



Jackson Township, Franklin County, Ohio

Board of Trustees

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Variance 1-VA-2025

Property Owner: Viktor Velichko

Property: 3550 Big Run South Road (parcel #160-001274)

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 allow for an accessory structure larger than permitted by lot size. Building is 40' x 56' (2,240 square feet).

303.02 Development Standards

- A. Location. Accessory uses and structures shall be located completely to the rear of the principal structure and shall be no closer than ten (10) feet from any part of the principal structure. Accessory uses and structures shall be no closer than five (5) feet to any rear and side property line. Accessory uses and structures shall not be located within a recorded easement.
- B. Quantity. A lot in a residential zoning district and residential portion of a planned district shall not contain more than two (2) accessory structures. A second accessory structure of the same purpose (i.e., a second storage barn, a second swimming pool, etc.) may not be constructed without first securing Variance approval from the Board of Zoning Appeals. The additional structure may only be permitted as a conditional use with the approval of the Board of Zoning Appeals.
- C. Exterior. In order to protect property values and encourage neighborhood stability an accessory structure shall have an exterior which meets these standards and is compatible in appearance to the principal residential structure on the parcel or lot. Compatibility shall be determined based upon the following criteria: exterior building materials, color, architecture, roof style, and siding.
- D. Area. The maximum permitted area of an accessory structure placed on a lot in a residential zoning district shall be based on the following lot categories on which the accessory structure is to be located.



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3. Lot Size Four (4) or More Acres. An accessory structure shall be no larger than two thousand (2,000) square feet and shall not exceed a height of twenty-two (22) feet as measured from the floor to the top of the roof with a minimum roof pitch of 4':1" and no door serving the accessory structure shall exceed 14' feet in height.

The parcel is 4.535 acres. The accessory building was constructed without permits. The applicant is requesting a variance to allow for the accessory building of 40' x 56' (2,240) square feet.

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.
- *No special conditions exist.*
- 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 would not deprive this property owner rights commonly enjoyed by neighboring property owners within the same zoning district.*
- That the special conditions and circumstances do not result from the action of the applicant.
- *No special conditions and circumstances do not result from the action of 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.
- *Applicant states he thought he had to follow Franklin County Development standards that allowed for an accessory structure up to 3,600 square feet.*
- *It is unclear if the property owner submitted a County zoning permit prior to construction.*
- *No building permit application has been submitted to Franklin County Building Department.*



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- *Granting of the variance will allow for the 40' x 56' accessory building to stay. The building is located to the northeast corner of the lot.*
- 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.
- *Structure shall comply with 5' side and 5' rear property line setback requirements.*
- *Building height and exterior requirements will be in compliance with Township zoning.*

Attachments:

1. Variance Application
2. Drawing from Applicant
3. Images of 3550 Big Run South Road