



Jackson Township Board of Zoning Appeals

Variance 7-VA-2020

Applicant: Robert & Holly Bennett
Property: 651 Hibbs Road, (parcel #160-002494)

Background

The applicant purchased the property in January 2026. The property is 6.632 acres with a single-family house. The property has a 26' x 38' (988 square feet) barn and 5 farm implement sheds ranging in size from 10' x 18' (180 sq. ft.) up to 22' x 28' (616 sq. ft.). The barn and sheds were built in 2000-2001.

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:

206.01 – Dimensional Requirements

(A) Minimum Lot Width. The minimum lot width shall be measured as the minimum distance that a tax parcel abuts an improved and accepted public right-of-way or an approved private street.

Accessory Structure Side Yard Setback: 5 feet.

651 Hibbs Road is zoned Rural Residential. The minimum dimensional requirements for this zoning district is 300 feet of frontage and 1.5 acres per lot.

- *The applicant is requesting two variances:*
 - *to subdivide the existing 6.632-acre parcel into two single -family parcels. The requested lot configuration is attached.*
 - *A variance for a side yard setback be reduced from 5' to 0'.*
- *The applicant is requesting to create a flag lot of 1.51 acres leaving both lots without the required frontage.*
- *The acreage of the flag lot to be used for the future driveway would occur along the west property line resulting in the side yard setback be reduced to 0' for the detached carport.*
- *It is unclear if the 1.51-acre lot has sufficient acreage for the onsite well and septic system per the Franklin County Health Department.*



Jackson Township Board of Zoning Appeals

- *The applicant will be required to request a variance from the Franklin County Subdivision Regulations for proposed lot configurations. This is the first step in this process.*

Area Variance (Lot Split and Setback)

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.
2. Whether the variance is substantial.
3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the variance.
4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage).
5. Whether the property owner purchased the property with knowledge of the zoning restrictions.
6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and
7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance.

Attachments:

1. Variance Application
2. Site Maps
3. Proposed House Plans

Fee Paid by Cash / Check # credit card

Application # 6 -VA-2026

APPLICATION FOR VARIANCE

JACKSON TOWNSHIP BOARD OF ZONING APPEALS

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

Property Owner: Robert & Holly Bennett Applicant: Robert Bennett

Address: 651 Hibbs Rd., Lockbourne, OH 43137 Zoned: RR

PID: 160- 002494-00 Area/Acres: 6.632 Floodplain: No

(Home): None (Work): 614-213-4906 (Cell): 614-496-6363

Email Address: bennett.robert.arthur@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: Chapter 206 & 305

☐ Accessory Structure

☒ Access Driveway

☒ Setbacks

☒ Lot Requirements

☐ Landscaping

☐ Fence / Wall

☐ Development Standards

☐ Violation Appeal

☐ Other

Requesting the following specific variance:

Requesting to split existing parcel into two (2) parcels

Original Parcel 6.632 Acres

Parcel A = 5.12 Acres

Parcel B = 1.51 Acres

Parcel A: Minimum Lot Width Req'd = 200' Requested = 170'

Accessory Building Side Yard Setback Req'd = 5' Requested 0' (Accommodation for existing carport)

Parcel B: Minimum Lot Width Req'd = 200' Requested 30' (Frontage to create a shared access drive)

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):

1. 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).

Oversized existing parcel

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).

See Attached

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.

See Attached

SUBMITTAL CHECKLIST



Legal Description / Deed



Photos documenting requested use



Plot Plan / Site Plan



Date Filed _____



Detailed Building Plan



Legal Ad _____



Property Owners within 500'



Notices Sent _____



Application Fee



Hearing Date _____

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.

The Township's minimum road-frontage requirement (200 feet) would deprive the owner of property rights commonly enjoyed by other properties in the area because it would prohibit an otherwise reasonable and functional subdivision and residential use that is consistent with surrounding parcel patterns.

Here, the owner seeks to split an existing 6.63-acre parcel into two lots of approximately 5.12 acres and 1.51 acres. While the proposed lots satisfy the Township's minimum lot area requirement (1.5 acres), the frontage standard would render both resulting parcels nonconforming as to frontage (approximately 170 feet and 30 feet, respectively, versus the required 200 feet). As a result, the Zoning Code would effectively bar the owner from creating a new buildable residential lot and from making ordinary, beneficial use of the land—despite the fact that the proposed 1.51-acre lot's dimensions are sufficient to accommodate a new home, including required well and septic placement and all required setbacks.

This restriction is particularly depriving and inequitable in this location because other parcels in the same area have little to no frontage on the public right-of-way. Those owners are able to enjoy typical property rights—maintaining and developing residential lots despite the limited frontage. In practical effect, the frontage requirement prevents the owner from exercising the commonly enjoyed right to reasonably subdivide and develop property in a manner consistent with the neighborhood, even where minimum area and on-site buildability standards can be met.

In addition, the owner requests a variance from the accessory-structure side-yard setback from 5 feet to 0 feet to accommodate an existing detached carport serving the existing house. Strict enforcement would require removal or relocation of an existing, customary residential accessory structure, depriving the owner of the same practical ability to maintain normal residential improvements that other nearby property owners commonly enjoy.

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.

Granting the requested variances will not adversely affect the health, safety, or general welfare of adjacent property owners because the request does not create unsafe conditions, does not intensify use beyond what is typical for the area, and maintains required separation for structures and onsite utilities.

Frontage variance (200' minimum frontage):

The proposed lot split (6.63 acres into 5.12 acres and 1.51 acres) does not introduce a use that is different from the surrounding area—both parcels will remain low-density residential in character. Although the resulting road frontages would be approximately 170 feet and 30 feet, the lots meet the minimum lot area requirement (1.5 acres), and the proposed 1.51-acre lot is large enough to accommodate a single-family home while still meeting required setbacks. The split will not create congestion, noise, or other neighborhood impacts beyond what is typical for a single residence. Access will remain controlled and predictable (single driveway access), and emergency response access will not be impaired because the property will continue to have lawful access to the public right-of-way.

Accessory structure side setback variance (5' to 0' for existing detached carport):

The setback variance is requested to accommodate an existing detached carport serving the current home, not to construct a new high-intensity use. Allowing the carport to remain at its current location will not increase traffic, noise, lighting, or activity levels, and it will not introduce any new public safety hazard to neighbors. The structure will remain on the owner's property, and there will be no change that increases stormwater runoff, drainage impacts, or other site conditions affecting adjoining parcels.

Overall, the variances allow reasonable use of the property while keeping the development pattern consistent with nearby parcels (including parcels with limited frontage). The request preserves the residential character of the area and avoids unnecessary removal or relocation of an existing accessory structure, without creating any identifiable negative impacts to neighboring properties.

APPLICANT'S AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

I/We Robert A. Bennett
(Name of property owner / applicant)

623 Hibbs. Rd. Lockbourne OH 43137 Home: N/A
(Address) (City, State, Zip Code) (Phone)

Cell: 614-496-6363 Business: N/A
(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."

[Signature]
(Owner Signature)

(Co-Owner Signature)

Subscribed and sworn before me this 27 day of August 2021
(Day) (Month) (Year)



Amy Zachritz
Notary Public, State of Ohio
My Commission Expires 03-23-31

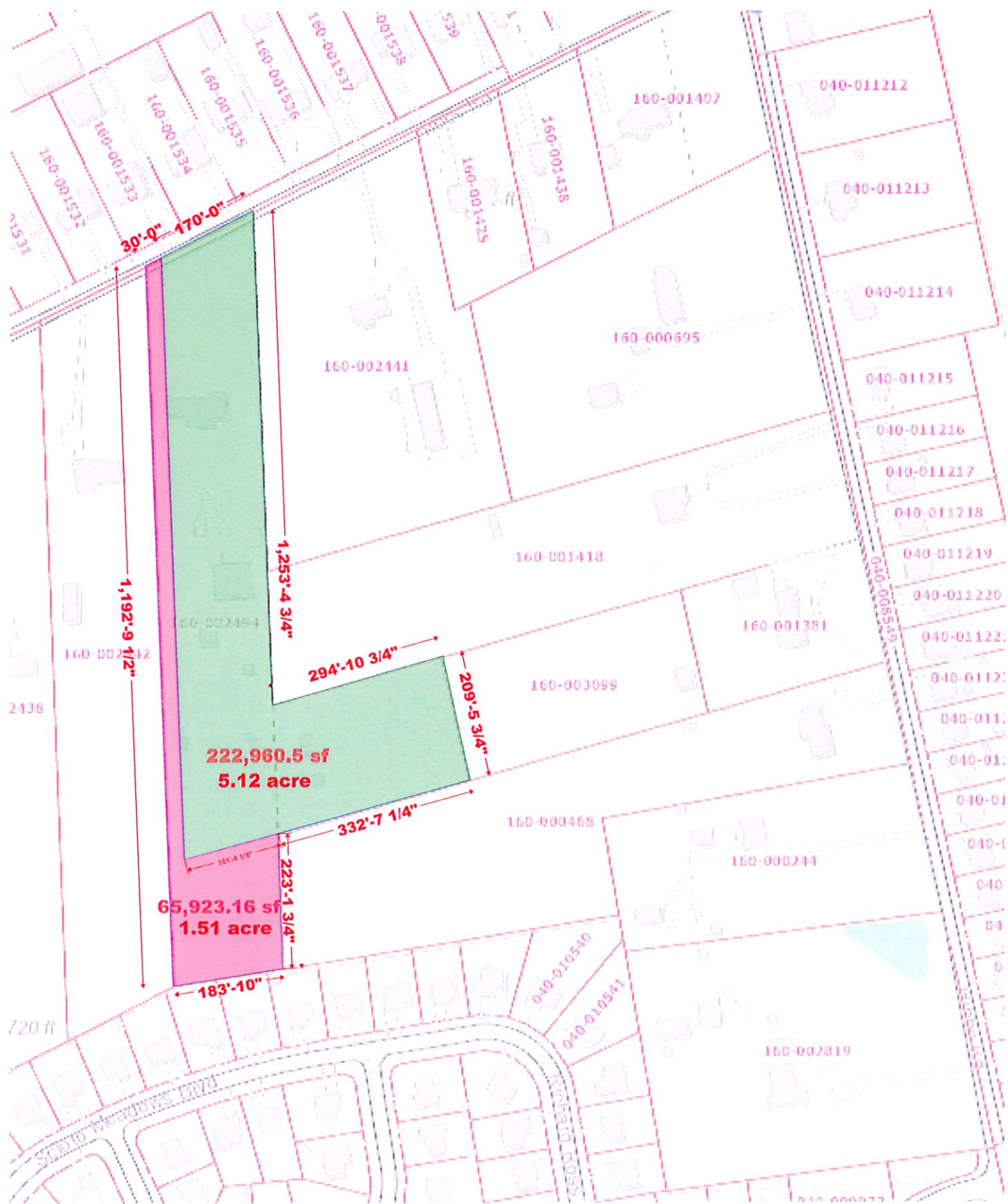
[Signature]
(Notary Signature)

Stamp or Seal

ACTION BY TOWNSHIP

Application Received & Accepted by: _____ Date: _____

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



Proposed Lot Split

Robert and Holly Bennett
651 Hibbs Road
Lockbourne, OH 43137

Scale: NTS



Demolition Plan

Robert and Holly Bennett
651 Hibbs Road
Lockboure, OH 43137

Scale: NTS



Proposed House Placement

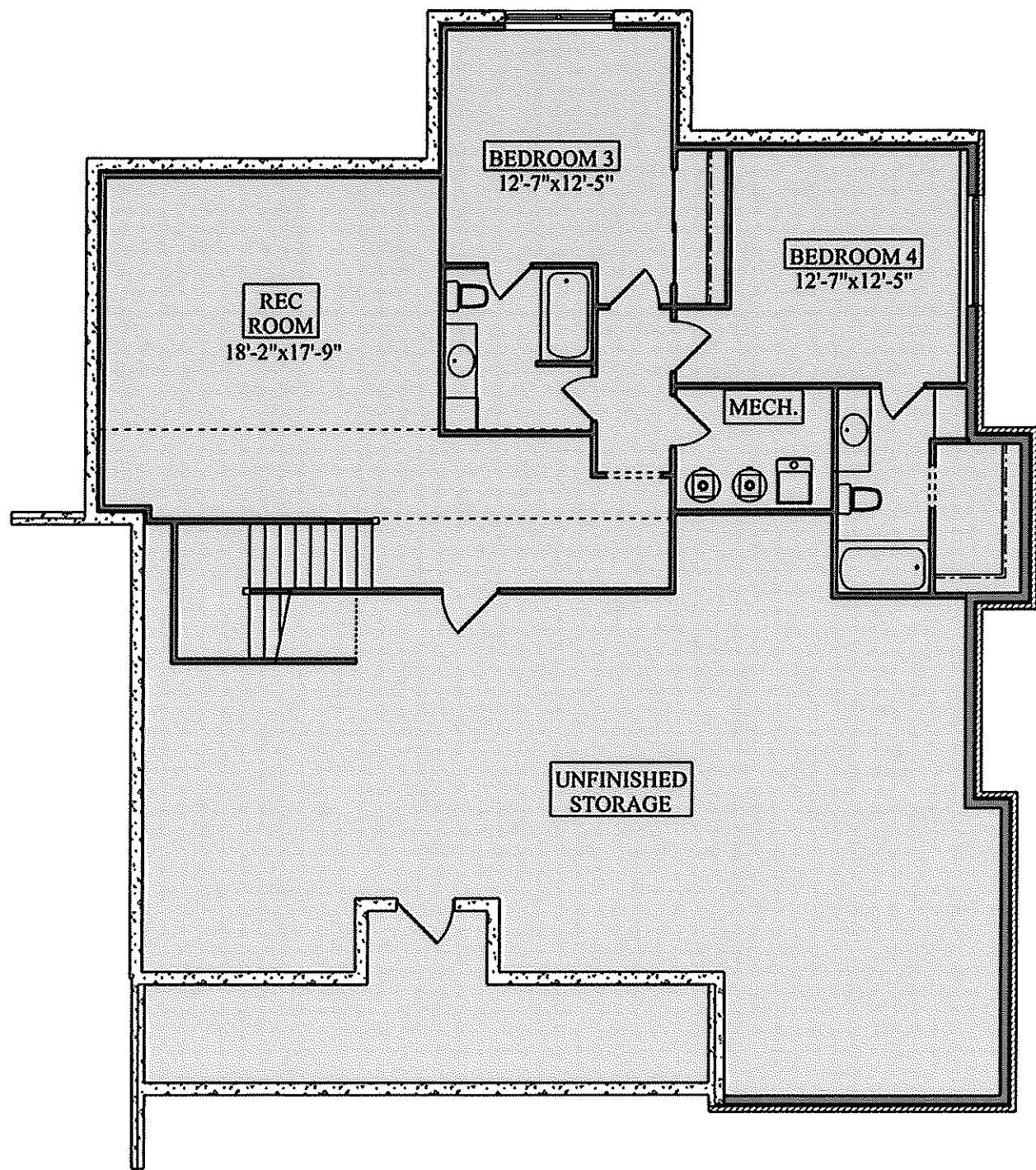
Setbacks:
 30' from North
 30' from East
 115' from South
 53' from West

Well: 25' North West of house
 Primary Septic: 29' South East of house
 Reserve Septic: 57' South East of house

Robert and Holly Bennett
 651 Hibbs Road
 Lockboure, OH 43137

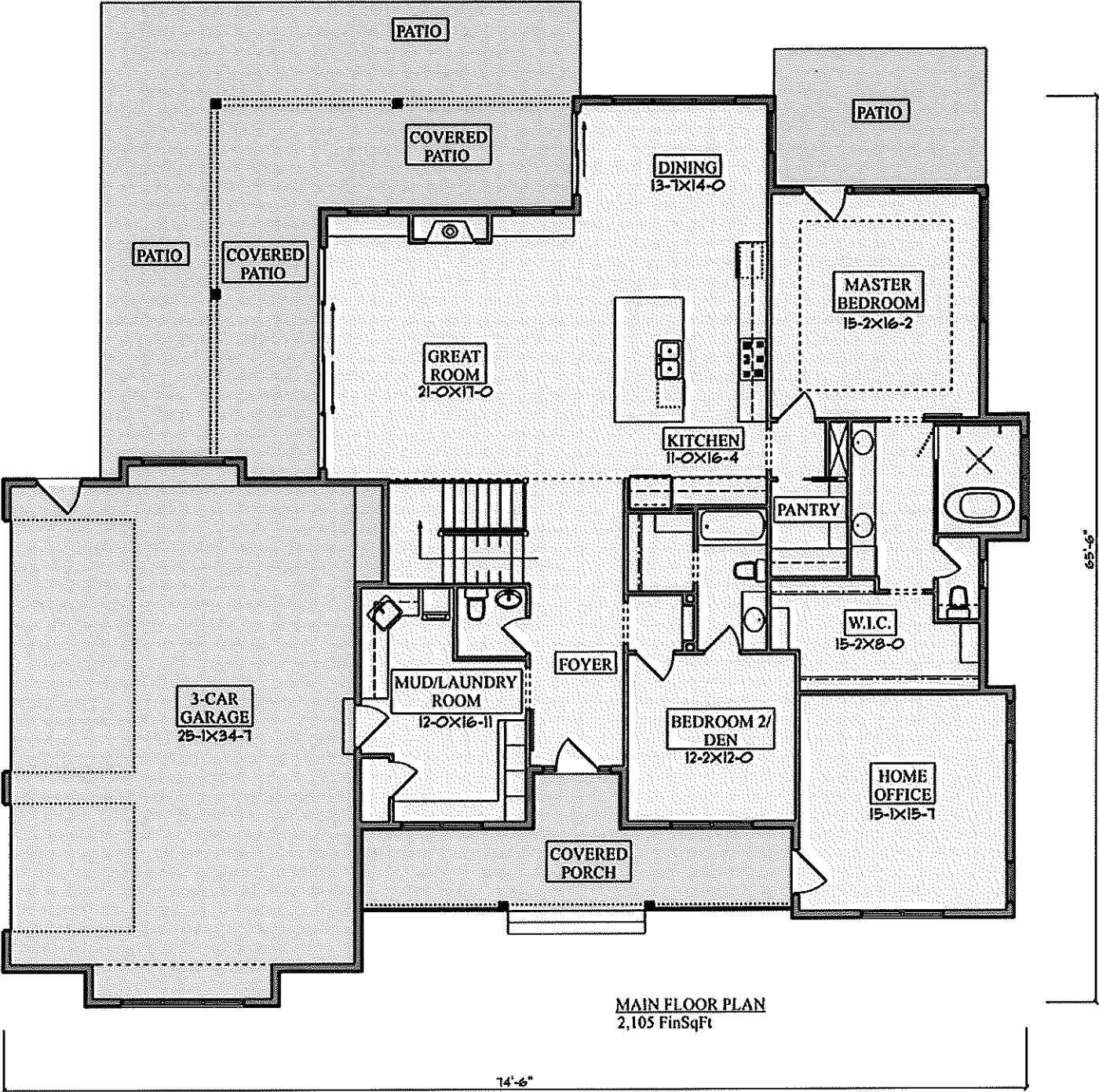
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Basement for House Plan #5631-00209



LOWER FLOOR PLAN

Main Floor for House Plan #5631-00209



Second Floor for House Plan #5631-00209

