

City of Gahanna – Board of Zoning Appeals
Reason for Appeal (ROA V-19-25)

Jeremy VanMeter
Clerk of Council
Jeremy.vanmeter@gahanna.gov

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BY: Jeremy VanMeter
COUNCIL OFFICE

Appellant: John Esterby
400 Braemer Ct
Gahanna, Ohio 43230
Parcel #025-011408-00

Contractor: Corey Schoo
Cedar and Stone
3345 West Jefferson Kiousville Rd SE
West Jefferson, Ohio 43162

Date: September 11, 2025

Dear Mr. VanMeter:

Representation: Appellant is self-represented (no counsel).

Property: 400 Braemer Court, Gahanna, Ohio 43230

Zoning District: R-1 (Single-Family Residential)

Code Section at Issue: Gahanna City Zoning Code §1103.07 (height limit for unattached accessory structures: 15 ft.)

1) Decision Appealed

Appeal of the Planning Commission's decision denying a variance to permit an overall height of 16.5 ft for an unattached accessory structure (pool pavilion) where §1103.07 limits height to 15 ft.

2) Relief Requested

Approval of a variance allowing the existing pool pavilion to maintain an overall height of 16.5 ft.

3) Background & Procedural History (Condensed)

- Initial design: Pavilion designed at 17 ft overall height.
- November 6, 2024 (V-0028-2024): During the public hearing, the City's Zoning representative stated that staff could administratively approve heights up to 16.5 ft. Appellant confirmed willingness to reduce to 16.5 ft if that would satisfy the Code as administered.
- November 8, 2024: Revised drawings (Rev5) reflecting a maximum height of 16.5 ft were uploaded to the City portal.
- Permitting: Approved plans and the Building Green Card were posted on site.
- Construction: Installation began November 20, 2024 and was completed December 20, 2024.
- Inspections: Framing and final inspections were requested near completion. Appellant has no record of responses to those inspection requests.
- January 8, 2025: Notice of Code Violation issued regarding overall height.
- January 28, 2025: Rev5 drawings resubmitted; additional inspection requests followed, including on March 19, 2025.

Design change to meet 16.5 ft: To reduce height from 17 ft to 16.5 ft while maintaining aesthetic balance, Appellant decreased the upper roof rafter overhangs. Posts were field-cut to achieve a minimum beam clearance of 9 ft and keep overall height at ≤ 16.5 ft.

4) Grounds for Appeal

1. Minimal deviation: The requested 16.5 ft height is a 1.5 ft departure from the 15 ft limit and reflects the least intrusive modification that preserved structural proportions and functionality.
2. Good-faith reliance on City guidance: Appellant relied on the City's representation that 16.5 ft was eligible for administrative approval and promptly revised plans (Rev5) to conform.
3. No adverse impact: The pavilion is compatible with the residential character; no evidence of harm to light, air, or neighboring property enjoyment has been presented.
4. Practical difficulty to lower further: Reducing the existing structure below 16.5 ft now would require dismantling the storage room, lifting the structure, and cutting ≈ 1.25 ft off all posts, resulting in a ~ 7.5 ft beam clearance that does not meet the homeowner's functional requirements and entails substantial cost.

5. Substantial justice & fairness: Granting the variance aligns with prior staff guidance, preserves investments already made in reliance on that guidance, and achieves a balanced outcome without detriment to the public interest.

5) Exhibits

- Exhibit A: Recorded Timeline from Permit Submittal Onward
- Exhibit B: Meeting Conversation
- Exhibit C (optional): Rev5 Plans (uploaded November 8, 2024)
- Exhibit D (optional): Site photographs illustrating height, scale, and neighborhood context

6) Signature



John B Esterby
400 Braemer Ct
Gahanna, OH 43230

Requested Action: That the Board of Zoning Appeals grant the variance to permit an overall height of 16.5 ft for the existing pool pavilion at 400 Braemer Court.

AFFIDAVIT OF JOHN ESTERBY

1. I own the home located at 400 Braemer Ct, Gahanna, OH 43230
2. 390 Braemer Court, Gahanna, OH 43230 is the property directly north of the property owned by Eric and Jill Jones
3. 404 Braemer Court, Gahanna, OH 43230 is the property directly south of the property owned by Larry Keith Hooks
4. 1001 Ridge Crest Drive, Gahanna, OH 43230 is the property directly east of the property (behind) owned by Alissa Holfinger
5. 395 Braemer Court, Gahanna, OH 43230 is the property directly south of the property across the street owned by Michelle Twente

FURTHER AFFIANT SAYETH NAUGHT.



John B Esterby

Notary:

Sworn and subscribed to me in my presence this 12th day of September 2025.

*Jeremy A. VanMeter
Notary Public*



JEREMY A. VANMETER
Notary Public, State of Ohio
My Commission Expires 11/9/2028