



Board of Zoning & Building Appeals

March 9th, 2017

Application #2017-17; Tod and Evelyn Frolking for Village Roots Variance to Reduce Front Yard Setback – Lot #4 From Thirty (30’) Feet to Twenty-five (25’) Feet SRD-C

Applicant: Tod and Evelyn Frolking
605 West Broadway
Granville, Ohio 43023

Property Location: The property is located near 605 West Broadway and consists of a four-acre (4) parcel, Parcel #020-051474-00.002 and a one-acre (1) parcel, Parcel #020-051526-00.000, which will be developed as a single-family residential development.

Request: The request is for review and approval of a variance to reduce the required thirty (30’) foot front yard setback to twenty-five (25’) feet for the previously approved Lot #4, to allow for adequate distance between the buildable area of Lot #3 and an existing sanitary sewer easement. The property is zoned Suburban Residential District-C (SRD-C).

Staff Review: Listed below referencing Chapter 1147, Variances; and Chapter 1163, Suburban Residential District (SRD-C):

- 1) Section 1147.03, Criteria for Approval.

The following considerations shall be examined in the review and the public hearing of an application for a variance:

- a. *That special circumstances or conditions exist which are peculiar to the land or structure(s) involved and which are not applicable to other lands or structures in the same zoning districts.* _____



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b. *That a literal interpretation of the provisions of this Zoning Ordinance would result in practical difficulties for the owner of the property. The factors to be considered by the Board in making this determination are:*

(1) *Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.* _____

(2) *Whether the variance is substantial.* _____

(3) *Whether the essential character of the neighborhood would be substantially altered, or whether adjoining properties would suffer a substantial detriment as a result of the variance.* _____

(4) *Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage).* _____



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(5) *Whether the property owner purchased the property with knowledge of the zoning restriction.* _____

(6) *Whether the property owner's predicament feasibly can be obviated through some method other than a variance.* _____

(7) *Whether the spirit and intent behind the zoning requirement would be required to be observed and substantial justice done by granting the variance.* _____

c. *That the special conditions and circumstances do not result from the actions of the applicant.* _____

d. *That the granting of the variance will in no other manner adversely affect the health, safety and general welfare of the persons residing or working within the vicinity of the proposed variance, and not diminish or impair established*



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property values within the surrounding areas, and not impair an adequate supply of light and air to adjacent properties, and not unreasonably increase the congestion in public streets. _____

- e. In granting a variance, the board may impose any requirements or conditions regarding the location, character, and other features of the proposed uses or buildings or structures as the board deems necessary to carry out the intent and purpose of this Zoning Code, and to satisfy the other conditions set forth in Division (d) of this Section. _____
- _____
- _____
- _____

2) Section 1163.03, Development Standards.

(a) Lot and Building Requirements by Sub district.

MINIMUM YARDS

Zoning District	Min. Lot Area	Frontage*		Total Side Yard			Max. Bldg. Lot Coverage	Max. Height
	(Sq. Ft.)	R-O-W (Feet)	Front (Feet)	Side (Feet)	Yard (Feet)	Min. Rear (Feet)	(%)	(Feet)
SRD-C	8,000	65	30	10	21	40	25%	30

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existing sanitary sewer easement along the eastern property line. Allowing this reduction will provide better access to the easement should repairs become necessary. Please refer to applicant's provided narrative and exhibits illustrating existing and proposed conditions for a more complete understanding.

Staff Comments: The applicant's request to move the buildable areas of Lots #3 and #4 west by five feet will contribute to the protection of a Village owned sanitary line. Staff feels the request is reasonable, responsible and advantageous to all parties involved.

Staff Recommendation: "Approval of Application #2017-17, as submitted."