



# Jackson Township Franklin County, Ohio

**Fiscal Officer**  
Ron Grossman

**Board of Trustees**  
Ron McClure  
David Burris  
Jim Rauck

**Administrator**  
Shane W. Farnsworth

## **Variance 3-VA-2023**

Applicant: Alejandro Cenibe Flores  
Property: 2430 Gantz Road, (parcel #160-002932)

### **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 to construct a primary structure within the required front yard setback.**

### **203.07 Building Lines**

Along every street right-of-way a building line shall be established from the centerline of that right-of-way a distance equal to the width of the existing right-of-way or the width of the right-of-way proposed in the Franklin County Thoroughfare Plan, as adopted by the Mid-Ohio Regional Planning Commission, as amended, whichever right-of-way is greater. A platted building line or a recorded plat shall govern in cases of conflict. For a substandard road or a road not identified on the Franklin County Thoroughfare Plan, a minimum building setback of sixty (60) feet from the centerline of the road shall be required.

A. Required Setback. A structure or other use of land, except parking, shall locate no closer to a street right-of-way than the established building line.

The Franklin County Thoroughfare Plan, adopted August, 2022, shows Gantz Road as a Minor Arterial Road (100 feet).



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### **Action by the Board**

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

1. 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 or circumstances exist which make the property unique that are not applicable to other lands in the same zoning district.*
2. 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.*
3. That the special conditions and circumstances do not result from the action of the applicant.
  - *Special conditions and circumstances do not result from the action of the applicant.*
4. That granting the variance requested will not confer on the applicant any special privilege that is denied this Zoning Resolution to other lands or structures in the same Zoning District.
  - *Granting of the variance will allow for the construction of the primary structure in the original location.*
5. 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.
  - *The parcel is 1.098 acres and is approximately 560' feet at its narrowest depth.*
  - *The lot is large enough to allow for the house to comply with the required setback requirement.*

3756 Hoover Road - P.O. Box 517 - Grove City, Ohio 43123  
Phone: 614-875-2742 - Fax: 614-871-6456 - jacksontwp.org



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The variance request is to allow for a primary structure to be built with less than the requirement front yard setback requirement of one hundred (100) feet from the road centerline. The zoning classification of Semi-Residential zoning district is in place.

**Attachments:**

1. Variance Application
2. Survey
3. Site Map

Fee Paid by Cash / Check # Credit Card

Application # 3-VA-2023

# APPLICATION FOR VARIANCE

## JACKSON TOWNSHIP BOARD OF ZONING APPEALS

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

Property Owner: Alejandro Canibe Flores Applicant: Luis E. Martinez

Address: 2430 Gantz Road Zoned: SR - Semi-Residential

PID: 160- 002932 Area/Acres: 1.1 Floodplain: \_\_\_\_\_

(Home): \_\_\_\_\_ (Work): \_\_\_\_\_ (Cell): 614.674.4996

Email Address: lmartinez@santiresidential.com ACANIBE@msn.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: \_\_\_\_\_

- Accessory Structure
- Access Driveway
- Setbacks
- Lot Requirements
- Landscaping
- Fence / Wall
- Development Standards
- Violation Appeal
- Other

**Requesting the following specific variance:**

Section 203.07 Building Lines; states that the building line shall be located from the road centerline as specified in the proposed Franklin County Thoroughfare Plan. Gantz Road is Minor Arterial (100'-0").

*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).

The building line at 100' from the road centerline would affect the septic system and well. Also, an existing accessory building would have to be demolished along with multiple large trees.

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).

Most of the surrounding properties are large in size with room for accessory buildings ie: detached garage, storage sheds. Also, properties in this area have forestry, and have room to spread out. Also, this is one of the smaller properties on this side of the road, the South property is 2.04 acres and the North property is 2.681 acres.

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.

Locating this house at the 100' building line would be closer to the septic system and well. if this variance is approved, these systems will not be affected. Also, a turn around driveway is planned to enter and exit the property head-on.

### SUBMITTAL CHECKLIST

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Legal Description / Deed    | <input type="checkbox"/> Photos documenting requested use |
| <input checked="" type="checkbox"/> Plot Plan / Site Plan       | <input type="checkbox"/> Date Filed <u>03/04/2023</u>     |
| <input checked="" type="checkbox"/> Detailed Building Plan      | <input type="checkbox"/> Legal Ad _____                   |
| <input checked="" type="checkbox"/> Property Owners within 500' | <input type="checkbox"/> Notices Sent _____               |
| <input type="checkbox"/> Application Fee                        | <input type="checkbox"/> Hearing Date _____               |

# APPLICANT'S AFFIDAVIT

STATE OF OHIO  
COUNTY OF FRANKLIN

I/We Alexandro Canibe Flores / Luise E. Martinez  
(Name of property owner / applicant)

5550 Grove City Road, Grove City, Ohio 43123 Home: \_\_\_\_\_  
(Address) (City, State, Zip Code) (Phone)

\*614-674-4996\* Cell: 614-622-5048 Business: \_\_\_\_\_  
(Phone) (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 3 day of 3 2023  
(Day) (Month) (Year)

[Signature]  
(Notary Signature)

Stamp or Seal



## ACTION BY TOWNSHIP

Application Received & Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

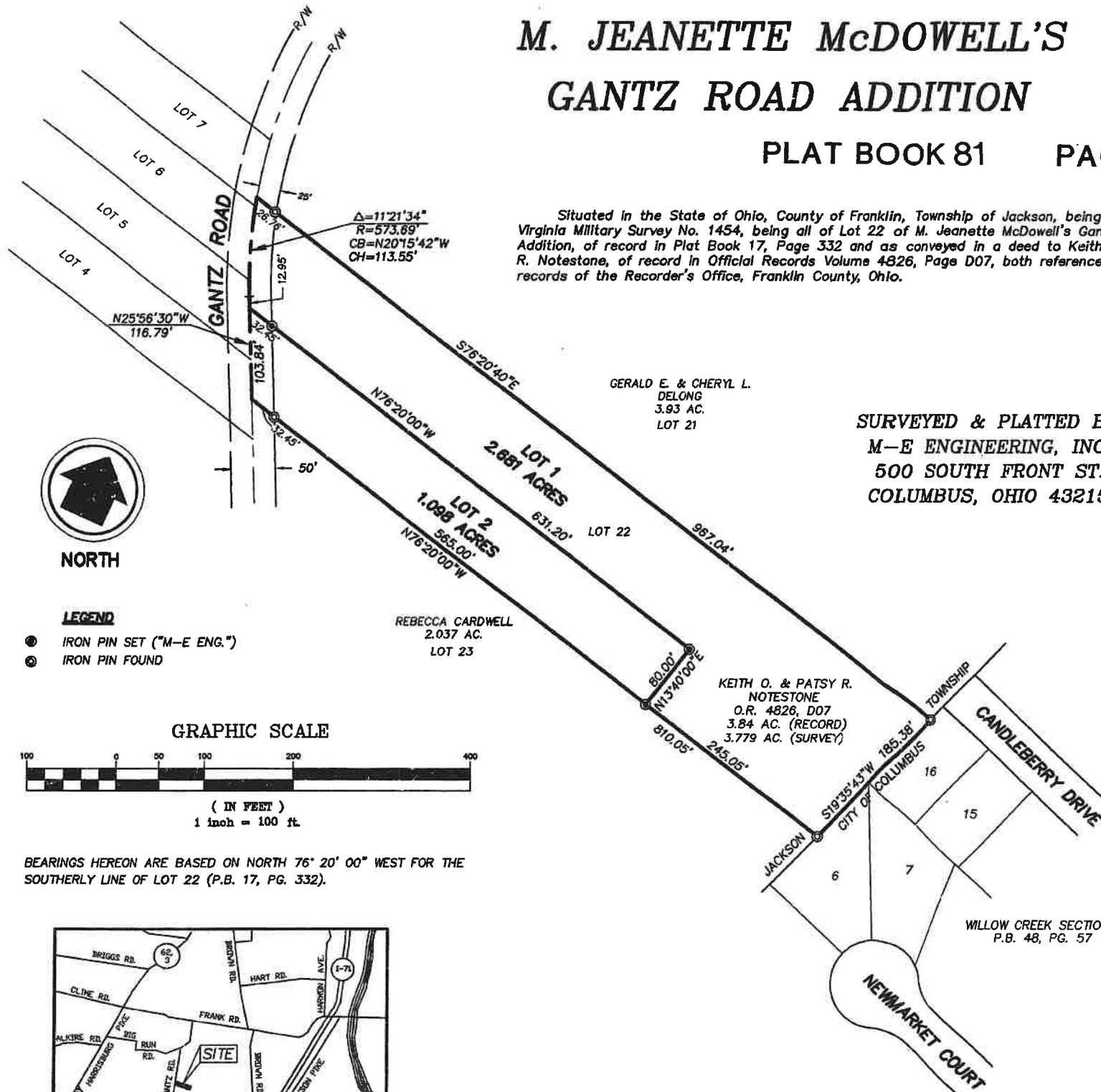
Hearing Date: \_\_\_\_\_ 7:00pm at the Jackson Township Hall, Grove City, Ohio



# RESUBDIVISION OF LOT 22 OF M. JEANETTE McDOWELL'S GANTZ ROAD ADDITION

PLAT BOOK 81 PAGE 76

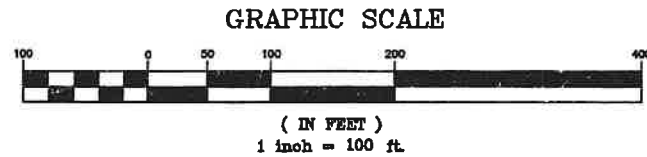
Situated in the State of Ohio, County of Franklin, Township of Jackson, being located in Virginia Military Survey No. 1454, being all of Lot 22 of M. Jeanette McDowell's Gantz Road Addition, of record in Plat Book 17, Page 332 and as conveyed in a deed to Keith O. and Patsy R. Notestone, of record in Official Records Volume 4826, Page D07, both references to the records of the Recorder's Office, Franklin County, Ohio.



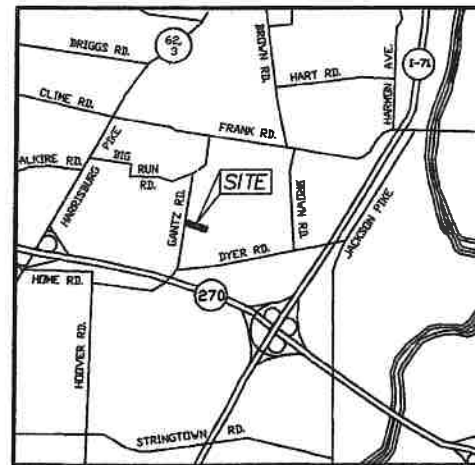
NORTH

**LEGEND**

- IRON PIN SET ("M-E ENG.")
- IRON PIN FOUND



BEARINGS HEREON ARE BASED ON NORTH 76° 20' 00" WEST FOR THE SOUTHERLY LINE OF LOT 22 (P.B. 17, PG. 332).



LOCATION MAP

SURVEYED & PLATTED BY  
M-E ENGINEERING, INC.  
500 SOUTH FRONT ST.  
COLUMBUS, OHIO 43215

Adjacent Property Owners

Approved this 6<sup>th</sup> day of DECEMBER 1994. Gerald E. DeLong  
Gerald E. DeLong, Lot 21

Approved this 12/15 day of December 1994. Rebecca Cardwell  
Rebecca Cardwell, Lot 23

We, the undersigned, being all the owners and lien holders of the land platted herein, certify that the attached plat correctly represents our "Resubdivision of Lot 22 of M. Jeanette McDowell's Gantz Road Addition", a subdivision of Lots 1 and 2, do hereby accept this plat of same and do voluntarily consent to the execution of said plat.

In Witness thereto we have hereunto set our hands this 6<sup>th</sup> day of DECEMBER 1994.

Robert S. Wynd  
Witness (as to both)

Keith O. Notestone  
Keith O. Notestone

Patsy R. Notestone  
Witness (as to both)

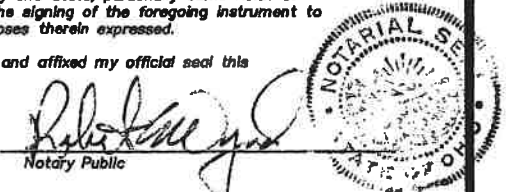
Patsy R. Notestone  
Patsy R. Notestone

STATE OF OHIO  
COUNTY OF FRANKLIN: SS

Before me, a Notary Public in and for said County and State, personally came Keith O. Notestone and Patsy R. Notestone who acknowledged the signing of the foregoing instrument to be their voluntary act and deed for the uses and purposes therein expressed.

In witness whereof, I have hereunto set my hand and affixed my official seal this 6<sup>th</sup> day of DECEMBER 1994.

My Commission expires:



We do hereby certify that we have surveyed the premises, prepared the attached plat and that said plat is correct. Dimensions shown along curves are chord measurements. Iron pins set before recording of this plat are indicated by the following symbol

Robert S. Wynd 12/1/94  
Robert S. Wynd  
Registered Surveyor No. 6872

Approved this 10 day of JANUARY 1995.

John C. Circo  
Franklin County Engineer

Approved this 10<sup>TH</sup> day of JANUARY 1995.

William C. Habig  
Executive Director  
Mid-Ohio Regional Planning Commission

Approved this 6<sup>th</sup> day of DECEMBER 1994.

William D. Jindich  
Jackson Township Zoning Officer

Approved this 6<sup>TH</sup> day of DEC 1994.

Robert A. Burdick, M.D.  
Franklin County District Board of Health 12/6/94

Allen Shumaker Franklin County Commissioner  
Dorothy J. Keaton Franklin County Commissioner  
Dwight R. Stokes Franklin County Commissioner

This plat shall not be transferred or recorded until all required signatures are secured.

Transferred this 19<sup>th</sup> day of JANUARY 1995.

Joseph Testa  
Auditor, Franklin County, Ohio

Thomas M. Lang  
Deputy Auditor, Franklin County, Ohio

Filed for record this 19<sup>th</sup> day of JAN. 1995, at 3:30 P.M.

W. W. [Signature]  
Deputy Recorder, Franklin County, Ohio

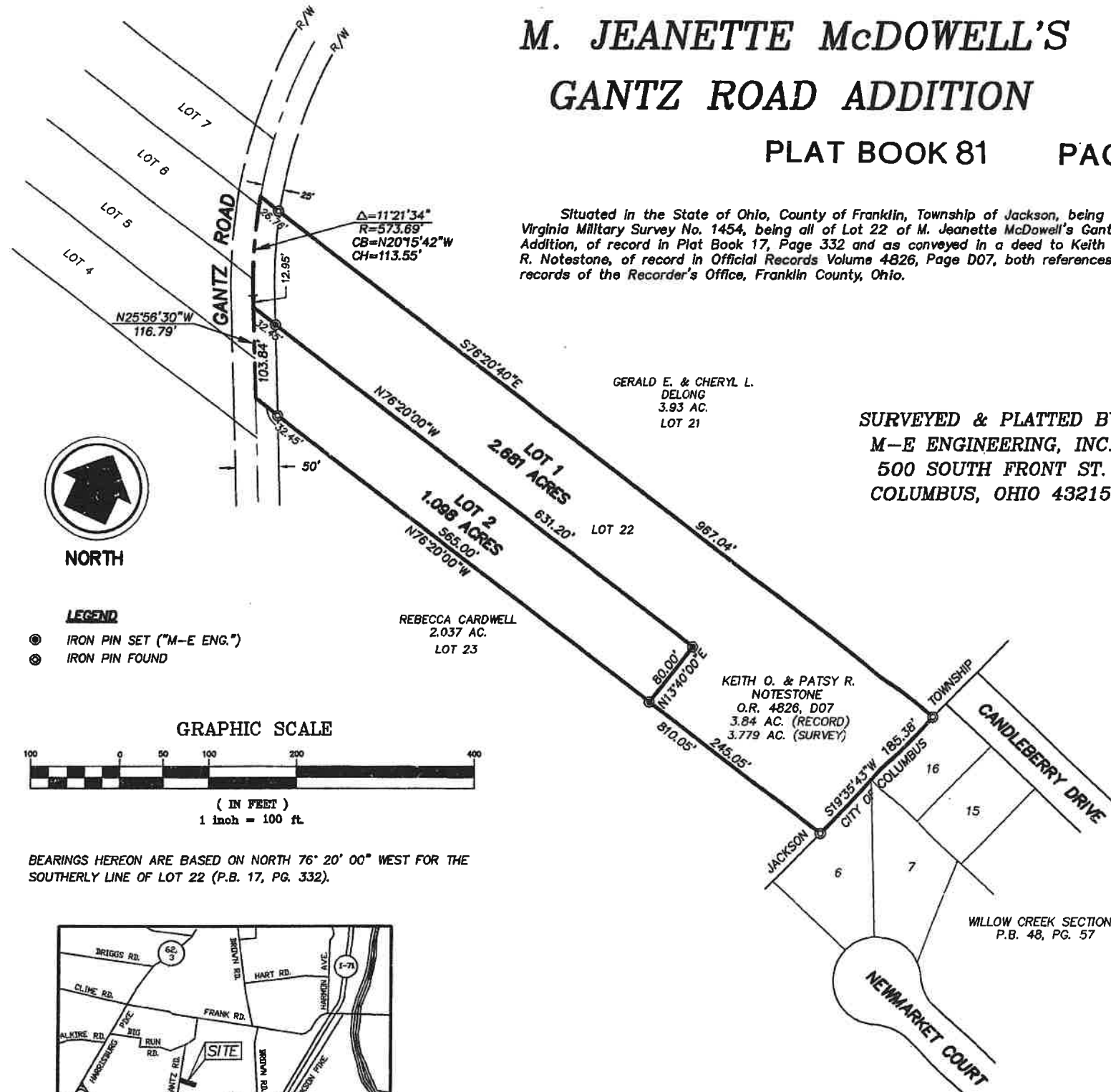
Recorded this 19<sup>th</sup> day of JAN. 1995 in Plat Book 81 Page 76

Richard B. [Signature]  
Recorder, Franklin County, Ohio

# RESUBDIVISION OF LOT 22 OF M. JEANETTE McDOWELL'S GANTZ ROAD ADDITION

PLAT BOOK 81 PAGE 76

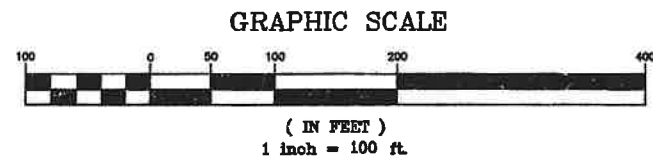
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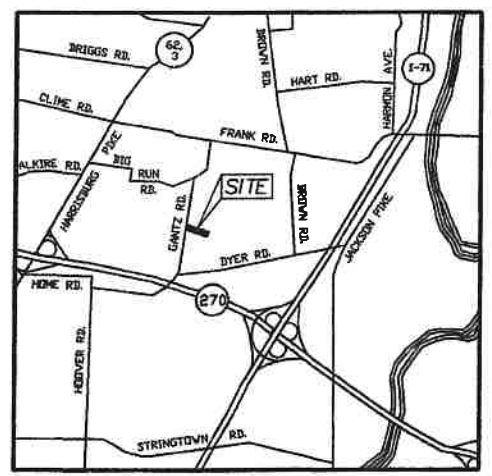
SURVEYED & PLATTED BY  
M-E ENGINEERING, INC.  
500 SOUTH FRONT ST.  
COLUMBUS, OHIO 43215



- LEGEND**
- IRON PIN SET ("M-E ENG.")
  - ⊙ IRON PIN FOUND



BEARINGS HEREON ARE BASED ON NORTH 76° 20' 00" WEST FOR THE SOUTHERLY LINE OF LOT 22 (P.B. 17, PG. 332).



LOCATION MAP

Adjacent Property Owners

Approved this 6<sup>th</sup> day of December 1994. Gerald E. DeLong  
Gerald E. DeLong, Lot 21

Approved this 12/15 day of December 1994. Cheryl L. DeLong  
Cheryl L. DeLong, Lot 21

Approved this 12/15 day of December 1994. Rebecca Cardwell  
Rebecca Cardwell, Lot 23

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Witness (as to both)

Keith O. Notestone  
Keith O. Notestone

Patsy R. Notestone  
Witness (as to both)

Patsy R. Notestone  
Patsy R. Notestone

STATE OF OHIO  
COUNTY OF FRANKLIN: SS

Before me, a Notary Public in and for said County and State, personally came Keith O. Notestone and Patsy R. Notestone who acknowledged the signing of the foregoing instrument to be their voluntary act and deed for the uses and purposes therein expressed.

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Robert S. Wynd  
Notary Public



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Robert S. Wynd  
Registered Surveyor No. 9872

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John C. Circha  
Franklin County Engineer

Approved this 10<sup>TH</sup> day of JANUARY 1995.

William C. Habig  
Executive Director  
Mid-Ohio Regional Planning Commission

Approved this 6<sup>TH</sup> day of DECEMBER 1994.

Kathleen R. Sirek  
Jackson Township Zoning Officer

Approved this 6<sup>TH</sup> day of Dec. 1994.

Robert A. Burdick, M.D.  
Franklin County District Board of Health 12/6/94

Robert S. Shumaker Franklin County Commissioner  
Dorothy J. Keator Franklin County Commissioner  
Dewey R. Stokes Franklin County Commissioner

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Joseph Testa  
Auditor, Franklin County, Ohio

Thomas M. Lang  
Deputy Auditor, Franklin County, Ohio

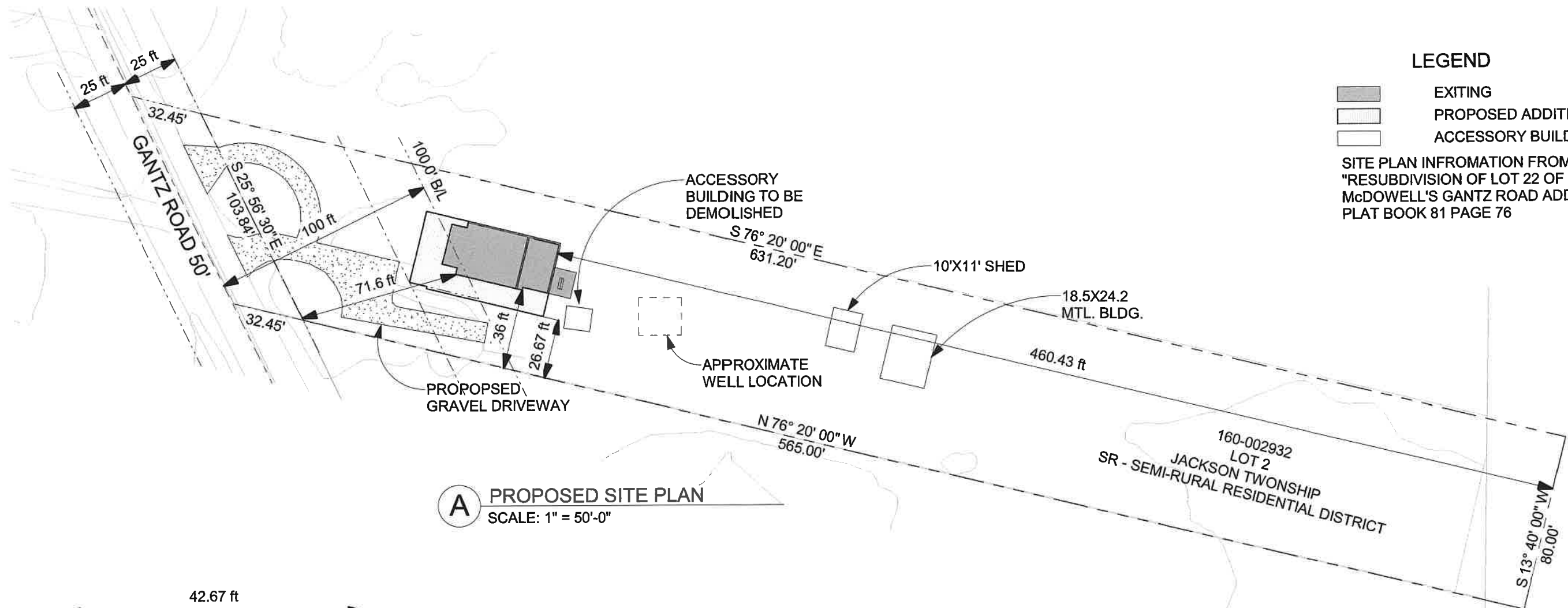
Filed for record this 19<sup>th</sup> day of JAN. 1995, at 3:30 p.m.

Charles L. DeLong  
Deputy Recorder, Franklin County, Ohio

Recorded this 19<sup>th</sup> day of JAN. 1995 in Plat Book 81 Page 76

Richard B. Pitt  
Recorder, Franklin County, Ohio



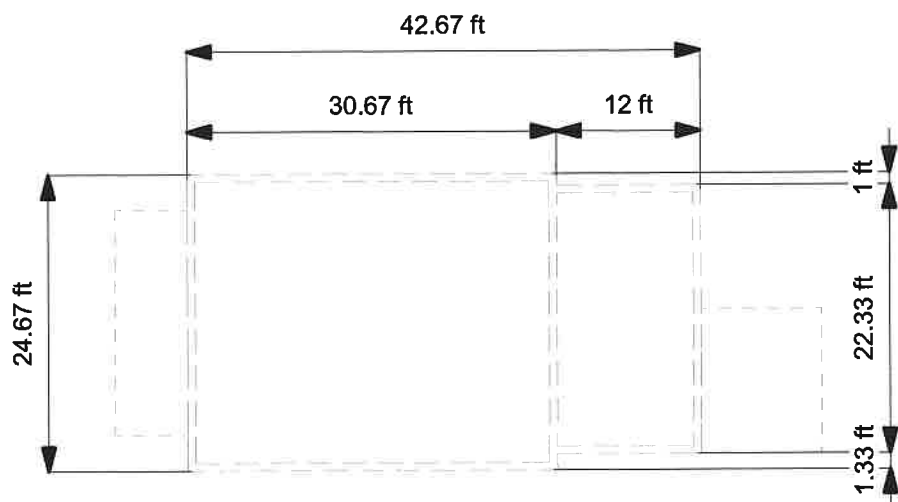


**LEGEND**

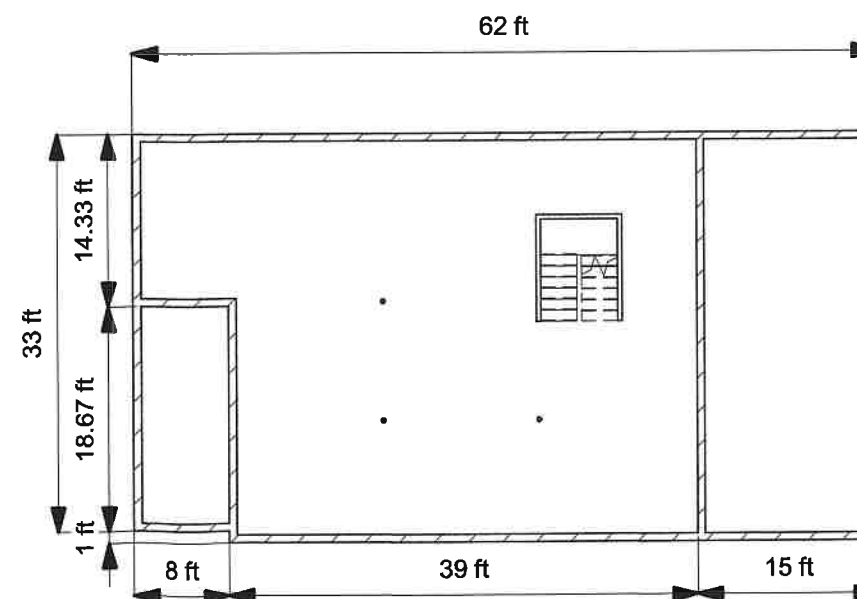
- EXISTING
- PROPOSED ADDITION
- ACCESSORY BUILDING

SITE PLAN INFORMATION FROM  
 "RESUBDIVISION OF LOT 22 OF M. JEANETTE  
 McDOWELL'S GANTZ ROAD ADDITION"  
 PLAT BOOK 81 PAGE 76

**A** PROPOSED SITE PLAN  
 SCALE: 1" = 50'-0"



**B** EXISTING  
 SCALE: 1/16" = 1'-0"



**C** PROPOSED PLAN  
 SCALE: 1/16" = 1'-0"

**SANTI**  
 RESIDENTIAL DESIGN

GROVE CITY, OHIO 43123  
 614.674.4996  
 HABLAMOS ESPAÑOL  
 lmartinez@SantiResidential.com

CONCEPTS AND DRAWINGS  
 CONTAINED HEREIN REMAIN  
 PROPERTY OF SANTI  
 RESIDENTIAL DESIGN AND  
 SHALL NOT BE MODIFIED,  
 REPLICATED, OR TRANSLATED  
 WITHOUT THE EXPRESSED  
 WRITTEN PERMISSION OF  
 SANTI RESIDENTIAL DESIGN

THE ACF GANTZ RESIDENCE  
**RESIDENTIAL TEMPLATE**  
 2430 GANTZ ROAD  
 GROVE CITY, OHIO 43123

PROPOSED SITE PLAN Copy 1

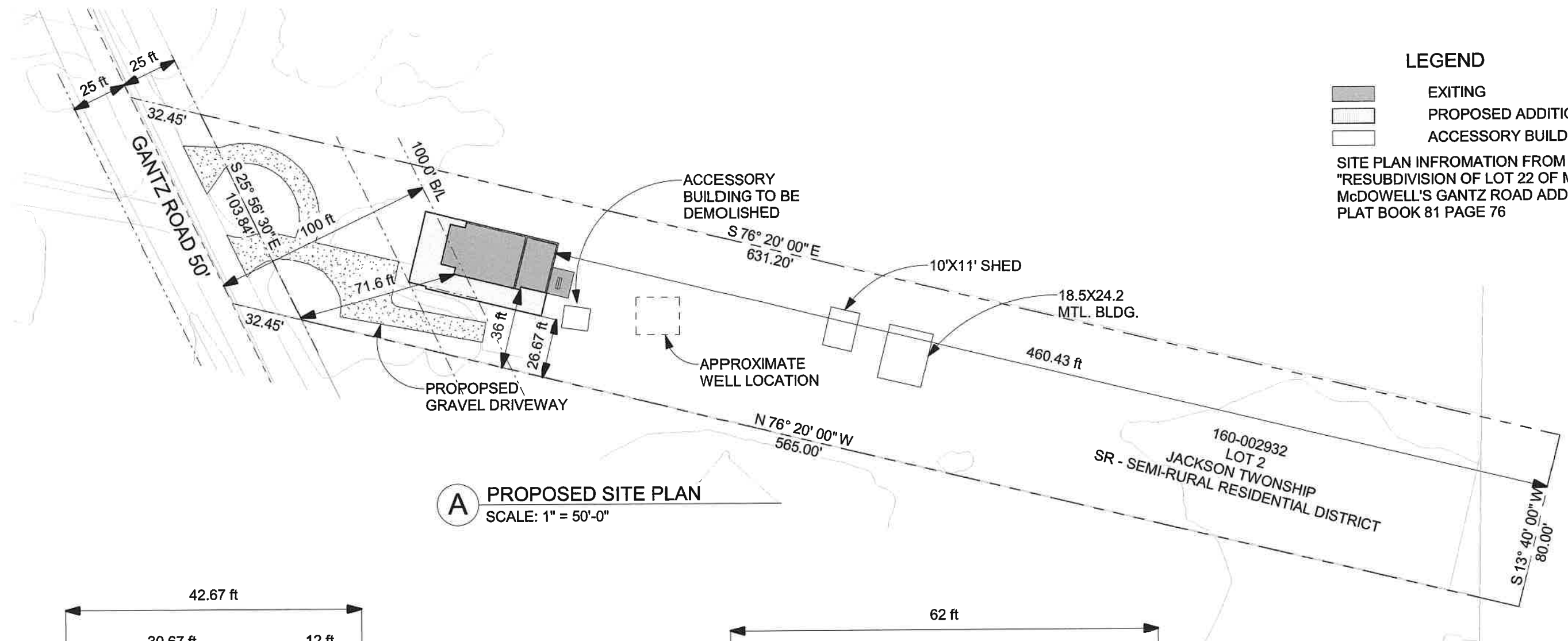
#	DATE

PROJECT #:  
 22-2430  
 PROJECT PHASE:  
 ISSUED FOR PERMIT  
 DATE:  
 02/24/23

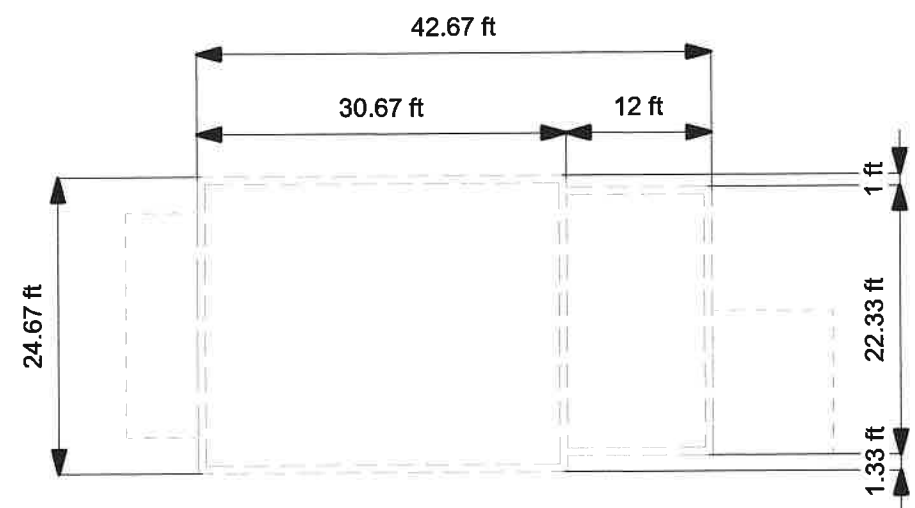
PREPARED FOR:  
 ALEJANDRO CANIBE FLORES  
 2430 GANTZ ROAD  
 GROVE CITY, OHIO 43123

**C2**

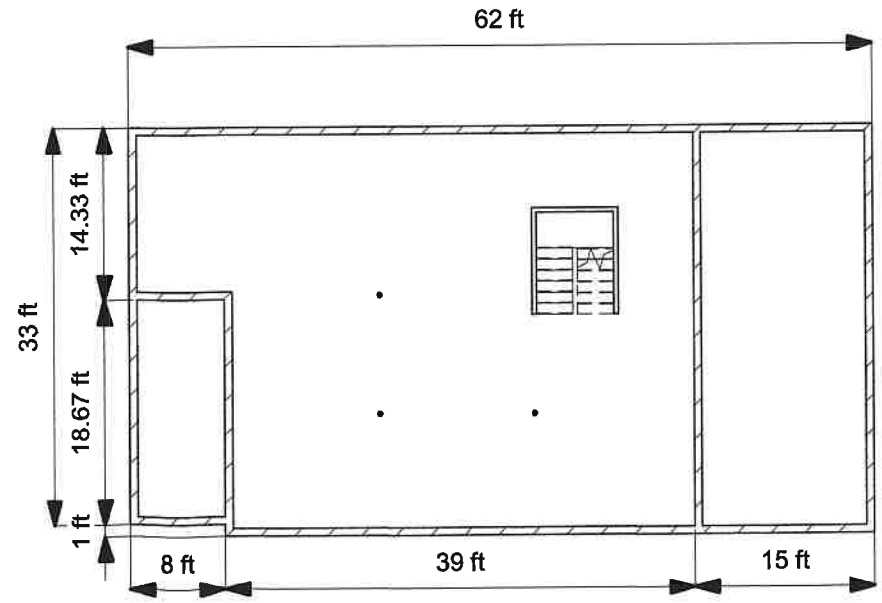
SCALE: As indicated



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 SCALE: 1" = 50'-0"



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**C** PROPOSED PLAN  
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PROPOSED SITE PLAN Copy 1

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 ISSUED FOR PERMIT  
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 02/24/23

PREPARED FOR:  
 ALEJANDRO CANIBE FLORES  
 2430 GANTZ ROAD  
 GROVE CITY, OHIO 43123

**C2**  
 SCALE: As indicated