

APPLICATION FOR VARIANCE  
Board of Zoning Appeals  
Morrow County, Ohio

RECEIVED  
JUL 11 2013  
MORROW COUNTY  
PLANNING & ZONING

Application No. V13-064

Name of Applicant: John AND Elizabeth Kerr

Mailing Address: 4300 TWP Rd 110 Mt Gilead, Ohio 43538

Phone Number: Home 614 531-4157 Business 614 843-6586  
*cel. John* *cel Elizabeth*

1. Locational Description: Subdivision Name: \_\_\_\_\_

*See Attached Survey*  
Section 12 + 7 Township Gilead Range \_\_\_\_\_

Other Designation \_\_\_\_\_ Block \_\_\_\_\_ Lot No. 20

(If not in a platted subdivision attach a legal description)

2. Nature of Variance: Describe generally the nature of the variance \_\_\_\_\_

see ATTACHED

In addition, plans in triplicate and drawn to scale must accompany this application showing dimensions and shape of the lot, the size and locations of existing buildings, the locations and dimensions of proposed buildings or alterations, and any natural or topographic peculiarities of the lot in question.

3. Justification of Variance: In order for a variance to be granted, the applicant must prove to the Board of Zoning Appeals that the following items are true: (Please attach these comments on a separate sheet)

- special conditions exist peculiar to the land or building in question;
- that a literal interpretation of the ordinance (resolution) would deprive the applicant of rights enjoyed by other property owners;
- that the special conditions do not result from previous actions of the applicant; and
- that the requested variance is the minimum variance that will allow a reasonable use of the land or buildings.

I certify the information contained in this application and its supplements is true and correct.

Date July 11, 2013

John A. Kerr  
Applicant

- Variance Fee paid with Residential Non  
Construction Permit fee - 125.00 -

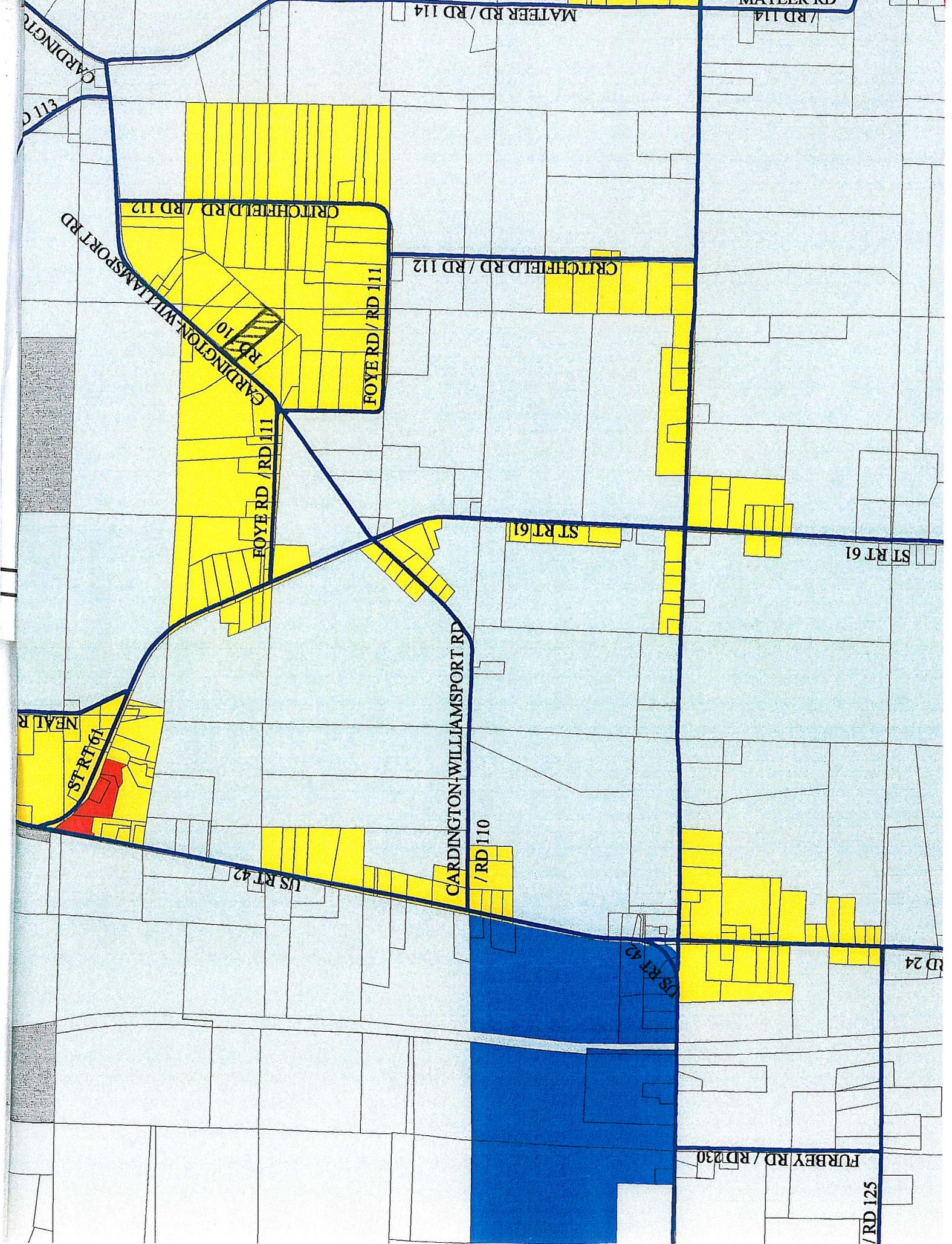
July 11, 2013 *AKB*

Please attach a list of all surrounding property owners and their addresses for each surrounding property owner.

*see ATTACHED*

#### STANDARDS FOR GRANTING HARDSHIP VARIANCES

- A. The particular physical surroundings, shape, or topographical condition of the specific property would cause unusual and unnecessary hardship if the literal provisions of the zoning resolution were followed.
- B. The purpose of the variance is not primarily based upon a desire to increase property value or usage.
- C. The alleged hardship has not been created by the applicant for the variance after the adoption of the zoning resolution.
- D. The granting of a variance will not be materially detrimental to the public health, safety, convenience or general welfare or injurious to other property or improvements in the vicinity.
- E. The granting of a variance will not constitute a grant of a special privilege, or permit a use not allowed by the existing zoning resolution, or permit a use forbidden to other property in the same classification or district or zone.



MATEER RD / RD 114

MATEER RD / RD 114

CARDINGTON  
RD 113

CRITCHFIELD RD / RD 112

CRITCHFIELD RD / RD 112

CARDINGTON WILLIAMSPORT RD  
RD 110

FOYER RD / RD 111

FOYER RD / RD 111

ST RT 61

ST RT 61

NEAL R  
ST RT 61

CARDINGTON WILLIAMSPORT RD  
/ RD 110

US RT 42

RD 24

US RT 42

FURBEY RD / RD 230

/ RD 125

List of adjacent properties and addresses to 4300 TWP Rd 110

1. Harold Lawrence: 4253 TWP 110, Mt. Gilead Ohio 453338
2. Margaret Reyes: North side of TWP 110: Mailing address: PO Box 2653 Hagatna, GU 96929
3. Lawson and Andrea Adkins 4310 Township Rd 110: Mailing address: 343 S. First St. Clarksville, Ohio 45113
4. Dale and Sandra Randall, TWP Rd 110 and 3 other parcels to the South: mailing address: TWP Rd. 112 Mt. Gilead, Ohio 43338

I am requesting a variance to build a detached 24 ft. by 24 ft. garage that if approved would sit 48 feet to the West of the house and the back of the garage would only be 10 feet closer to the road than the front of the house. The property consist of 5.1 acres that is all a dense woods with the residence setting 311 feet back from the road, with the front of the garage being 277 feet from the road and totally out of view of anyone on any side of the property.

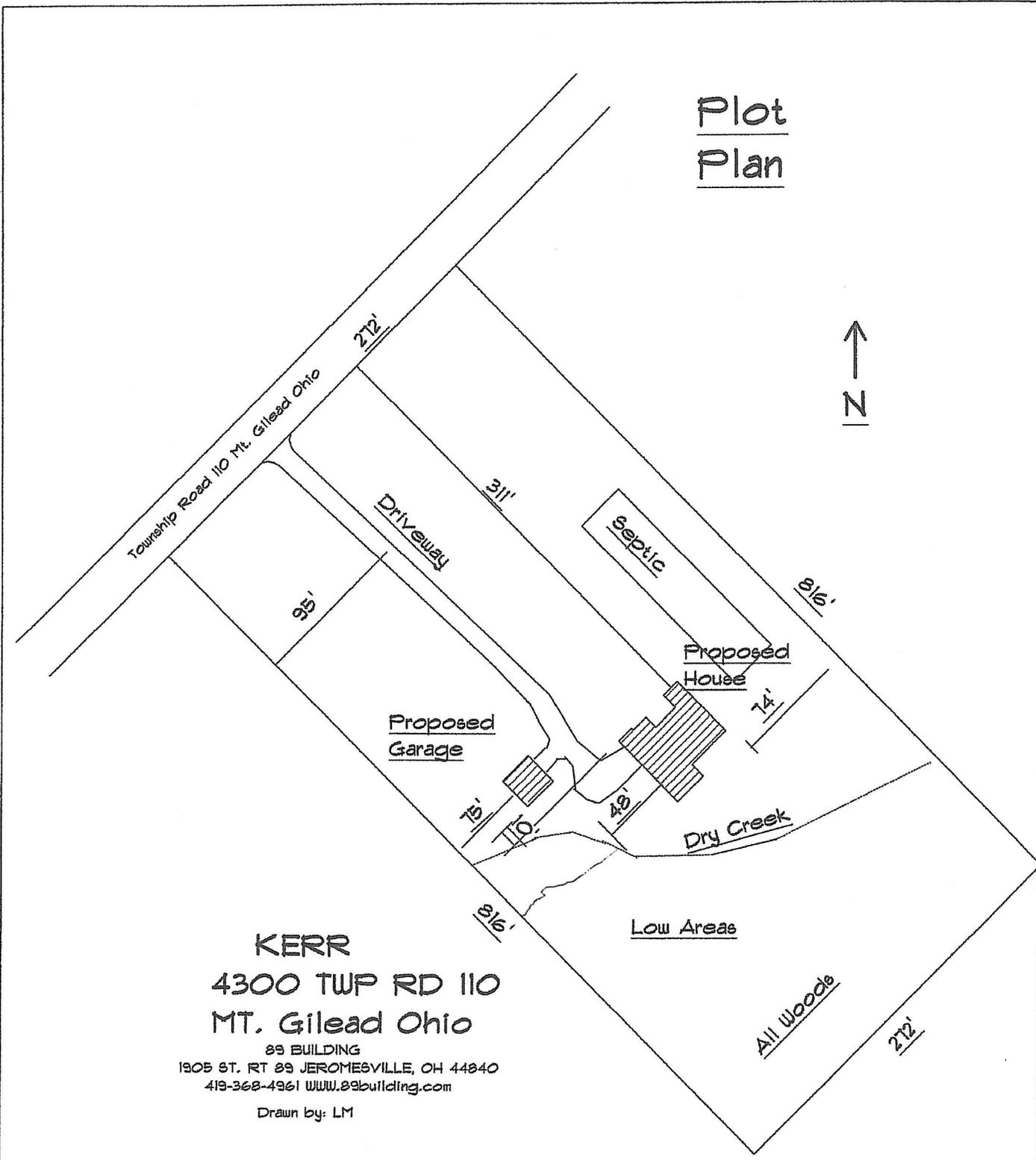
**Justification:**

The land to the back of the house has a low elevation and would be unsuitable for construction of the garage. The land to the East side will be occupied by a septic bed.. To the West, a dry creek bed drains ground water from the West of the property and adjoining properties and runs adjacent to the West side of the proposed garage and then angles Southeasterly towards the house and about 30 feet from the South West corner of the house and continues to the back Southeast corner of the 5.1 acre lot making it too low for a garage to be built to the West side of the house or back of the house. Therefore the proposed location of the garage is the furthest back and only possible location for the garage to be built.

The primary residence and proposed garage is surrounded by a dense woods and the garage would not be visible from the road or on any other side of the property.

See diagram of proposed garage location and pictures of the woods and drive from the road.

Plot  
Plan



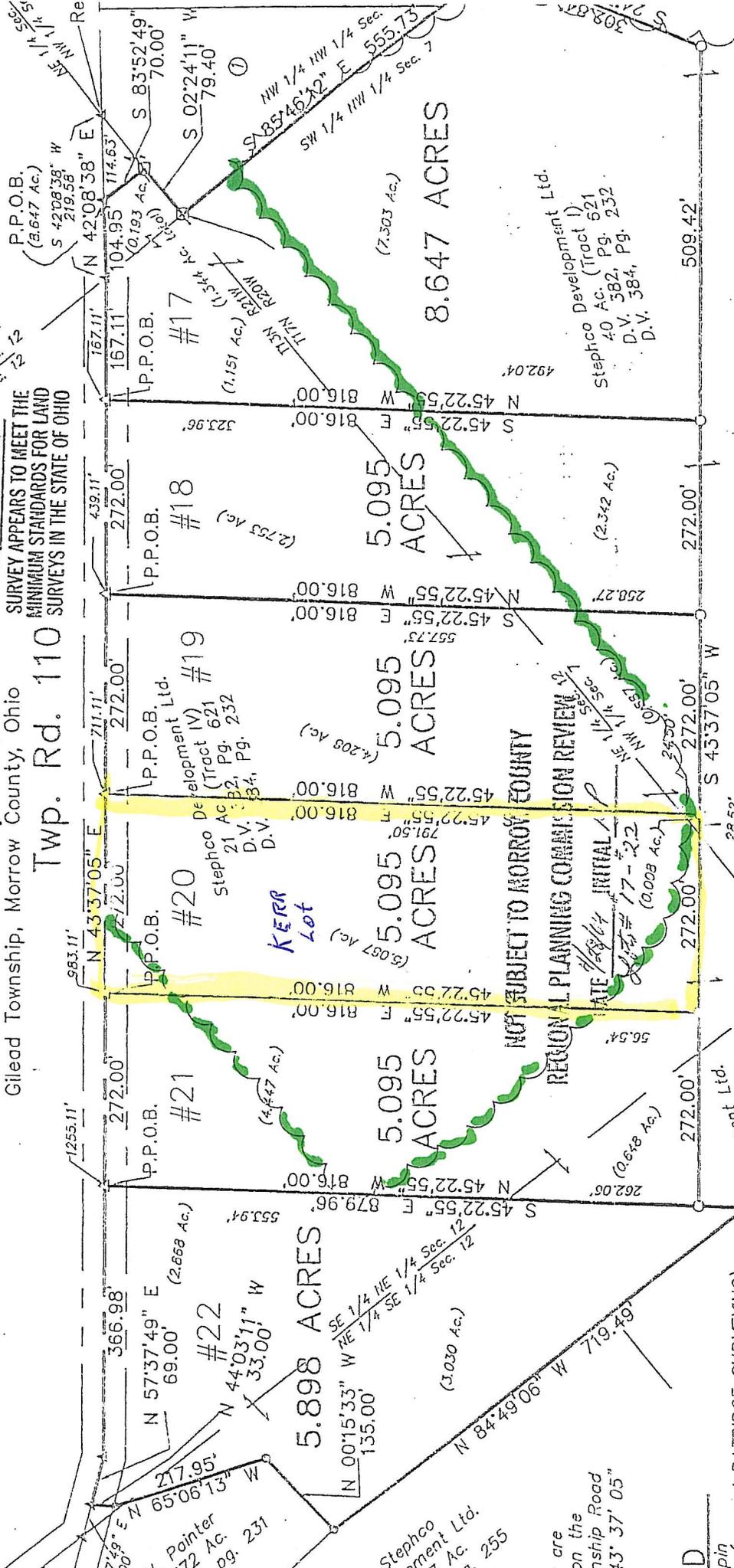
**KERR**  
**4300 TWP RD 110**  
**MT. Gilead Ohio**  
89 BUILDING  
1905 ST. RT 89 JEROMESVILLE, OH 44840  
419-368-4961 WWW.89BUILDING.COM  
Drawn by: LM

# SURVEY PLAT

Being (4) 5.095 acre, 5.898 acre & 8.647 acre tracts, located in part of Sec. 7, T17N, R20W, and part of Sec. 12, T13N, R21W, United States Military Lands, Gilead Township, Morrow County, Ohio

**RECEIVED**  
Morrow County Engineer  
Date: 5-27-2006  
**SURVEY APPEARS TO MEET THE MINIMUM STANDARDS FOR LAND SURVEYS IN THE STATE OF OHIO**

Scale 1" = 200'  
February,



I hereby certify that I have surveyed the described in the foregoing title caption, said survey and plat are accurate and to the best of my knowledge. Easements, and rights-of-way not located, unless I have been advised otherwise.

*[Signature]*  
Professional Surveyor No. 70881

N. & D. Reed  
2.0 Ac.  
D.V. 315, pg. 779

Area in Flood Zone X per  
FIRM 390868 0003 B dated  
4/1/92.

REV. Documents  
D.V. 382, Pg. 621  
D.V. 384, Pg. 232  
D.V. 374, Pg. 231  
Eng. P.B. 21, Pg. 125, 251  
Eng. P.S. 26, Pg. 102  
Eng. P.B. 21, Pg. 337  
Eng. Rd. Rec. 2, Pg. 68

**PATRIDGE SURVEYORS AND ENGINEERS L.L.C.**  
9464 DUBLIN ROAD  
POWELL, OHIO 43065  
FAX (614)-799-0030  
TEL (614)-799-0031

Professional Surveyors and Engineers LLC