



# VARIANCE APPLICATION SUMMARY



<b>File Number</b>	V-24-2
<b>Property Address</b>	969 CRYSTAL CAY GAHANNA, OH 43230
<b>Parcel ID</b>	025-011513
<b>Zoning District</b>	R-1 - Large Lot Residential
<b>Project/Business Name</b>	Deck Permit
<b>Applicant</b>	Steve Beck
<b>Description of Variance Request</b>	To have thirty-five foot frontage waived on rear property line. Frontage is result of new builds (Evelyn Lane) years after we moved in.

#### Requested Variances

Code Section	Code Title	Code Description
1103.7(e)	Large Lot Residential	Code requires a 35 ft front yard setback.

Contiguous Property Owners

John Patock  
957 Crystal Cay Ct  
Gahanna, OH 43230

Fred Kauser  
968 Crystal Cay Ct  
Gahanna, OH 43230

Steve and Rebecca Beck  
969 Crystal Cay Ct, Gahanna, OH 43230  
614-570-8910 – steck0012@gmail.com

June 4, 2024

City of Gahanna  
Department of Planning  
200 S Hamilton Rd  
Gahanna, OH 43230

RE: Variance Request for 969 Crystal Cay Ct – Frontage

To Whom it May Concern,

We are requesting a variance of the 35-foot frontage associated with the rear of our property. We moved into our home in 1998 with open land behind our property. Within the past few years, a new development has been built on the land. Our back property line now backs up to Evelyn Lane and as a result, we now have a frontage of thirty-five foot that was not part of our property in the past. We are asking that this frontage be waived so we can replace our existing wood deck with a new composite deck and patio.

Special Circumstance or Condition:

- With the addition of the development on Evelyn Lane, an additional thirty-five-foot frontage restriction was placed on the rear of our property, in addition to the original fifteen-foot easement. Between Evelyn Lane and our property line sits thirty-five to forty-seven feet of green space. Therefore, thirty-five feet of space currently exists between Evelyn Lane and our property line.

Necessary for Preservation and Enjoyment of Property

- The intent of the project is for enjoyment of the property and reduced maintenance. The new structure is necessary for:
  - Upgrade for necessary structural support for the proposed patio.
  - Updating current deck that is twenty plus years old.
  - Upgrade to maintenance free composite material.

Will not Adversely Affect the Health or Safety

- Completion of this project will have no adverse effects on property or adjacent neighbors. The deck and patio will be constructed on basically the same footprint as the current deck. The proposed project will extend our current deck by less than two feet in width and seven feet in length.

**Special Note**

While the emphasis of this variance lies with the thirty-five-foot frontage, I'd like to note that our proposed deck width of twenty-four feet will lie just outside the original fifteen foot easement mentioned earlier. I mention this because to simply view the plat, the proposed twenty-four feet deck width appears to enter the easement by two feet. This is not the case as the plat and placement of the house do not match. Our current deck is twenty-two feet and two inches. By extending the deck to twenty-four feet, we will still meet the requirements of not entering the easement. I spoke with Robert in the engineering department, and we discussed same. He indicated it may be necessary to send someone out to inspect the area.

Sincerely,

*Steve Beck*

Steve Beck  
Homeowner

Attachments:

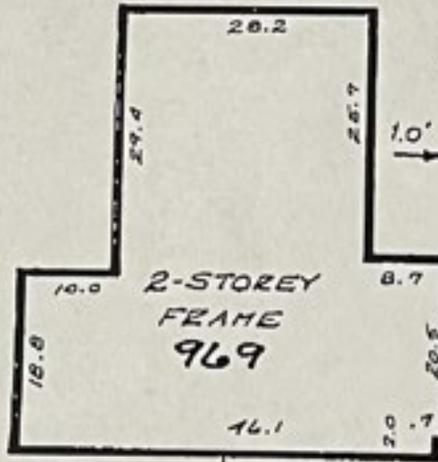
Plat with Deck Drawing  
Plat with Deck and Evelyn  
Proposed Deck Design  
View from Evelyn  
View of Current Deck  
Aerial View

160.01'

23

15' EASEMENT (DRAINAGE)

BLDG. LINE



2-STOREY  
FRAME  
969

PROPOSED DRIVE

29.0'

41.0'

CRYSTAL  
CAY  
COURT  
R=50'

5' EASEMENT

8.0' 104.95'

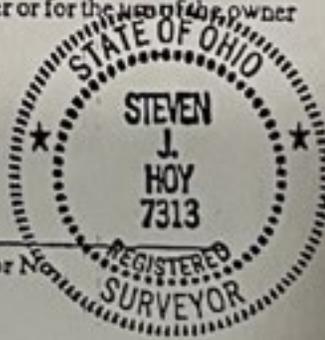
INDICATES IRON PIN

We hereby certify that the foregoing MORTGAGE LOCATION SURVEY was prepared in accordance with Chapter 4733-38, Ohio Administrative Code, and is not a boundary survey pursuant to Chapter 4733-37, Ohio Administrative Code. This plat is prepared for mortgage loan and title purposes only and is not to be construed as having been prepared for the owner or for the use of the owner for any purpose.

THIS PROPERTY IS LOCATED IN \_\_\_\_\_  
 FLOOD ZONE   X    
 COMMUNITY PANEL   39049C    
 PAGE   01674   DATE   8-2-95  

By *Steven J. Hoy*

Registered Surveyor No.



**Franklin County  
Auditor's Office  
Auditor  
Michael Stinziano**

Map Produced May 10, 2024

**Planimetric Legend**

Source: 2021 Aerial Photography

- Edge of Pavement
- Roadway Centerlines
- Railroad Centerlines
- Building Footprints
- Building Under Construction
- Creeks, Streams, Ditches
- Rivers & Ponds

**Topographic Legend**

Source: OSIP - 2019 LiDAR Collection

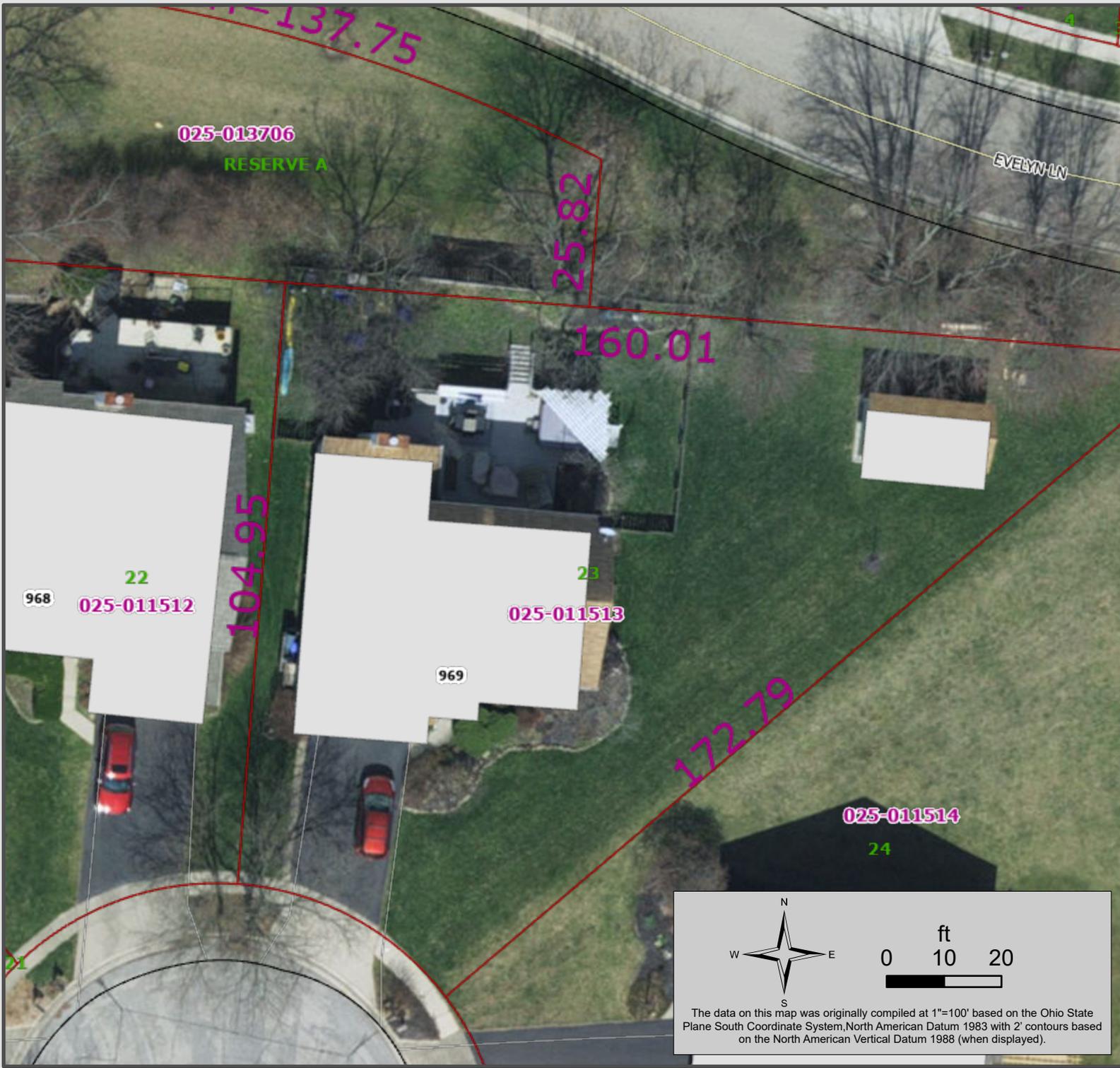
- Index Contour
- Intermediate Contour

**Appraisal Legend**

Source: Franklin County Auditor & Engineer

- Parcel IDs
- Parcel Dimensions
- Lot Numbers
- Site Address
- Parcel Boundary
- Subdivision Boundary
- Condominium Boundary
- County Boundary
- City or Village Boundary
- Tax District Boundary
- School District Boundary
- Zip Code Boundary

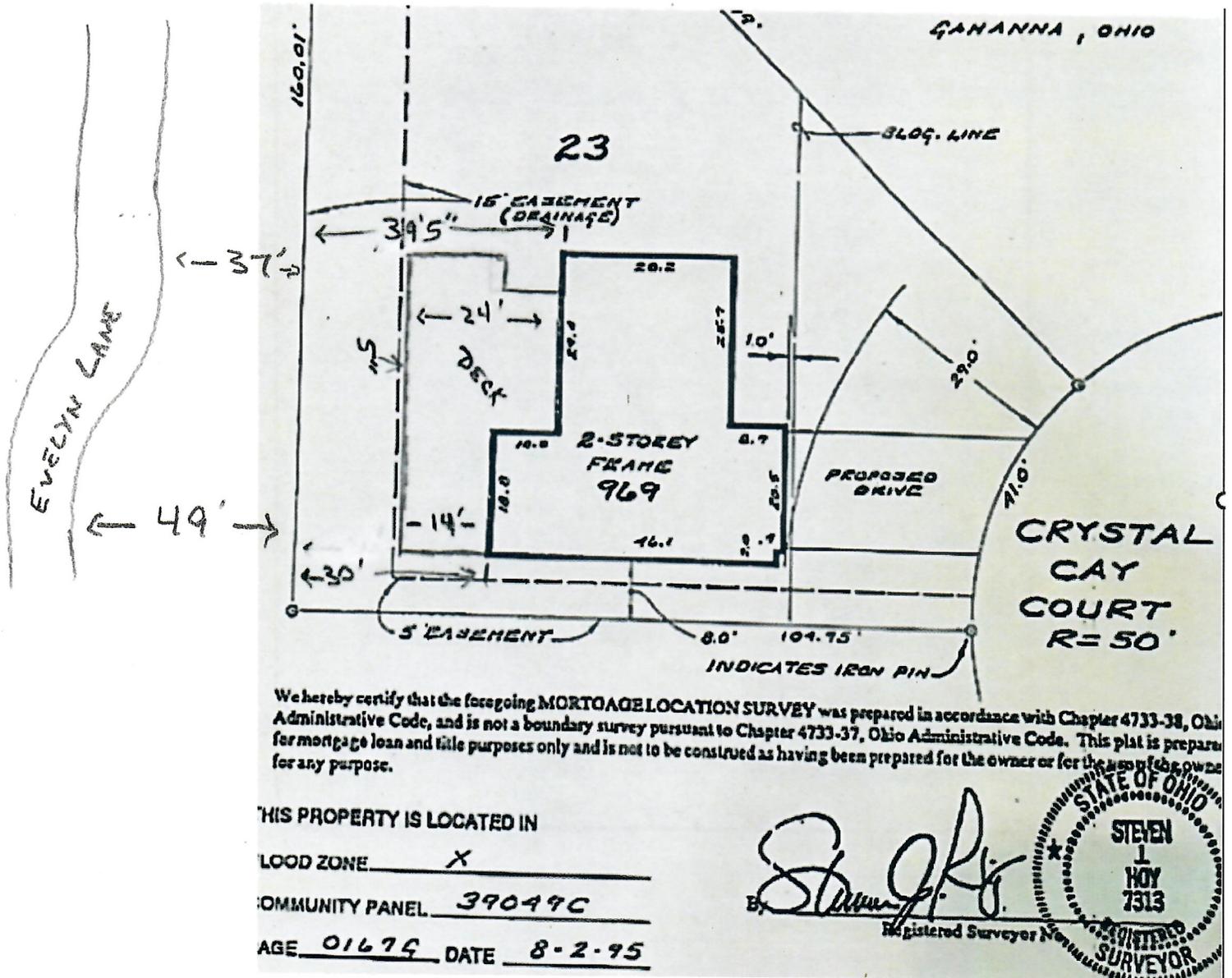
The information on this web site is prepared from the real property inventory maintained by the Franklin County Auditor's Office. Users of this data are notified that the primary information source should be consulted for verification of the information contained on this site. The county and vendors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



The data on this map was originally compiled at 1"=100' based on the Ohio State Plane South Coordinate System, North American Datum 1983 with 2' contours based on the North American Vertical Datum 1988 (when displayed).

## Measurements

- Widest part of Deck 24'
- Deck sits 5" outside of Easement at closest point
- Evelyn Lane is 37' from Property Line at closest point to Deck
- The House sits 39'5" from Property Line at closest point (24' deck leaves 5" to the Easement)
- Deck will sit 8' from West Easement (Deck will be even with West side of house)





## Stakes Indicating Easement and Edge of Deck

- Please note that the string (white) closest to the existing deck represents the 24' mark from the house. The second string (orange) represents the 15' mark of the easement from the property line.
- Also note the shed in the background that is sitting 15' from the property line and just outside the easement, as approved in 2017.
- Existing Deck in the photo sits 22'2" from the house







## PLANNING COMMISSION STAFF REPORT

### Project Summary – 969 Crystal Cay Court

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**Meeting Date:** July 24, 2024

**Zoning:** Large Lot Residential (R-1)

**Application Type(s):** Variance (V)

**Staff Representative:** Maddie Capka, Planner II

**Recommendation:** Staff recommends approval as submitted.

#### Location Map:



## Staff Review

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### Overview

The applicant is requesting approval of a variance to allow a new deck to be located within a front yard setback in what is typically considered a rear yard. The site's primary frontage is along Crystal Cay Court, but it also has frontage along Evelyn Lane to the rear. Due to this, the site technically has two front yards and two front setbacks.

The proposed deck is replacing an existing deck, and it has the same footprint as the original, except that it extends two feet farther north. In the R-1 district, the front yard setback is 35 ft. The deck is located only 20 ft from the north property line, so a variance is required. There is also a 15 ft drainage easement along the north property line, but the deck sits 5 ft from this easement. Engineering has no objections to the proposed deck location.

The site previously did not have double frontage as the street to the rear of their property wasn't constructed until 2015-2016. Even with this new street, there is still 35-47 feet of green space between the applicant's rear property line and the curb, as well as trees and foliage that block most of the view to the site. The applicant states that they need to replace the existing wood deck as it is over 20 years old, and they would like to switch over to a composite deck that will require less maintenance.

## Review Criteria

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### Variance (V)

The following variance has been requested:

1. 1103.07(e) – Large Lot Residential
  - a. Code requires a 35 ft front yard setback.
  - b. The deck is located 20 ft from the north property line.

Before granting a variance, Planning Commission shall find that:

- a) The variance is not likely to result in substantial change to the essential character of the neighborhood;
- b) The variance is not likely to result in damage to adjoining properties;
- c) The variance is not likely to affect the delivery of governmental services (e.g., water, sewer, garbage);
- d) The variance is not likely to result in environmental impacts greater than what is typical for other lots in the neighborhood.
- e) The variance is necessary for the economical use of the property, and such economical use of the property is not easily achieved through some method other than a variance; and,
- f) The variance is not likely to undermine the objectives of the land use plan.

## Recommendation

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Staff recommends approval of the variance as submitted as staff believes the variance criteria has been met. Since the site has two frontages, it has much larger setbacks on the site than what is typical in the City. If the site only had one frontage, the rear yard setback would be 10 ft and a variance would not be required.