



BOARD OF ZONING APPEALS

Village Green Municipal Building, Council Chambers  
47 Hall Street  
Thursday, July 1, 2021  
6:30 P.M.

1. **VARIANCE (Case 2021-28V)**

Applicant: Megan & Sean Lawrenz  
Location: 7737 Bachman Drive  
Zoning: Planned Residence District (PR)  
Request: Review and approval of a variance to reduce the rear yard setback from 30 feet to 27 feet to build a screened porch on the rear of the existing home.

Aerial Site Image: <https://goo.gl/maps/3sGs84iQ8uFnRb1A9>

**Property Overview**

This property is located in the Reserve at Scioto Glen subdivision, which was approved by the City of Powell in 2013. The lot includes an existing home, and adjacent properties are all residential within the same subdivision. The 0.227-acre lot is on the western side of Bachman Drive. The rectangular lot has approximately 76 feet of frontage along the right-of-way, and a depth of approximately 130 feet. The back yard slopes down from the rear of the home to the property line, and a 5-foot drainage easement runs along the rear property line.

**Proposal Overview**

The applicant is requesting a reduction of the rear yard setback requirement from 30 feet to 27 feet to allow for the installation of a 14-foot by 20-foot screened-in porch on the rear of the existing home. The screened-in porch is proposed to meet the HOA guidelines and the roof and exterior will match the existing home.

**Ordinance Review**

In accordance with the requirements of codified ordinance [1127.05\(a\)](#), the Board of Zoning Appeals may authorize upon appeal in specific cases such variance from the terms of this Zoning Ordinance as will not be contrary to the public interest where, owing to special conditions of the land and/or buildings that are unique to the property in question, and not self-created, a literal enforcement of the provisions of this Zoning Ordinance would result in deprivation of all beneficial use of the land.

**Staff Comments**

The applicant's submission provided the following information in response to codified ordinance [1127.06 – Application Standards for Variances](#):

- (1) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property

**Applicant statement:** Adding a screened-in porch to the home will increase usable and semi-private outdoor space for the family and for entertaining. It will also increase the property value for future resale.

**Standard Met.** Staff agrees with the applicant's assessment.

- (2) Whether the variance is substantial

**Applicant statement:** The overall encroachment should feel minimal based on the size of the lot and adjacent properties. This 10% variance will make a significant difference in the use of the proposed porch. It will also increase the actual and perceived value of the home.

**Standard Met:** Staff agrees with the applicant's assessment. The 3-foot encroachment is minimal.

- (3) Whether the character of the neighborhood would be adversely affected or whether adjoining properties would suffer an adverse impact as a result of the variance  
**Applicant statement:** The plans were submitted to the HOA and approved to be in line with the character of the neighborhood. The design matches roofing, siding, and gutters to the existing home. The neighbors to the rear are supportive of the project and have submitted a letter of support.  
**Standard Met:** The variance will not adversely affect the neighborhood or adjoining properties. The HOA has signed off on the proposed plans and the neighboring property owner to the rear has submitted a letter of support.
- (4) Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage)  
**Applicant statement:** There will be no impact to these service.  
**Standard Met:** Staff agrees with the applicant's assessment.
- (5) Whether the property owner purchased the property with knowledge of the zoning restriction  
**Applicant statement:** The applicant was not aware of the zoning setbacks specific to the roofed porch until the contractor made them aware.  
**Standard Met:** The applicant has stated that they were not aware of the rear yard setback.
- (6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance  
**Applicant statement:** No.  
**Standard Not Met:** A screened-in porch could still be built on this property without a variance. However, the space may not be large enough to accommodate the family's proposed use. The extra 3 feet provides a larger semi-outdoor space for the owners to enjoy. Additionally, the applicant has stated in their submittal that the proposed location for the screened-in porch is on a hill that is currently unusable yard.
- (7) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance  
**Applicant statement:** Yes, the HOA has approved the proposed design and aesthetic as a natural extension of the house, and the neighbors are supportive of the project.  
**Standard Met:** Staff agrees with the applicant's assessment.

#### Staff Recommendation

Staff recommends approval of the variance reduce the rear yard setback from the required 30 feet to 27 feet for the installation of a screened porch.