



Jackson Township Franklin County, Ohio

Fiscal Officer
Ron Grossman

Board of Trustees
Ron McClure
David Burris
Jim Rauck

Administrator
Shane W. Farnsworth

Variance 6-VA-2023

Applicant: Donald Cox
Property: 1507 Hiner Road, (parcel #160-000219)

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 subdivide the 5.41 acres without required lot frontage per lot.

206.01 TABLE 2 - DIMENSIONAL REQUIREMENTS

Table 2 identifies the dimensional requirements for all districts. In some cases, dimensional requirements are provided based upon the wastewater and water systems available to a given property. As a result, where indicated by the symbol "Sewer" dimensional requirements apply where central sanitary sewer and water service is available to the subject site. Where indicated by the symbol "No Sewer" dimensional requirements apply without central sanitary sewer and water service.

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.

| Zoning District | Minimum Lot Size | Minimum Lot Width |
|-----------------|------------------|-------------------|
| RR | 1.5 acres | 300' |

- *The applicant is requesting to subdivide the existing 5.461 acre lot into three (3) parcels. The requested lot configuration is attached.*
- *The applicant is requesting to create two flag lots leaving all three lots without the required frontage.*
- *The two new lots would meet the minimum acreage of 1.5 acres at the building site.*
- *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.*



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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 exist.*
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.
 - *No special privilege would be conferred upon this property owner.*
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.
 - *Granting of the variance will allow for the subdivision of the 5.4 acre parcel into three lots. The three lots would be required to utilize one shared drive.*

Attachments:

1. Variance Application
2. Site Map

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

200.00

Fee Paid by Cash / Check # Credit Card

Application # 7 -VA-2023

APPLICATION FOR VARIANCE

JACKSON TOWNSHIP BOARD OF ZONING APPEALS

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

Property Owner: DONALD COX Applicant: LINDSAY CONKEL

Address: 1507 HINER RD Zoned: R

PID: 160-JACKSON TOWNSHIP Area/Acres: 5.410 ACRES Floodplain: N/A

(Home): DONALD & SUE COX (Work): _____ (Cell): LINDSAY CONKEL 614-561-3943

Email Address: DOCRI02001@YAHOO.COM / CONKEL.18@OSU.EDU

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

Requesting the following specific variance:

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).

SEEKING TO PARCEL OUT LAND BEHIND HOUSE & BARN FOR FUTURE RESIDENTIAL DEVELOPMENT (2).

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).

PROPERTY OWNER AGREES TO ZONING CODE RESTRICTIONS.
 HOUSES ARE BEING CONSTRUCTED BEHIND EXISTING HOUSES
 & PROPERTY OWNER IS LOOKING TO DO THE SAME IN
 THIS INSTANCE.

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.

WE BELIEVE

THERE IS AMPLE LAND TO CONSTRUCT 1-2 RESIDENCES
 THAT DO NOT RESTRICT THE HEALTH, SAFETY & GENERAL
 WELFARE OF ADJACENT PROPERTY OWNERS. THIS WOULD
 NOT OVERCROWD THE AREA & WE BELIEVE LAND
 DEDICATED TO EACH PARCEL WOULD BE SUFFICIENT
 FOR THE APPROPRIATE SYSTEMS

SUBMITTAL CHECKLIST

- | | |
|---|---|
| <input 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>4/7/2023</u> |
| <input type="checkbox"/> Detailed Building Plan | <input type="checkbox"/> Legal Ad _____ |
| <input type="checkbox"/> Property Owners within 500' | <input type="checkbox"/> Notices Sent _____ |
| <input checked="" type="checkbox"/> Application Fee | <input type="checkbox"/> Hearing Date _____ |

CAN SUPPLY ADDITIONAL INFORMATION
 PRIOR TO HEARING.

APPLICANT'S AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

I/We DONALD + SHARON COX
(Name of property owner / applicant)

1507 HINER ROAD ORIENT OH 43146 Home: _____
(Address) (City, State, Zip Code) (Phone)

Cell: 740-400-8078 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."

Sharon Cox
(Owner Signature)
[Signature]
(Co-Owner Signature)

Subscribed and sworn before me this _____ day of _____
(Day) (Month) (Year)

(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

1507 Hiner Road - Proposed Site Diagram
Not to Scale

