield Drive in regard to shed be set in less than 5 feet away from the property line. We are asking for a variance for the placement of the shed due to the size of the yard behind /beside the residence. Provided in images of the you will see that this property sets on the inside of a curve on Canfield Drive, there for the back part of the property (Behind/Beside the house) is smaller than the front and most properties in the area. There is no garage on this property so for outdoor storage we must have a shed. As shown in the pictures there are established tree on the property and a phone pole along the fence line with guy wires and in order to place the shed in compliance with the 5 foot guidelines and away from the utility pole these trees would have to be remove. This would leave no natural shade in the back and this would gravely reduce the back yard space. This concern was brought to our attention when we replace an aged shed with a new shed. The new shed is place in the same location that the deteriorating shed has been setting for over 30 years.

For these reasons were asking for the variance to allow the shed to set in the exact same location that the shed has been setting for 30 years without any concern or issues.

Thank you for your consideration

Danie Nye
Kristi Nye





Outdoor

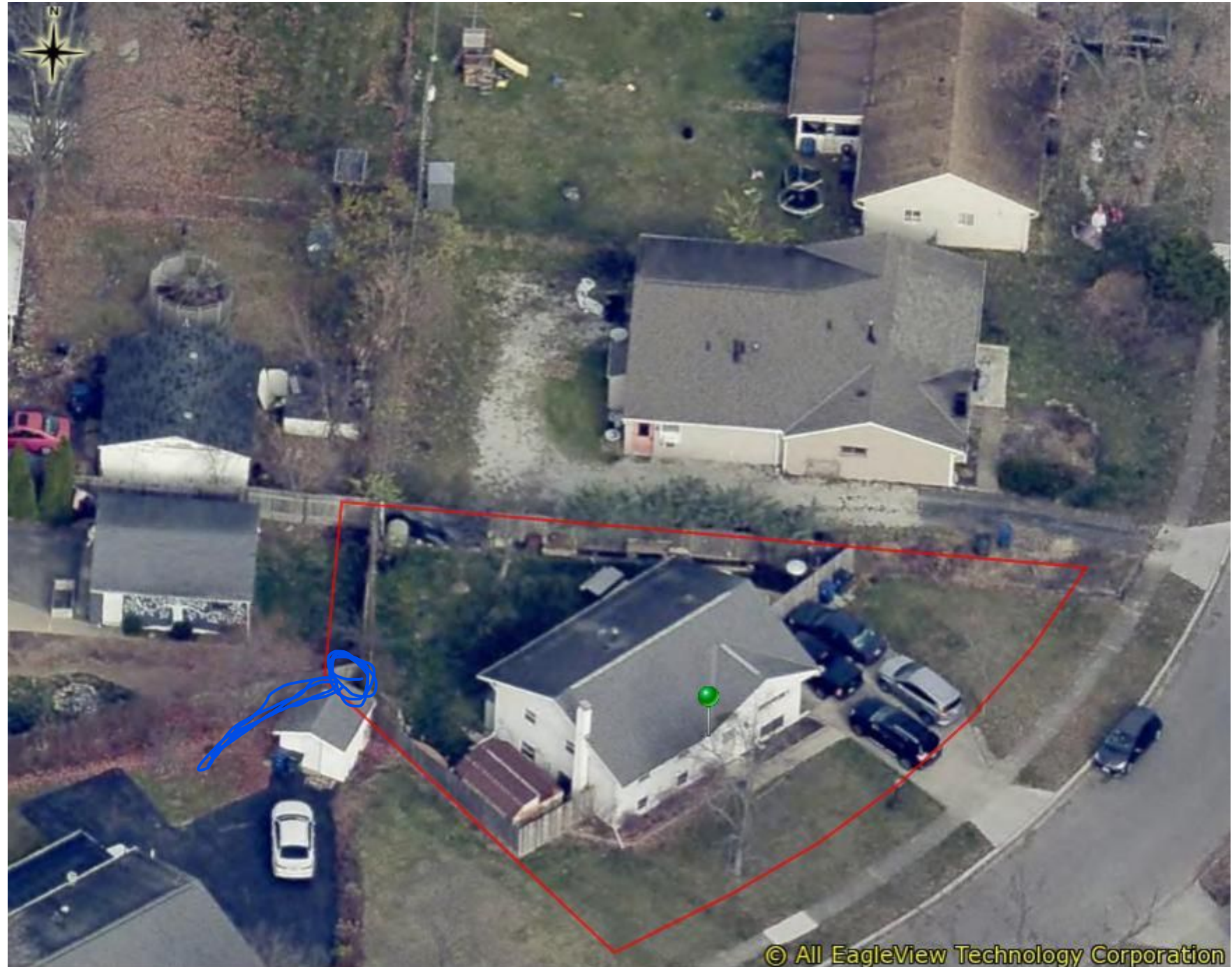
YARD W





Image #1

Aerial View



© All EagleView Technology Corporation

Parcel ID: 025-002414-00
NYE DANIEL H

Image #3

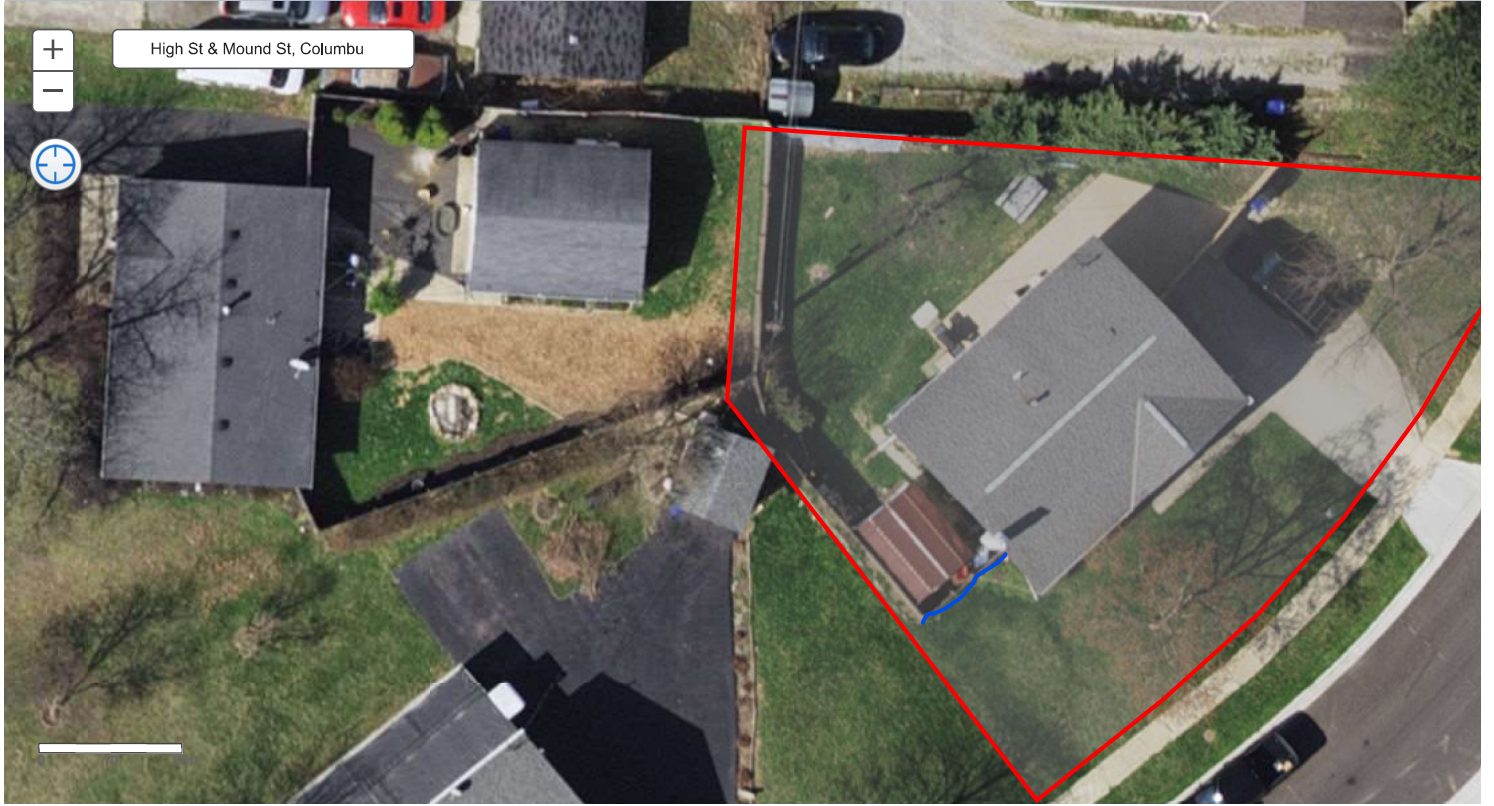


Image #4



Image #5



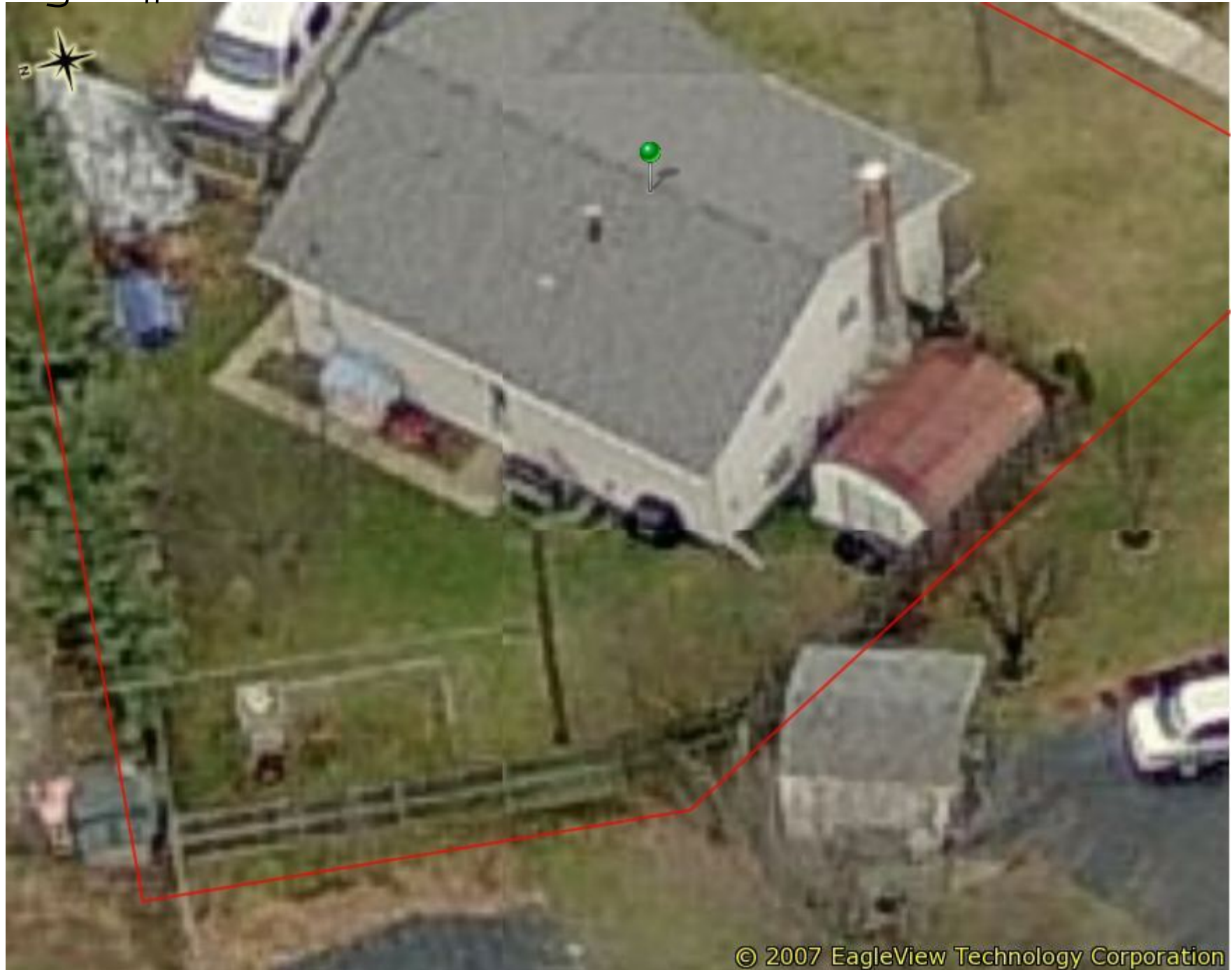
Image #6





Shed from 2005

Image #8



Kelly Wicker

From: Kristi Nye <nye9ch@aol.com>
Sent: Wednesday, April 17, 2024 7:56 AM
To: Kelly Wicker
Subject: Re: 361 Canfield Shed Variance Comment Letter
Attachments: Image 1 Engineering Response.pdf; Image 3 Fencing marked and rebuild.pdf; Image 4, from South side of the shed facing East.jpg; Image 5, from South side of the shed facing West.jpg; Image 6, from North side of the shed facing West.jpg; Image 7, from North side of the shed facing East .jpg; Image 8 Shed Ariel View from Frankin county auditor from 2005.pdf; Image # 2 Petition for Variance.pdf

CAUTION: This email originated from outside the City of Gahanna. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon, This is in response to the recent inquiry regarding additional information.

Engineering Project Administrator has questioned.

1. The distance along the southern and western Property line. The Shed cannot be in the 5th easement as it impedes access to the sanitary manhole location on the property.

*Response: See image one. The Manhole is on the outside of the fence line, as you can see the shed does not obstruct the manhole as there is not access to the manhole on the side of the fence the shed is on. How ever the shed is 21 feet 7 inches away from the manhole. The manhole is set behind the neighbors shed and allows access on the West side of that shed if need be.

Planning

3. Per CH 1145.06 the side yard setback for the site is 5ft. The Shed is less than 5th from the side property line, you will need to add this variance to your application. Please add Justification for this variance to your statement.

*Response: A letter was turned with the application, but I have edited the request, I hope this is clear on the request and reasoning. See attachment 2.

4. Please mar the location of any existing and proposed fences to the survey.

*Response: See Image 3. We will be replacing the fence along the Southeast side of the house, It will be 6 feet and made of the same material, Cedar pickets with 4 x 4 pine post and 2 X 4 pine. The location will be the same location as in the picture and marked. We will be using the same post going from the end of the fence line to the house that have been set previously.

5. Please add photos of each side of the shed.

*Response: See Image 4,5,6,7

6. Please provider a photo of the old shed if you have one.

*Response Please see Image 1 and 3 and Image 8. Image 8 is from Franklin County auditor from 2005.

If you have any further question, please advise.

Kristi Nye

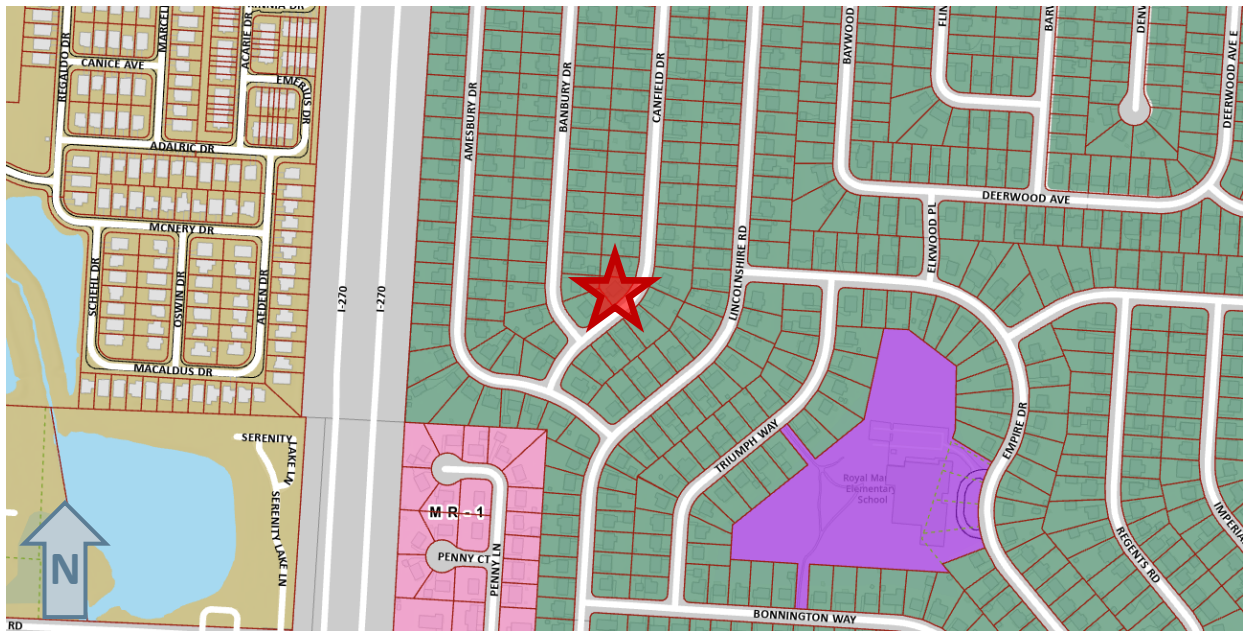
On Tuesday, April 16, 2024 at 01:08:40 PM EDT, Kelly Wicker <kelly.wicker@gahanna.gov> wrote:

PLANNING COMMISSION STAFF REPORT

Project Summary – 361 Canfield Drive

- Meeting Date:** June 12, 2024
- Zoning:** Residence District (R-4)
- Application Type(s):** Variance (V)
- Staff Representative:** Maddie Capka, Planner II
- Recommendation:** Staff recommends approval as submitted.

Location Map:



Staff Review

Overview

The applicant is requesting approval of a variance to allow a shed to be placed within the side yard setback and forward of the rear elevation of the house. The Zoning Code requires that all accessory structures in residential districts be located to the rear of the primary structure. In this case, the shed is placed to the side of the house on the lot and therefore requires a variance. In addition to this, the shed encroaches 3 ft into the required 5 ft side yard setback, which necessitates a second variance.

The shed was installed prior to receiving approval from the City, and this application is the result of Code Enforcement action. The applicant states that the new shed was placed in the exact same spot as a previous shed, which had been in that location for around 25 years. The lot is also irregularly shaped, which limits where a shed could be placed.

This application was reviewed by the Engineering Department, which noted that the shed encroaches 3 ft into a sanitary sewer easement. Due to this, Engineering objects to this application. However, there is no language in the Zoning Code or elsewhere that structures must be located outside of easements; this is an Engineering preference. Engineering also stated that they will sign off on the location of the shed if this application is approved by Planning Commission. The City's mapping website shows that there is a manhole located on this property, however the applicant shows in their application that it is actually located on the other side of the fence, behind their neighbor's shed.

Review Criteria

Variance (V)

The following variances have been requested:

1. 1145.06 – Yard Requirements
 - a. Code requires a 5 ft side yard setback.
 - b. The shed is located only 2 ft from the side property line.
2. 1167.17(b) – Accessory Use Structure Permitted
 - a. Code requires that all accessory structures in residential districts be located to the rear of the primary dwelling.
 - b. The shed is located to the side of the primary dwelling.

Planning Commission shall not grant a variance unless it finds that all the following conditions apply:

- 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.

Recommendation

Staff recommends approval of the Variances as submitted. There has been a shed in this exact location for around 25 years and the previous shed was replaced due to its deteriorating condition. The lot is also an irregular shape with limited locations for accessory structures. The shed is located behind a fence, which partially screens it from the ROW.

Planning Commission recently approved a shed to the side of a house in December at 1036 Arcaro Drive. In that case, shed placement was also limited due to the slope of the lot. This shed was partially screened by landscaping and a trellis. Planning Commission also approved a gazebo located in a sanitary sewer easement at 975 Tech Center Drive in February of this year.