

Mitchell Coffman  
7068 Anselmo Cr.  
Dublin Ohio, 43017

Dublin Zoning Board Appeal for Safety/Security of Residences

Backyard Fence

August 15, 2024

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# Background Information regarding 7068 Anselmo Ct. Fence

- Why the fence build: 1. This year I now have two special need children on each side of my home that require 24/7 care and have therapy in the court and back yard, we all have dogs the fence prevents risk of injury [Appendix B](#). 2. I have had violent threats to my family and my self this is an additional layer of security. There have been attempts to enter the back of my house too, plus criminal activity at the back of my yard (Dublin Police Informed me) [Appendix A](#). 3. There have been strangers walking through my back yard.
- Three Contractors submitted bids for 7068 Anselmo Ct. Fence
  - Based upon Dublin Code and discussions all 3 determined that the fence was a replacement under Dublin code definition.
  - All Three Contractors had a BBB rating of A+, and costs to build ranged from \$5,100 to \$5,700.
- RS Smith was selected. In the process, not known to me, he was hospitalized at OSU James as terminal, but continued to prepare documents etc. And I confirmed that everything was complete, and his team started work 4/16. He passed 4/19<sup>th</sup>. Unfortunately he overlooked filing a building permit. (A building permit was not completed this was not known until I received the Planning Technician Letter on 4/30 (Date of Letter 4/25). I was confused by the letter, address to my wife, but "RE:6068 Ashleylynn Ct. my address is 7068 Anselmo Ct.)
- Dublin Planning Technician, stated that he performed a Site Inspection the week of 4/15. Both the construction team and I were present, the Technician did not get out of his auto to view or walk the site and did not speak to us. A brief conversation, could have alerted us to the issue of no building permit, we could have paused and completed the permit. At this time, out-of-pocket cost would have been \$1,200.00.
- I contacted the Dublin Planning Dept and met with them and Zoning Enforcement Greg as quickly as possible to work through what was needed. The Planning Department helped me go online to the Dublin ACA Portal web site and fill out the Zoning Permit. No asking from the Planning Technician if the fence was new or a replacement. Note: [The ACA Portal website online form only has an option for a new fence, not a replacement fence.](#)
- The Planning dept Disapproved the permit, informed me by email vs. written mail 5/9. I expected written notification, missed the email. Followed up by phone call at the first of June, only to learn of this disapproval notice (Not sure why the Planning Dept. of Dublin changed mode of communications with out notification). With Mr. Smiths passing (RS construction), his insurance policy was cancelled the first week of May. Therefore, leaving me with out recovery of \$5,535.00
- **Note all the issues, frustration, etc. could easily been avoided, if the Planning Technician had performed a site inspection rather than a drive by and a 3-minute conversation. I and the team were on site, he did see the team.** As a 30 year Dublin Resident, I believe I have earned and deserve this respect/consideration from the City of Dublin. Plus when approved Oakland Nursery will do a land scaping plan.
- Worked with Gary Browning Operations Administrator, Streets and Utilities Operations and his team to modify the fence to ensure access to a manhole cover. [Appendix C](#). Drawings have been submitted and onfile for the original fence. I invite you to come see the fence and walk my backyard. You can text or call me at 614.804.1824.

# Project Narrative and Review Criteria Statement

## Explain the requested variance:

- I am requesting the built fence remain with one modification. The modification comes after a review with Dublin Street & **Utilities Operations Administrator; Gary Browning and his team** (We jointly performed a site inspection). Although a manhole was accessible, in the event of an emergency we all felt that a more open access would be best. To achieve this access, a gate will open in the rear of the property allowing complete access.
- Safety is for 2 disabled family member neighbors to the homes on each side of the Anselmo property. Both individuals require 24/7 care, care providers coming and going 24/7. Additionally, therapy is performed in outdoor spaces and in the Anselmo Ct. We and both neighbors have dogs, all dogs if not confined introduce risk to both disabled individuals, introducing the risk of physical harm by causing a fall. To avoid this risk the fence prevents the dogs from interacting, plus restricts the dogs as care givers come and go 24/7 at both residences.
- Plus, Mr. Coffman incurred a stroke, this impacted his balance, with the caregivers 24/7 services to both neighbors this introduces a risk of falling when walking his dogs, the fence allows for the dogs to be taken care of when the caregivers are coming and going. Thus, eliminating this risk of fall and injury to Mr. Coffman (both in Winter and Summer).
- Criminal, assault and Murder threats made to the Coffman family (Documented in Dublin Police Reports) by gang members present in the Columbus Metro area. The fence as constructed serves as a barrier of direct access to the back of the Coffman house, it also allows all to know there are dogs present. (Prior to the fence there were attempts by unknow individuals to enter the rear entrance of the home.
- The Dublin police knocked on my door reported criminal activity in back yard.
- The fence at the rear border is a replacement and per 153.079 Definitions Fence and 153.083 (C) shall not be considered non-conforming structures and shall be permitted to be replaced in the same location.

# Project Narrative and Review Criteria Statement (Continued)

## Identify the development text requirement or Code Section from which the variance is needed and how the requested variance relates to the applicable development standards:

- Under 153.079 Definition Fence – This did meet the definition. However, the Dublin ACA Portal Website where Certificate of Zoning Plan Approval, only has the option for a new fence. Does not, have the option for Fence Replacement. Therefore, when the Dublin Zoning Personnel when assisting me in filling out the application, the fence replacement never came up, because of this omission within the ACA Portal website. I brought this to the attention of both the Zoning and Zoning Enforcement personnel of Dublin.
- Under 153.083(C) Notwithstanding any other provisions in this code, in all residential districts fences erected prior to the effective date of Ord 75-98 shall not be considered non-conforming structures and shall be permitted to be replaced in the same location.
- Although the Dublin Planning Technician Person sited that he performed a site inspection, I and the team were present. What was done by the Planning Technician was a drive by and did not get out of his auto. If he would have performed a site inspection, we all could have discussed any and all concerns and addressed them at this time, or paused the work to resolve any issues. If this approach of a qualified site inspection would have been followed, less than ¼ of the cost would have been incurred. Depending on resolution of this variance request more than \$3,000 plus cost could have been avoided.

*This Planning Technician drive by occurred April 17, 2024, and written notification by the Planning Technician was Drafted April 25, 2024. This letter was mailed and received April 30, 2024. This letter sited “RE: 6088 Ashleylynn Court” this is not my property address, my address is 7068 Anselmo Ct.*

*Why did the Planning Technician not get out of his auto, perform a site inspection and speak with with us we were on the site?*

# Project Narrative and Review Criteria Statement (Continued)

**If the applicant has been denied a Certificate of Zoning Compliance for the property, provide copy of denied CZC and explain reason for denial per Code sections 153.231(H)(2) A&B:**

- The Planning and Zoning Disapproval Notice
- ITEM DESCRIPTION

The proposed fence does not meet R-4 Zoning Code development standards Section 153.023 (C)(3) & Section 153.023 (C)(4). Section 153.023 (C) (3); Side yard setback must be a minimum of 5 feet on oneseid and total 15 feet.

Section 153.023 (C) (4); Rear yard setback shall be a minimum of 20% or more of the lot depth. (Note this is a fence replacement, not a new fence, the Dublin ACA Portal website for certificate of zoning does not, have a fence replacement option to select).

Per The City of Dublin Zoning Code Section 153.080(B) (1) (a) Open or partially open fences shall be located within the buildable area of the lot. (This is not correct the fence meets Dublin code 153.080 OPEN FENCE). Had a site inspection been performed, rather than a drive by, this error would not be cited.

**153.080 OPEN FENCE.** *A fence constructed for its functional, ornamental or decorative effect and, when viewed at right angles, having not less than 50 percent of its vertical surface area open to light and air.*

Platted easement is not identified on the plans. Please provide an updated plan indicating easement locations. See attached subdivision plat for reference. (Note this is a fence replacement, not a new fence, the Dublin ACA Portal website for certificate of zoning does not, have a fence replacement option to select).

# Project Narrative and Review Criteria Statement (Continued)

**Explain the special circumstances/conditions peculiar to the land/structure not applicable to other properties/structures in the same zoning district.**

- Safety is for 2 disabled family member neighbors to the homes on each side of the Anselmo property ([Appendix B](#)). Both individuals require 24/7 care, care providers coming and going 24/7. Additionally, therapy is performed in outdoor spaces and in the Anselmo Ct. We and both neighbors have dogs, all dogs if not confined introduce risk to both disabled individuals, introducing the risk of physical harm by causing a fall. To avoid this risk the fence prevents the dogs from interacting, plus restricts the dogs as care givers come and go 24/7 at both residences.
- Plus, Mr. Coffman incurred a stroke, this impacted his balance, with the caregivers 24/7 services to both neighbors this introduces a risk of falling when walking his dogs, the fence allows for the dogs to be taken care of when the caregivers are coming and going. Thus, eliminating this risk of fall and injury to Mr. Coffman (both in Winter and Summer).
- Criminal, assault and Murder threats made to the Coffman family (Documented in Dublin Police Reports [Appendix A](#)) by gang members present in the Columbus Metro area. The fence as constructed serves as a barrier of direct access to the back of the Coffman house, it also allows all to know there are dogs present. (Prior to the fence there were attempts by unknow individuals to enter the rear entrance of the home.
- The Violent threats continue the source phone number has an Indianapolis Area Code of 513. They include text and voice.
- The Dublin police knocked on my door reported criminal activity in back yard.
- The fence at the rear border is a replacement and per 153.079 Definitions Fence and 153.083 (C) shall not be considered non-conforming structures and shall be permitted to be replaced in the same location.

# Project Narrative and Review Criteria Statement (Continued)

- **State how the special conditions are not a result of applicant's actions/inactions.**
  - The disability of two neighbor children requiring 24/7 care with care providers coming and going 24/7 (Appendix B) .
  - The crime threats and unknow individuals trying to enter back of house. (Appendix A)
- **Describe how the proposed use will not alter the essential character of, or be detrimental to, adjacent properties and surrounding neighborhoods.**
  - The fence is open does not obstruct views or access to adjacent properties.
  - I have checked with adjacent neighbor, they like the fence, great design and adds safety to their disabled family members and care givers that come and go 24/7. They/me "WE" do not have to be concerned with our dogs interacting and impacting therapy when done outside.
  - Regarding the fence, beautiful design, providing this variance approved, I did have (But Postponed) and will have Oakland Nursery design team do a landscape design for my backyard to enhance the fence with professional landscaping.
  - Note: The ask by Planning Dept, a 20% set-back in the yard would **actually negatively impact the property use**, by placing the fence in the middle of the back yard.
  - Working with Gary Browning Dublin Operations Administrator, Streets & Utilities Operations and his team, with a modification to the back corner of the fence (Install a Gate) ensures they access to a manhole cover for his team (Appendix C)
- **Explain how the real property cannot be reasonably used for a permitted use within the current zoning district.**
  - It is a safety and security the fence is an integral part to achieve Safety/Security. With lighting, technology and design with the Oakland Nursery.
  - A electrical fence does not work with my dogs they are Great Pyreneans Mountain, they have a main around their neck, that prevents this type of fence in being affective.
- **Provide any additional information to help the BZA make a decision.**
  - See attached Police reports and Referral to the FBI for further investigation
  - See drawing as a result of working with Gary Browning Streets and Utilities Operations, this eliminates any access issues per Gary and his Team.



# Dublin Planning Interactions

- Doyel Permit Inquiry Dublin Zoning reported it as a Resident Compliant
  - The Dublin Planning Representative presented Mr. Doyel inquiry if a building permit was obtained as a Dublin Resident Compliant.
  - However, Doyel is a neighbor, and we talked about the fence, he stated he liked it, the design was great and very nice fence. I asked, Dublin Planning stated that you filed a resident compliant? Doyel said absolutely not, I inquired, no compliant, that just not true.
- Dublin Zoning Site Inspection
  - The Dublin Planning Representee stated that a site inspection was performed at 7068 Anselmo Ct. Although, I and the fence building team were present, the Representative only did a drive by and did not get out of his auto to view or inspect the site or talk to us.
  - If a site inspection had been performed, and the Planning Representative had spoke with us for 3 minutes, we could have discussed the permit, resolved it or stop work until resolved. Note only a ¼ of the materials had been used (This would have prevented the spending of more than \$3,000).
- Dublin Zoning Letter of Notification contained incorrect address
  - Letter Dated April 25, 2024 and received April 30, 2024. Sited propertyRE: 6088 Ashleylynn Court. I was very confused by this address and letter, it's not my address. My address is 7068 Anselmo Ct.

# Dublin Ohio Code Definition of “Fence & Fence Replacement”

**153.079 DEFINITIONS FENCE - GENERAL.** The word **FENCE** shall in general terminology mean any structure composed of wood, metal, stone, plastic, cellular vinyl, or other natural and permanent material erected and positioned as to enclose or partially enclose any premises or any part of any premises. Trellises, or other structures supporting, or for the purpose of supporting vines, flowers and other vegetation when erected in such position as to enclose or partially enclose or separate any premises shall be included within the definition of the word **FENCE**.

Hedges, retaining walls, or radio controlled fences, shall not be included within the definition of the word **FENCE**.

**153.083 (C)** Notwithstanding any other provisions in this Code, in all residential districts fences erected prior to the effective date of Ord. 75-98 shall not be considered non-conforming structures and shall be permitted to be replaced in the same location and at the same or lesser height as existed on the effective date of Ord. 75-98.

In addition, the replacement fence shall be of a material as provided in § [153.080\(C\)](#). A Certificate of Zoning Plan Approval shall be required

# Fence Replacement Drawing

The backyard border was composed of trees, flowers, vines and other vegetation supported by natural structures.

Under Dublin Code 153.079 Definitions Fence – General this qualifies as a fence



House



Fenced Line at the back of the property line: Trees, Flowers, Vines and Other vegetation supported by rope and 6 foot stakes (natural).

Manhole Cover



# Dublin On-Line Planning ACA Portal website Omits Fence Replacements as an option

- When the Dublin Planning Personnel were assisting me in completing the Online Planning form (Which was appreciated), on the ACA Portal website, it only included the option for a new fence. There was no option for a replacement fence. There was no mention of fence replacement option by the Planning Technician
- The replacement of the prior fence never came up until after the Dublin Zoning Board denied my request.
- Under Dublin's Definition of Fence in 153.079 this qualifies as a fence replacement.

# Safety and Security of Family from Criminals

- There have been several threats both phone, text and by outside persons at the 7068 Anselmo Ct. residence. These have been reported to the Dublin police and one is being investigated by the FBI. (Dublin Police Reports Follow in the next 5 slides).
- There has been criminal activity at the back of the yard of 7068 Anselmo Ct. residence, reported to me by the Dublin Police Department by knocking on my door.
- There have been suspicious individuals walking through my backyard, when approached they went the other direction and would not respond, then took off running.
- Several knocks on my backdoor after dark, when open the individuals run.

# Appendix A - Dublin Police Reports

Slides 13 through 19

# Dublin Police Department Incident Report #1

Location: 7068 ANSELMO CT X-ST: SCRIBNER WAY Business: Phone: Jur: St/Beat: CAD D4 Service: District:  
LAW Agency: DPD RA: GP: D402

Nature: 19R-PHONE MESSAGE Alarm Lvl: 1 Priority: 4 Medical Priority:

Caller: Addr: COFFMAN,MITCHELL 7068 ANSELMO CT

Call Taker: KARNBP Console: DISPCON9

Geo-Verified Addr.: Yes Nature Summary Code: STAP Disposition: A Close Comments: \_\_\_\_\_

## Notes:

Caller called back in to advise that the text message came from the jlisco cartel. Caller stated that he is currently in Michigan, and he received some threatening texts from an individual that stated the caller needed to pay them \$2,900 they know where the caller lives, and they have a hit man on standby. Caller believes that this is in relation to a scam that his daughter was the victim of. I advised the caller to contact the local jurisdiction where he was at when the crime occurred. A 61A was generated for the caller's address. I advised the caller to bring his daughter and to come to the DPD to file a report for the scam his daughter was a victim of, and to look further into the threatening text messages he received while in Michigan. Caller stated that he will be back in the state and will come to the PD.

**152 MADE CONTACT WITH CLR/VICT VIA 19 TO ADV THAT AFTER REVIEWING HIS CASE THE FBI WOULD NOT BE PURSUING AN INVESTIGATION.**

CALLER WAS IN MICHIGAN WHEN HE RECEIVED SEVERAL GRUESOME PICTURES AND A DEMAND TO PAY \$2900 TO THE SUSPECT. THIS OCCURRED IN BENTON HARBOUR, MI JURISDICTION AND HAS ALREADY BEEN REPORTED TO THAT AGENCY. 61A CREATED FOR 43. Generated Additional Report # 20-001401 [WARRMN] This is a reopened incident. In lobby of 25 . daughter got scammed out of \$1200 ROBBMT]

# Dublin Police Department Incident Report #2

Location: 7068 ANSELMO CT X-ST: SCRIBNER WAY Business: Phone: Jur: St/Beat: CAD D4 Service: District:  
LAW Agency: DPD

Nature: 61A-EXTRA PATROL Alarm Lvl: 1 Priority: 5

Call Taker: HARRAM Console: DISPCON6

Geo-Verified Addr.: Yes Nature Summary Code: 61A Disposition: I Close Comments:

## Notes:

Notes from this morning "clr states 1 m/b app 5`7" and stocky exited the car and was putting on a dark blue shirt and a tool belt when he approached. female (Joetta Coffman) asked him not to approach her when he said he "takes care of ants." she told him she had a service and to leave. he kept coming towards her and she told him her dog would not like his aggressive behavior and he replied he`d "f@^ up her dog." when told again to leave, he said he had a permit and could go anywhere he wanted anytime he wanted. clr told him to get the hell off her property. her husband Mitchell Coffman) said he was calling dublin pd to check their permit and subjects left.

2nd m/b exited driver`s seat and was app 6`5" and slender. a 3rd m/b remained in the vehicle. small grey 4-door car, older, tinted license plate cover. racing up and down the street, skidding to a stop, squealing tires on take offs. will call back if they see them again.

Caller said he wants extra patrol for the night due to the incident that occurred around 10 am this morning



# Dublin Police Department Incident Report #3

## INCIDENT/INVESTIGATION REPORT

Agency Name: Dublin Police Department 20-002516 OH0250300

Location of Incident Premise Type Case Status Invest ID# Case Disposition: 7068 Anselmo Ct. Dublin Ohio 43017  
Name/Address COFFMAN, MITCHELL E. 7068 Anselmo Ct. Dublin Ohio 43017

Investigator: POPSON, J. S. (3311)

### Notes:

At approximately 1430 hours, I was dispatched to the Dublin Justice Center, in reference to an aggravated menacing. Upon arrival, I spoke to the reporting party/victim, who identified himself as Mitchell Coffman. Mr. Coffman stated that earlier in the day, at 1408 hours, he received a text message, which threatened the lives of his family. The phone number which texted him was ( ). At 1416 hours, Mr. Coffman received a phone call from the same phone number, which asked if he had received the text message. Mr. Coffman hung up and blocked the number. Mr. Coffman provided the text message to me through email, which contained pictures of mutilated human bodies. In the text, the sender identifies himself as Ken M. Ahmadi, and states that he is here to "establish order". The text message continues stating that Mr. Coffman owes a "fine" or his family will pay the consequences. The message continues adding information on Mr. Coffman's family and finishes by adding the two pictures of dead bodies. These text messages were added to the case file of this report. Mr. Coffman completed a witness statement, which stated he would like to pursue charges if applicable. Mr. Coffman stated that he received similar threatening messages. These messages were also reported to Dublin Police (CFS#202-200-519). Mr. Coffman is not sure what to make of the threats, but is concerned that his family members information is mentioned in the messages. Mr. Coffman advised that his main concern was to document that the incident occurred. This case can be considered under investigation by the assigned patrol officer.

# Dublin Police Department Incident Report #4

## INCIDENT/INVESTIGATION REPORT

Dublin Police Department 20-001400 OH0250300

Location of Incident: 6680 PERIMETER DE. Dublin OH 43017

Crime Incident(s): Theft – All other Larceny 2913.02-23H (Money/cash \$1,000 other Exchange Mediums \$200.00)

Victim: Grace Yasu Coffman

Home Address: 7068 Anselmo Ct. Dublin, OH 43017

Investigator: JONES, J. J. (3257)

### Notes:

Grace Coffman came to Dublin Police Headquarters to report a theft. Ms. Coffman stated that she responded to an email invitation for a job which turned out to be a scam. Ms. Coffman stated that she received an email from hrwilliams2309@gmail.com which asked her if she was interested in a job. Ms. Coffman responded to the email and was eventually contacted via text from ( ) .

Ms. Coffman stated that the suspect told her she would receive a \$1200 check which she needed to deposit and then send the money back to the suspect. Ms. Coffman deposited the check at PNC bank at 6680 Perimeter Drive and then sent the suspect \$1000 via Zelle App and provided them with card information for a \$200 Amazon card that she purchased. Ms. Coffman stated that the bank notified her that the check turned out to be a fraudulent check. Ms. Coffman requested a police report for documentation. Ms. Coffman does not wish to pursue charges. Ms. Coffman wanted a report to provide to her bank for documentation purposes. This report is administratively closed.

# Dublin Police Department Incident Report #5

8A-MENACING THREATS Alarm Lvl: 1 Priority: 4 Medical Priority: Reclassified Nature: Caller: Addr: COFFMAN, MITCHELL Phone: ( Alarm Type: Alarm: Vehicle #: St: Report Only: No Race: Sex: Age: Call Taker: CASEAM Console:

DISPCON110 Geo-Verified Addr.: Yes Nature Summary Code: PASS Disposition: LOG Close Comments:

## Notes:

CALLER WAS GIVEN CFS NUMBER WILL STOP IN TOMORROW TO SPEAK WITH AN OFFICER. [CASEAM] caller is getting more texts from an unk subject "sir mr look so man of word im not playing with anything, I hope that time the girl lost pay the \$1000.00 . I do not want problems but just want around playing with you" lists callers wife names, old addresses and callers current address along with some other personal information [CASEAM]

# Dublin Police Department Incident Report #6

Call Source: PHONE Prime Unit: 172 MORELAND, NICHOLAS D Services Involved LAW

Location: 7068 ANSELMO CT

Nature: 60-SUSPICIOUS PERSON Alarm Lvl: 1 Priority: 4

Caller: COFFMAN, MITCH

Addr: 7068 Anselmo Ct, Dublin OH 43017

Call Taker: STRODJ Console: DISPCON10

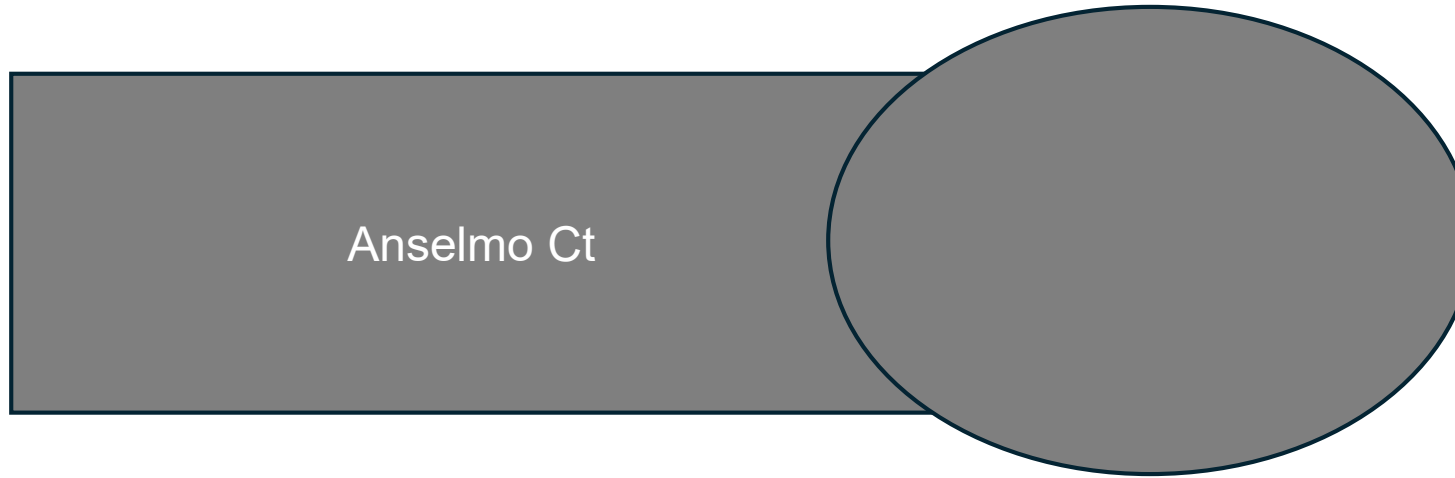
Geo-Verified Addr.: Yes Nature Summary Code: PASS Disposition: U Close Comments:

Notes: Code U Tara Hill, Adventure, Fitzgerald, Old Pond, Shady Nelms, and all side streets within the neighborhood. [Unit:17] maroon van cruising around the neighborhood and stopping at houses [STRODJ]

# Appendix B - Safety for Special Needs Neighbors

Slide 21

# Safety for Special Needs Neighbors that live on each side.



Anselmo Ct

7034 Squiber Way  
Mathew  
Special Needs  
Pet Dog

7068 Anselmo Ct  
Coffman  
Stroke Survivor  
Pet Dog

7066 Anselmo Ct.  
Debora  
Special Needs  
Pet Dog

As of February 2024, our 2<sup>nd</sup> Neighbor  
Had an accident and has special needs.

Both individuals utilize outdoor spaces  
Back yards and Anselmo Ct. with their  
Care providers for physical therapy

Plus both, like the Coffman's have pets.  
The pets interact with each other and  
Could impact Mathew and/or Debora.

The fenced area prevents these pet  
interactions and avoid potential  
accidents

# Appendix C - Modification to Fence

Slide 23

# Fence Modification for Manhole “Ensuring Complete Access”

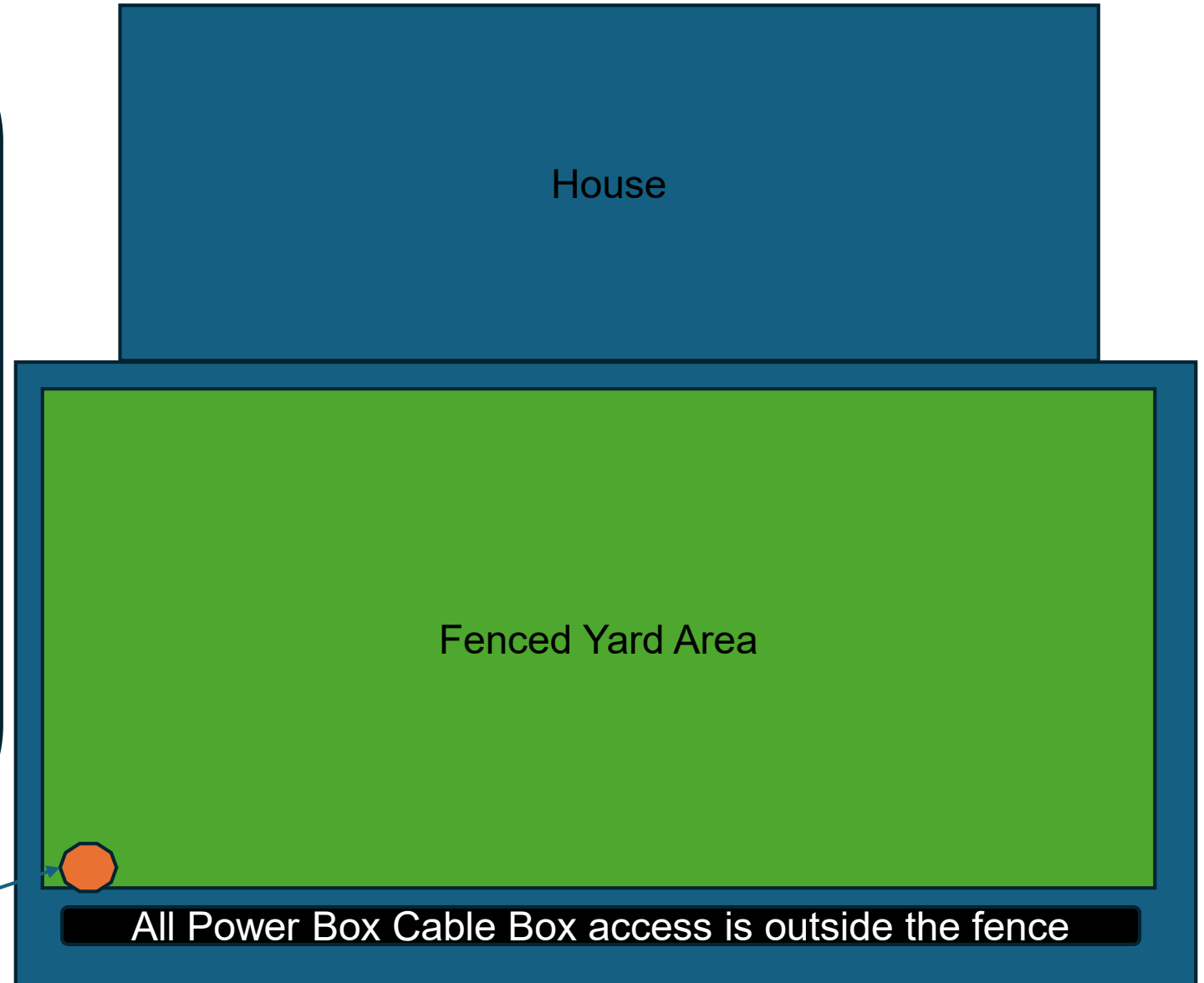
Reviewed the concern with Gary Browning Operations Administrator. Streets & Utilities Operations.

The Fence is close to a manhole cover. Spoke with Gary Browning and his team, they can access the cover, however, in the event in an Emergency this could be an issue.

Discussed with Gary/Team that I would like to prevent any issues, and therefor would put in a door where the back of the fence would open and/or for this corner bring this area of the fence forward.

Gary indicated that both work and greatly appreciated me offering up the change.

Manhole Cover



All Power Box Cable Box access is outside the fence