

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

II. PROPERTY INFORMATION: This section must be completed.

Property Address(es): <u>6765 Baronet Blvd, Dublin, OH 43017</u>	
Tax ID/Parcel Number(s): <u>Parcel # 4000140580740</u>	Parcel Size(s) (Acres):
Existing Land Use/Development:	

IF APPLICABLE, PLEASE COMPLETE THE FOLLOWING:

Proposed Land Use/Development:

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

Name (Individual or Organization): <u>Brandon Sailors + Kio Morimoto</u>	
Mailing Address: (Street, City, State, Zip Code) <u>7854 Jaymes St, Dublin, OH 43017</u>	
Daytime Telephone: <u>614-271-8683</u>	Fax:
Email or Alternate Contact Information: <u>bt-sailors@gmail.com</u>	

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: <u>Brandon Sailors</u>	Applicant is also property owner: yes <input checked="" type="checkbox"/> no <input type="checkbox"/>
Organization (Owner, Developer, Contractor, etc.): <u>owner</u>	
Mailing Address: (Street, City, State, Zip Code) <u>7854 Jaymes St, Dublin, OH 43017</u>	
Daytime Telephone: <u>614-271-8683</u>	Fax:
Email or Alternate Contact Information: <u>bt-sailors@gmail.com</u>	

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: <u>Brandon Sailors</u>	
Organization (Owner, Developer, Contractor, etc.): <u>owner</u>	
Mailing Address: (Street, City, State, Zip Code) <u>7854 Jaymes St, Dublin, OH 43017</u>	
Daytime Telephone: <u>614-271-8683</u>	Fax:
Email or Alternate Contact Information: <u>btsailors@gmail.com</u>	

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 or Seal

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 <u>Brandon Sailors</u> , 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: <u>10/2/14</u>

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 <u>Brandon Sailors</u> , 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: <u>10/2/14</u>

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

I, Brandon Saylor, 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: 10/2/14

Subscribed and sworn to before me this 2 day of October, 20 14

State of OHIO

County of FRANKLIN

Notary Public Deborah Lyn Cheney Mazey



Stamp or Seal
Deborah Lyn Cheney Mazey
 Notary Public, State of Ohio
 My Commission Expires 02-17-2019

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

FOR OFFICE USE ONLY			
Amount Received:	Application No:	BZA Date(s):	BZA Action:
Receipt No:	Map Zone:	Date Received:	Received By:
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:			



CITY OF DUBLIN.

NON-USE (AREA) VARIANCE

Application Requirement Checklist

Application & Supporting Materials

- 1 APPLICATION FEE \$150⁰⁰
- 2 CD - ONE (1) DIGITAL COPY CONTAINING ALL APPLICATION MATERIALS REQUIRED FOR SUBMISSION. Files must be labeled and submitted as PDFs or JPEGs, or other appropriate electronic format.
- 3 ORIGINAL SIGNED AND NOTARIZED BOARD OF ZONING APPEALS APPLICATION FORM - ONE (1) ORIGINAL
- 4 VARIANCE STATEMENT - THIRTEEN (13) COPIES INCLUDING RESPONSES TO THE FOLLOWING:
 - A Explain the requested variance.
 - B Identify the development text requirement or Code Section from which the proposal is varying.
 - C Explain how the requested variance relates to the development standards applicable to the property.
 - D If the applicant has been denied a Certificate of Zoning Compliance for the property in question, explain why the request was denied.
 - E Please provide any other information that would be helpful to the Board of Zoning Appeals in making their decision.
- 5 LEGAL DESCRIPTION AND/OR PROPERTY SURVEY FOR EACH PARCEL INCLUDED - ONE (1) COPY
- 6 LIST OF PROPERTY OWNERS AND REGISTERED HOMEOWNERS ASSOCIATIONS WITHIN 150 FEET - ONE (1) COPY THAT INCLUDES:
 - A Parcel number
 - B Owner name
 - C Complete address
- 7 ADDRESS EACH OF THE FOLLOWING REVIEW CRITERIA - THIRTEEN (13) COPIES
 - A Explain the existing special circumstances or conditions that are peculiar to this land or structure that are NOT applicable to other properties or structures in the same zoning district.
 - B Explain how the special conditions are NOT a result of the applicant's actions or inactions.
 - C If the proposed variance were granted, explain how the variance will NOT cause a substantial adverse effect to the property or improvements in the vicinity or materially impair the intent and purposes of the requirements of the Dublin Zoning Code.
 - D If the proposed variance were granted, explain whether there would be any special privileges conferred on the property owner that are denied by the Zoning Code to other properties or structures in the same zoning district.
 - E Explain how the proposed variance is not one where the specific conditions of the property are general and recurrent to make the formation of a general regulation for those conditions reasonably practical.
 - F Explain how the variance would NOT adversely affect the delivery of governmental services.
 - G Explain how the practical difficulty could be eliminated by some other method, even if the solution is less convenient or more costly to achieve.
- 8 DENIED CERTIFICATE OF ZONING COMPLIANCE - THIRTEEN (13) COPIES (if applicable)

Plans & Maps

All plans require THIRTEEN (13) small (11 x 17) and FIVE (5) large (22 x 34) to scale copies unless otherwise noted. Additional copies of plans may be requested prior to the case being placed on a meeting agenda.

1 SITE PLAN - Show the following:

- A North arrow and bar scale.
- B Boundaries and dimensions of the lot.
- C Sizes and locations of existing and proposed structures, access ways, walks, off-street parking and loading spaces, and landscaping.
- D Existing and proposed uses of all parts of the lot and structures.
- E Use of land and locations of structures within 100 feet of the subject property.
- F Any other information that the Board of Zoning Appeals deems necessary to make a decision on the application.

Review Criteria

153.231(H) NON-USE VARIANCE (PRACTICAL DIFFICULTY) REVIEW CRITERIA.

- (2) Non-Use Variances. Upon application, the Board of Zoning Appeals shall only approve a request for a non-use variance only in cases where there is evidence of practical difficulty present on the property in the official record of the hearing and that the findings required in (a) and (b) have been satisfied with respect to the following standards of review:
- (a) That all of 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 whereby the literal enforcement of the requirements of this Chapter would involve practical difficulties. Special conditions or circumstances may include: exceptional narrowness, shallowness or shape of a specific property on the effective date of this Chapter or amendment; or by reason of exceptional topographic or environmental conditions or other extraordinary situation on the land, building or structure; or by reason of the use or development of the property immediately adjoining the property in question.
 - (2) That the variance is not necessitated because of any action or inaction of the applicant.
 - (3) Granting the variance will not cause a substantial adverse effect to property or improvements in the vicinity or will not materially impair the intent and purposes of the requirement being varied or of this Chapter.
- (b) That at least two of the following findings are made:
- (1) That a literal interpretation of the provisions of the Zoning Code would not confer on the applicant any special privilege or deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Chapter.
 - (2) The variance request is not one where the specific conditions pertaining to the property are so general or recurrent in nature as to make the formulation of a general regulation for those conditions reasonably practicable.
 - (3) The variance would not adversely affect the delivery of governmental services (e.g., water, sewer, garbage).
 - (4) The practical difficulty could be eliminated by some other method, even if the solution is less convenient or most costly to achieve.

VARIANCE APPLICATION FOR 6765 BARONET BLVD, DUBLIN, OHIO 43017

Property Owners:

Brandon Sailors and Kio Morimoto

Current address: 7854 Jaymes St, Dublin, OH 43017

New address: 6765 Baronet Blvd, Dublin, OH 43017

Parcel 4000140580740

Variance Statement

- A. We request a variance on the 25' set back to allow the building of an outdoor living space. Specifically, we are requesting 10' to build a paver patio with outdoor kitchen and pergola for shade. This would have a negligible impact and should enhance both our home and neighborhood to blend in with the look and feel of Tartan Ridge
- B. Code Section 153.231
- C. It is my understand that the City of Dublin has put in place a 25' setback in the backyard to maintain quality greenscape environment for the citizens of Dublin to enjoy
- D. A permit was requested to add a hardscape at 6765 Baronet Blvd during the construction of the home and was denied due to encroachment of the 25' setback
- E. As a longtime resident of Dublin, my wife and I are requesting a minor variance to build a beautiful outdoor living space to enhance our property and the surrounding area of Tartan Ridge

Property Survey

See Appendix

List of Property Owners within 150 feet

See Appendix

Address each of the following review criteria

- A. Lot 209 is a smaller and more narrow lot within Tartan Ridge
- B. Throughout the design and purchasing process, we were never informed of any limitations by both the previous land owner (Edwards Companies) nor our builder (Coppertree Homes) for full use of the property to include an outdoor hardscape
- C. The requested variance will have no adverse effect on either the property or surrounding common green space. As you will see later in both the pictures and property design, there is over 100' between the end of our property and properties behind our lot.
- D. It is our belief that the granting of this variance is not a special privilege, but a commonsense approach to the continued beautification of both Dublin and Tartan Ridge

- E. The phase of development where Lot 209 is located contains a number of narrow and irregularly shaped lots, not all of which are impacted in the same way as Lot 209. The initial design for this section calls for many homes to be set back from the main street, which is what has caused the need for this variance.
- F. No government services would be impacted in any way with the acceptance of this variance request
- G. Multiple options have been explored, but are not feasible. These include evaluating the use of the side yard, which would require the relocation of 2 air conditioners. Unfortunately, only one of the two could be moved, due to the hard piping of the Freon lines, so this is not an option. We also explored the purchase of additional property, but were told this is also not an option. Lastly, we have created options that would be compliant with current zoning regulations, but they will not allow for the use and enjoyment of the backyard.

Site Plan

See Appendix

Concluding Statements

Through no fault of the homeowners, we are faced with a difficult predicament which requires the assistance of the City of Dublin Zoning Board. This is the first house my wife and I have built and overall, it has been an exciting and wonderful experience. We had the chance to move anywhere in the US, but we decided to stay in Dublin, OH as we both love living in such a beautiful, safe, and well maintained city. We take part in many civic events and are proud to call Dublin our home. When we designed this home, we specifically chose a lot that a view of a small pond with a large amount of green space in the backyard, since we spend most of our time in the summer outside. We designed the home so that it would flow from the covered steps to an area we envisioned would hold a table to enjoy the view of the pond. We also built a two-way fireplace, so that we could put patio furniture to enjoy the fire in the evening with neighbors and friends. This would then connect to an outdoor kitchen with pergola, since there is no natural shade available and this backyard will receive a large amount of sunshine during the day and early evening. Our property backs up to a beautiful greenscape that will host a walking path between our backyard and the neighbors' backyards. It is over 50' from the back of our lot to this path and then another 50' to the next closest lot. There is ample space. Our goal is to enhance the beauty of our home, our neighborhood, and create a warm inviting atmosphere to enjoy the comradery of our neighbors. We are asking for a mere 5' more than we were told we could have with the existing code. That is all. 5' more. This is an investment of over \$40,000 we are willing to make to help improve and create this living space. Please help us by granting this request. You will find supporting notes from the land owners of Tartan Ridge (Charlie Driscoll of Edwards Company) and our homebuilder (Tim Shear of Coppertree homes) attached in the appendix. Thank you for your consideration and assistance in this matter.



Union County Auditor Andrea L. Weaver



PROPERTY SEARCH OPTIONS

- Parcel Number**
- Property Address**
- Owner Name**
- Advanced Search**
- Tax Rates**

PROPERTY SEARCH RESULTS

22
properties
selected

Parcel Number	Deeded Owner	Property Location	Nbhd	Map Number	Class	Acres	Market Va
4000140580960	Tartan Ridge LLC	BARONET BLVD, DUBLIN OH 43017,	1751704	1370104028000	500	0.1350	
4000140580970	Tartan Ridge LLC	BARONET BLVD, DUBLIN OH 43017,	1751704	1370100001601	500	3.7890	
4000140580490	Tartan Ridge LLC	BARONET BLVD, DUBLIN OH 43017,	1751704	1370104026000	500	0.0000	64,6
4000140580520	Tartan Ridge LLC	BARONET BLVD, DUBLIN OH 43017,	1751704	1370104023000	500	0.0000	63,2
4000140580940	Tartan Ridge LLC	BARONET BLVD, DUBLIN OH 43017,	1751704	1370104030000	500	0.0280	
4000140580770	Brink Matthew M & Farah W	6741 BARONET BLVD, DUBLIN, 43017	1751704	1370112008000	500	0.0000	93,6
4000140580500	M/I Homes of Central Ohio LLC	6746 BARONET BLVD, DUBLIN, 43017	1751704	1370104025000	500	0.0000	65,3
4000140580510	M/I Homes of Central Ohio LLC	6754 BARONET BLVD, DUBLIN, 43017	1751704	1370104024000	500	0.0000	66,6
4000140580740	Sailors, Brandon & Kio Morimoto	6765 BARONET BLVD, DUBLIN, 43017	1751704	1370112011000	500	0.0000	91,0
4000140580730	Jotsinghani Amita & Neeraj K	6773 BARONET BLVD, DUBLIN, 43017	1751704	1370112012000	500	0.0000	598,1

Data extracted from County files
9/30/2014 9:05:52 PM

Copyright © 2011-2014 Appraisal
Research Corporation

Page 2 of 3

Copyright © 2013 Appraisal Research Corporation



Union County Auditor Andrea L. Weaver



PROPERTY SEARCH OPTIONS

Parcel Number

Property Address

Owner Name

Advanced Search

Tax Rates

PROPERTY SEARCH RESULTS

22
properties
selected

Parcel Number	Deeded Owner	Property Location	Nbhd	Map Number	Class	Acres	Market Va
4000140580480	Tartan Ridge LLC	BARONET BLVD, DUBLIN OH 43017,	1751704	1370104027000	500	0.0000	60,1
4000140580550	Tartan Ridge LLC	BARONET BLVD, DUBLIN OH 43017,	1751704	1370104020000	500	0.0000	57,1
4000140580560	Tartan Ridge LLC	BARONET BLVD, DUBLIN OH 43017,	1751704	13701040190000	500	0.0000	63,2
4000140580580	Tartan Ridge LLC	BARONET BLVD, DUBLIN OH 43017,	1751704	1370104017000	500	0.0000	53,0
4000140580930	Tartan Ridge LLC	BARONET BLVD, DUBLIN OH 43017,	1751704	1370106024000	500	4.1110	4
4000140580950	Tartan Ridge LLC	BARONET BLVD, DUBLIN OH 43017,	1751704	1370104029000	500	0.0570	
4000140580540	Tartan Ridge LLC	BARONET BLVD, DUBLIN OH 43017,	1751704	1370104021000	500	0.0000	65,2
4000140580760	Tartan Ridge LLC	BARONET BLVD, DUBLIN OH 43017,	1751704	1370112009000	500	0.0000	99,0
4000140580530	Tartan Ridge LLC	BARONET BLVD, DUBLIN OH 43017,	1751704	1370104022000	500	0.0000	63,2
4000140580920	Tartan Ridge LLC	BARONET BLVD, DUBLIN OH 43017,	1751704	1370112006000	500	7.2590	7

Data extracted from County files
9/30/2014 9:05:52 PM

Copyright © 2011-2014 Appraisal
Research Corporation

Page 1 of 3

Copyright © 2013 Appraisal Research Corporation



Union County Auditor Andrea L. Weaver



PROPERTY SEARCH OPTIONS

- Parcel Number
- Property Address
- Owner Name
- Advanced Search
- Tax Rates

PROPERTY SEARCH RESULTS

22 properties selected

Parcel Number	Deeded Owner	Property Location	Nbhd	Map Number	Class	Acres	Market Va
4000140580570	MI Homes of Central Ohio LLC	6802 BARONET BLVD, DUBLIN, 43017	1751704	1370104018000	500	0.0000	63,2
4000140580750	Dublin Manor LLC	6757 BARONET BLVD, DUBLIN OH 43017,	1751704	1370112010000	500	0.0000	99,0

Data extracted from County files 9/30/2014 9:05:52 PM

Copyright © 2011-2014 Appraisal Research Corporation

Page 3 of 3

Copyright © 2013 Appraisal Research Corporation



Brandon Sailors <btsailors@gmail.com>

The Sailor Residence

Driscoll, Charlie <cdriscoll@edwardscompanies.com>

Fri, Oct 3, 2014 at 10:31 AM

To: Tim Shear <Tim@coppertreehomes.com>, Brandon Sailors <btsailors@gmail.com>, Curt Berkhemer <Curt@coppertreehomes.com>

Tim,

We have no objection to placement of the pergola inside the rear setback of lot 209.

Charlie

[Quoted text hidden]



Brandon Sailors <btsailors@gmail.com>

The Sailor Residence

Tim Shear <Tim@coppertreehomes.com>

Fri, Oct 3, 2014 at 10:22 AM

To: Brandon Sailors <btsailors@gmail.com>, Curt Berkhemer <Curt@coppertreehomes.com>, Charlie Driscoll <cdriscoll@edwardscompanies.com>

In regards to the variance requested by The Sailor Family....

Our experience throughout the entire design process with the Sailors has consistently met and exceeded the high standards of the Tartan Ridge neighborhood. Exterior elevation, interior design and selections have been exceptional. The landscaping plan is no exception. We did not fully understand, nor could we advise the Sailors of the restrictions the rear set back would have on their vision for their outdoor living plan.

As has been the case in each choice of the entire design/build process, the landscape plans we have reviewed are excellent and we feel enhance the neighboring homesites.

We hope the variance requested is carefully reviewed and accepted.

Regards,

Tim Shear
Vice President
Coppertree Homes
614-448-8158