

CITY OF POWELL
BOARD OF ZONING APPEALS (BZA)
APPLICATION FOR VARIANCE



ALL ITEMS ON THIS APPLICATION MUST BE COMPLETED.

Application Fee: \$400.00*
*Does not include transcript cost.

Appellant: M/I Homes of Central Ohio, LLC

Address/City/State/Zip: 3 Easton Oval, Columbus, OH 43219

Email Address: cchristopher@mihomes.com

Phone No: 614-418-8531 Cell Phone No: 614-719-9871 Fax No: 614-418-8499

Property Owner: M/I Homes of Central Ohio, LLC

Address/City/State/Zip: 3 Easton Oval, Columbus, OH 43219

Email Address: cchristopher@mihomes.com

Phone No: 614-418-8531 Cell Phone No: 614-719-9871 Fax No: 614-418-8499

Attorney for Appellant: N/A

Address/City/State/Zip: N/A

City / State / Zip: N/A

Email Address: N/A

Phone No: N/A Cell Phone No: N/A Fax No: N/A

Property Address: 4715 Hunters Bend, Powell, OH 43065

Lot Number/Subdivision: Lot 3646 Reserve at Scioto Glen Zoning District/Use: SFPRD/Single Family Residential


Checklist:

- ☐ Legal description of the property.
- ☐ Vicinity Map and site/plot plan as required.
- ☐ Description of the existing and proposed use. Please be very detailed regarding the proposed use.
- ☐ A narrative statement and supporting documentation establishing and substantiating that the variance conforms to each of the following standards as stated in Section [1127.06\(e\)](#) of the Codified Ordinances of Powell.
- ☐ Attach a list of contiguous property owners as well as directly across the street from and within 250 feet of property.
- ☐ Provide any other information that may be useful to the Planning and Zoning Commission or City Staff in the space below or attach additional pages.
- ☐ **7 copies** of all drawings, text, any other items, and application.
- ☐ Attach the required fee - \$400.00.*
- ☐ Post a public notice sign at least (10) days prior to a public hearing or public meeting, pursuant to ordinance 1107.035. Public notice sign details found [here](#)

(See Over)

I agree to grant the City of Powell Staff and the Board of Zoning Appeals members considering this application access to the property subject of this application for the purposes of reviewing this application and posting public notice for this application.

Signature of Appellant: _____



Date: 5/30/2018

Office Use
Received

Office Use
AMT <u>\$400.00</u>
TYPE/DATE <u>CR 5/30/18</u>
RECEIPT # <u>7687</u>
PAYOR <u>M/I Homes</u>
Payment

City of Powell · 47 Hall Street · Powell, Ohio 43065 · (614) 885-5380 · (614) 885-5339 fax · www.cityofpowell.us

Variance Request for 4715 Hunters Bend, Powell, OH 43065

M/I Homes of Central Ohio, LLC

The variance request is to vary the drive slope requirement of 8% to 9.9% in Section 1145.28(a)(1) of the Codified Ordinances. This issue occurred when the house foundation was accidentally dug 4" too high. Several remedies were discussed with City Staff and in the end it was concluded by all that a variance request of the standard would be the best remedy. Below are the reasons based on the standards of Section 1127.06(e):

- 1) If the variance is not granted then the garage floor will need to be torn out and dropped down to a height that would allow the driveway to be paved at an 8% grade. This would cause the need for an additional step, landing and railing in the garage which would then not allow for a second car to park in the garage. This would not be a reasonable or beneficial use of the garage for the Resident of the property.
- 2) The variance is not substantial and would be virtually unknown to most both visually and physically on the property.
- 3) The character of the neighborhood will not be adversely affected nor will any of the adjoining properties be adversely affected by the granting of this variance.
- 4) The granting of the variance will not adversely affect the delivery of any governmental services such as water, sewer, garbage pickup and any other services.
- 5) The requirement of the 8% drive slope was known prior to the purchase of the property but by accident it was dug too high causing the need for this variance.
- 6) Several other options were discussed with City Staff and no other option would be feasible without other consequences such as the inability to park a second car in the garage.
- 7) The spirit and intent of the zoning requirement would still be observed by the granting of the variance.

Space above line reserved for recording purposes only.

GENERAL WARRANTY DEED

M/I Homes of Central Ohio, LLC, an Ohio limited liability company, for valuable consideration paid grants with general warranty covenants, to

**Bernadette E. Mulholand and Mark A. Mulholand, wife and husband,
for their joint lives, remainder to the survivor of them,**

whose tax mailing address is _____,
the real property more particularly described as follows:

Situated in the City of Powell, County of Delaware and State of Ohio:

And known as being Lot Number 3646, in THE RESERVE AT SCIOTO GLENN, PHASE 3, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Cabinet 4, Slide 47, and Official Records Volume 1474, Page 1443, Recorder's Office, Delaware County, Ohio.

Parcel No.: 319-230-26-038-000
Address: 4715 Hunters Bend Powell, OH 43065
Prior Instrument Reference: OR Book 1513, Page 2270
Recorder's Office of Delaware County, Ohio

The foregoing conveyance is made subject to taxes and assessments not yet due and payable; easements, conditions and restrictions of record, legal highways and zoning ordinances.

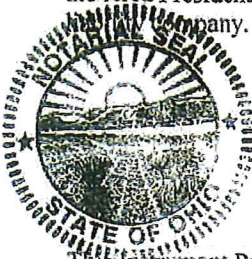
M/I Homes of Central Ohio, LLC has caused its duly authorized officer to execute this deed this 29th day of May, 2018.

M/I Homes of Central Ohio, LLC
an Ohio limited liability company

By: _____
Timothy C. Hall, Jr.,
Area President

State of Ohio }
County of Franklin }SS

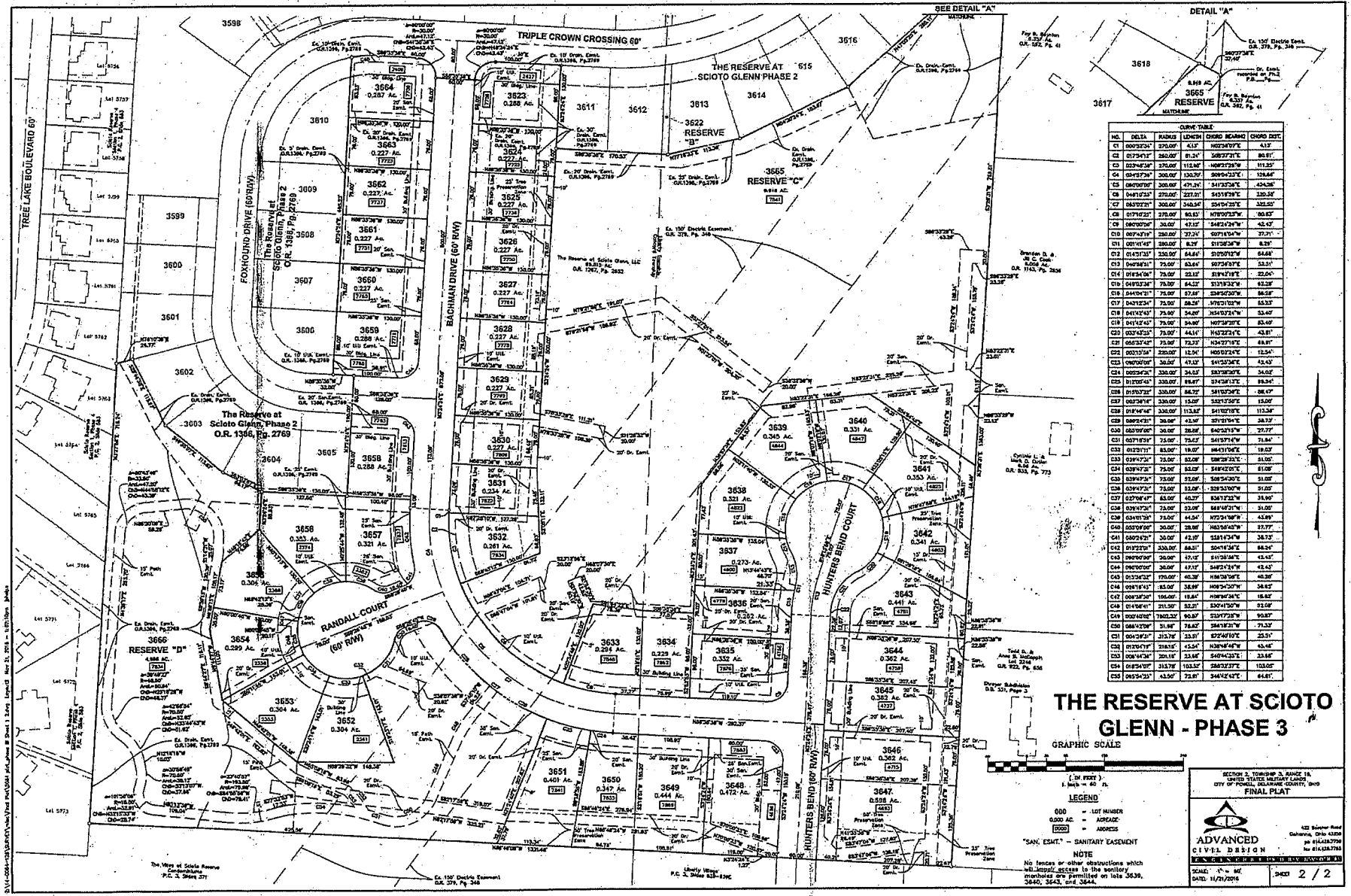
The foregoing instrument was acknowledged before me this 29th day of May, 2018 by Timothy C. Hall, Jr. the Area President of M/I Homes of Central Ohio, LLC, an Ohio limited liability company, on behalf of the limited liability company.



DARLENE W. SMITH
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES JUNE 25, 2019

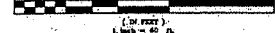
Darlene W. Smith
Notary Public
My Commission Expires: 6/25/19

This Instrument Prepared by: M/I Homes of Central Ohio, LLC,
3 Easton Oval, Suite 500, Columbus, Ohio 43219



THE RESERVE AT SCIOTO GLENN - PHASE 3

GRAPHIC SCALE



LEGEND
000 = LOT NUMBER
0.000 AC. = ACREAGE
[Symbol] = SANITARY EASEMENT

NOTE
No fences or other obstructions which
will impede access to the sanitary
manholes are permitted on lots 3639,
3640, 3643, and 3644.

SECTION 3, TOWNSHIP 3, RANGE 18,
COUNTY OF HAMILTON, OHIO
CITY OF DAYTON, OHIO
FINAL PLAT

ADVANCED
CIVIL DESIGN

432 River Road
Cincinnati, Ohio 45206
PH 513-277-7700
FX 513-277-7700

SCALE: 1" = 40'
DATE: 1/21/2016

SHEET 2 / 2

Pomeroy & Associates Ltd.

Consulting Engineers & Surveyors

2550 Corporate Exchange Drive, Suite 10

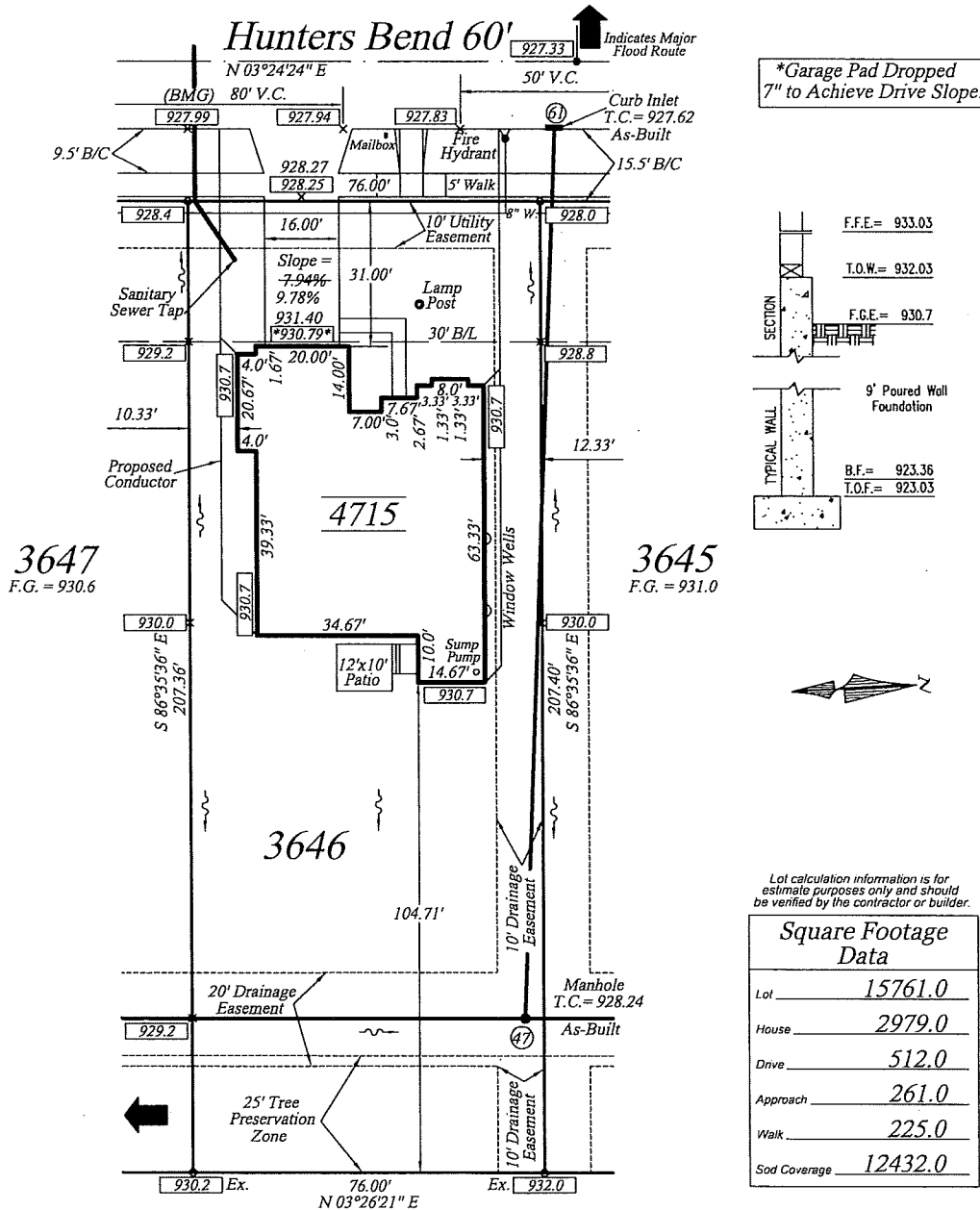
Columbus Ohio 43231

Phone(614)885-2498 • Fax(614)885-2886

C/O #	REVISION DATE & REQUEST
1	C AB 08-30-17 Add Foundation to Bay / Move Patio
2	C AB 09-19-17 Add As-Built Elevations
3	DM 05-10-18 Add As-Built Drive Elevations
4	
5	

Order No. _____

For M/I Homes of Central Ohio, L.L.C. House Style Colchester C
 Lot / Subdivision 3646 The Reserve at Scioto Glenn Phase 3 City of Powell
 Scale 1"= 30' PB. 1474 PG. 1443 Date 07-24-17 Drawn AB CK DBM CO. of Delaware
 Flood Zone X Community Panel 39041C Panel No. 0230K Effective Map Date 04-16-09
 Minimums R 30' S 8' Lot Width at Build Line 76.00' Drive Slope Distance 32.00'



Mailbox And Lightpost To Be Located Per City of Powell Standards.

B.M. #1; Chiseled "X" on the east rim of a Sanitary manhole located 115 north of the intersection of Fox Path Court, and Hunters Bend Being 40' west of the centerline of Hunters Bend. Elev. = 925.93

PLOT PLAN

We hereby certify that the foregoing PLOT PLAN was prepared from information provided by the Client and data obtained from Engineered Subdivision Plan. This Plot Plan is to be used by the Client for the sole purpose of obtaining a building permit. The use of the Plot Plan for any other purpose is strictly prohibited.

By

David B. McCoy



June 4, 2018

City of Powell
Village Green Municipal Building
Council Chambers 47 Hall Street
Powell, OH 43065

To Whom It May Concern:

My husband and I are the buyers of Lot 3646 Reserve at Scioto Glen (4715 Hunters Bend). It is our understanding that a public hearing is to be held on June 14, 2018, to discuss a variance for the driveway slope to a 9.9% elevation. We, as the homeowners do not have issue with the variance. The 9.9% grade will not be a hindrance to us personally.

We believe that the builder, M.I. Homes of Central Ohio, LLC and the City of Powell have the best interest of all parties in mind, we are in total agreement with the M.I. Homes of Central Ohio, LLC proposal for resolution.

Should you have any questions, please feel free to contact my husband Mark (614) 390-6909 (cell) or myself at (614) 390-6101 (cell) if you have any further questions

Thank you for your time and attention to this matter.

Sincerely,

Mark and Bernadette Mulholand