

Haas Variance

Finding of facts per City of Dublin Code

Nature of Variance – due to the irregular lot layout and the extension of the of the chimney, it becomes difficult to place the pool entirely outside of the rear setback. Placing the pool entirely in the setback will leave a portion of the edge two feet from the chimney, potentially creating a dangerous situation. We are requesting a five-foot variance into the rear setback.

Non-Use Variance

We believe the irregular layout of the Hass property causes an issue with maintaining the integrity of all setbacks. Based on the layout the pool cannot be centered within the lot. To comply with the setbacks as required the pool needs to be shifted to the north on the property. By moving the pool, we now create a safety issue near the eastern edge and its proximity to the chimney. We have examined multiple layouts and the layout being requested here creates the minimum necessity for nearing compliance. The pool is specialized for recreation and therapy and comes only in this size. We feel a small encroachment will not create an unfair advantage for other surrounding property owners.

The use of a pool is permitted by the zoning code and will be entirely contained within the Haas property. The yard is also surrounded by an existing fence so the use will be entirely contained on the property. Even with a slight variance the neighbors should not experience any blight, noise or other presumed nuisances. The slight variance will not create an unfair advantage for the Hass family over their neighbors.

The need for the variance is a special situation due to the irregular lot layout and the extension of the existing chimney into the yard. This situation is unique and irregular; it would not be one where a code change should be considered.

There would be no direct adverse effect on the delivery of government services as many of those come from the front of the residence.

As stated previously, we feel the layout we have presented is the most efficient and cannot be eliminated by any other means. The 5' variance request is the minimum necessity requested to safely install and utilize the pool.

Respectfully Submitted,

Brian Lorenz, AICP, LEED AP