City of Dublin
OHIO. USA

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17-054 V
2017
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Planning | 2017

Case # 17 - 054 V

PLANNING **APPLICATION**

This is the general application form for Boards and Commissions. In addition, applicants should submit a checklist with the requirements for the application type indicated below. Attach additional sheets if necessary.

I. REVIEW REQUESTED:

- ☐ Administrative Appeal
- ☐ Administrative Departure
- ☐ Amended Final Development Plan
- ☐ Amended Final Development Plan - Sign
- ☐ Basic Development Plan Review
- ☐ Basic Site Plan Review
- ☐ Community Plan Amendment
- ☐ Concept Plan
- ☐ Conditional Use
- ☐ Development Plan Review - Bridge Street District
- ☐ Development Plan Review - West Innovation District
- ☐ Final Development Plan
- ☐ Final Plat
- ☐ Informal Review
- ☐ Minor Modification
- ☐ Minor Project Review
- ☐ Minor Subdivision
- ☑ Non-Use (Area) Variance
- ☐ Preliminary Development Plan/PUD Rezoning
- ☐ Preliminary Plat
- ☐ Site Plan Review - Bridge Street District
- ☐ Site Plan Review - West Innovation District
- ☐ Special Permit
- ☐ Standard District Rezoning
- ☐ Use Variance
- ☐ Waiver Review
- ☐ Wireless Communications Facility
- ☐ Zoning Code Amendment

II. PROPERTY INFORMATION: Provide information about the property including existing and proposed development.

Property Address(es): 8405 GREENSIDE DRIVE DUBLIN, OHIO 43017	
Tax ID/Parcel Number(s) (List All): 273-006096	Parcel Size(s) in Acres (List Each Separately): .17/A
Existing Land Use/Development:	Existing Zoning District:
Proposed Land Use/Development:	Proposed Zoning District:

III. CURRENT PROPERTY OWNER(S): Indicate the person(s) or organization(s) who own the property proposed for development.

Name (Individual or Organization): DAVID R. CONLEY
Mailing Address (Street, City, State, ZIP): 8405 GREENSIDE DRIVE DUBLIN, OHIO 43017
Email/Phone Number: dconley@citybbq.com 614-886-2325

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IV. APPLICANT(S): Complete this section if the person/organization representing the applicant/ property owner is different from the applicant.

☐ **Not Applicable**

Name (Individual or Organization):
Mailing Address (Street, City, State, ZIP):
Phone Number:
Email:

V. REPRESENTATIVE(S): Complete this section if the person/ organization representing the applicant/ property owner is different from the applicant (such as the project manager or property owner's legal council).

☐ **Not Applicable**

Name (Individual or Organization): Rick Gerber, Gerber & Mitchell
Mailing Address (Street, City, State, ZIP): 109 South High Street, Dublin, Ohio 43017
Phone Number: 614-389-8801
Email: rgerber@gem-law.com

VI. PROPERTY OWNER'S AUTHORIZATION OF APPLICANT(S)/ AUTHORIZED REPRESENTATIVE: The Property Owner listed in Section II must authorize the Applicant listed in Section III and/or the Authorized Representative listed in Section IV to act on the Owner's behalf with respect to this application.

☐ **Not Applicable**

I David R. Coney, the **property owner**, hereby authorize Rick Gerber, Gerber & Mitchell To act as my **representative(s)** in all matters pertaining to the processing and approval of this application, including modification to the application. I agree to be bound by all representations and agreements made by the designated representative (listed in Sections III and/or IV).

Original Signature of Property Owner (listed in Section II): David R. Coney	Date: 5-16-17

Subscribed and sworn before me this 16 day of May, 2017
State of Ohio
County of Franklin
Notary Public

NOTARIAL SEAL STATE OF OHIO

RICHARD S. GERBER, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

VI. AUTHORIZATION TO VISIT THE PROPERTY: Site visits to the property by City representative are essential to process the application. The Property Owner/ Applicant/ Authorized Representative (listed in Section II), hereby authorizes City representatives to enter, photograph, and post a notice on the property described in the application. This is optional, but strongly recommended.

I David R. Coney, the **property owner** or **authorized representative**, hereby authorize City representatives to enter, photograph and post a notice on the property described in the application.

Original Signature of Property Owner or Authorized Representative: David R. Coney	Date: 5-16-17

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VI. APPLICANT'S AFFIDAVIT OF ACKNOWLEDGMENT: This section must be completed with an **original signature** and **notarized.**

☑ **Original Document Attached**

I DAVID R. CONVEY, the **property 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 best of my knowledge and belief.

Original Signature of Property Owner or Authorized Representative:	Date:
David R. Gq	5-16-17

Subscribed and sworn before me this 16 day of MAY 2017
State of OHIO
County of FRANKLIN
Notary Public

NOTARIAL SEAL STATE OF OHIO
RICHARD S. GERBER, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

FOR OFFICE USE ONLY:

Case Title:	Date Received:
Case Number:	
Amount Received:	Next Decision Due Date (If Applicable):
Receipt Number:	
Reviewing Body (Circle One): **ART ARB BZA CC PZC**	Final Date of Determination:
Map Zone:	
Determination or Action:	Related Cases:
Ordinance Number (If Applicable):	

NON-USE VARIANCE APPLICATION

LOT #2051

8405 Greenside Drive

Review Criteria:

A. In order to provide a larger concrete driveway and side loaded garage the home was pushed back toward the rear yard setback. The lot configuration is not wide enough to place a driveway and garage alongside or to create any outdoor living space on either side of the home model.

B. The special conditions were set by the development standards for lot widths. The builder provided for the home model to fit on the lot but did not necessarily provide room for outdoor living space with such a deep rear yard setback. The owner is at least the second owner of the home and had no input with its location.

C. The granting of the variance will only improve the overall use and value of the property. No adverse effects will be created with the improvement of a paver patio on this lot. The granting of the variance will not impede any views or use of any neighbors, effect drainage, utility access or city maintenance of rear natural space.

D. There would not be any special privileges conferred on the property owner that are denied by the Zoning Code. Several, if not all, homes in the neighborhood have added outdoor living spaces to include paver patios and decks. Without knowing the other property restrictions for each lot, the addition of a paver patio on this lot would not be seen as out of the ordinary or any special privilege to the property owner.

E. The proposed variance may be a special condition to this and a few similar lots, however the lot and home size and location do vary in the neighborhood. The different size lots, orientation and size of homes all vary from lot to lot throughout the neighborhood providing many, if not all lots, with outdoor living space. The special conditions of this lot are not general in the fact that the home design placed on this narrower lot reduces useable space in the rear of the home.

F. The variance approval would not impede any governmental services to the rear or side of this lot. The addition of a paver patio would remain outside the rear easement, not impede any drainage, utility access or maintenance to the property adjacent to the rear of the property.

G. For the request of this variance the only other option would be to not have any additional outdoor living space. There is no other option, less convenient or more costly, that can replace the installation of a paver patio.

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