



VARIANCE APPLICATION SUMMARY



File Number	V-25-13
Property Address	307 RIVERS END RD GAHANNA, OH 43230
Parcel ID	025-000666
Zoning District	R-3 - Small Lot Residential
Project/Business Name	Garage
Applicant	Don Mack dmack1977@gmail.com 419-204-1641
Description of Variance Request	From previous discussions with Gahanna Planning, I was aware of the one foot set back from the side property line for the driveway, and did not notice on the approved plans that there is a five foot set back from the side property line for the garage. The footer and foundation have been installed with a 36 inch distance to the side property line and five foot from the rear property line. I am requesting a variance of the five foot requirement from the side property line as the structure currently has a 36 inch distance.

Requested Variances

Code Section	Code Title
Ch 1103.09(e)	Small Lot Residential

List of Contiguous Property Owners to 307 Rivers End Rd, and their mailing Addresses

Caleb Redfern, 315 Rivers End Rd, Gahanna, OH 43230

Nancy Clark, 299 Rivers End Rd, Gahanna, OH 43230

Marshall Peterson, 314 Rocky Fork Dr, Gahanna, OH 43230

Kevin Blanke, 308 Rocky Fork Dr, Gahanna, OH 43230

1. What are the special circumstances or conditions necessitating the variance?

The owner, Don Mack, did not notice on the plans the five foot distance from the side property line to the new garage which is required by code. From the previous discussion with the Planning department, the owner was aware of a one foot driveway minimum to the side property line, and thought that the structure would be the same. The structure has a footer and foundation installed at 36 inches from the side property line.

2. How is the variance necessary for preservation and enjoyment of property rights?

It is estimated that moving the structure would incur an additional \$8-10,000 cost.

3. How will the variance not adversely affect the health or safety of the surrounding area?

It is still far enough from the side property six foot solid fence of the neighbor to not encroach on their property. Two trees were removed for this project which were putting leaves and black walnuts onto the neighbor's property which was a nuisance.

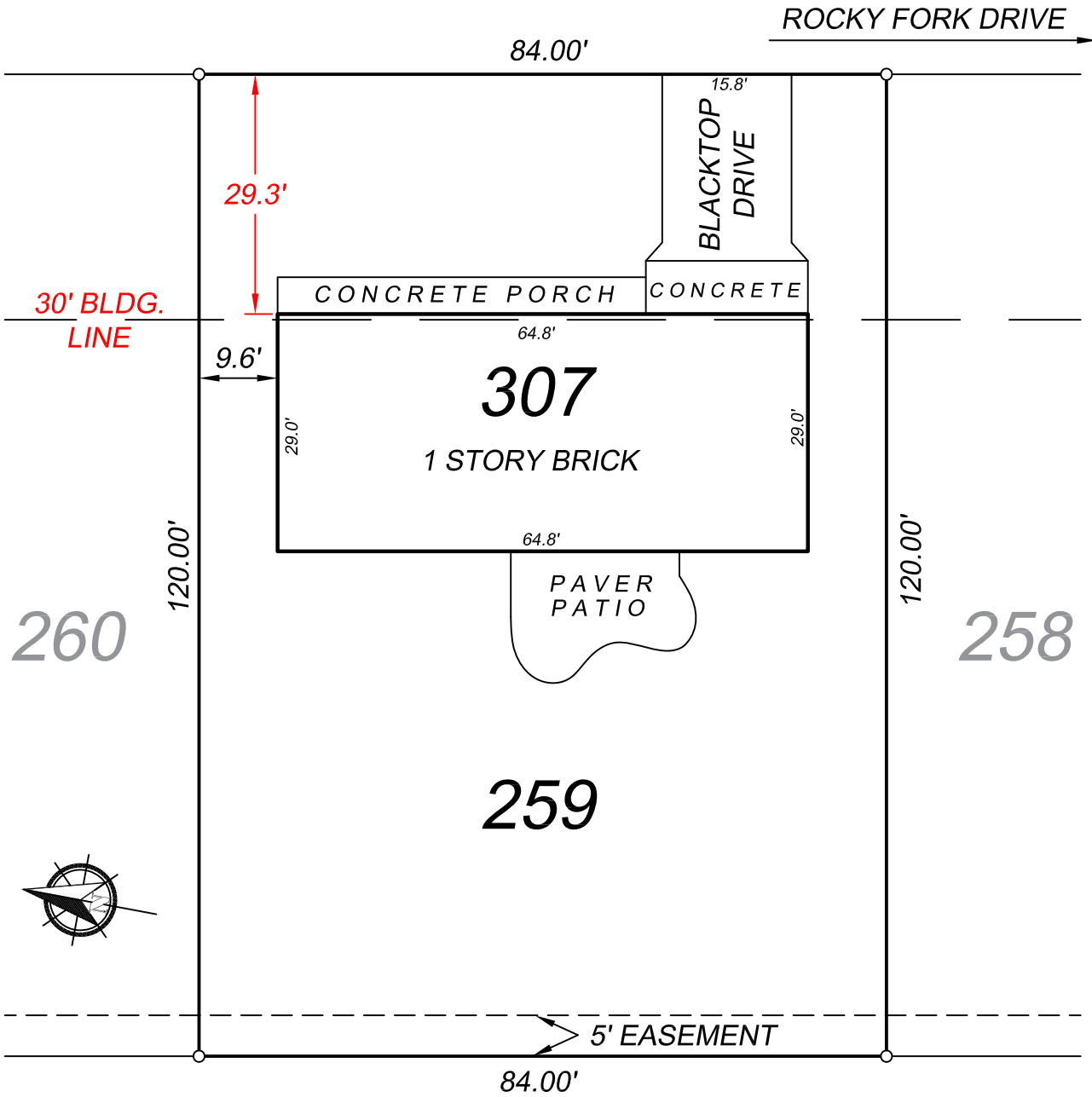
HOY LAND SURVEYING
1767 McCorkle Blvd #1767
Westerville, Ohio 43086
Phone: 614-679-1186



JOB NUMBER #: 3664-2024 S DATE OF DRAWING 7-19-24

CERTIFIED TO NORTHWEST PLATINUM TITLE, LLC
LENDER U.S. BANK NATIONAL ASSOCIATION BUYER MACK
LEGAL DESC. LOT 259 ~ GRAMERCY PARK ESTATES P.B. 26 PG. 21
CITY/TWP. COLUMBUS COUNTY FRANKLIN DRN. KLH CK. SJH DRAWING SCALE 1" = 20'
FEMA INFORMATION: FLOOD ZONE X MAP PANEL INFO 39049C 0329K MAP DATE 06-17-08

RIVERS END ROAD 50'



ENCROACHMENT INFORMATION
HOUSE OVER 30' BLDG. LINE

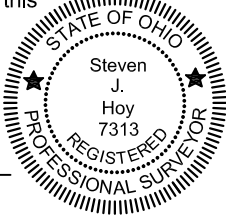
I / WE HAVE RECEIVED A COPY OF THIS SURVEY
AND FIND THE CONDITIONS ACCEPTABLE.

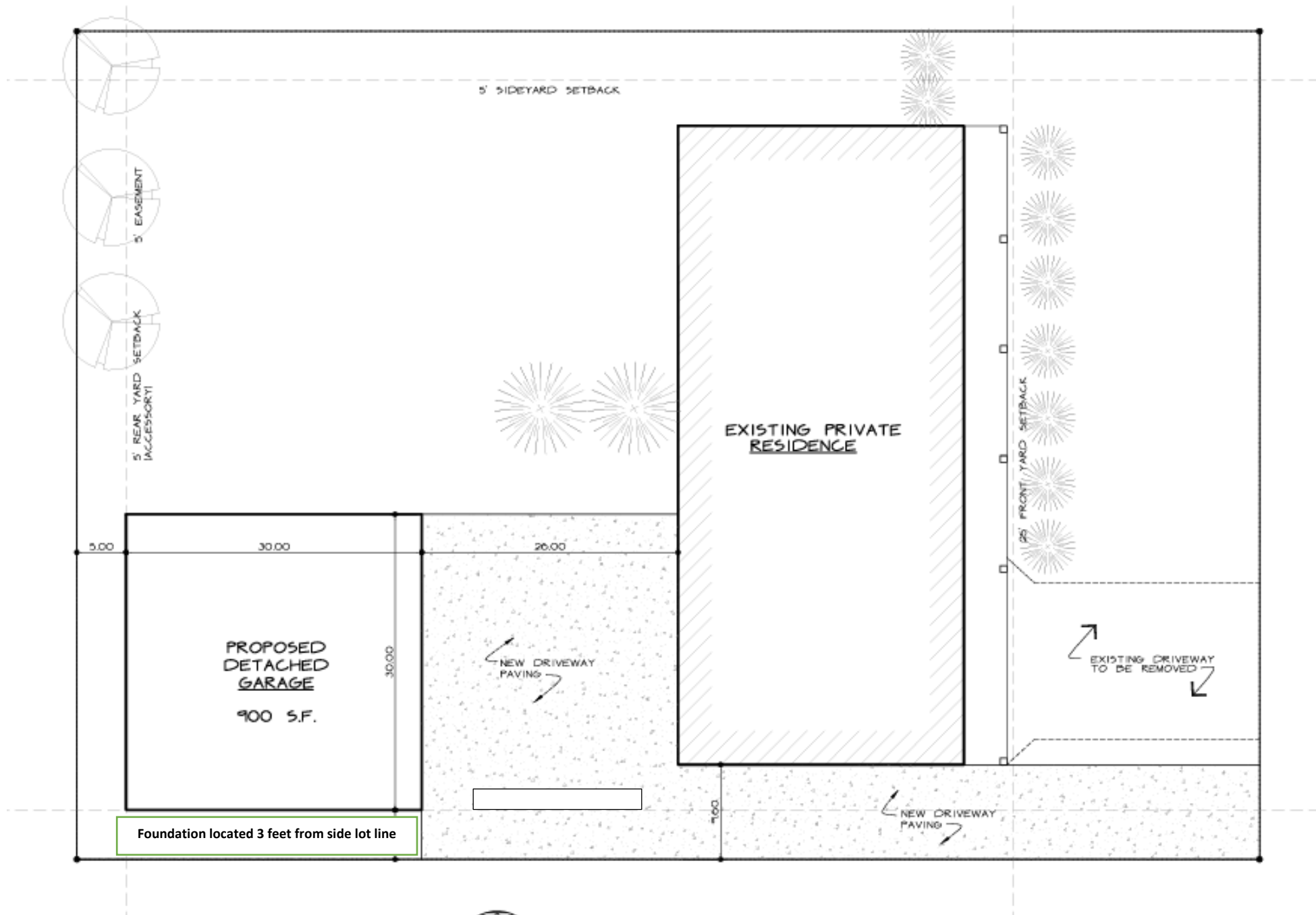
BUYER / OWNER

BUYER / OWNER

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 and is not to be used to erect fences or other structures. Easements shown on this plat were taken from the subdivision plat of record. Additional easements affecting this property may exist.

By 







PLANNING COMMISSION STAFF REPORT

Project Summary – 307 Rivers End Road

Meeting Date: May 14, 2025

Zoning: Small Lot Residential (R-3)

Application Type(s): Variance (V)

Staff Representative: Maddie Capka, Planner II

Recommendation: Staff recommends disapproval of the application.

Location Map:



Staff Review

Overview

The applicant is requesting approval of a variance to allow a detached garage within a side yard setback. The zoning code requires a 5 ft side yard setback for all properties zoned R-3. The garage is 3 ft from the south property line.

A residential building permit was approved for the garage in January 2025. The plans submitted for the permit showed the garage at 5 ft from the south property line and met all zoning requirements. However, when a foundation inspection was performed for the garage, it measured only 3 ft from the south property line. This is why the applicant is requesting a variance.

The applicant states that they did not notice the 5 ft setback shown on the approved plans and that is why it was built in the wrong location. However, the setback was labeled on the plans and structures must be installed exactly as shown on approved building plans.

Review Criteria

Variance (V)

The following variance has been requested:

1. 1103.09(e) – Small Lot Residential
 - a. Accessory structures must be at least 5 ft from the side property line.
 - b. The garage was constructed only 3 ft from the south 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;
- f) The variance is not likely to undermine the objectives of the land use plan;
- g) Whether the variance is substantial and is the minimum necessary to make possible the reasonable use of land or structures; and,
- h) The practical difficulty could be eliminated by some other method, even if the solution is less convenient or more costly to achieve.

Recommendation

Staff recommends disapproval of the variance as submitted. The detached garage was approved at 5 ft from the property line, so there is sufficient room on the site to fit the garage and meet setback requirements. Staff does not believe all the variance criteria is met as there are no special circumstances on the site to necessitate a variance, and cost is not a factor when considering a variance, per criteria H. If the variance is not approved, the garage foundation and footers must be moved 5 ft from the south property line.