

**VARIANCE APPLICATION**

Project/Property Address or Location: <b>corner of Mill St. and Andulus Dr.</b>		Project Name/Business Name: <b>Kramer-Kring Cemetery (Peace Lutheran Church)</b>	
Parcel ID No.(s): <b>025-002993-00</b>	Zoning Designation: <del>E-Exempt</del> <b>SF-3</b> <i>ms 9/15</i>	Total Acreage: <b>0.98 Acres</b>	
Description of Variance Requested: <b>Fence hgt. 48" Sign location 2' setback from r.o.w.</b>			
STAFF USE ONLY – Code Section(s): <i>1165.08(b)(10) - Permanent Signs      1171.03 (f) - Fence Standards</i>			
APPLICANT Name-do <u>not</u> use a business name: <b>Basilio Foresi</b>		Applicant Address: <b>411 Lyncroft Drive</b>	
Applicant E-mail: <b>bforesi@edgela.com</b>		Applicant Phone No.: <b>614-578-6047</b>	
BUSINESS Name (if applicable):			
<b>ADDITIONAL CONTACTS Please List Primary Contact for Correspondence (please list all applicable contacts)</b>			
Name(s):		Contact Information (phone no./email):	
PROPERTY OWNER Name: (if different from Applicant) <b>Peace Lutheran Church</b>		Property Owner Contact Information (phone no./email): <b>Pat Rocca/ procca@peacgahanna.org</b>	

**APPLICANT SIGNATURE BELOW CONFIRMS THE SUBMISSION REQUIREMENTS HAVE BEEN COMPLETED** (see page 2)

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/Primary Contact Signature: **Basilio Foresi** Digitally signed by Basilio Foresi  
Date: 2020.08.21 11:24:44 -04'00' Date: **08/21/20**

INTERNAL USE

Zoning File No. **V-0220-2020**

RECEIVED: **KAW**  
DATE: **9-3-2020**

PAID: **250.00**  
DATE: **9-3-2020**

## VARIANCE APPLICATION – SUBMISSION REQUIREMENTS

### TO BE COMPLETED/SUBMITTED BY THE APPLICANT:

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

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### Please Note:

The Public Hearing will not occur until the City Of Gahanna Staff reviews the Application for Code Consistency. Applications that are not consistent with the code will not be scheduled for hearing.

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## 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 \_\_\_\_\_

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.

Basilho D. Foresi  
\_\_\_\_\_ (applicant/representative/property owner name printed)

[Signature] \_\_\_\_\_ (applicant/representative/property owner signature) 8/31/20 \_\_\_\_\_ (date)

Subscribed and sworn to before me on this 31<sup>st</sup> day of August, 2020

State of Ohio County of Franklin

Notary Public Signature: [Signature]



**MARIAH JOYNER**  
Notary Public, State of Ohio  
Commission No. 2018-RE-735970  
My Commission Expires  
August 21, 2023

## Statement

### Variance request: Fence hgt. 48"

The proposed split rail fence has posts that will be 48" in hgt. which is a standard height for this type of fence. The rails of the fence will be approximately 42" as indicated on the submitted plans. This new proposed fence matches the old fence that stood there for many years.

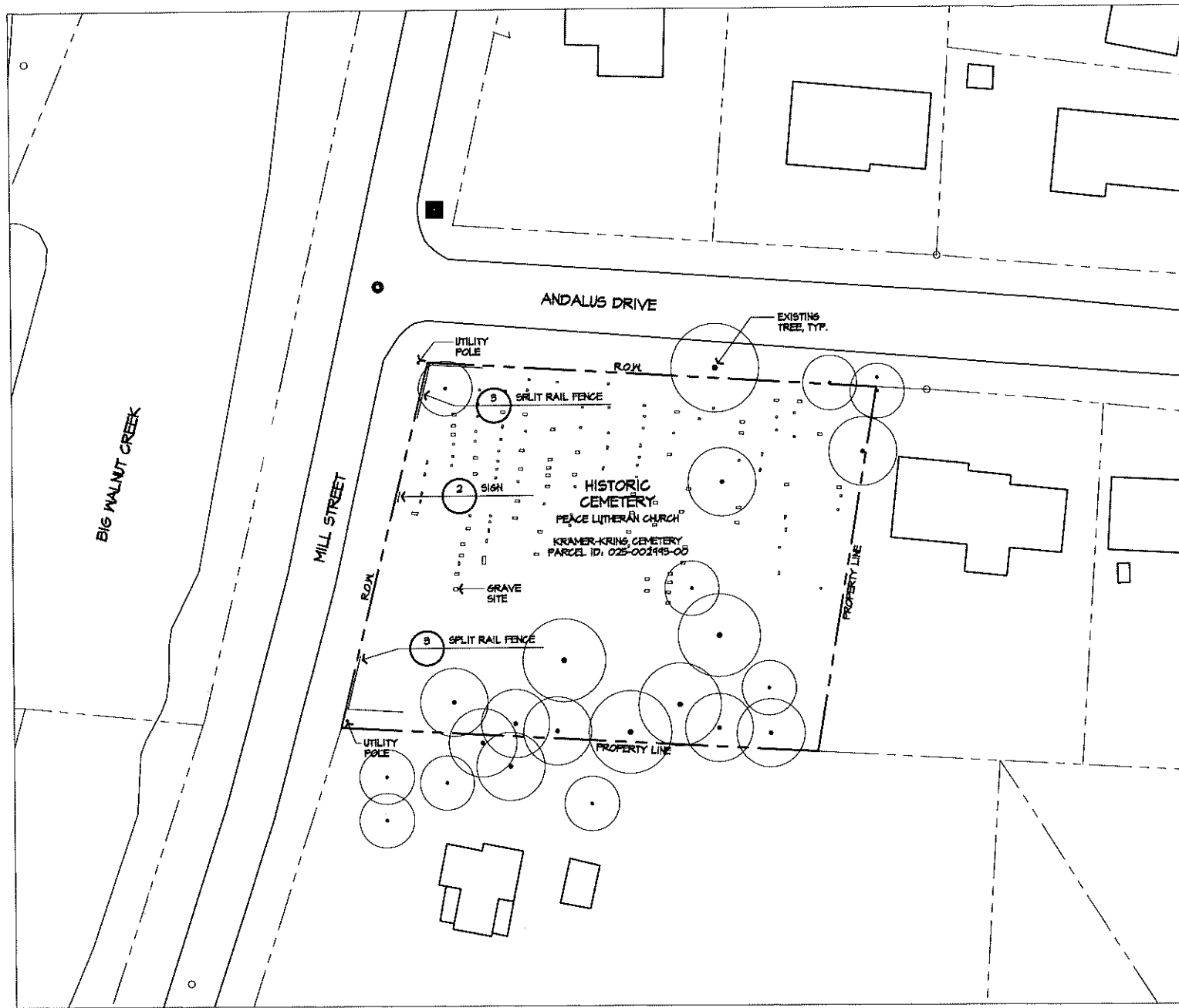
### Variance request: Sign location 2' from r.o.w.

The sign cannot be placed 15' from the r.o.w. without conflicting with existing grave sites. The first row of graves does not extend the length of the lot so setting the sign back 15' is achievable but would force the sign to be off center and aligned with the grave sites & stones. Our preference is to center the sign on the lot and centered between the fences proposed at the corners of the lot. This new proposed sign replaces the old sign that stood at the same location (centered on the lot and at the r.o.w.) for many years.

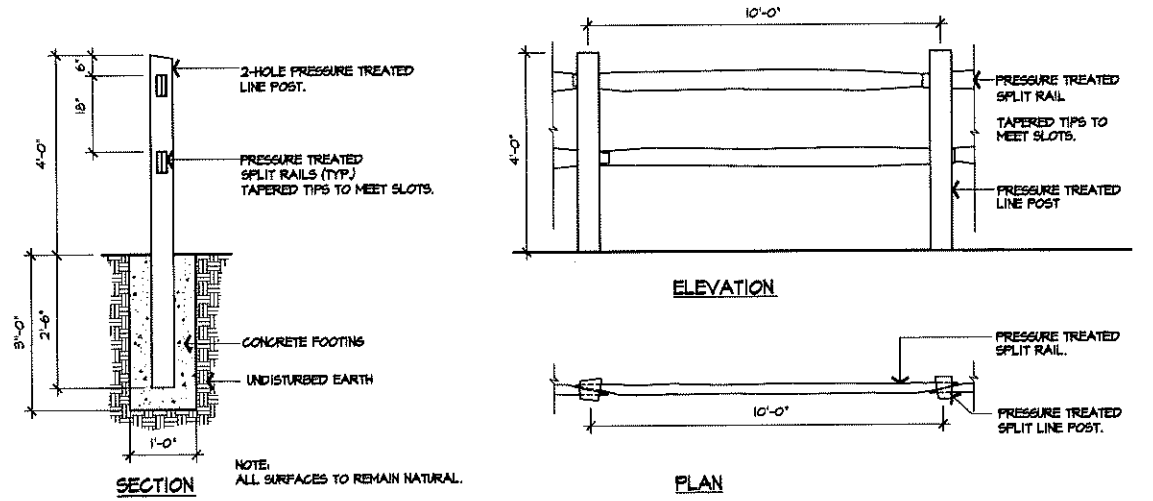
## Property Owners

JOAN B SIPPOLA  
133 Andalus Dr  
Gahanna, OH 43230

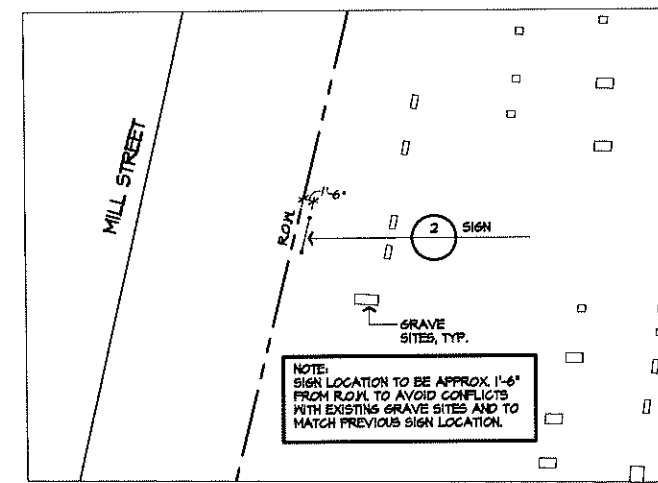
BARBARA J TOD DOWELL  
304 Mill St  
Gahanna, OH 43230



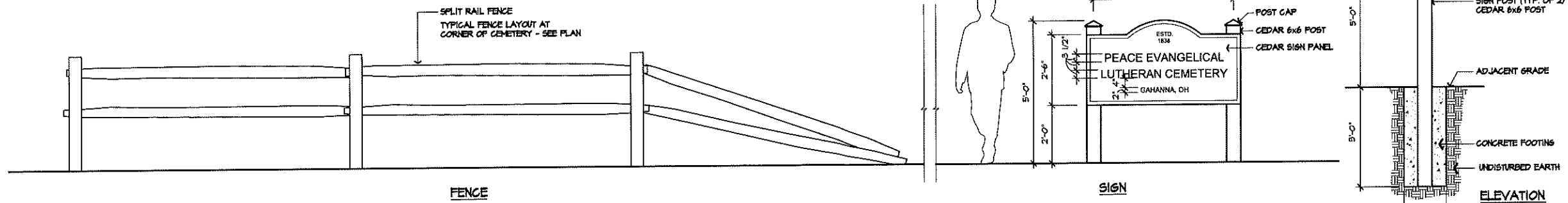
1 SITE PLAN  
SCALE: 1" = 30'



3 SPLIT RAIL FENCE  
NTS



4 ENLARGED SITE PLAN  
SCALE: 1" = 10'



2 ELEVATION - SIGN & SPLIT RAIL FENCE  
SCALE: 1/2" = 1'-0"

**PRELIMINARY**  
NOT FOR CONSTRUCTION



September 28, 2020

Foresi Basilio  
411 Lyncroft Drive  
Gahanna, OH 43230

RE: Project Kramer -Kring Cemetery Variance Comment Letter

Dear Foresi Basilio:

The following comments were generated from the review of the submitted plans and documents for the referenced project.

**Building**

1. No comments on the proposed location for the sign.

**Parks**

2. No Comment Per Julie Prederi

**Engineering**

3. No comments at this time. Recommend for approval.

**Community Development**

4. No objections to the variances.

If you have any comments or questions, please contact me at [kelly.wicker@gahanna.gov](mailto:kelly.wicker@gahanna.gov) or (614) 342-4025.

Sincerely,

Kelly Wicker  
Administrative Assistant

## PLANNING STAFF REPORT

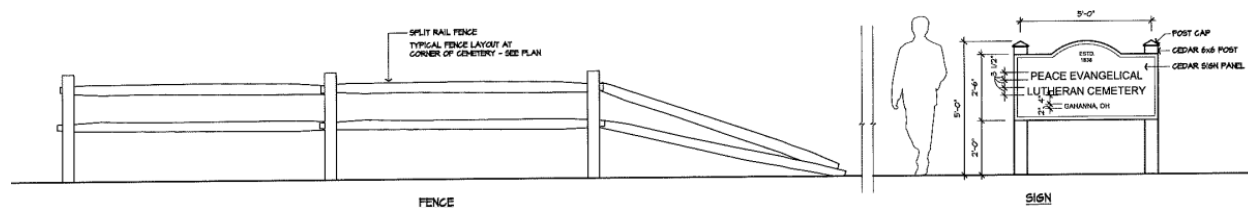
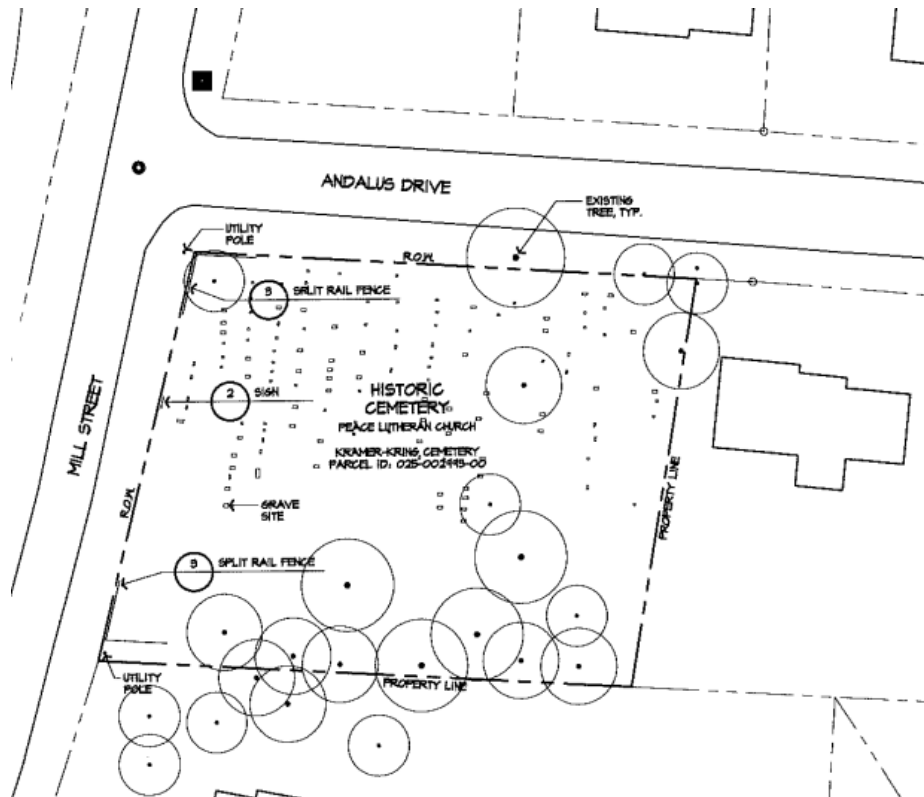
### Summary

Two variances are requested to permit a fence and signage for the cemetery located at the corner of Mill St. and Andalus Dr. The property is zoned Single Family (SF-3). Fence location and height isn't regulated by zone district, it is regulated by yard type. Fences are not permitted past the front yard setback of 35'. The fence is located 2' off the right-of-way.

Signage size and placement is regulated by zone district. SF-3 requires a 15' setback behind the right-of-way. Signage is proposed to be located on the fence, 2' from the right-of-way.

A fence exists on a portion of the property (see images below). The fence and signs cannot be located to meet code requirements as grave sites prevent them from being relocated.

### Site Plan





## Variance

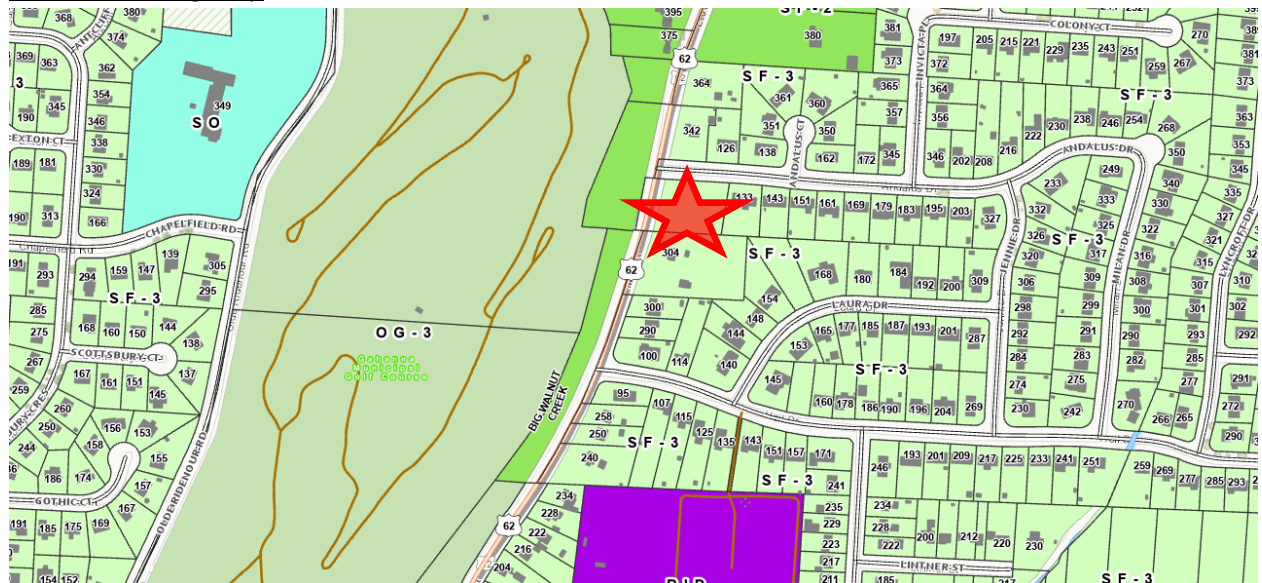
Requests to vary the requirements of the code related to fencing is subject to Chapter 1171.05. Variances to signage are subject to the factors of Chapter 1165.12. Planning Commission shall consider and weigh the following factors:

- 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/sign is sufficiently compatible with the architectural and design character of the immediate neighborhood; and
- I. Whether the fence/sign will be hazardous to passing traffic or otherwise detrimental to the public safety and welfare.

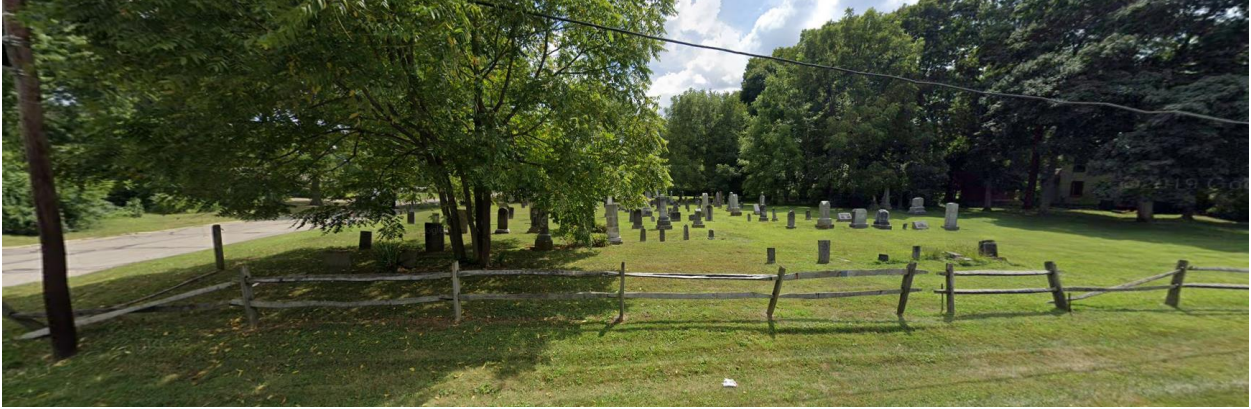
## Recommendation

Staff recommends approval of the variance as submitted. Existing conditions are similar to the proposed conditions in that the property already has a fence that is in need of replacement. There does not appear to be a reasonable alternative to sign placement.

## Location/Zoning Map



Street View



Respectfully Submitted By:  
Michael Blackford, AICP  
City Planner/Zoning Administrator