

PLANNING REPORT

Board of Zoning Appeals

Thursday January 29, 2026

Kaufmann Residence 25-120V

<https://dublinohiousa.gov/bza/25-120/>

Case Summary

Address	4700 Deer Run Drive, Dublin, OH 43017
Proposal	Request for review and approval of three Non-Use (Area) Variances to allow for a new single-family home to deviate from the Residential Appearance Standards and to allow for a detached garage to encroach into the front yard.
Request	Review and approval of a Non-Use (Area) Variance under the provisions of Zoning Code Section 153.231(H).
Zoning	PUD, Planned Unit Development - Deer Run Estates
Planning Recommendation	<u>Approval of three Non-Use (Area) Variances</u> <u>Disapproval of one Non-Use (Area) Variance</u>
Next Steps	The Board of Zoning Appeals (BZA) is the final reviewing body for this application. If approved by the BZA, the applicant may apply for a building permit.
Applicant	Megan Odenweller, Memmer Homes
Case Manager	Tori Brubaker, Planner I (614) 410-4632 tbrubaker@dublin.oh.us



Community Planning and Development



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Site Location Map

25-120V - Kaufmann Residence



1. Background

Site Summary

The 5.15-acre site is zoned PUD, Planned Unit Development – Deer Run Estates and is located east of Deer Run Road and Deer Run Court, adjoining the Scioto River. Deer Run Estates has a smaller residential subdivision with three phases. The subdivision contains larger lots to the north and smaller lots to the south. This lot is Lot #25 of Subarea A. Subarea A is described as containing “Estate Lots” per the development text, which establishes larger single-family lots and lower density than Subareas B and C. The architectural character of homes in Subareas A and B is generally more modern/contemporary than traditional suburban, as many of the homes in the development are custom homes and uniquely different from each other.

The site is currently undeveloped and heavily wooded. Access is provided by a curved roadway, Deer Run Dr, and the site is surrounded by natural features including Deer Run which is a tributary of the Scioto River. The natural feature runs through the south-eastern portion of the site, and the Scioto River runs directly east of the site. The site contains 100-year floodplains on a large portion of the site. Limited development is permitted within floodplain areas within the City of Dublin.

Site Information

The site is irregular in shape, with a majority of the developable area of the lot located on the north-western portion of the site. The site features a significant amount of mature vegetation through the entirety of the lot. The 100-year floodplain extends along the north-eastern portion of the site and surrounds the proposed home location.

Residential Appearance Code

The Residential Appearance Code was adopted by City Council in March 2004 and is applicable to all residential development occurring after the effective date, with the exception of some exemptions including residential houses in the Architectural Review District or Planned Districts that include more stringent architectural standards. This Code was adopted by the City of Dublin to provide minimum design standards for residential development that would help foster quality development. It includes requirements that address finished building materials, minimum exterior requirements for building foundations, four-sided architecture and maximum requirements for garage door/driveway widths. These requirements are intended to create “visual interest” and creative design standards for all residential development. These standards are based on more traditional suburban architectural styles and staff have found conflicts with the Code when using more modern architectural design such as the applicant’s proposal.

Process

A *Non-Use (Area) Variance* is an application intended for properties where strict enforcement of the applicable development standard is unreasonable, and there is evidence of practical difficulty in meeting the requirement. Variance applications should be reviewed on a case-by-case basis and based on the merits of the subject property/structure. This type of application is reviewed and determined upon by the BZA, which is the final determining body. Criteria are split between 2 different categories: A and B. All criteria of Category A are required to be met, while 2 of the 4 criteria in Category B are required to be met.

The Board of Zoning Appeals has the authority to approve, disapprove or approve with modifications all applications. If the Board approved the application, the applicant would be

required to submit a building permit prior to construction. If the Board disapproves the application, the applicant would be required to meet the requirements of the zoning code. All modifications that the Board would require, as part of an approved application, would be required to be met through the building permit process.

2. Project

Summary

The applicant is requesting the following Variances for a new single-family residential dwelling:

Variance #	Code Section	Requirement	Request
#1	153.190(E)(1)(g)	Dormers, porches, and other similar secondary architectural features may have roofs with a minimum 4:12 pitch.	To allow roof pitches that do not meet the minimum 4:12 pitch for secondary architectural features.
#2	153.190(E)(1)(i)	Trim shall include a minimum 3 1/2-inch board around all sides of the window.	To allow trim that will be narrower than 3 1/2" around the windows of a residential building.
#3	153.190(E)(1)(f)	No combination of garage door openings shall be wider than 36 feet.	To allow a combination of garage door openings to be a maximum of 38 feet.
#4	153.074(B)(6)(a)	All accessory uses and structures, including swimming pools and associated decking, shall be constructed within the permitted buildable area of a lot, behind all applicable setback lines, and to the rear or side of the principle structure.	To allow a detached garage to be forward of the principal structure.

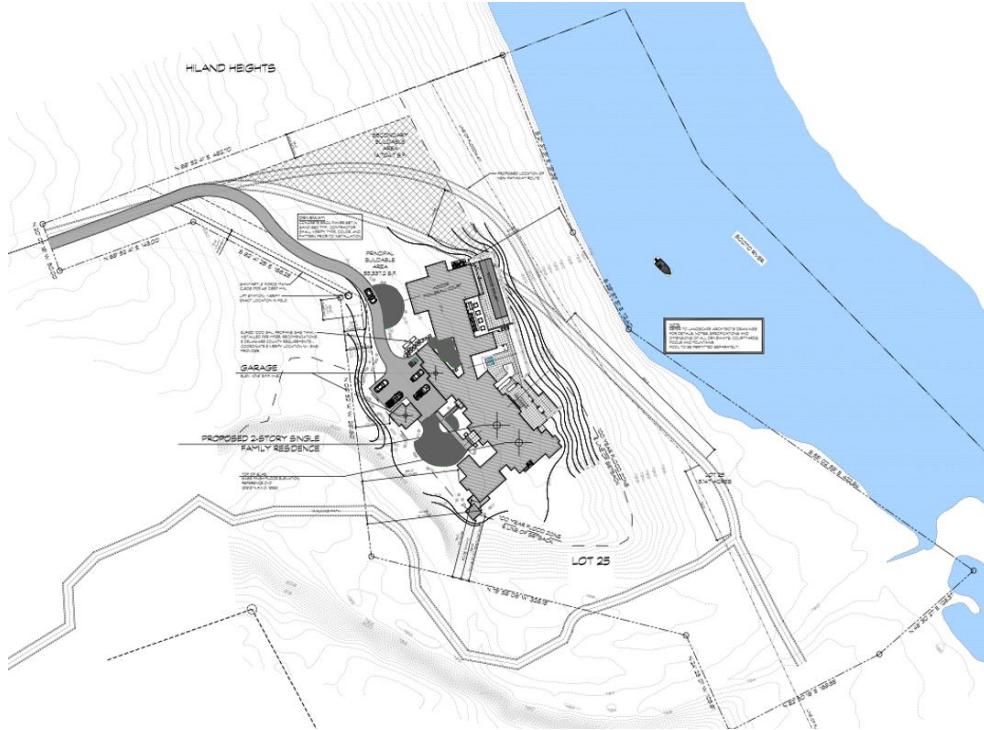
Appearance Variances

The applicant is requesting variances to the requirements of the Residential Appearance Code. The first variance is to permit roof pitches that are less than the required 4:12 minimum pitch for secondary architectural features. The second variance is to permit trim that will be narrower than 3 1/2" around the windows of the house where they are required for all homes. The third variance is to allow for a combination of garage door openings to add up to 38 feet when a maximum combination of 36 feet is allowed. The Residential Appearance Standards are designed to accommodate typical suburban style homes, whereas the style the applicant has chosen is more modern. Home designs in this Planned Development are reviewed by the Deer Run Architectural Review Committee to ensure homes are custom and are held to a high quality of design and construction. The proposed home has been reviewed and approved by the ARC.

Site Variance

The site variance is to permit an approximately 500-square-foot garage forward of the primary structure. Detached accessory structures are required to be located to the side or rear of the principal structure on a residential site. The applicant has stated that this request is due to the several site constraints that limit the location of the garage on the site.

3. Site Plan and Elevations





4. Plan Review

Non-Use (Area) Variance

All three criteria are required to be met:

Criteria A	Review
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.	#1, 2, 3, 4 - Criterion Met: This development is more rural in character than a typical suburban subdivision including large lots and long driveways providing access to homes with greater setbacks than other lots. The area is heavily wooded, and the homes have customized architectural themes that are more modern than most suburban architecture. The character of the area and the unique modern architecture is the basis for proposal. Therefore, Planning has concluded there are special conditions associated with the site.
2. That the variance is not necessitated because of any action or inaction of the applicant.	#1, 2 (Appearance Standards) - Criterion Met: The architectural style warrants the variance, and this is not indicative of any action or inaction of the applicant.

Non-Use (Area) Variance

All three criteria are required to be met:

Criteria A	Review
	<p>#3 (Garage Door Width) – Criterion Not Met: The Variance is requested due to the action of the applicant pursuing a total width of garage doors that is wider than permitted. The Variance could be avoided if the width of the doors were reduced to meet zoning code requirements. This request differs from the roof and trim requests as the amount of garage doors is not indicative of the architectural style requested for the home.</p> <p>#4 (Accessory Structure Location) – Criterion Met: The applicant has not created the natural conditions of the site and has not exacerbated the conditions of the site. The conditions of the site and the determination of the front property line limit permissible locations for detached structures on the site.</p>
3. Granting the variance will not cause a substantial adverse effect to the property or improvements in the vicinity or will not materially impair the intent and purposes of the requirement being varied.	<p>#1, 2, 3, 4 – Criterion Met: The architectural style proposed with the application provides visual interest and high-quality design, meeting the intent of the code. The proposed garage combined width and detached garage location will be heavily screened from other properties and will not be visible from the right-of-way. This will not have adverse impacts on the surrounding community.</p>

At least two criteria are required to be met:

Criteria B	Review
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.	<p>#1, 2 (Appearance Standards) - Criterion Met: Similar variances have been granted with conditions consistent with the applicant’s proposal and in very limited circumstances. Granting the variance will not confer special privileges to the applicants.</p> <p>#3 (Garage Door Width) – Criterion Not Met: Allowing the total combined garage door widths to be greater than 36 feet would allow special privileges to the property owner. The applicant can, without hardship, construct the garages to meet code requirements.</p>

Non-Use (Area) Variance

All three criteria are required to be met:

Criteria A	Review
	#4 (Accessory Structure Location) – Criterion Met: The request for a detached structure that is generally located to the side of the home would not infer special privilege to the property owner. Similar requests due to natural features have been granted to other property owners in the City.
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.	#1, 2 (Appearance Standards) - Criterion Met: Variance requests to the Residential Appearance Code are rare and only apply in areas not governed by a development text such as a Planned District. These requests do not rise to the need for code modification. #3 (Garage Door Width) - Criterion Met: Variances requests for exceeding total combined garage door width are not common and do not require amendments to the Code. #4 (Accessory Structure Location) - Criterion Met: Variance requests for garages forward of the building do occur but are sporadic through the City and do not require amendments to the Code.
3. The variance would not adversely affect the delivery of governmental services.	#1, 2, 3, 4 - Criterion Met: The requests will not impact the delivery of government services including emergency services, postal delivery or refuse collections.
4. The practical difficulty could not be eliminated by some other method, even if the solution is less convenient or most costly to achieve.	#1, 2 (Appearance Standards) - Criterion Met: The design components that the applicant is proposing are indicative to the architectural style and the success of the style proposed. #3 (Garage Door Width) – Criteria Not Met: The combined width of the garage doors could be reduced by two feet to meet the requirements of the code. #4 (Accessory Structure Location) – Criterion Not Met: The garage could be relocated to the north side of the property to meet the requirements for detached structures

Non-Use (Area) Variance

All three criteria are required to be met:

Criteria A	Review
	or connect to the home to classify as an attached structure.

Recommendation

Planning Recommendation: #1 (Minimum Roof Pitch)

Planning Staff recommends **Approval** of the Non-Use (Area) Variance to Zoning Code Section 153.190(E)(1)(g) to permit multiple roof pitches that do not meet the minimum roof pitch for secondary architectural features of 4:12.

Planning Recommendation: #2 (Minimum Window Trim)

Planning Staff recommends **Approval** of the Non-Use (Area) Variance to Zoning Code Section 153.190(E)(1)(i) to permit no shutters and trim of less than 3½” around the windows of a residential building.

Planning Recommendation: #3 (Garage Door Width)

Planning Staff recommends **Disapproval** of the Non-Use (Area) Variance to Zoning Code Section 153.190(E)(1)(f) to permit the total of all combined garage door openings to be wider than 36 feet.

Planning Recommendation: #4 (Accessory Structure Location)

Planning Staff recommends **Approval** of the Non-Use (Area) Variance to Zoning Code Section 153.074(B)(6)(a) to permit a detached garage to be forward of the primary dwelling.