

**CITY OF DELAWARE  
BOARD OF ZONING APPEALS  
AGENDA**

**CITY COUNCIL CHAMBERS  
1 S. SANDUSKY ST.  
6:30 P.M.**

REGULAR MEETING

November 13, 2019

1. ROLL CALL
2. APPROVAL of the Motion Summary of the Board of Zoning Appeals meeting held on September 11, 2019, as recorded and transcribed.
3. REGULAR BUSINESS
  - A. 2019-2394: A request by Johnathon Dandera for approval of a front yard setback variance for a fence at 102 Old Colony Drive on approximately 0.201 acres on property zoned R-4 with Text Limitations (Medium Density Residential District).
4. BOARD MEMBER COMMENTS AND DISCUSSION
5. NEXT REGULAR MEETING: December 11, 2019
6. ADJOURNMENT

**BOARD OF ZONING APPEALS  
MOTION SUMMARY  
September 11, 2019**

ITEM 1. Roll Call

Chairman Dick called the meeting to order at 6:30 p.m.

Members Present: Beth Fisher, Adam Vaughn, Todd Daughenbaugh (arrived at 6:32 p.m.), Vice-Chairman Paul Junk, and Chairman Matt Dick

Member Absent: Robert Whitmore and Councilman George Hellinger

Staff Present: Jordan Selmek, Zoning Officer and Lance Schultz, Zoning Administrator

**Motion to Excuse:** Vice-Chairman Junk motioned to excuse Councilman Hellinger and Mr. Whitmore, seconded by Mr. Vaughn. Motion approved by a 4-0 vote.

ITEM 2. ELECTION OF OFFICERS

A. Chairperson

**Motion:** Mr. Junk motioned to nominate Mr. Dick as Chairperson, seconded by Ms. Fisher. There were no other nominations, and Mr. Dick accepted the nomination. Motion approved with a 4-0 vote.

B. Vice-Chairperson

**Motion:** Mr. Vaughn motioned to nominate Mr. Junk as Vice-Chairperson, seconded by Ms. Fisher. There were no other nominations, and Mr. Junk accepted the nomination. Motion approved with a 4-0 vote.

ITEM 3. Approval of the Motion Summary of the Board of Zoning Appeals meeting held on July 10, 2019, as recorded and transcribed.

**Motion:** Vice-Chairman Junk moved to approve the Motion Summary for the Board of Zoning Appeals held on April 10, 2019 meeting, seconded by Ms. Vaughn. Motion approved by a 4-0.

Mr. Daughenbaugh arrived at 6:33 p.m.

Chairman Dick swore in the following participant from the public throughout the meeting:

Sarah Stuntz  
Ohio Wesleyan University  
446 North Washington Street  
Delaware, Ohio

Carl & Jennifer Reida  
The Dipped Donut  
256 South Sandusky Street  
Delaware, Ohio

Paul Magee  
Letter Graphics Inc.  
5237 14<sup>th</sup> Street  
Canton, Ohio

ITEM 4. REGULAR BUSINESS

- A. 2019-1913: A request by Ohio Wesleyan University for approval of a sign variance to Zoning Code Section 1165 for the Delaware Entrepreneurial Center at 70 South Sandusky Street on approximately 0.388 acres and zoned PO/I (Planned Office/Institutional District).

Mr. Schultz reviewed the location of the building and signage request. He discussed the size and scale of the sign and that the 2 ½ additional square feet of signage was requested due to the many words that will be used on the sign.

Ms. Fisher requested information if the sign will be illuminated at night and was informed by staff that the sign is to be illuminated.

APPLICANT:

Paul Magee  
Letter Graphics Inc.  
5237 14<sup>th</sup> Street  
Canton, Ohio

Sarah Stuntz  
Ohio Wesleyan University  
446 North Washington Street  
Delaware, Ohio

**Motion:** Ms. Fisher moved to approve 2019-1913, along with all staff conditions, finding beyond a reasonable doubt that the decision factor necessary for approval of a variance according to Chapter 1128 of the Planning and Zoning Commission are met, with the staff conditions as noted, seconded by Mr. Vaughn. Motion approved by a 5-0 vote.

- B. 2019-1941: A request by Carl & Jennifer Reida for approval of a sign

variance to Zoning Code Section 1165 for The Dipped Donut at 256 South Sandusky Street on approximately 0.75 acres and zoned B-3 (Community Business District).

Mr. Selmek discussed the location and zoning of the building. He provided information to the Commission regarding the request. This site was developed prior to current standards and he discussed that to comply to current standards it would cause hardship in loss of parking space and potential danger for incoming traffic. He provided a rendering of the proposed sign and informed the Commission that the sign will be illuminated.

**APPLICANT:**

Carl & Jennifer Reida  
The Dipped Donut  
256 South Sandusky Street  
Delaware, Ohio

The Applicants voiced no concerns regarding staff conditions. Mr. Schultz discussed their temporary sign approval.

**Motion:** Vice-Chairman Junk moved to approve 2019-1941, along with all staff conditions, finding beyond a reasonable doubt that the decision factor necessary for approval of a variance according to Chapter 1128 of the Planning and Zoning Commission are met, with the staff conditions as noted, seconded by Ms. Fisher. Motion approved by a 5-0 vote.

ITEM 5. BOARD MEMBER COMMENTS AND DISCUSSION

ITEM 6. NEXT REGULAR MEETING: October 9, 2019.

ITEM 7. ADJOURNMENT

**Motion:** Vice-Chairman Junk moved to adjourn the Board of Zoning Appeals meeting, seconded by Mr. Vaughn. The Board of Zoning Appeals meeting adjourned at 6:45 p.m.

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Matt Dick, Chairman

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Elaine McCloskey, Clerk

CASE NUMBERS: 2019-2394

REQUEST: Variance

PROJECT: 102 Old Colony Drive

MEETING DATE: November 13, 2019

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**APPLICANT/OWNER**

Johnathon Dandera  
102 Old Colony Drive  
Delaware, Ohio 43015

**REQUEST**

2019-2394: A request by Johnathon Dandera for approval of a front yard setback variance for a fence at 102 Old Colony Drive on approximately 0.201 acres on property zoned R-4 with Text Limitations (Medium Density Residential District).

**PROPERTY LOCATION & DESCRIPTION**

The property is located on the east side of Old Colony Drive and is the first property north of Bowtown Road. The property is zoned R-4 with Text Limitations (Medium Density Residential District) as are the properties to the north. The properties to the south, across Bowtown Road, are zoned B-3 (Community Business District). The property to the east is zoned A-1 (Agricultural District) and the vacant property to the west is zoned R-6 (Multi-Family Residential District).

**BACKGROUND**

The applicant proposes a six-foot privacy fence to enclose their backyard at 102 Old Colony Drive, which is a corner lot. The northern and eastern sections of the proposed fence comply with the Zoning Code. However, the southern section of the fence encroaches approximately 3.36 feet into the technical front yard setback along Bowtown Road. Front yard setbacks are required from all property lines fronting a street. Corner lots therefore have two front yards. The Zoning Code does not allow a privacy fences within a front yard and therefore the proposed fence requires approval of a Variance.

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**STAFF ANALYSIS**

• **FENCE VARIANCE**

• **Schedule 1152.02 Permitted Location and Maximum Height of Fences and Walls – Privacy Fence or Wall**

- An ornamental fence in the front yard shall be 50% open and a maximum of 4 feet tall.
- A privacy fence or wall shall not be permitted within a front yard.
  - The owner is proposing a six foot high privacy fence to enclose all of the usable yard space behind their house. A variance shall be required as a portion of the proposed fence is within the corner lot's front yard setback.

• **VARIANCE REVIEW:** In considering whether or not a Variance shall be granted, the Board of Zoning Appeals is required to consider certain factors to determine if a practical difficulty exists. As listed below, Section 1128.09(c)(1) of the Planning & Zoning Code sets forth these factors. Following each factor in italics is a brief Staff analysis.

1. Whether the granting of the Variance would be in accord with the general purpose and intent of the regulations imposed by this Ordinance and the district in which it is located, and shall not be injurious to the area or otherwise detrimental to the public welfare.

*The purpose and intent of the Fence Ordinance is outlined in Section 1152.01 states:*

- *Fence and wall regulations are established in order to protect the public health, safety, and general welfare by establishing regulations controlling the use of fences and walls assuring property owners of privacy, security, personal preferences in landscape design within their own properties and with consideration of the surrounding environment, the appearance of the community as a whole, and the safety of the public and the individual.*

*Approval of the Variance is in accordance with the purpose and intent of the Ordinance and would not be considered significant and would not likely be detrimental to the public welfare. The subject property is the only lot in the neighborhood that has a public bike path and development sign within its boundary. If this subdivision had been developed today, the bike path and sign would almost certainly be on Home*

*Owner's Association property and thus the subject property would not be a corner lot. When considering the surrounding environment, a front yard privacy fence would protect the health, safety, and general welfare of the subject property without jeopardizing the appearance and safety of the community.*

2. Whether special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same zoning district. Examples of such special conditions or circumstances are exceptional irregularity, narrowness, shallowness or steepness of the lot, or adjacency to non-conforming and inharmonious uses, structures or conditions.

*The subject property has a public bike path that extends through the southern portion of the property. The neighborhood, Old Colony, has other sections of bike paths but none that extend into a resident's property. In addition to the bike path, the entry features for this development were constructed inside of the subject property. The public bike path and entry features certainly meet the criteria for special circumstances – especially when taking into consideration that with today's development standards these features would be built on Home Owner's Association property. Approval of the requested variance would directly mitigate any practical difficulties from the bike path and sign.*

3. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the Variance. Mere loss in value or financial disadvantage to the property owner does not constitute conclusive proof of practical difficulty; there shall be deprivation of beneficial use of land.

*The house was constructed in 2017 per City of Delaware's permit database (permit 2017-0442) which was after the installation of the bike path (approximately 2007). Therefore, the property will continue to be used as such with or without approval of this Variance.*

4. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the Variance.

*Although the request is not compliant with the privacy fence setback requirements in the fence regulations, the character of the neighborhood would not likely be "substantially altered" if the privacy fence of the existing house encroaches into the front yard setback of this corner lot. It would appear that the proposed privacy fence will be screened by the existing development entry features (sign, landscaping, and decorative fencing) that were constructed along the southern edge of this property beside the public bike path. In addition, the portion of the privacy fence that would be encroaching into the front yard would likely only be viewable by someone on the bike path.*

5. Whether the Variance would adversely affect the delivery of governmental services such as water, sewer, or trash pickup.

*The delivery of governmental services, particularly emergency services, would not be impacted with approval of this Variance.*

6. Whether the property owner purchased the property with knowledge of the zoning restrictions. Purchase without knowledge of restrictions in itself is not sufficient proof of practical difficulty.

*It would be very difficult for staff to determine if the owner of the house purchased the property with knowledge of the zoning restrictions, especially due to the house being further from the side road than a typical corner lot.*

7. Whether special conditions or circumstances exist as a result of actions of the owner.

*It is not likely any special conditions or circumstances occurred because of the actions of the owner.*

8. Whether the property owner's predicament feasibly can be obviated through some method other than a Variance.

*The owner could construct a 6-foot privacy fence that does not encroach into the front yard setback and still be able to enclose their backyard or construct a 4-foot ornamental fence which is approvable within any front yard. However, a 4-foot ornamental fence would result in a potentially unsafe environment for the applicant's child and dog as front yard ornamental fences are required to be 50% open. In addition, 102 Old Colony Drive is on a very active stretch of Bowtown Road (Oakland Nursery is immediately across the street). Furthermore, a 4-foot tall ornamental fence that is 50% open would not properly screen this backyard from the view of people who use the immediately adjacent public bike path.*

9. Whether there is evidence of Variances granted under similar circumstances.  
*Staff cannot recall approving a front yard setback variance for a fence in the City for several years.*
10. Whether the granting of the Variance is necessary for the reasonable use of the land or building, and the Variance as granted is the minimum Variance that will accomplish that purpose.  
*The property is currently zoned for a single-family residence and will continue to be used as such with or without approval of this Variance. As a result, a Variance is not necessary for the reasonable use of the land.*
11. Whether the proposed Variance would impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety or substantially diminish or impair property values of the adjacent area.  
*The variance would not likely have an impact on any of the aforementioned issues.*
12. Whether the granting of the Variance requested would confer on the applicant any special privilege that is denied by this regulation to other lands, structures or buildings in the same district.  
*If the Board finds that the standards for approval of a Variance (with conditions) are met, then no special privilege is granted.*

#### **CONCLUSION**

Staff strongly supports the variance request for the following reasons: 1.) The subject property has an existing public bike path and development entry features that were constructed not on a separate Home Owner's Association lot but rather on this lot with an easement along its southern boundary which creates a special circumstance; 2.) The existing development entry features would likely act as screening for a portion the proposed fence; 3.) The alternative option of constructing a 4-foot ornamental fence would likely result in an unsafe backyard for the applicant's family due to a lack of screening from the actively used bike path and traffic from Bowtown Road.

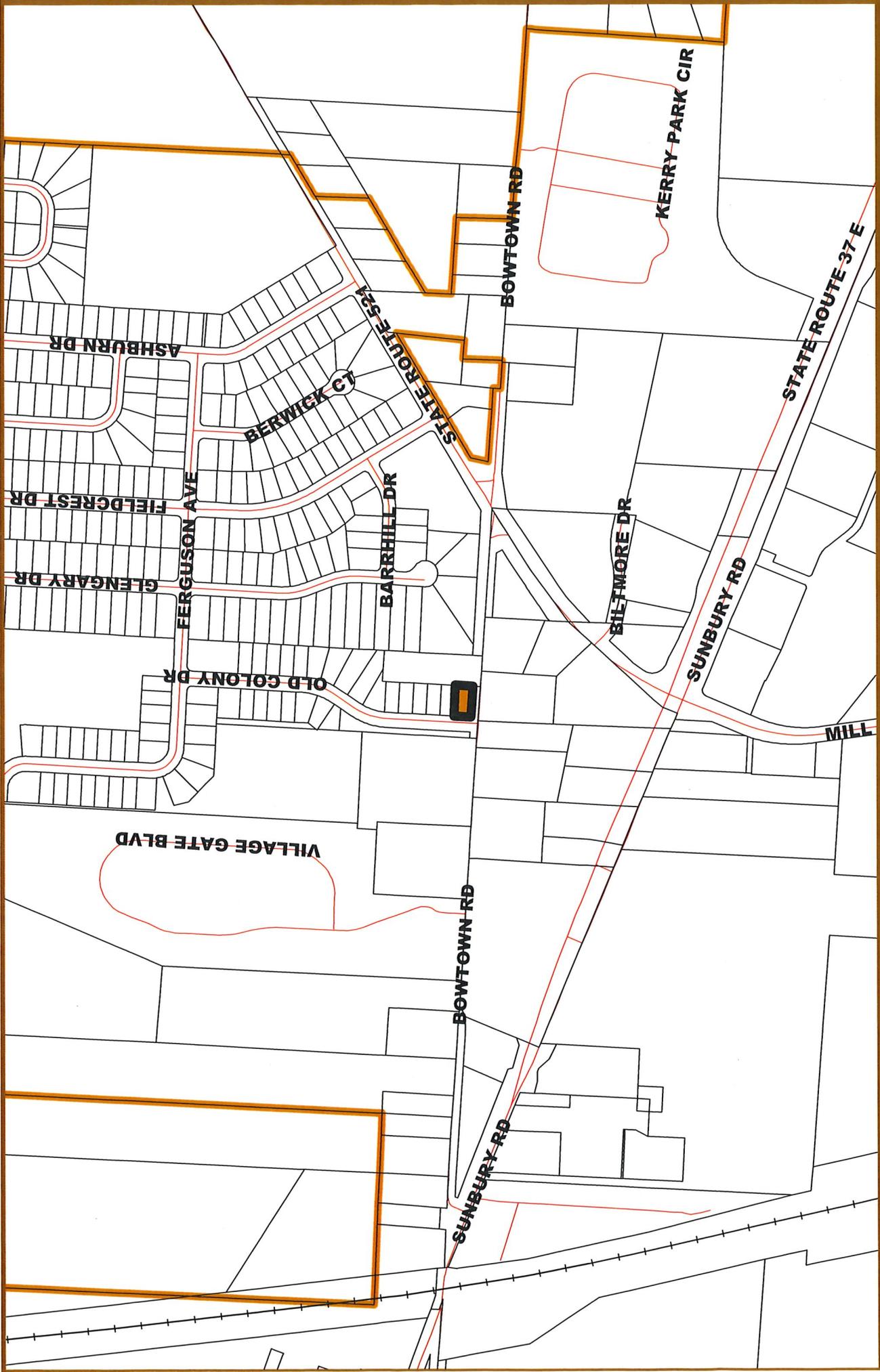
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#### **STAFF RECOMMENDATION – VARIANCE (2019-2394)**

Staff recommends approval of a request by Johnathon Dandera for a front yard setback variance for a fence at 102 Old Colony Drive on approximately 0.201 acres on property zoned R-4 with Text Limitations (Medium Density Residential District), with the following conditions that:

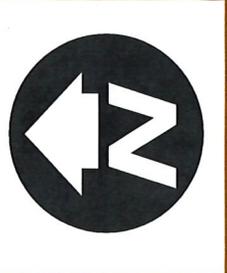
1. The finished side of the fence shall face outward (i.e. the neighbor's property).
2. The applicant shall assume any risk in constructing a fence within an easement.
3. The fence shall be kept 6 inches above drainage swales and watercourses.
4. The homeowner's association (if any) shall approve the fence request.
5. The privacy fence shall not exceed 6 feet in height.





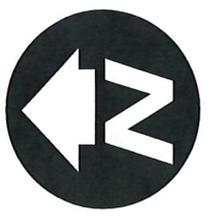
2019-2394  
 Fence Variance  
 102 Old Colony Drive  
 Location Map





2019-2394  
 Fence Variance  
 102 Old Colony Drive  
 Zoning Map





2019-2394  
Fence Variance  
102 Old Colony Drive  
Aerial (2016) Map



To whom it may concern,

My name is Johnathon Dandera. I live at 102 Old Colony Dr in the Old Colony subdivision (Lot #8687) here in Delaware. I'm asking for a variance to put a six-foot privacy fence around my back yard. The section in question is on the south side of my property facing Bowtown Rd.

The main reason we would like to make our backyard private is for the safety of our family. As you can see from the pictures there is a very busy street running along our backyard. Anyone that is familiar with Bowtown road from US36 to ST RT 521 knows that it is a cut through for a lot of people and is a pretty busy road. Not only is there a lot of vehicle traffic but also a lot of pedestrian traffic. There is a walking path that runs along that side as well and is used a lot. Also, the back side of Oakland nursery empties out right there as well and a lot of people tend to cut through there to get to Bowtown. One other concern is that 400 ft from our property on Bowtown is the Central Ohio Mental Health Center. I just want to have peace of mind that if my daughter and our dog are in the backyard that they are safe.

The other reason we would like a privacy fence is for the improvement of our property. We have just put in a paver patio in our back yard and would like to put in a fence to give us the privacy to use our new patio. According to Realty Times a privacy fence adds value to your home. Like most homeowners we are doing things to add value to our home and make it look nice.

If we build this fence to code we have to either use a smaller fence on the south side of the property which will expose our yard to every passer by or we can only come 1.64 feet off the edge of my house which cuts over 3ft of my yard off and makes my yard look smaller. I just want to utilize as much of my yard as possible.

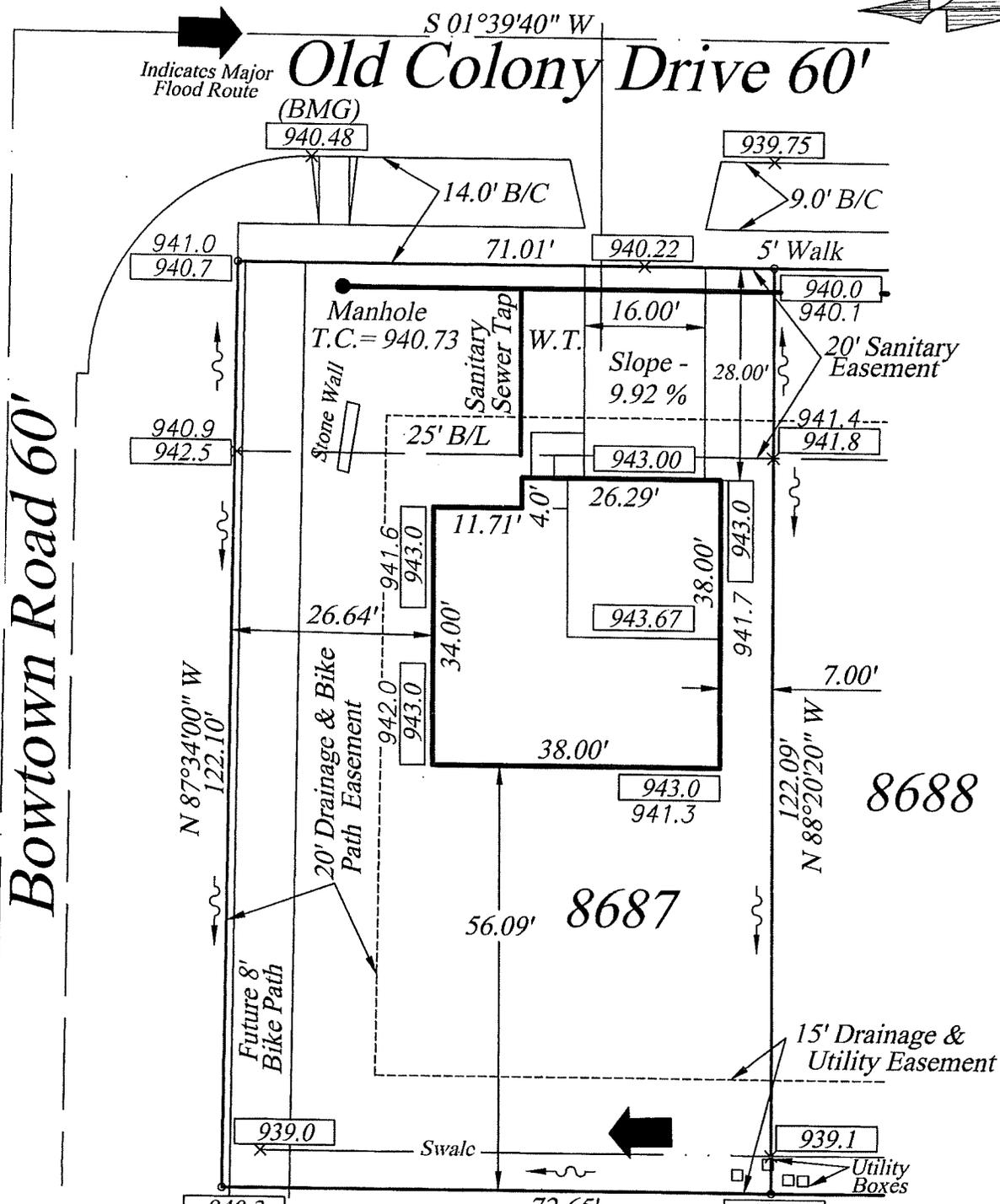
Once again, I'm just a homeowner trying to enjoy our home and do it with the peace of mind of my family being safe. I appreciate everybody that has taken the time to listen to my case and hope that you can understand my plea and can consider a variance so that we can build the fence we desire to have for the safety and comfort of our family.

Thanks again,



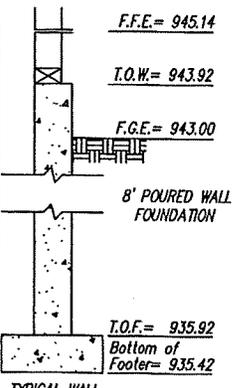
Johnathon Dandera





Lot calculation information is for estimate purposes only and should be verified by the contractor or builder.

Lot Calculation Information	
Lot	8769.0 Sq. Ft.
House	1397.0 Sq. Ft.
Drive	448.0 Sq. Ft.
Approach	242.0 Sq. Ft.
Walk	275.0 Sq. Ft.
Sod Coverage (In Sq. Yards)	1105.0 Sq. Yds.
Porch / Walk	24.0/30.0 Sq. Ft.



\*EXISTING ELEVATIONS AS OF 3-16-17

Ex. 000.0 = EXISTING  
000.00 = PROPOSED

**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.



*D. B. McCoy*



August 6, 2019

Subdivision: Old Colony Estates  
Address: 102 Old Colony Drive  
Name: Johnathon M. and Jessica R. Dandera  
Improvement Description: Fence  
Notice Emailed To: johnmd0503@icloud.com

Dear Homeowner,

We are in receipt of your application for approval of the erection of the noted Improvement(s) on your above-referenced property. A copy of your Application is attached to this transmittal. This letter is sent to advise you that your Application has been

X **CONDITIONALLY APPROVED.** Approval is subject to the GENERAL CONDITIONS described below, and ALL conditions stated in the attached SCHEDULE(s) F

*All fences must be located on a property owner's property line(s) or set-back a minimum of twenty-four inches (24") from the property line. Placement of a fence on the property line constitutes the acknowledgement of the property owner that a fence on a neighboring property may be erected to "tie-in" to such fence so that duplicate, parallel fences on adjacent properties can be avoided. No fence may be erected within four feet (4') of an existing fence on an adjacent property except where such fences "come together" to form a connection point of such fences. If the erection of an approved fence would result in the creation of an area on a property owner's lot that cannot be accessed for maintenance purposes other than from an adjacent property, a gate must be erected in such fence so that the property owner can maintain his/her entire lot without trespassing/entering upon such neighbor's property. The fence must run parallel to the property lines and is adequately set back from property lines to meet all of the foregoing requirements.*

*Our approval is Conditioned upon you meeting the standards in Schedule F which include the fact that you may not "clip the corner" or "box out" a corner of your lot. The fence must follow your lot lines and be erected on or set back from the lots lines as described in Schedule F (allowing you to keep the utility boxes outside the fence, as long as your fence runs parallel to your property lines, set back from the property line far enough (at least two feet) to enable you to maintain all of your lot without having to trespass on your neighbor's lot).*

#### GENERAL CONDITIONS

1. Our approval is not a substitute for any governmentally required approvals and/or permits (if any). It is your responsibility to verify that the proposed Improvements are permitted under applicable zoning regulations, and if applicable, to obtain a building or other permit if required, and to comply with any conditions imposed on any such governmental approvals.
2. If your Improvements extend into or over easement areas (whether or not shown on your submittal), our approval does not relieve you of any obligations you have regarding such easements, and the decision to locate Improvements in an easement area, if made, is made at your own risk.

3. If there are any No-Build, Preservation, or Non-disturbance Zones on your property, our approval is not intended or does not act to approve the construction of any improvement in such zone(s) unless specifically indicated above.
4. Your Improvements may not impede the natural flow of surface water across your property and to or from adjacent lots.
5. You are encouraged to contact **(OUPS #811)** prior to any digging to minimize the risk of utility line conflicts.
6. If your Application discloses an intention to install "landscaping" on your property, but specific details are not provided on your Application, our approval is limited to the planting of perennials, annuals and other low-growing plants, including shrubs and bushes. All other landscaping must be specifically submitted for and approved.
7. Our approval relates only to those Improvements as specifically described in and depicted on your Application materials. You are responsible for the accuracy and correctness of measurements, scale, alignment, depictions and other details contained in your Application and supporting materials, and our Approval is based upon the exact accuracy thereof. You may be responsible for removing or relocating an improvement if, for example, stated measurements and pictorial information in your submittal are not consistent with one another. No other Improvements, whether or not depicted in your application, are affected by this approval. Unless multiple colors are noted in your Application, our approval is based upon an understanding that only one finish color will apply to each component of your Improvement(s).
8. All approved Improvements must be completed with forty-five (45) days of the date on which materials therefor arrive on site, with noise-generating activities to be performed only after 7:30 a.m. and before sunset. With respect to any Applications approved for multiple Improvements or phased construction, each Improvement or phase of construction shall be subject to a separate 45 day completion requirement for each such Improvement or phase, as appropriate.

**ANYTHING CONTAINED IN THIS LETTER, THE APPLICATION OR ANY SCHEDULE(S) NOTWITHSTANDING, UNDER NO CIRCUMSTANCES IS ANY APPROVAL GRANTED FOR ANY IMPROVEMENT TO BE ERECTED THAT IS OUTSIDE OF THE BOUNDARIES OF THE APPLICANT'S PROPERTY.**

A copy of your application will be kept in our files for future reference, if needed. The decision of the Design Review Board cannot be amended or altered, except in a writing signed by an authorized representative of the Design Review Board. If you believe your application has been resolved differently than indicated above, or if after receiving this decision you believe the decision has been modified, please be aware that no changes are effective until made in a writing signed by the Design Review Board. Please do not proceed with any Improvement until the written approval accurately matches the improvement you have proposed. Please let us know if we can be of further service.

Very Truly Yours,  
Nannette Kinman-Shea, Agent of Design Review Board

Encl. Schedule(s) F  
Application

# SCHEDULE "F"

## CONDITIONS TO FENCE APPROVALS

Unless otherwise provided *specifically and in writing*, all Fence approvals are subject to the following conditions:

1. All fences must be located on a property owner's property line(s), or set-back a minimum of twenty-four inches (24") from the property line. Placement of a fence on the property line constitutes the acknowledgement of the property owner that a fence on a neighboring property may be erected to "tie-in" to such fence so that duplicate, parallel fences on adjacent properties can be avoided.
2. No fence may be erected within four feet (4') of an existing fence on an adjacent property except where such fences "come together" to form a connection point of such fences.
3. If the erection of an approved fence would result in the creation of an area on a property owner's lot that cannot be accessed for maintenance purposes other than from an adjacent owner's property, a gate must be erected in such fence so that the property owner can maintain his/her entire lot without trespassing/entering upon such neighbor's property.
4. No fence may be erected closer to any street than the platted building set-back line relative to such street. Corner lots typically have setbacks from BOTH streets.
5. Fences may not be erected to "clip a corner" or otherwise "box out" utility junction boxes that are located on the lot on which the fence is being erected. An Application that has been "Conditionally Approved" and which shows a fence alignment that results in such junction boxes being 'outside' of the fenced area of the yard are understood to require a change in alignment, such that the proposed fence follows property lines around the junction boxes, or runs parallel to property lines and is adequately set back from property lines to meet all of the foregoing requirements (including the requirement for one or more gates, if appropriate).
6. All fences that are made of wood (and all exposed wood used in the construction of fences that may be made of materials other than wood) are required to be treated with clear-coat water repellent (such as "Thompson's"), stained a natural wood color, or painted to match the primary or trim color of the home on the lot. Colors other than natural wood require Design Review Board approval. The requirements of this subpart DO NOT APPLY in communities which require a specific color, or which require that fences not be treated or stained.
7. All fences must be installed 'beauty-side out,' with all structural members (stringers) located on the side of the fence visible from the enclosed part(s) of the lot.
8. Fences are required to comply with any and all height limitations established in the deed restrictions.
9. Fences must be erected along straight lines at consistent heights so as to provide a clean, professionally-installed appearance; and all fence approvals are conditioned upon the duty of the property owner at all times to maintain the condition and appearance of the fence in good condition, including replacement of damaged, broken or missing fence boards, and painting/staining as appropriate from time-to-time (including gate hardware visible from the outside of the fenced yard). The 'standard' for fence maintenance and appearance is the general appearance of other fences and improvements within the same subdivision.



### Design Review Board Application

APPLICANT'S CHECK LIST		OMNI OFFICE USE ONLY	
Did you enclose the Application Fee?	<input checked="" type="checkbox"/>	Date Rec'd	7/23/19
Did you send plot plan and required drawings?	<input checked="" type="checkbox"/>	Expedited	<input checked="" type="checkbox"/> Regular
Is this Design Review application in response to a violation notice?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Fee Paid	\$ 45
		Approved	Conditional <input checked="" type="checkbox"/> Disapproved

#6028

There is a required, non-refundable, Application Fee. Normal Processing is \$25 (10-20 business days). Expedited Handling (5-10 business days) is available for an ADDITIONAL Twenty Dollars (Total of \$45.00) Make your check payable to "Omni Community Association Managers." Visit www.omnihoa.com for additional information.

#### HOMEOWNER INFORMATION:

Name: JOHNATHON M & JESSICA R DANDERA Homeowner E-Mail: johnmd0503@icloud.com  
 Address: 102 OLD COLONY DR Fax Number: \_\_\_\_\_  
 City/State/Zip: DELAWARE OH 43015 Submission Date: 07/22/19

**WE MUST HAVE YOUR (Homeowner) E-MAIL ADDRESS or FAX NUMBER - THE APPROVAL, CONDITIONAL APPROVAL OR DISAPPROVAL OF YOUR APPLICATION WILL BE SENT TO YOU VIA E-MAIL OR FAX**

Phone Numbers: Home 614-205-3603 Work or Cell \_\_\_\_\_

#### PLEASE COMPLETE ALL PERTINENT INFORMATION FOR PROCESSING

Subdivision: Old Colony Estates Lot No.: 14114

Contractor for Project Name (if applicable), Phone Number and E-mail address: Mae Fence 725 Kintner Pkwy, Sunbury 43074  
614-929-3526. jeanette@maefence.com

#### Type of Improvement (circle all that apply):

Fence  Deck  Patio  Landscaping  Play-Set  Shed  Room Addition  Other (specify) \_\_\_\_\_

**We CANNOT process any application without a copy of your plot plan (Mortgage Location Survey), with the location of the improvements marked. \*\*If applying for a fence, show proposed alignment of NEW fence sections with small x's; EXISTING fence sections on your lot or adjacent lots should be shown with o's.\*\***

Brief Description of proposed Improvement(s): \_\_\_\_\_  
Install 166' of 6' White Vinyl Privacy Fence in side and rear yard. Includes 1 gate.

Building Material(s): Vinyl

Height at Highest Point: 6' Approx. Dimensions: 166'

Color(s) of Existing House: \_\_\_\_\_ Color(s) of Proposed Improvement(s): White

Is there an existing fence on your Lot or on an adjacent Lot? No  
 If so, is the fence within four feet of your property line? \_\_\_\_\_ (if "yes", show on plan)

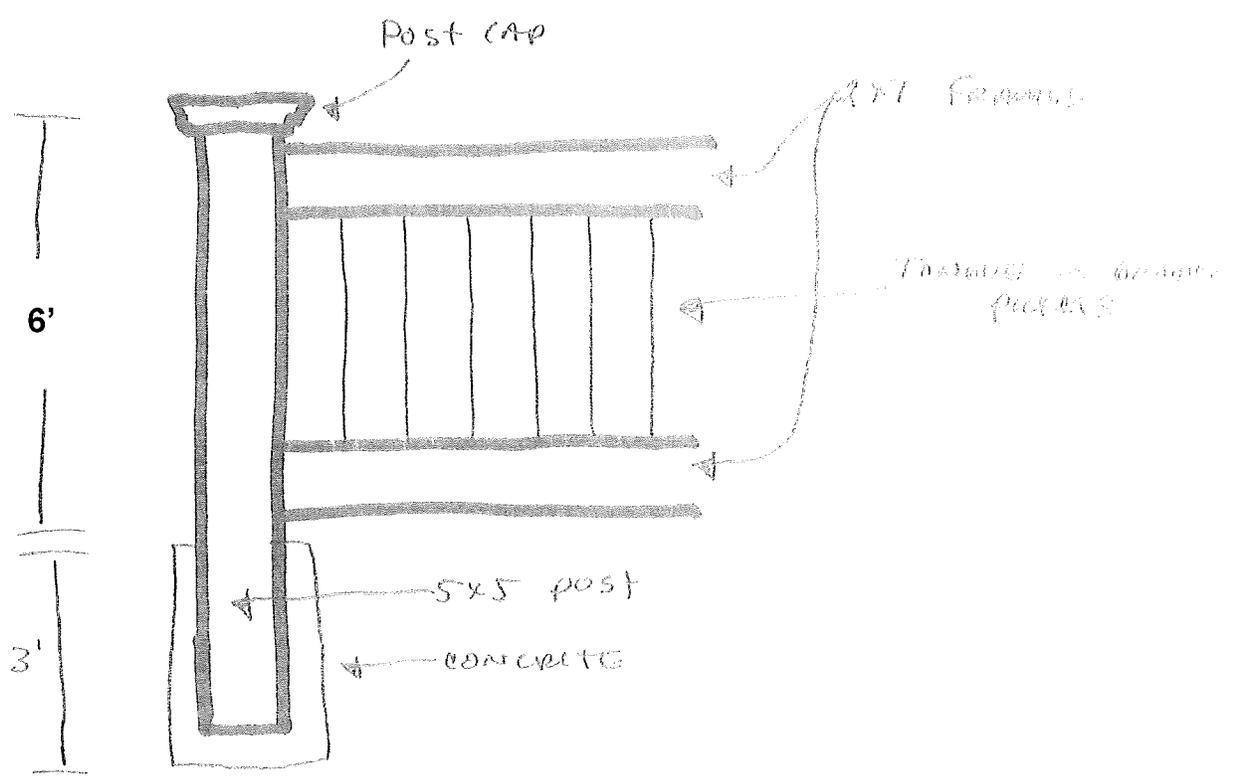
Is your home adjacent to a Common Area? Yes If yes, please mark common area on Mortgage Location Survey

**Your submittal must include one (1) set of 8.5"x11" plans which includes the Plot Plan (Mortgage Location Survey), with printed dimensions and drawn to scale and picture(s) of the proposed improvement(s).**

ATTACHED DOCUMENTS: PLOT PLAN (Mortgage Location Survey)  Picture(s) of Improvement(s)

Allow 10 to 20 business days for normal processing. Application and supporting documents should be mailed to Omni Community Association Managers, Attn: Design Review Board, P.O. Box 395, Grove City, OH 43123, or emailed to nkinman@omnihoa.com Contact nkinman@omnihoa.com or rfox@omnihoa.com for further information. **\*\*Processing does not begin until a complete application is submitted, including the processing fee\*\***





6' Solid vinyl fence  
white color



CITY OF DELAWARE, OHIO  
 PLANNING & COMMUNITY DEVELOPMENT  
 MASTER APPLICATION FORM



RECEIVED  
 OCT - 8 2019

Project # \_\_\_\_\_ Case # 2019-2394

Planning Commission

- |                                                                        |                                                           |                                                                           |
|------------------------------------------------------------------------|-----------------------------------------------------------|---------------------------------------------------------------------------|
| <input type="checkbox"/> Amended Final Development Plan                | <input type="checkbox"/> Final Development Plan Extension | <input type="checkbox"/> Substitution of a Non-Conforming Use             |
| <input type="checkbox"/> Amended Final Subdivision Plat                | <input type="checkbox"/> Final Subdivision Plat           | <input type="checkbox"/> Vacation-Alley                                   |
| <input type="checkbox"/> Amended Preliminary Development Plan          | <input type="checkbox"/> Final Subdivision Plat Extension | <input type="checkbox"/> Vacation-Easement                                |
| <input type="checkbox"/> Amended Preliminary Subdivision Plat          | <input type="checkbox"/> Floodplain Permit                | <input type="checkbox"/> Vacation-Street                                  |
| <input type="checkbox"/> Annexation Review                             | <input type="checkbox"/> Lot Split                        | <b>Board of Zoning Appeals</b>                                            |
| <input type="checkbox"/> Combined Preliminary & Final Development Plan | <input type="checkbox"/> Pre-annexation Agreement         | <input type="checkbox"/> Appeal Administrative Decision or Interpretation |
| <input type="checkbox"/> Comprehensive Plan Amendment                  | <input type="checkbox"/> Preliminary Development Plan     | <input type="checkbox"/> Conditional Use Permit                           |
| <input type="checkbox"/> Concept Plan                                  | <input type="checkbox"/> Preliminary Dev Plan Extension   | <input type="checkbox"/> Substitution of Equal or Less Non-Conforming Use |
| <input type="checkbox"/> Conditional Use Permit                        | <input type="checkbox"/> Preliminary Sub Plat             | <input checked="" type="checkbox"/> Variance                              |
| <input type="checkbox"/> Determination of Similar Use                  | <input type="checkbox"/> Preliminary Sub Plat Extension   |                                                                           |
| <input type="checkbox"/> Development Plan Exemption                    | <input type="checkbox"/> Rezoning                         |                                                                           |
| <input type="checkbox"/> Final Development Plan                        | <input type="checkbox"/> Subdivision Variance             |                                                                           |

Subdivision/Project Name Old Colony Address 102 Old Colony Dr.  
 Acreage .2013 Square Footage 1397 Number of Lots \_\_\_\_\_ Number of Units \_\_\_\_\_  
 Zoning District/Land Use \_\_\_\_\_ Proposed Zoning/Land Use \_\_\_\_\_ Parcel # 8687

Applicant Name Johnathon Dandera Contact Person Same  
 Applicant Address 102 Old Colony Dr.  
 Phone 614-205-3603 Fax \_\_\_\_\_ E-mail Johnmd0503@icloud.com  
 Owner Name Same Contact Person \_\_\_\_\_  
 Owner Address Same  
 Phone Same Fax \_\_\_\_\_ E-mail Same  
 Engineer/Architect/Attorney \_\_\_\_\_ Contact Person \_\_\_\_\_  
 Address \_\_\_\_\_  
 Phone \_\_\_\_\_ Fax \_\_\_\_\_ E-mail \_\_\_\_\_

The undersigned, do hereby verify the truth and correctness of all facts and information presented with this application and authorize field inspections by City Staff.

[Signature] Owner Signature Johnathon Dandera Owner Printed Name  
 \_\_\_\_\_ Agent Signature \_\_\_\_\_ Agent Printed Name

Sworn to before me and subscribed in my presence this 7th day of October, 2019.



JULIE C. GRABER  
 Notary Public, State of Ohio  
 My Comm. Expires Mar. 16, 2020



[Signature]  
 Notary Public

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 My Comm. Expires Mar. 16, 2020