



# CITY OF GAHANNA

DEPARTMENT OF PUBLIC SERVICE AND ENGINEERING

200 S. Hamilton Road  
Gahanna, Ohio 43230  
Zoning Division: 614-342-4025  
zoning@gahanna.gov

## VARIANCE APPLICATION

PLEASE NOTE: This application is not to be considered complete until all documents are received and approved by the Planning & Zoning Administrator.

Project/Property Address or Location: 152 Rugby Lane, Gahanna, OH 43230		Project Name/Business Name (if applicable): SHEP BUILDING	
Parcel ID No.(s) 02500609100	Current Zoning: SF3	Total Acreage: .28	
Description of Variance Requested: Variance to the 10ft / 7.5ft from property line.			
STAFF USE ONLY - Code Section(s) & Description of Variance: 1143.08(b)(c) To allow a shed to be placed less than 10' from the rear property line and less than 7.5' from the side property line			
APPLICANT INFORMATION (primary contact)			
Name (please do not use a business name): ANDREW ZUCCARO		Address: 152 Rugby Lane, Gahanna, OH 43230	
E-Mail: andrew.zuccaro@gmail.com		Phone No. 216-509-4815	
ATTORNEY/AGENT INFORMATION			
Name:		Address:	
E-Mail:		Phone No.	
ADDITIONAL CONTACT INFORMATION (please list all applicable contacts)			
Names: -Contractor: ALUM CREEK SHEDS -Developer: -Architect:		Contact Information (phone no./email): 614-395-4017	
Property Owner Name: (if different from Applicant)		Contact Information (phone no./email):	

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 Signature: Andrew Zuccaro

Date: 12/12/16

INTERNAL USE ONLY

Zoning File No. 16120013  
PC Meeting Date: Jan. 11, 2017  
PC File No. V-0001-2017

RECEIVED: Ming  
DATE: 12-12-16

PAID: \$150-  
DATE: 12-14-16  
CHECK#: 297  
Ming

## VARIANCE APPLICATION – SUBMISSION REQUIREMENTS

PLEASE NOTE: This application is not to be considered complete until all documents are received and approved by the Planning & Zoning Administrator.

STAFF USE - INTAKE	TO BE COMPLETED/SUBMITTED BY THE APPLICANT:	APPLICANT		STAFF USE	
		YES	N/A	YES	N/A
	1. Review Gahanna Code Section 1131 (visit <a href="http://www.municode.com">www.municode.com</a> ) (Sign Variances, refer to Section 1165.12; Fence Variances, 1171.05; Flood Plain Variances, 1191.18)	✓			
✓	2. Pre-application conference with staff	✓		✓	
✓	3. Survey of property certified by a registered surveyor (11x17" copy)	✓		✓	
✓	4. Legal description of property certified by a registered surveyor (11x17" copy)	✓		✓	
✓	5. List of contiguous property owners & their mailing address	✓		✓	
✓	6. Pre-printed mailing labels for all contiguous property owners	✓		✓	
✓	7. 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) - Special circumstances or conditions - Necessary for preservation - Will not materially affect adversely the health or safety	✓		✓	
✓	8. Application fee paid (\$150 for single-family residential districts; \$300 for all other zoning districts)	✓		✓	
✓	9. Application & all supporting documents submitted in digital format <i>email</i>	✓		✓	
✓	10. Application & all supporting documents submitted in hardcopy format	✓		✓	
✓	11. Authorization Consent Form Complete & Notarized (see page 3)	✓		✓	

## APPLICATION ACCEPTANCE

This application has been reviewed and is considered complete and is hereby accepted by the Zoning Division of the City of Gahanna and shall be forwarded to the City of Gahanna Planning Commission for consideration.

☐ Planning Commission must recommend to City Council for final approval

Planning & Zoning Administrator Signature: Bonnie Gard Date: 12/15/16

INTERNAL USE ONLY

## 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.

### AUTHORIZATION FOR OWNER'S APPLICANT OR REPRESENTATIVE(S)

If the applicant is not the property owner, this section must be completed and notarized.

I, Andrew Zuccaro, the owner of the subject property listed on this application, hereby authorize Andrew Zuccaro to act as my applicant or representative(s) 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 designated representative.

Property Owner Signature: Andrew Zuccaro Date: 12/12/16

### AUTHORIZATION TO VISIT THE PROPERTY

I, Andrew Zuccaro, the owner of the subject property listed on this application, hereby authorize City representatives to visit, photograph and post notice (if applicable) on the property as described in this application.

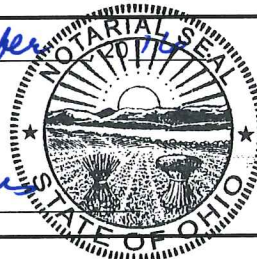
Property Owner Signature: Andrew Zuccaro Date: 12/12/16

NOTARY

Subscribed and sworn to before me on this 12 day of December

State of Ohio County of Franklin

Notary Public Signature: Fredena L. Williams



Fredena L. Williams  
Notary Public, State of Ohio  
My Commission Expires 06-28-2017

### AGREEMENT TO COMPLY AS APPROVED

I, Andrew Zuccaro, the contractor/applicant of the subject property listed on this application, hereby agree that the project will be completed as approved and any proposed changes to the approved plans shall be submitted for review and approval to the Zoning Division staff.

Contractor/Applicant Signature: Andrew Zuccaro Date: 12/12/16

NOTARY

Subscribed and sworn to before me on this 12 day of December

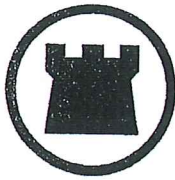
State of Ohio County of Franklin

Notary Public Signature: Fredena L. Williams



Fredena L. Williams  
Notary Public, State of Ohio  
My Commission Expires 06-28-2017

SAVE APPLICATION



Chicago  
Title

POWERED BY  
**STARS**  
SURVEY TRACKING  
AND  
RETRIEVAL SYSTEM  
www.surveystars.com



PROPERTY ADDRESS: 152 RUGBY LANE GAHANNA, OHIO 43230

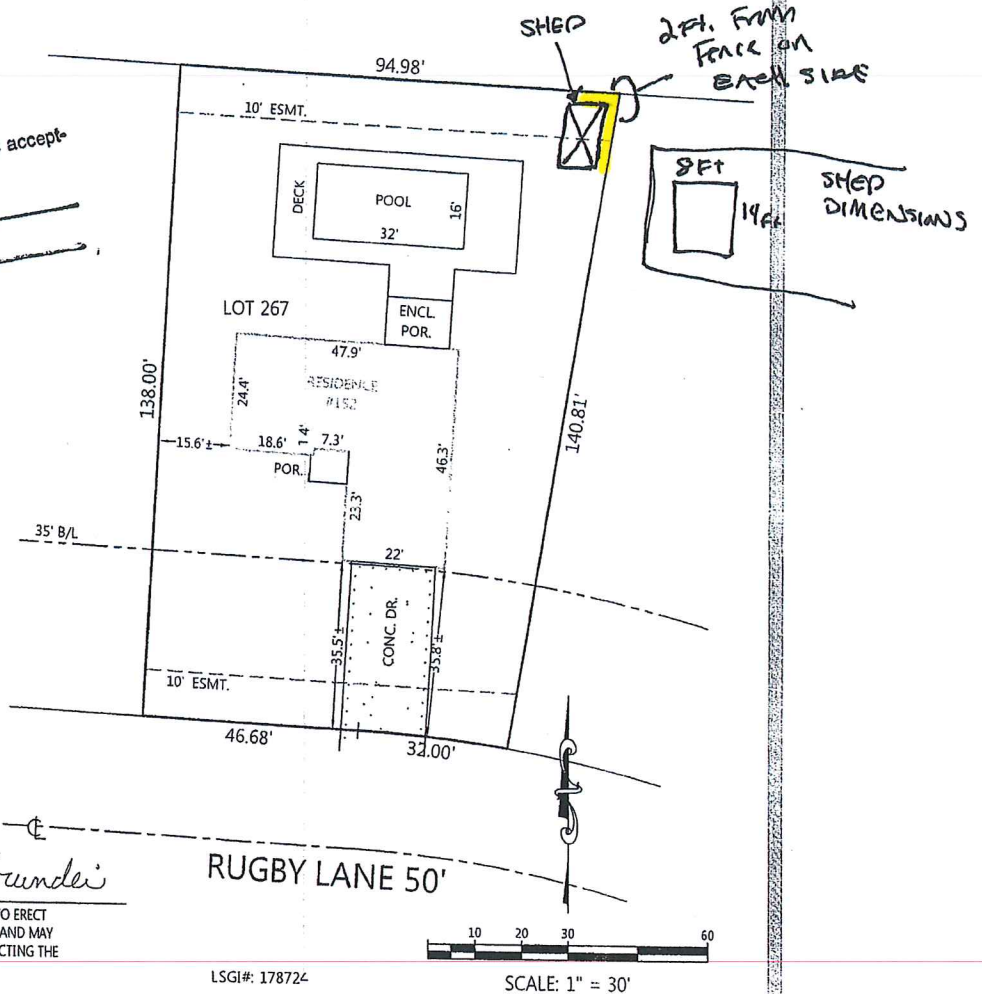
SURVEY NUMBER: 178724

I/we received a copy of this  
survey & signed the conditions accept-  
able to me/us



*Scott D. Grundei*

THIS PLAT IS NOT TO BE USED TO ERECT  
FENCES OR OTHER STRUCTURES, AND MAY  
NOT SHOW ALL EASEMENTS AFFECTING THE  
SUBJECT TRACT



POINTS OF INTEREST: NONE VISIBLE.

CLIENT NUMBER: 12151321

DATE: 1/28/2016

BUYER: ANDREW ZUCCARO AND LAUREN PIPHER

SELLER: BRENT AND KIMBERLY PARKS

SUBLOT / ORIGINAL LOT: 267

SUBDIVISION: IMPERIAL RISE PLAT NUMBER 4

PLAT: 54

PG: 78

COUNTY: FRANKLIN

CERTIFIED TO: CHICAGO TITLE + THIRD FEDERAL SAVINGS & LOAN  
ASSOC OF CLEVELAND

THIS PLAT DEPICTS THE SUBJECT PROPERTY IN ACCORDANCE WITH THE OHIO  
ADMINISTRATIVE CODE, CHAPTER 4733-38, MINIMUM STANDARDS FOR MORTGAGE  
SURVEYS IN THE STATE OF OHIO, AND IS NOT A BOUNDARY SURVEY PURSUANT TO  
CHAPTER 4733-37, OHIO ADMINISTRATIVE CODE.

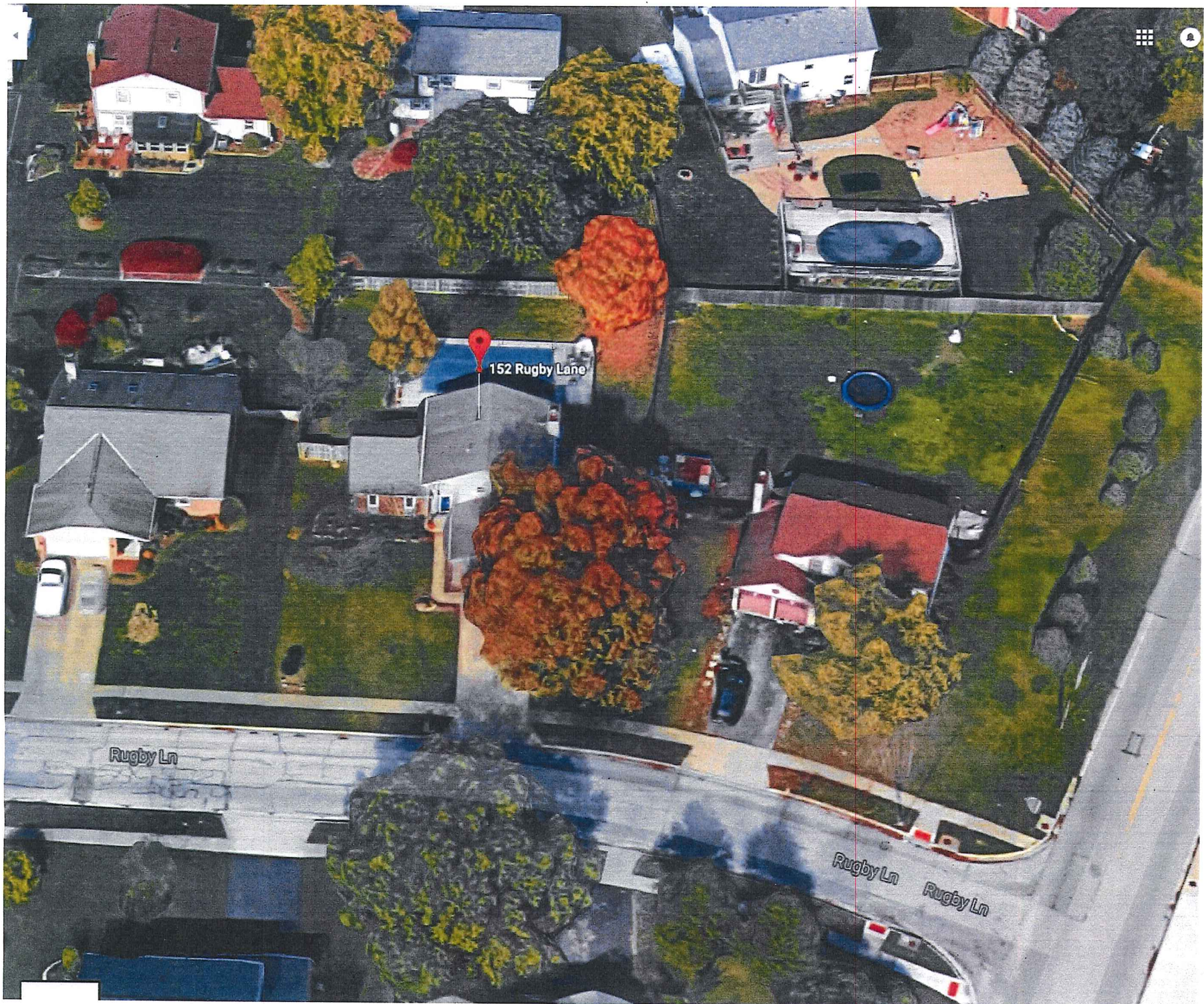
THIS MORTGAGE LOAN IDENTIFICATION SURVEY IS NOT TO BE USED  
FOR THE INSTALLATION OR BUILDING OF FENCES, SHEDS, GARAGES,  
ADDITIONS OR ANY OTHER STRUCTURE. TO DETERMINE EXACT  
BOUNDARY LINES, A BOUNDARY SURVEY IS REQUIRED.

Landmark Survey  
is proud to support:

susan g.  
**komen**  
FOR THE  
cure.

**LANDMARK**  
Survey Group

Landmark Survey Group  
2099 West Fifth Avenue  
Columbus, Ohio 43212  
Phone: 614.485.9000  
Fax: 614.485-9003



Darwin & Janet Drager  
154 Rugby Lane  
Gahanna, Ohio  
43230

Darwin & Janet Drager  
154 Rugby Lane  
Gahanna, Ohio  
43230

Patty & Mike Perone  
185 Gothic Ct.  
Gahanna, Ohio  
43230

Patty & Mike Perone  
185 Gothic Ct.  
Gahanna, Ohio  
43230

George & JoAnne Amos  
175 Gothic Ct.  
Gahanna, Ohio  
43230

George & JoAnne Amos  
175 Gothic Ct.  
Gahanna, Ohio  
43230

Kelly & Tamline Sparks  
169 Gothic Ct.  
Gahanna, Ohio  
43230

Kelly & Tamline Sparks  
169 Gothic Ct.  
Gahanna, Ohio  
43230

Sheila Jones White  
150 Rugby Lane  
Gahanna, Ohio  
43230

Sheila Jones White  
150 Rugby Lane  
Gahanna, Ohio  
43230

Dear Zoning Committee,

We are applying for in regards to the Yard Requirements – 1143.08 Zoning Code of Ordinances; pertaining to the placement of the shed we wish to have built on my property located at 152 Rugby Lane.

The Zoning Code states that “A permitted unattached accessory building or structure shall be placed no closer than 10 feet to the rear property line” and leave the side yard with “...no less than seven and one-half feet in width.” We are applying for a variance in hopes of being granted permission to place our shed closer to the property lines than stated in the Zoning Code of Ordinances, as our backyard and deck configuration do not adequately allow for such placement.

We have included explanations of our conditions, property maps, photographs for better context, and the names and signatures of adjoining neighbors. Thank you for reviewing our application and explanation of conditions required for obtaining a variance to this particular Zoning Code, and please let us know if there is any other information we can provide for you.

Thank you very much,

Andrew & Lauren Zuccaro

152 Rugby Lane  
Gahanna, OH. 43230  
216-509-4815

## **Conditions Necessary for Public Hearing of Variance**

### **A) There are special circumstances or conditions applying to the land, building or use referred to in the application.**

- Due to pool and deck being located in the center of the yard, only the perimeter is available for shed placement.
- By placing 10ft from back line and 7.5ft from side line the shed would be too close to the deck or require removing part of the deck to allow adequate room for use and passage.
- Placement of the shed behind the house behind kitchen side (rear/North) would block the line of sight to the pool, a safety hazard when swimmers are using the pool. This placement would also harm the in-ground drainage installed due to neighboring yards sloped towards our property.
- Placement on the east side of the porch would both A. block the gate opening/entrance and B. obstruct/harm the water lines from the pump and filter to the pool.
- Placement on the west side of the house would A. block the gate opening/entrance, B. obstruct/harm the in-ground drainage installed due to neighboring yards sloped towards our property. This would also leave inadequate room to walk, maneuver, or care for the yard and utilities as the deck is connected to the house. Utilities there include A/C, --Electrical, TV and Internet, Sump Pump and Yard Spigot- located along the rear of the house (Rear/North side).
- Placement in the rear left (North West) corner would require removing our functioning vegetable and herb garden.

### **B) The granting of the variance is necessary for the preservation and enjoyment or substantial property rights.**

- Placing the shed in any of the areas listed above would drastically affect the use and function of the backyard. It would also disrupt the mechanicals and access to those mechanicals necessary for the house, the pool, and the effectiveness of draining installed, due to the slope of neighboring yards towards the house.

### **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.**

- Placement of the shed in the rear-right (North East) corner of the yard would be the most advantageous placement for safe and easy maneuvering and care for the property. It would be the most out of the way and most aesthetically pleasing, two factors of importance in our beautiful city of Gahanna. A privacy fence surrounds the entire yard and only the roof would be visible from other properties, if at all.

This would also allow us to maintain a clean, debris-free, and most important, a safe yard.



1. Screened Porch, Backyard



2. Rear of House, Screened Porch, Utilities, Drainage



3. Pool, Looking towards NE corner



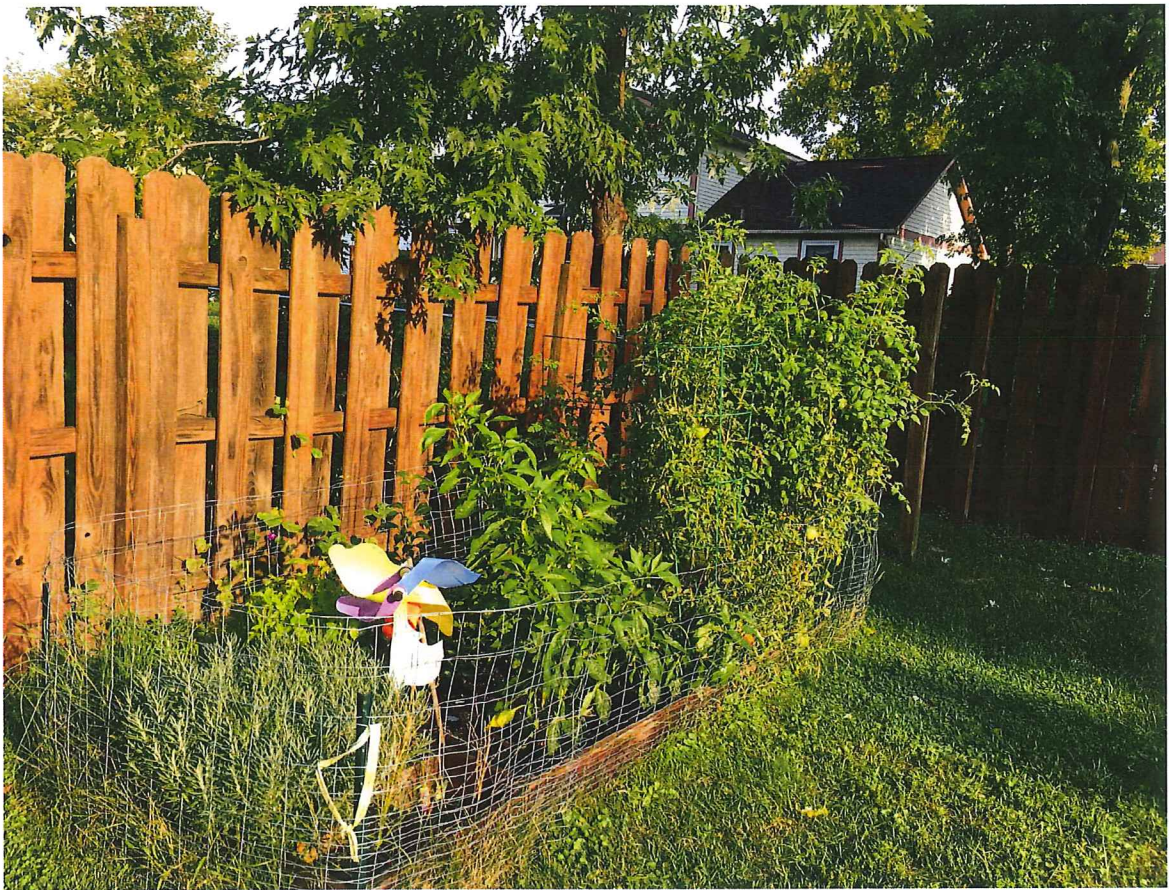
4. East Corner, Fence Gate



5. Looking towards house, Pool Utilities, In-ground Water Lines



6. West corner, In-ground drainage, Rear of house



7. Garden, NW corner of backyard



8. West corner, Looking South, Fence gate, In-ground drainage



9. Rear view, Utilities, Fence gate, In-ground drainage



10. NE corner, Desired Shed Location



11. East corner, Pool Utilities, In-ground water lines for pool



## **Mifflin Township Division of Fire Fire Inspection Bureau**

475 Rocky Fork Blvd., Gahanna, OH 43230  
Phone: (614) 471-0542

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### **Zoning Plan Review Response**

**Applicant**    152 Rugby Lane  
                    Gahanna, OH 43230

The Fire Division has no comment on the zoning issue for this occupancy since it is residential.

December 20, 2016

\_\_\_\_\_  
Date

A handwritten signature in black ink, appearing to read "Steve Welsh", written over a horizontal line.

\_\_\_\_\_  
**Steve Welsh, Captain, Fire Marshal**

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## APPLICATION STAFF COMMENTS

**DUE: Wednesdays - 10 AM**

To **SUBMIT:** File>SAVE AS ADOBE PDF with naming convention: "Staff Comments – YOURNAME" to:  
T:/Zoning/Applications IN PROGRESS/(the project folder)

**Project/Property Address or Location:** 152 Rugby Lane

**Project Name/Business Name:** Shed Variance

SUBMITTED BY:

Name: Michael Blackford

Title: Deputy Director

Department: Planning and Development

### Variance Criteria

At such hearing the applicant shall present a statement and adequate evidence, in such form as the Planning Commission may require and the Planning Commission shall not grant a variance unless it finds that all of the following conditions apply to the case in question:

- (a) There are special circumstances or conditions applying to the land, building or use referred to in the application.  
*The applicant has provided details as to why it would be difficult or less than ideal to place the shed in various locations on the property. As requested, the shed would be located 2 feet from the side and rear property lines. It is not clear to Planning and Development staff as to why the rear yard variance is required. The applicant states that the shed cannot be located elsewhere as it would interfere with the enjoyment of the pool. If the shed door faces south, as it appears it would, it is unclear how the shed would be unusable if located out of the rear yard setback. It is staff's goal to minimize the need and severity of variance requests. Without additional information, it would appear that the shed could be shifted to south out of the rear yard setback. This would eliminate one of the two requested variances.*
- (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.

It is Planning and Development staff's opinion that the variance as submitted is not consistent with the aforementioned criteria. Staff recommends further discussion regarding the need for both the side and rear yard variance. It would appear that one of the variances, most likely the rear yard, could be eliminated while still providing reasonable use of the property.

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T:/Zoning/Applications IN PROGRESS/(the project folder)

**Project/Property Address or Location:** 152 Rugby Lane

**Project Name/Business Name:** Andrew Zuccaro

SUBMITTED BY:

**Name:** Bonnie **Title:** P&ZA

**Department:** Service

• The applicant seeks to receive approval to locate a shed 2' from the side property line and 2' from the rear property line in the north east corner of the property. The zoning for this parcel is SF-3 and requires a 7.5' side setback and a rear setback of 10'. The applicant has indicated that the shape and configuration of the pool and deck affect the required placement of the shed thus necessitating the variance request.

• Planning Commission shall not grant a variance unless it finds that all of the following conditions apply to the case in question:

- (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.
- .

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## APPLICATION STAFF COMMENTS

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to: T:/Zoning/Applications IN PROGRESS/(the project folder)

**Project/Property Address or Location:** 152 Rugby Lane

**Project Name/Business Name:** Andrew Zuccaro

SUBMITTED BY:

Name: Robert S. Priestas Title: City Engineer

Department: Public Service and Engineering

The proposed shed will be located within an easement. The shed may encroach into the existing easement provided that if access to the easement is required for any purpose that will require relocation or removal of the shed, the property owner shall be responsible for all costs associated with the removal/relocation. The relocation/removal of the shed shall occur within 14 days of property owner notification.

The proposed shed installation shall not impede drainage in any way.