

Date

Application # 10310-00600-00453

City of Columbus | Development Department | Building Services Division | 757 Carolyn Ave., Columbus, Ohio 43224



Comments: \_\_\_\_\_ Application Number: \_\_\_\_\_ Commission/Group: \_\_\_\_\_  
 \_\_\_\_\_ Date Received: 19 Oct. 2010 Planning Area: \_\_\_\_\_  
 \_\_\_\_\_ Date of Hearing: 28 Dec. 2010 Acreage: \_\_\_\_\_  
 \_\_\_\_\_ Zoning Fee: \$315 Address Fee \_\_\_\_\_  
 \_\_\_\_\_ Existing Zoning \_\_\_\_\_ Accepted by HT

### BOARD OF ZONING ADJUSTMENT APPLICATION

#### TYPE(S) OF ACTION REQUESTED

(Check all that apply)

Variance  Special Permit

Indicate what the proposal is and list applicable code sections. State what it is you are requesting.

Describe: Requesting a variance to reduce the side yard set back from 5 feet to 3.9 feet for 8363 Gallop Dr. Powell, OH 43065

#### LOCATION

1. Certified Address Number and Street Name 8363 Gallop Dr.  
 City Powell State Ohio Zip 43065  
 Parcel Number (only one required.) 610-206336

#### APPLICANT (IF DIFFERENT FROM OWNER)

2. Name \_\_\_\_\_  
 3. Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_  
 4. Phone# \_\_\_\_\_ Fax # \_\_\_\_\_  
 5. Email Address \_\_\_\_\_

#### PROPERTY OWNER(S)

6. Name Michael J. Pastore  
 7. Address 8363 Gallop Dr. City Powell Zip 43065  
 8. Phone# 614-793-2146 Fax # \_\_\_\_\_  
 9. Email Address Mikeandanne@wideopenwest.com

Check here if listing additional property owners on a separate page

#### ATTORNEY / AGENT (CIRCLE ONE)

10. Name \_\_\_\_\_  
 11. Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_  
 12. Phone# \_\_\_\_\_ Fax # \_\_\_\_\_  
 13. Email Address \_\_\_\_\_

#### SIGNATURES

14. Applicant Signature Michael J. Pastore  
 15. Property Owner Signature Michael J. Pastore  
 16. Attorney/Agent Signature \_\_\_\_\_

# One Stop Shop Zoning Report

Building Services Division

Department of Development

Report date: 10/20/2010 10:37:20 AM

## Parcel Report

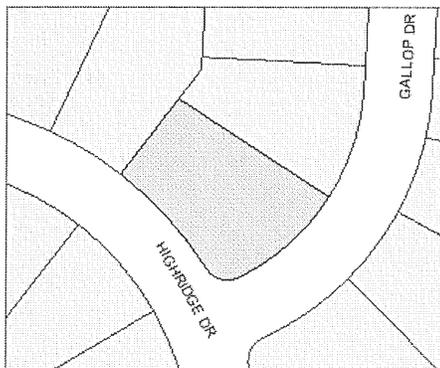
Parcel ID	Owner	Address
610206336	PASTORE MICHAEL J	8363 GALLOP DR COLUMBUS OH 43065

## Base Zoning Report

Case Number	Classification	Height District	Map Number	General Zoning Category	Limitation Text
Z77-090	SR	H-35	3	Residential	<a href="#">(View Document)</a>

## Flood Zone

Firm Panel	Flood Zone	SFHA	Panel Type	FZONE
TBD	X	OUT	CURRENT	X



This map is intended to locate the property in question, and provide information about the land use categories governing the use of this parcel. Please consult with zoning staff before making binding decisions based on this information. The property address is not a certified address for building purposes. No warranty is expressed or implied.

**10310-00000-00453**  
**8363 GALLOP DRIVE**

Date

Application #

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AFFIDAVIT

10310-00000-00453
8363 GALLOP DRIVE

(See next page for instructions.)

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Michael J. Pastore of

(1) MAILING ADDRESS 8363 Gallop Dr. Powell, OH 43065

deposed and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) ADDRESS OF PROPERTY 8363 Gallop Dr. Powell, OH 43065

for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Development, Building Services Division on (3)

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNER'S NAME AND MAILING ADDRESS

(4) Michael J. Pastore
8363 Gallop Dr.
Powell, OH 43065

APPLICANT'S NAME AND PHONE # (same as listed on front of application)

Michael J. Pastore
614-793-2176

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR OR CONTACT PERSON AND ADDRESS

(5) Far North Columbus Communities Coalition
Gloria Humes 771 Wynstone Dr.
Lewis Center, OH 43035

and that the following is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property:

(6) PROPERTY OWNER(S) NAME (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS

See attached

(7) Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT(8) Michael J. Pastore
Subscribed to me in my presence and before me this 16 day of October, in the year 2010

SIGNATURE OF NOTARY PUBLIC(8) Rita K. Cargo
My Commission Expires: October 2, 2011

Notary Seal Here



RITA K. CARGO
Notary Public
In and for the State of Ohio
My Commission Expires
October 2, 2011



## STATEMENT OF HARDSHIP

**10310-00000-00453**  
**8363 GALLOP DRIVE**

APPLICATION # \_\_\_\_\_

### 3307.09 Variances by Board.

- A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:
1. That special circumstances or conditions apply to the subject property that do not apply generally to other properties in the same zoning district.
  2. That the special circumstances or conditions are not the result of the actions of the property owner or applicant.
  3. That the special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
  4. That the grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.
- B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.
- C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways:

A1. Yes, special circumstances exist. The house was built very close to the property line.

A2. The deck that currently sits on the property was built two owners ago (Turpening family) according to our neighbors Rod + Rena Carney.

A3. To conform to the 5 foot setback would cause the deck to be redesigned, with strange angles and not allow us to use the existing frame.

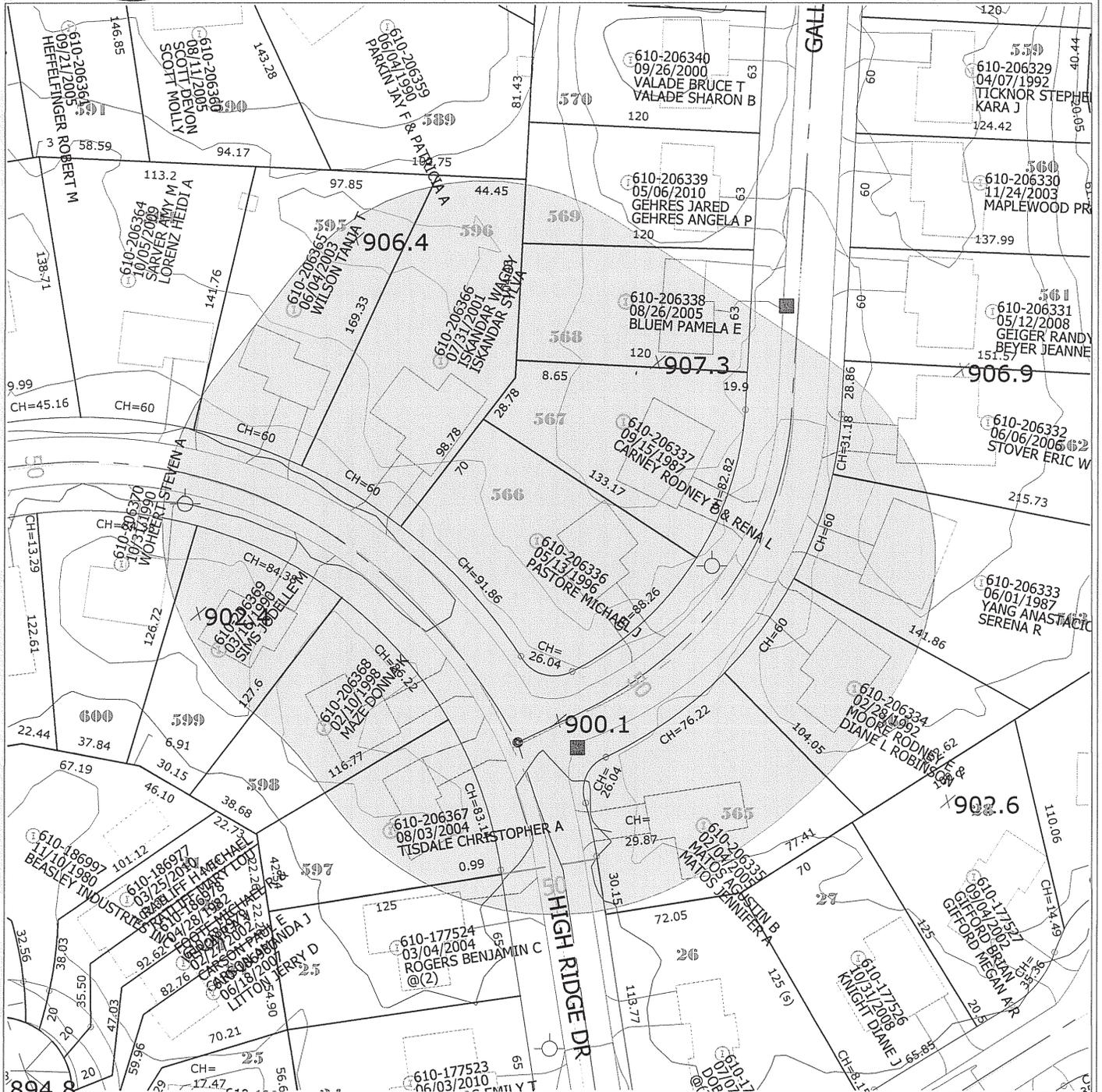
A4. We spoke with our side yard neighbors (Rod + Rena Carney) they were ok with what we were doing.



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: DAR

DATE: 10/18/10



Disclaimer

Scale = 77'

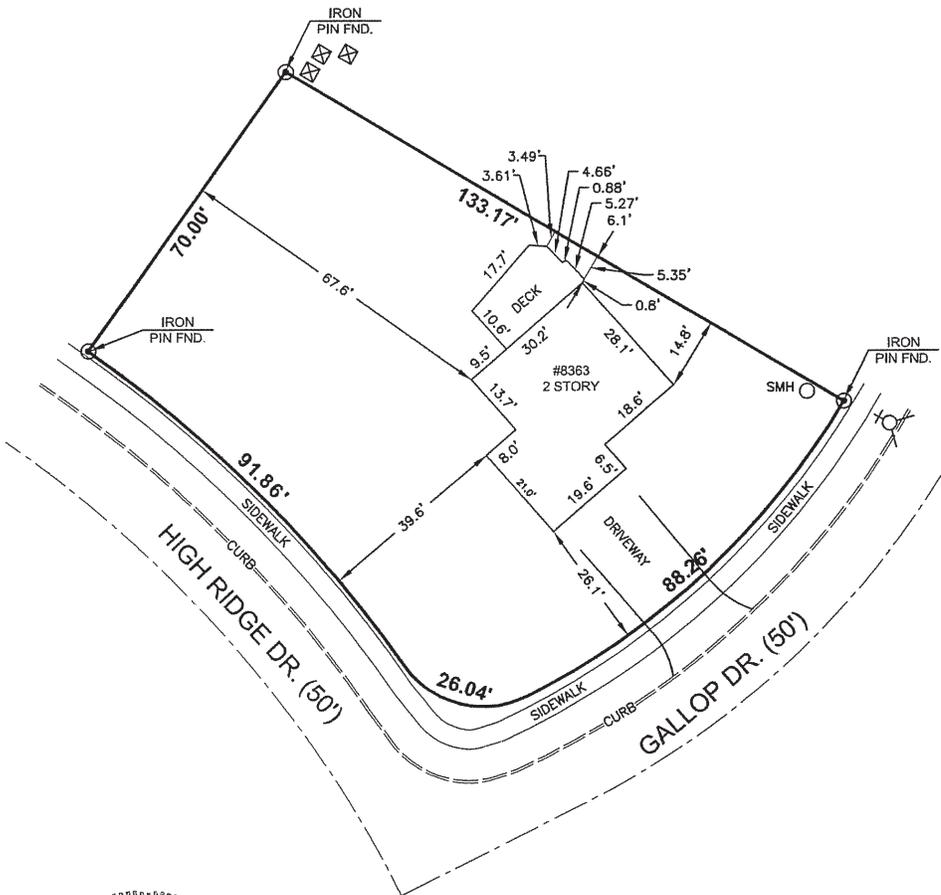
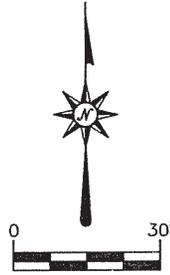


This map is prepared for the real property inventory within this county information plats, and other public records and data. Users of this map are information sources should be consulted for verification of the information and the mapping companies assume no legal responsibilities. Please notify the Franklin County GIS Division of any discrepancies.

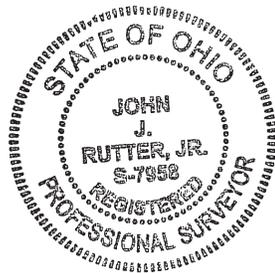
**10310-00000-00453**  
**8363 GALLOP DRIVE**

**LOCATION SURVEY FOR  
MICHAEL J. PASTORE**

BEING LOT 566 OF WESTERN HILLS SECTION 8 AS RECORDED IN P.B. 65, PG. 43  
AT THE FRANKLIN COUNTY RECORDER'S OFFICE.



**10310-00000-00453**  
**8363 GALLOP DRIVE**



I HEREBY CERTIFY THAT THE ATTACHED PLAT WAS PREPARED FROM INFORMATION OBTAINED FROM AN ACTUAL FIELD SURVEY OF THE PREMISES AND THAT SAID PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE

REGISTERED SURVEYOR NO. 7958  
JOHN J. RUTTER, JR.

OCTOBER 12, 2010

*[Signature]*

*[Date]*

LEGEND	
⊙	Iron PIN Fnd. As (Noted)
⊖	Iron PIN Set w/ cap
⊕	P.K. Nail Fnd.
⊗	P.K. Nail Set

REFERENCES:  
DEEDS AS NOTED  
COUNTY MAPS  
PREVIOUS SURVEYS

**ACKISON SURVEYING LLC**  
"Your Survey Solution"  
8519 OLD FIELD BIRCH DR.  
BLACKLICK, OHIO 43004  
614-866-4600



Signature of Applicant

*Michael J. Pastore*

Date

*10/19/10*

### PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application  
THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate

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STATE OF OHIO  
COUNTY OF FRANKLIN

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Being first duly cautioned and sworn (NAME)

*Michael J. Pastore*

of (COMPLETE ADDRESS)

*8363 Gallop Dr. Powell, OH 43065*

deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

*Michael J. Pastore*

*8363 Gallop Dr.  
Powell, OH 43065*

SIGNATURE OF AFFIANT

*Michael J. Pastore*

Subscribed to me in my presence and before me this

*16* day of *October*, in the year *2010*

SIGNATURE OF NOTARY PUBLIC

*Rita K. Cargo*

My Commission Expires:

*October 2, 2011*



**RITA K. CARGO**  
**Notary Public**

In and for the State of Ohio Adjustment Packet

My Commission Expires  
**October 2, 2011**