

## VARIANCE STATEMENT

24-015V

February 17, 2024

The Conrad Family, residents at 7618 Mill Springs Drive are seeking approval from the City of Dublin Board of Zoning Appeals to allow the encroachment of a pool and changing structure to enter the rear yard setback by 13'. The property is encumbered by several stringent setbacks as well as no build easements, making the proposed improvement particularly difficult to secure. The Bishop's Run subdivision has a 20' no build zone to the rear as well as 5' utility easement. Another specific issue on the Conrad's lot is the 10' bike path easement along the west property line. Along with these limitations, the Dublin Code requires that a pool must be located 10' from any main structure. These factors create a practical difficulty not caused by the property owners.

There are several pools in this neighborhood which appear to be placed within the rear yard setback and it should be assumed that special relief was granted in the past. The Conrad family has received approval from their HOA and this is the minimum necessity requested in order for the project to go forward.

The unique physical conditions which justify the variance are based upon the size of the building versus the site constraints placed on the lot. The rear yard setback is based upon 25% of the lot depth which equates to 35'. There are no topographical issues that are creating a hardship. The basis for the proposed variance is like others in this neighborhood has encountered where the zoning codes do not distinguish between various lot sizes. For example, other lots in Bishop's Run having a lot depth of 100' would equate to a 25' rear setback. In this instance a variance request on this lot would only be 3'. The varying lot depths of Bishop's Run creates the practical difficulty. The rear setback requirement combined with the no build zone makes it difficult for placement of a pool in any lot within the subdivision.

The request is to encroach the rear setback variance is just. It will not create a special advantage to the property owner, nor will it cause any blight, create traffic issues, or alter any utilities or services distributed to the neighborhood. The granting of the proposed variance would not affect the essential character of the area since this is a residential neighborhood with several pools existing that are permitted under the code.

Respectfully submitted,



Brian Lorenz, AICP