

NON USE (AREA) VARIANCE

4. VARIANCE STATEMENT

4a: Explain the requested variance:

This variance is a request for non-use of wheel stops in the parking spaces located in front of 31 S High Street.

4b. Identify the development text requirement or Code Section from which the proposal is varying.

Code Section 153.065 (B): Number 6, item d

4c. Explain how the requested variance relates to the development standards applicable to the property.

Code requires wheel stops of at least 5 inches to be installed to prevent vehicle conflicts with abutting sidewalks. The request for variance is being made for non-use of wheel stops. Wheel stops at this location have caused vehicle damage and customer injury.

4d. If the applicant has been denied a Certificate of Zoning Compliance for the property in question, explain why the request was denied.

Not applicable.

4e. Please provide any other information that would be helpful to the Board of Zoning Appeals in making their decision.

- Patients of the doctor trip and fall on these wheel stops. Many patients have complained about this and have requested their removal.
- An employee broke her toe on a wheel stop.
- Numerous insurance claims have been filed as persons have caught their bumper on them and ended up having the bumper ripped off their car.
- Ease of snow removal during winter months.
- We share these spaces with the knitting store next to our business. There are numerous people getting in and out of these spaces, besides our patients, that also easily trip and fall on these wheel stops.

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6: LIST OF PROPERTY OWNERS WITHIN 150 FEET

Parcel Number	Owner Name	Complete Address
273-012388-00	BASSETT, THOMAS L	35 S High St. Dublin, OH 43017
273-000062-00	CITY OF DUBLIN	27 S High St. Dublin, OH 43017
273-000208-00	CITY OF DUBLIN	13 S High St, Dublin, OH 43017 9 S High St, Dublin, OH 43017 1 W Bridge St, Dublin, OH 43017 5 W Bridge St, Dublin, OH 43017 11 W Bridge St, Dublin, OH 43017 19 W Bridge St #101, Dublin, OH 43017
273-000088-00	FIREHOUSE INVESTMENTS LLC	37 W Bridge St, Dublin, OH 43017
273-000093-00	ALLESPACH STEPHANIE TR	55 S High St, Dublin, OH 43017

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7: REVIEW CRITERIA

7a. 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.

The sidewalk at this property is flush with the street. This is a unique circumstance that is not applicable to many properties in the same district as they have a raised curb that eliminates the need for a wheel stop. The wheel stops that are required are a danger to pedestrians as they cause a tripping and fall risk.

7b. Explain how the special conditions are NOT a result of the applicant's actions or inactions.

When the building was purchased, the special circumstances existed- the sidewalk and street are the same level making wheel stops a code requirement. This is not a result of the applicant's action or inaction.

7c. 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.

If the variance is granted, it will not cause adverse effects to the property as parking areas and sidewalk are clearly marked. If wheel stops were to be placed, they afford a tripping and fall hazard and potential to damage vehicles. While the code's intent is to prevent vehicle conflicts with abutting sidewalks, the same outcome is achieved with clearly marked boundaries between walkway and roadway. This is consistent with the purposes of the Dublin Zoning Code.

7d. 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.

Not applicable as other properties in the zoning area have curbs that are elevated to separate the parking area from pedestrian walkways.

7e. 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.

It is a property specific issue regarding the wheel stops and how this area is also a walk through for persons heading towards Jenni's, Starbucks and places on the other side of the building. Risk of injury makes our business liable to the general public as well as our medical patients.

7f. Explain how the variance would NOT adversely affect the delivery of governmental services.

This variance would not adversely affect governmental service, in fact it would create an ease of use because there would not be wheel stops to navigate around. This would also eliminate a hazard as parking blocks are a concern for falls.

7g. Explain how the practical difficulty could be eliminated by some other method, even if the solution is less convenient or more costly to achieve.

This difficulty could not be eliminated by another practical method without danger being imposed to vehicles, the public, and medical patients.

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SITE MAP



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LEGAL DESCRIPTION

EXHIBIT A

LEGAL DISCRIPTION OF CONDOMINIUM PROPERTY/PREMISES

Situated in the State of Ohio, County of Franklin and in the Village of Dublin:

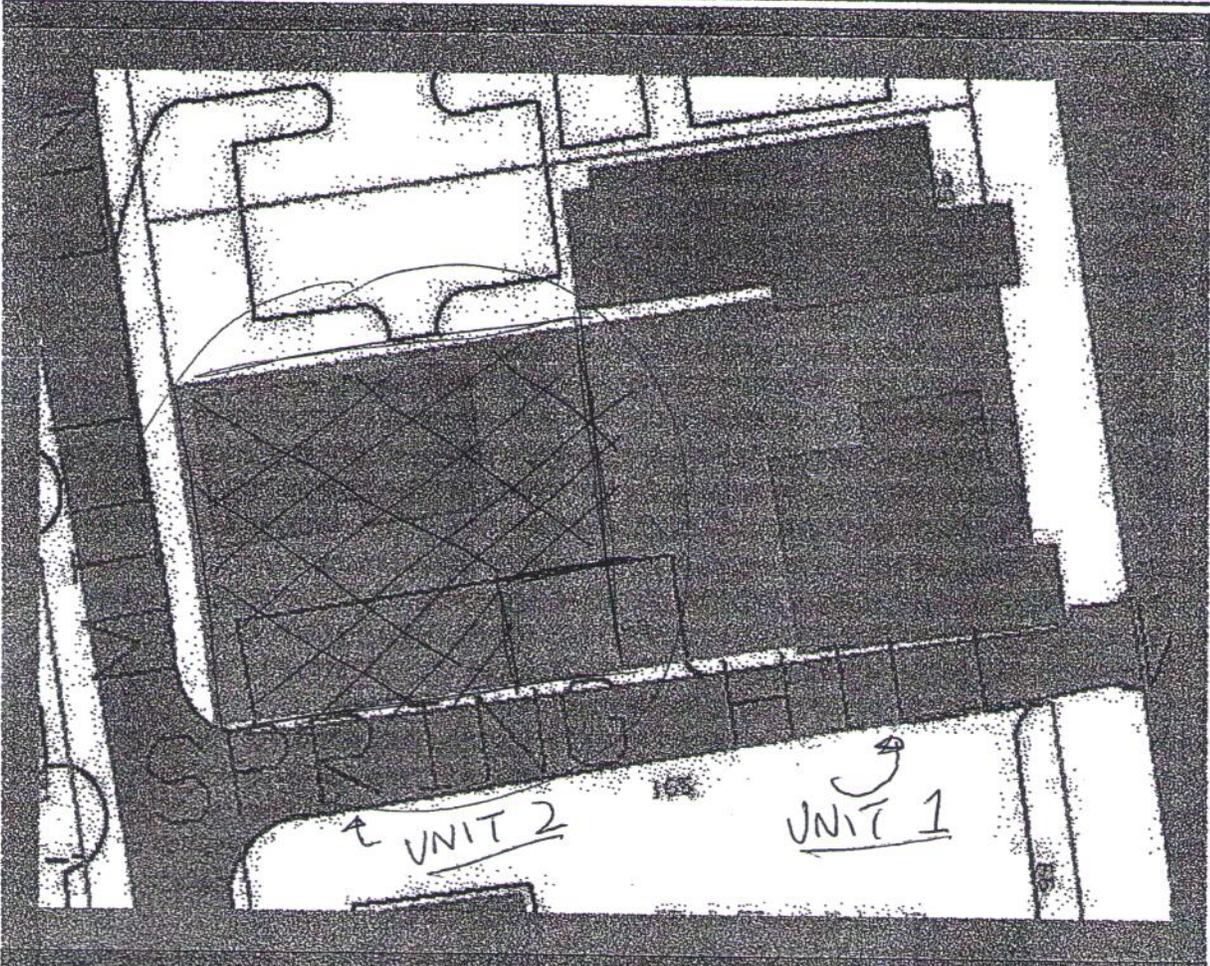
Being Lot Number One Hundred Forty (140) in Town of Dublin, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, Page 193, Recorder's Office, Franklin County, Ohio.

Exhibit A

Clarence E. Mingo, II
Franklin County Auditor

MAP/GIS

Parcel ID 273-000012-00 Map Routing No 273-N089 -040-00 Card No 1 Location 35 -39 S HIGH ST



This drawing is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this drawing are notified that the public primary information source should be consulted for verification of the information contained on this drawing. The county and the mapping companies assume no legal responsibilities for the information contained on this drawing. Please notify the Franklin County GIS Division of any discrepancies.

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