

City of Dublin Zoning Board  
Request for Variance  
July 9, 2020

Dear City of Dublin Zoning Board,

My wife and I have been residents of Dublin for seven years and have two boys ages 6 and 3. We finished building a new home at 5559 Old Finglas Court in Earlington Village in March of this year and previously lived right up the street on Wings Livery Road. We thoroughly enjoy living in Dublin and especially the Earlington Village subdivision.

As part of the final inspection by the zoning division, we learned the building plans included a requirement to plant two new trees in our front yard pursuant to city of Dublin ordinance 40-07 ("Ordinance"). Based on a lot width between 60 and 90.9 feet and a front of the house setback of more than 20 feet, the Ordinance requires that at least one of the trees is to be "large" and the other tree must be at least "medium", as defined in the Ordinance. Our builder did not make us aware of this requirement. The landscape I engaged to plant grass seed and numerous shrubs on the entire perimeter of our house was also not aware of the requirement.

I understand the intent of the Ordinance and love the prevalence and maturity of the trees in our neighborhood. However, I am requesting a variance from the requirements of the Ordinance for the following reasons:

- 1) There is an easement for an above the ground power line on the left side of our yard (facing the front of the house), which I believe significantly limits our ability to plant either a medium or large tree on the left side of the front yard.
- 2) All other houses on Old Finglas Court and likely all other houses in Earlington Village were built prior to the passing of the Ordinance in 2007 and thus are not subject to its requirements.
- 3) In the easement between the Old Finglas street and the sidewalk in front of our house already includes a mature tree that is at least of a medium height.
- 4) There are 3 separate underground drains in our front yard, including the drain from our sump pump. Based on the layout of the various underground drains, any new tree would have to be planted within close proximity of the drains. Based on experience at our house on Wings Livery, the roots of the mature trees tend to pierce the underground PVC drains which can cause clogging and water back-up issues (we had multiple instances of water in our basement due to clogging of underground pipes from tree roots).

We appreciate the Zoning Board's consideration of this variance request and look forward to answering any questions that it may have.

Respectfully submitted,

Matthew Whalen



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