



Jackson Township, Franklin County, Ohio

Board of Trustees

David Burris
Ron McClure
Jim Rauck

Fiscal Officer

Ron Grossman

Township Administrator

Shane Farnsworth
Assist. Twp. Administrator/HR/AFO
Angela Lee

Variance 11-VA-2024

Property Owner: Don & Ronda Kelly

Property: 1223 White Road, (parcel #160-002945)

108.01 Nature of a Variance

On a particular property, extraordinary circumstances may exist making a strict enforcement of the applicable Development Standards of the Zoning Resolution unreasonable. Therefore, the procedure for Variance from Development Standards is provided to allow the flexibility necessary to adapt to changed or unusual conditions, both foreseen and unforeseen, under circumstances which do not ordinarily involve a change in the application of this Zoning Resolution. Applications for Variances are heard by the Board of Zoning Appeals, hereinafter the Board.

Sections of the Jackson Township Zoning Regulations requesting a Variance:

The applicant is requesting a variance to construct an eight-foot-tall fence.

301.02 FENCES AND WALLS

A. Applicability. The provisions of this chapter shall apply to all residential zoning districts and PUD District relative to residential uses. In all other districts fences shall be approved as part of the site plan or development plan.

B. Regulations. In any residential zoning district or PUD no fence or wall shall exceed six (6) feet in height and no fence or wall shall exceed sixty (60) inches in height between the street right-of-way line and the building setback lines as a decorative fence only. Supporting members shall be so installed so as not to be visible from any other property which adjoins or faces the fences or walls being installed. This regulation shall not apply to fences or walls which are designed so that the supporting members are identical in appearance on both sides of the fence or wall. Fences and walls shall be kept in proper repair and maintained so as not to create conditions which endanger the health, comfort, and safety of the public. Partition fences and livestock fences may be permitted within any required yard within the ACOS District.

C. Permit And Inspection. No fence or wall shall be erected or constructed until a permit has been issued by the Zoning Administrator who shall review each request to determine its compliance with this chapter. Each property owner shall determine property lines and ascertain that the fence or wall does not encroach upon another lot, parcel of land, public right-of-way, or easement. The Township shall furnish such inspection as is deemed necessary. An inspection by the Township shall not be construed to mean that the Township has determined that the fence or



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wall is encroaching upon another lot, public right-of-way, or easement, nor shall it relieve the property owner of the duty imposed upon him or her described herein or otherwise required.

D. Construction on Embankments. Where a fence or wall is constructed on an embankment, or where the ground under a fence has been graded to a higher level than the surrounding ground, the permissible height of the fence or wall, as set forth in this chapter shall be reduced by the height of the embankment or grading

Action by the Board

The Board shall only approve a variance or modification thereof if the following findings are made:

- That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same Zoning District.
- *The height of the applicant's house in relation to the neighboring property would limit the effectiveness of a traditional fence.*
- That a literal interpretation of the provisions of this Zoning Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under terms of this Zoning Resolution.
- *Interpretation of this zoning resolution does not deprive this property owner rights commonly enjoyed by other property owners within the same zoning district.*
- That the special conditions and circumstances do not result from the action of the applicant.
- *The difference in elevation between the applicant's property and the residential subdivision to the east was not a result of any action from the applicant.*
- That granting the variance requested will not confer on the applicant any special privilege that is denied in this Zoning Resolution to other lands or structures in the same Zoning District.
- *Granting of the variance will not confer on the applicant any special privilege.*



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- That granting the variance will not adversely affect the health or safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.
- *Granting of the variance will not adversely affect the health or safety of persons residing or working in the vicinity of the fence.*
- *The change in land use to the east is why the applicant is requesting to build a fence along the east property line.*
- *The proposed vertical wood fence will be eight (8) feet tall and no more than three hundred (300) feet in length.*
- *The proposed location is shown in the diagram.*

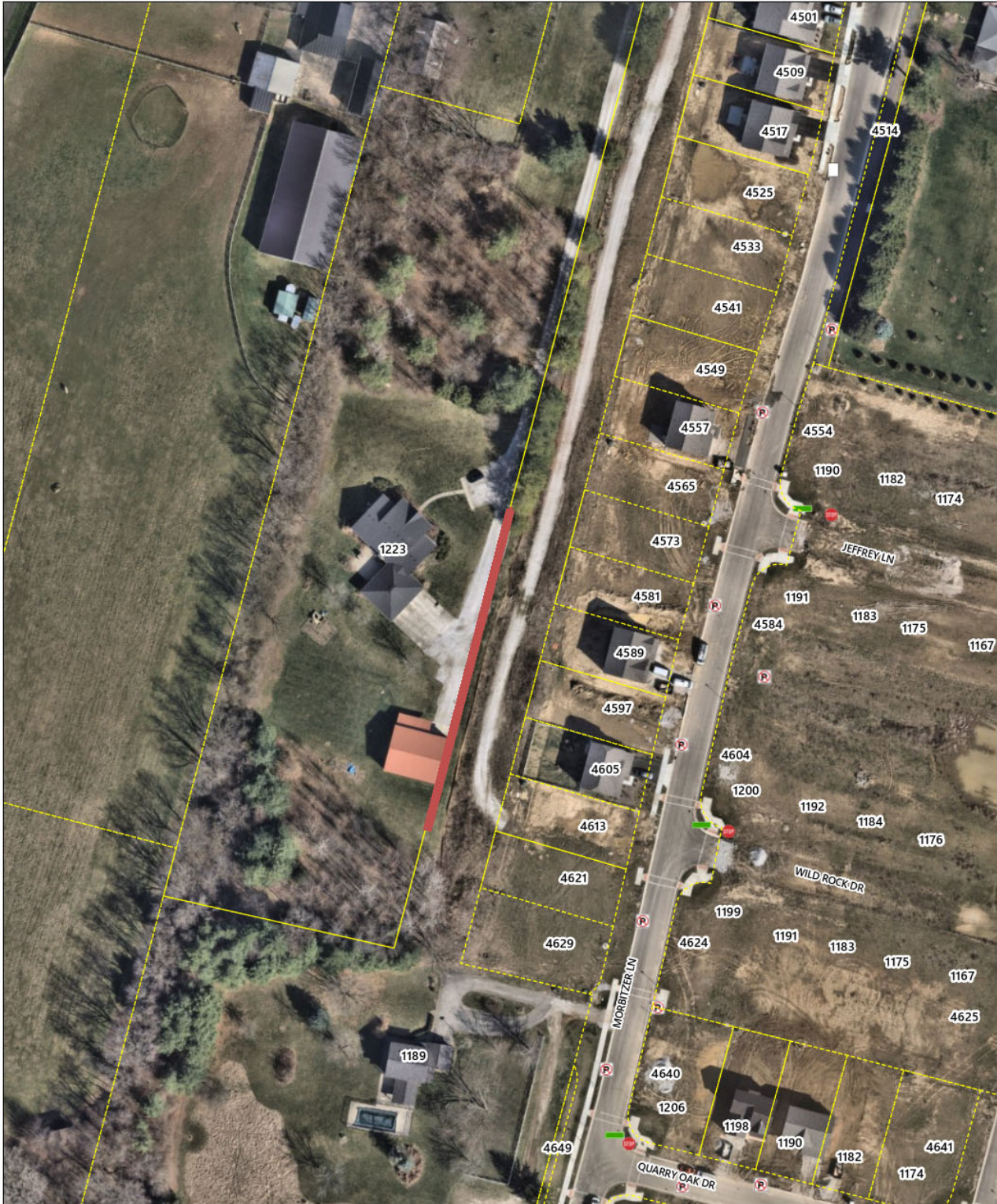
Jackson Township regulations require supporting members shall be so installed so as not to be visible from any other property which adjoins or faces the fences or walls being installed. A zoning permit is required prior to installation.

Based upon the Franklin County Auditor's digital mapping, the existing barn and driveway appear to be on the east property line. The location of the east property line may need to be delineated by a licensed surveyor to ensure the proposed fence is built on the applicant's property.

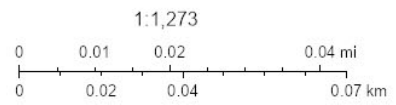
Attachments:

1. Variance Application
2. Site map of proposed fence location
3. Images from Applicant

Grove City, Ohio Web GIS



9/3/2024, 9:42:55 AM



City of Grove City, MORPC, Franklin County Auditor

Fee Paid by Cash / Check # Credit Card Application # 11 -VA-2024
\$ 200.00

APPLICATION FOR VARIANCE

JACKSON TOWNSHIP BOARD OF ZONING APPEALS

3756 Hoover Road Grove City, OH 43123 (614) 875-2742

Property Owner: Don and Ronda Kelly Applicant: Ronda Kelly
Address: 1223 White Rd Zoned: residential
PID: 160- 002945-00 Area/Acres: 4.17 acres Floodplain: no
(Home): 614-558-3187 (Work): — (Cell): 614-558-3187
Email Address: Ronda Kelly 812 e gmail.com

Summary of Variance: On a particular property, extraordinary circumstances may exist making a strict enforcement of the applicable Development Standards of the Zoning Resolution unreasonable or impractical. Therefore, the procedure for Variance from Development Standards is provided to allow the flexibility necessary to adapt to changed or unusual conditions, both foreseen and unforeseen, under circumstances which do not ordinarily involve a change in the application of this Zoning Resolution.

To the Board of Zoning Appeals, the Applicant requests Appeal from Section: 301.02

- | | | |
|--|---|--|
| <input type="checkbox"/> Accessory Structure | <input type="checkbox"/> Access Driveway | <input type="checkbox"/> Setbacks |
| <input type="checkbox"/> Lot Requirements | <input type="checkbox"/> Landscaping | <input checked="" type="checkbox"/> Fence / Wall |
| <input type="checkbox"/> Development Standards | <input type="checkbox"/> Violation Appeal | <input type="checkbox"/> Other |

Requesting the following specific variance:

8 foot fencing around property 300 ft vertical wood fence, 8 ft sections

Under Ohio Law (519.14) the Board of Zoning Appeals may only approve a Variance that (A.) will not be contrary to the public's best interest and (B.) that the spirit and intent of the Zoning Resolution will be observed. The applicant summarizes below the following (Attach extra sheets if necessary):

- Describe the special conditions and/or circumstances that exist and which are peculiar to the land and/or structures for the property seeking Variance. Did the property owner / applicant create the unique circumstances? Yes / (No) (circle one).

In 1999, when we purchased the property, the east side had a beautiful view of fields and trees. Currently, most of the trees have been removed from the property and almost 200 houses will be in that space. There are no natural barriers like trees or shrubs so we are proposing a fence. The fence needs to be at least 8 feet tall due to our house being higher than new neighbors.

Aug 2nd deadline

2. Describe how the Township's Zoning Code restrictions will deprive the property owner of property rights commonly enjoyed by other properties in the area. Did the property owner / applicant purchase the property knowing of these restrictions? Yes / **(No)** (circle one).

For 24 years we had been looking at beautiful farm fields and had privacy. This fence will help with privacy, noise reduction, safety, pet safety and will look better than the back yards of 19 houses. Not having the fence will deprive us from having these rights as a property owner.

3. Describe in specific detail why this Variance request **WILL NOT** adversely affect the health, safety or general welfare of adjacent property owners or neighbors.

The adjacent property owners will enjoy the privacy, noise reduction, safety, and pet safety of the fence and will not adversely affect the health - no health interruptions, all natural product fence, 2. safety - no added safety risks, 3. general welfare of adjacent property - the only directly adjacent property is an easement which will not be adversely affected. Neighbors will not have property values decreased.

SUBMITTAL CHECKLIST

- | | |
|--|--|
| <input checked="" type="checkbox"/> Legal Description / Deed | <input checked="" type="checkbox"/> Photos documenting requested use |
| <input checked="" type="checkbox"/> Plot Plan / Site Plan | <input type="checkbox"/> Date Filed _____ |
| <input checked="" type="checkbox"/> Detailed Building Plan <i>Picture of fence</i> | <input type="checkbox"/> Legal Ad _____ |
| <input checked="" type="checkbox"/> Property Owners within 500' | <input type="checkbox"/> Notices Sent _____ |
| <input checked="" type="checkbox"/> Application Fee | <input type="checkbox"/> Hearing Date _____ |

APPLICANT'S AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

I/We Ronda Kelly
(Name of property owner / applicant)

1223 White Grove City, OH Home: 614-558-3187
(Address) (City, State, Zip Code) 43123 (Phone)
Cell: 614-558-3187 Business: _____
(Phone) (Phone)

“the above named Owner / Applicant being duly sworn, depose and say that I/We are the owner(s) of the land included in the application and that the foregoing statements contained herein and attached hereto, and any and all supplemental information, attachments or exhibits accurately describe the request to the best of my ability. By filing this Application for Variance. I/We do hereby grant permission to Jackson Township and its employees to enter upon my property and to photograph and document all conditions observed therein and to post all application materials upon the Township’s website for public information purposes.”

Ronda Kelly
(Owner Signature)
[Signature]
(Co-Owner Signature)

Subscribed and sworn before me this 2nd day of August 2024
(Day) (Month) (Year)

Kellee S. Copeland
(Notary Signature)

Stamp or Seal

KELLE S COPELAND
Notary Public
State of Ohio
My Comm. Expires
July 17, 2026

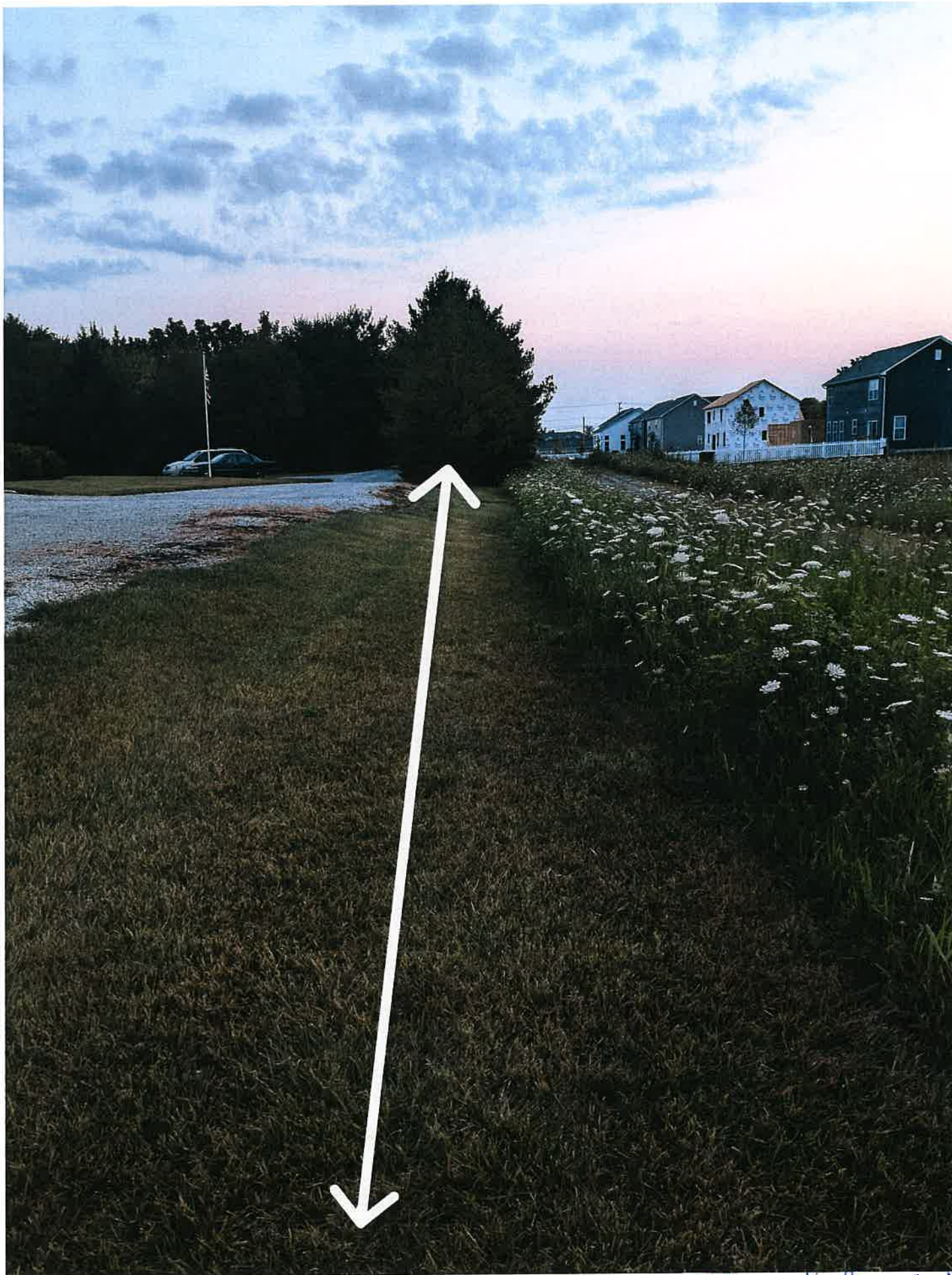
ACTION BY TOWNSHIP

Application Received & Accepted by: _____ Date: _____

Hearing Date: _____ 7:00pm at the Jackson Township Hall, Grove City, Ohio



Fence will be along white line



area of fence line



Beautiful view
prior to
building



shot on moto g7 power

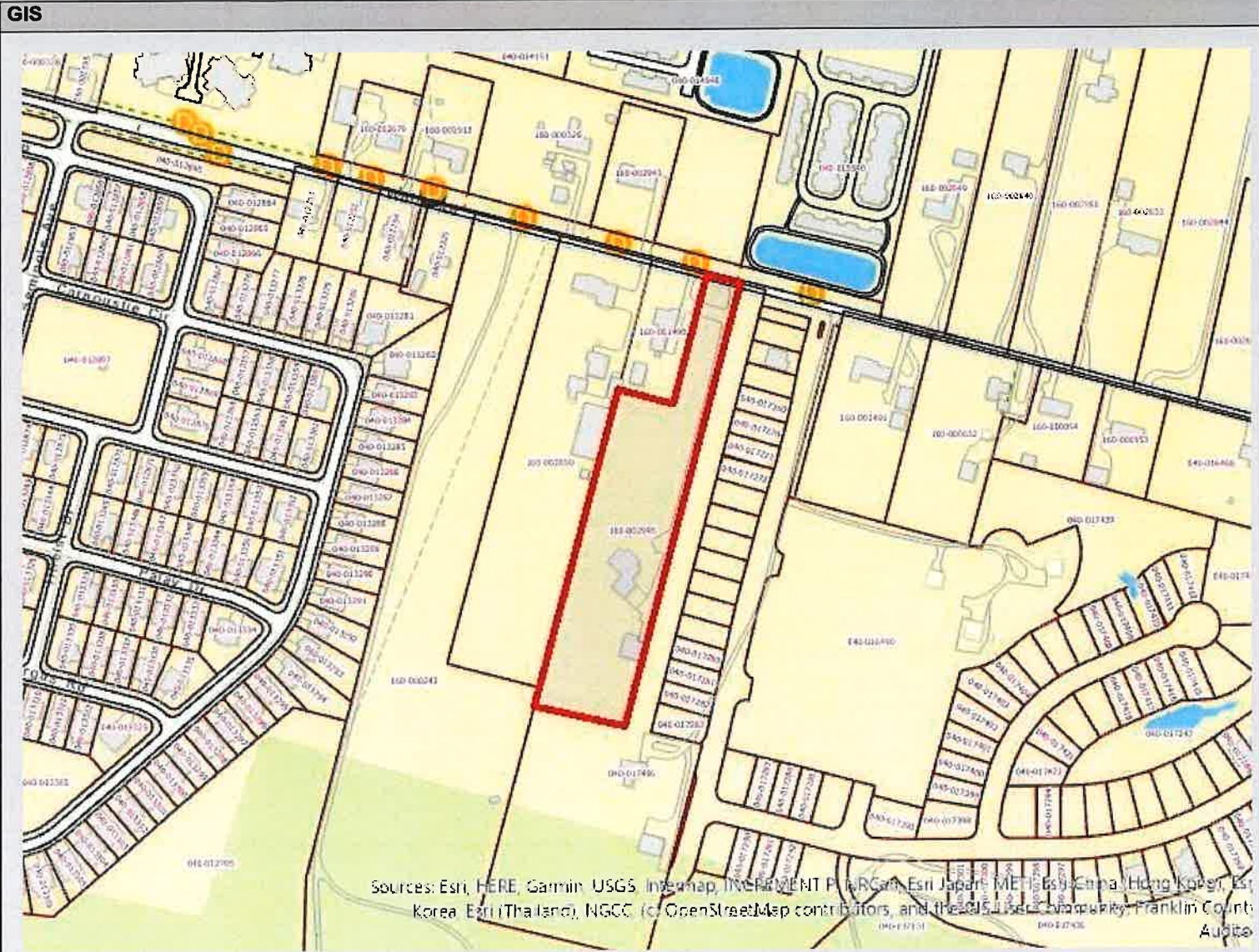




MAP(GIS)

Generated on 08/02/2024 at 09:58:12 AM

Parcel ID	Map Routing No	Owner	Location
16000294500	1600034B 01702	KELLY DONALD W	1223 WHITE RD



Disclaimer

This drawing is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this drawing are notified that the public primary information source should be consulted for verification of the information contained on this drawing. The county and the mapping companies assume no legal responsibilities for the information contained on this drawing. Please notify the Franklin County GIS Division of any discrepancies.

The information on this web site is prepared for the real property inventory within this county. Users of this data are notified that the public 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.