

# BOARD OF ZONING APPEALS APPLICATION

(Code Section 153.231)

## I. PLEASE CHECK THE TYPE OF APPLICATION:



CITY OF DUBLIN.

Land Use and  
Long Range Planning  
5800 Shier-Rings Road  
Dublin, Ohio 43016-1236  
Phone/TDD: 614-410-4600  
Fax: 614-410-4747  
Web Site: www.dublin.oh.us

<input checked="" type="checkbox"/> <b>Administrative Appeal (Code Section 153.231)</b> <input checked="" type="checkbox"/> Administrative <input type="checkbox"/> Stream Corridor Protection Zone <input type="checkbox"/> Building Construction
<input type="checkbox"/> <b>Special Permit (Code Section 153.090)</b> <input type="checkbox"/> List Special Permit Type _____
<input type="checkbox"/> <b>Variance (Code Section 153.231)</b> <input type="checkbox"/> Non-Use (area) Variance <input type="checkbox"/> Use Variance
<input type="checkbox"/> <b>Other (Please Specify):</b> _____

## II. PROPERTY INFORMATION: This section must be completed.

Property Address(es): <b>4163 BIDLE COURT DUBLIN, OH 43016</b>	
Tax ID/Parcel Number(s): <b>273-011372-00</b>	Parcel Size(s) (Acres): <b>.368</b>
Existing Land Use/Development: <b>WEDGEWOOD GLEN</b>	

IF APPLICABLE, PLEASE COMPLETE THE FOLLOWING:

Proposed Land Use/Development: <b>PLEASE SEE ATTACHMENT.</b>
---

## III. CURRENT PROPERTY OWNER(S): Please attach additional sheets if needed.

Name (Individual or Organization): <b>VIRGINIA HOMES / CHARLES RUMA</b>	
Mailing Address: (Street, City, State, Zip Code) <b>10104 BREWSTER LANE, STE. 100</b>	
Daytime Telephone: <b>(614) 764-1953</b>	Fax: <b>(614) 764-1965</b>
Email or Alternate Contact Information: <b>charles @ virginia-homes.com</b>	

## IV. APPLICANT(S): This is the person(s) who is submitting the application if different than the property owner(s) listed in part III. Please complete if applicable.

Name:	Applicant is also property owner: yes <input type="checkbox"/> no <input type="checkbox"/>
Organization (Owner, Developer, Contractor, etc.):	
Mailing Address: (Street, City, State, Zip Code)	
Daytime Telephone:	Fax:
Email or Alternate Contact Information:	

RECEIVED  
13-081 AA  
AUG 02 2013

CITY OF DUBLIN  
PLANNING

**V. REPRESENTATIVE(S) OF APPLICANT / PROPERTY OWNER:** This is the person(s) who is submitting the application on behalf of the applicant listed in part IV or property owner listed in part III. Please complete if applicable.

Name:	
Organization (Owner, Developer, Contractor, etc.):	
Mailing Address: (Street, City, State, Zip Code)	
Daytime Telephone:	Fax:
Email or Alternate Contact Information:	

**VI. AUTHORIZATION FOR OWNER'S APPLICANT or REPRESENTATIVE(S):** If the applicant is not the property owner, this section must be completed and notarized.

I _____, the owner, hereby authorize _____ to act as my applicant or representative(s) in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all representations and agreements made by the designated representative.	
Signature of Current Property Owner:	Date:

Check this box if the Authorization for Owner's Applicant or Representative(s) is attached as a separate document

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

State of \_\_\_\_\_

Stamp: 08/03/13

County of \_\_\_\_\_ Notary Public \_\_\_\_\_

**VII. AUTHORIZATION TO VISIT THE PROPERTY:** Site visits to the property by City representatives are essential to process this application. The Owner/Applicant, as notarized below, hereby authorizes City representatives to visit, photograph and post a notice on the property described in this application.

I <b>CHARLES RUMA</b> , the owner or authorized representative, hereby authorize City representatives to visit, photograph and post a notice on the property described in this application.	
Signature of applicant or authorized representative: 	Date: <b>7/30/13</b>

**VIII. UTILITY DISCLAIMER:** The Owner/Applicant acknowledges the approval of this request for rezoning by the Dublin Planning and Zoning Commission and/or Dublin City Council does not constitute a guarantee or binding commitment that the City of Dublin will be able to provide essential services such as water and sewer facilities when needed by said Owner/Applicant.

I <b>CHARLES RUMA</b> , the owner or authorized representative, acknowledge that approval of this request does not constitute a guarantee or binding commitment that the City of Dublin will be able to provide essential services such as water and sewer facilities when needed by said Owner/Applicant.	
Signature of applicant or authorized representative: 	Date: <b>7/30/13</b>

**IX. APPLICANT'S AFFIDAVIT:** This section must be completed and notarized.

I, CHARLES RUMA, the owner or authorized representative, have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted is complete and in all respects true and correct, to the best of my knowledge and belief.

Signature of applicant or authorized representative: [Signature] Date: 7/30/13

Subscribed and sworn to before me this 30th day of July, 2013

State of OHIO

County of Delaware

Notary Public [Signature]

NOTE: THE OWNER, OR NOTED REPRESENTATIVE IF APPLICABLE, WILL RECEIVE A FACSIMILE CONFIRMING RECEIPT OF THIS APPLICATION



STEPHANIE A. HUMENAY  
 NOTARY PUBLIC, STATE OF OHIO  
 MY COMMISSION EXPIRES 4/16/2016

FOR OFFICE USE ONLY			
Amount Received: <u>100</u>	Application No: <u>13-081AA</u>	BZA Date(s):	BZA Action:
Receipt No: <u>270140</u>	Map Zone:	Date Received: <u>8/2/13</u>	Received By: <u>TNF</u>
Type of Request:			
N, S, E, W (Circle) Side of:			
N, S, E, W (Circle) Side of Nearest Intersection:			
Distance from Nearest Intersection:			
Existing Zoning District:			

# PROPERTY OWNERS WITHIN 150'

---

Parcel	Owner	Address
273-011380	AGD Family LP	4107 Brinsworth Drive
273-011373	Trina L Allison	4171 Bidle Court
273-011374	Jeffery W Erickson Maria M Erickson	4179 Bidle Court
273-011383	Wayne G Heigel Susan L Heigel	4131 Brinsworth Drive
273-011382	Scott A Holowicki Patti J Holowicki	4123 Brinsworth Drive
273-011376	Frank J Leary Stacy M Leary	4178 Bidle Court
273-011377	Matthew S TR Patel Kristin M TR Patel	4170 Bidle Court
273-011370	Micheal L Pfeiffer Lorrie A Pfeiffer	4174 Brinsworth Drive
273-011371	Satyavati Potaraju	4166 Brinsworth Drive
273-011381	Peter R Salvator Laura C Salvator	4115 Brinsworth Drive
273-011378	Bryan K Smith Sarah J Smith	4162 Bidle Court

## **BZA – Administrative Appeal – Virginia Homes - August 29, 2013**

**LEGAL DESCRIPTION:** LOT #28 WEDGEWOOD GLEN, PLAN BOOK 106, PAGE 19.

### **REASON FOR ADMINISTRATIVE REVIEW:**

Virginia Homes would like to appeal the current decision/code requiring a smaller pavement width for sideload garages on corner lots. I do not disagree with the Steve Langworthy's decision, as he has allowed for more than the current code allows. The problem we are facing is that given the current code, we will be forced to build this lot as a front load garage. We do not believe that this is the intent of the code and would like to understand what our options are to build this lot. We currently have a building permit submitted for a customer with the current allowable width.

The current code requires a maximum pavement width for sideload garages on corner lots to be 20' between the right of way and the building setback line. The same code allows the pavement width to be a maximum of 30' wide between the right of way and building setback line for front load garages. The issue we have is that when side loaded, the pavement by the 3<sup>rd</sup> bay is only 12' deep. This is not acceptable for our current buyer. Given the layout, the only other way to provide an acceptable driveway is to front load the garage. We have required all residents in Wedgewood Glen to sideload their garages and this will be the only home in the subdivision that is front loaded. Furthermore, every other home in the subdivision, with the exception of lot 75, has been permitted to have the wider pavement width, as this code was not enforced until 12-18 months ago.

As the president of the BIA of Central Ohio, we have met with city officials to recommend that the code be revised. It is my understanding that this will be reviewed and that new language may be created to address this concern in the next code revision. We are requesting a maximum pavement width of 30' between the right of way and the building setback line for a side loaded garage on a corner lot. We believe that the community should be consistent and that a side load garage should be held to the same standard as a front load garage.

Please see the attached site plans for review. Attachment "A" represents what we would like to be approved. This drawing has 23' of pavement beyond the 3<sup>rd</sup> bay, enough to park a car. Attachment "B" represents what staff has approved. Staff has currently approved 30' width at the building line with a taper to the right of way. We feel this does not provide enough room to use the 3<sup>rd</sup> bay of the garage and certainly not enough to park a car.

Thank you for your consideration.

Charles Ruma