

**CITY OF BEAVERCREEK
APPLICATION FOR VARIANCE**

Date 10 Sept 2020 Application No. V-20-2

Variance Address 2823 Maginn Dr. Beavercreek Ohio 45434

Name of Applicant Charles Brackenhoff

Applicant's Mailing Address 2823 Maginn Dr. Beavercreek Ohio 45434

Applicant's Phone Number 937-974-5143

Applicant's Email Address Charles.Brackenhoff@dau.edu

Name of Contractor Becky Baras

Contractor's Address _____

Contractor's Phone Number _____

1. Location Description:

Subdivision Name Tara Falls Section No. _____

Lot No. 666 Zoning District _____ Parcel ID B42000 600 15 00 17 100

2. Nature of Variance Request: 4ft Back & Side yard

set back

In addition, all items listed in the "Special Instructions to Applicant" must be submitted in order for this application to be processed.

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



Applicant's Signature

FOR OFFICIAL USE ONLY

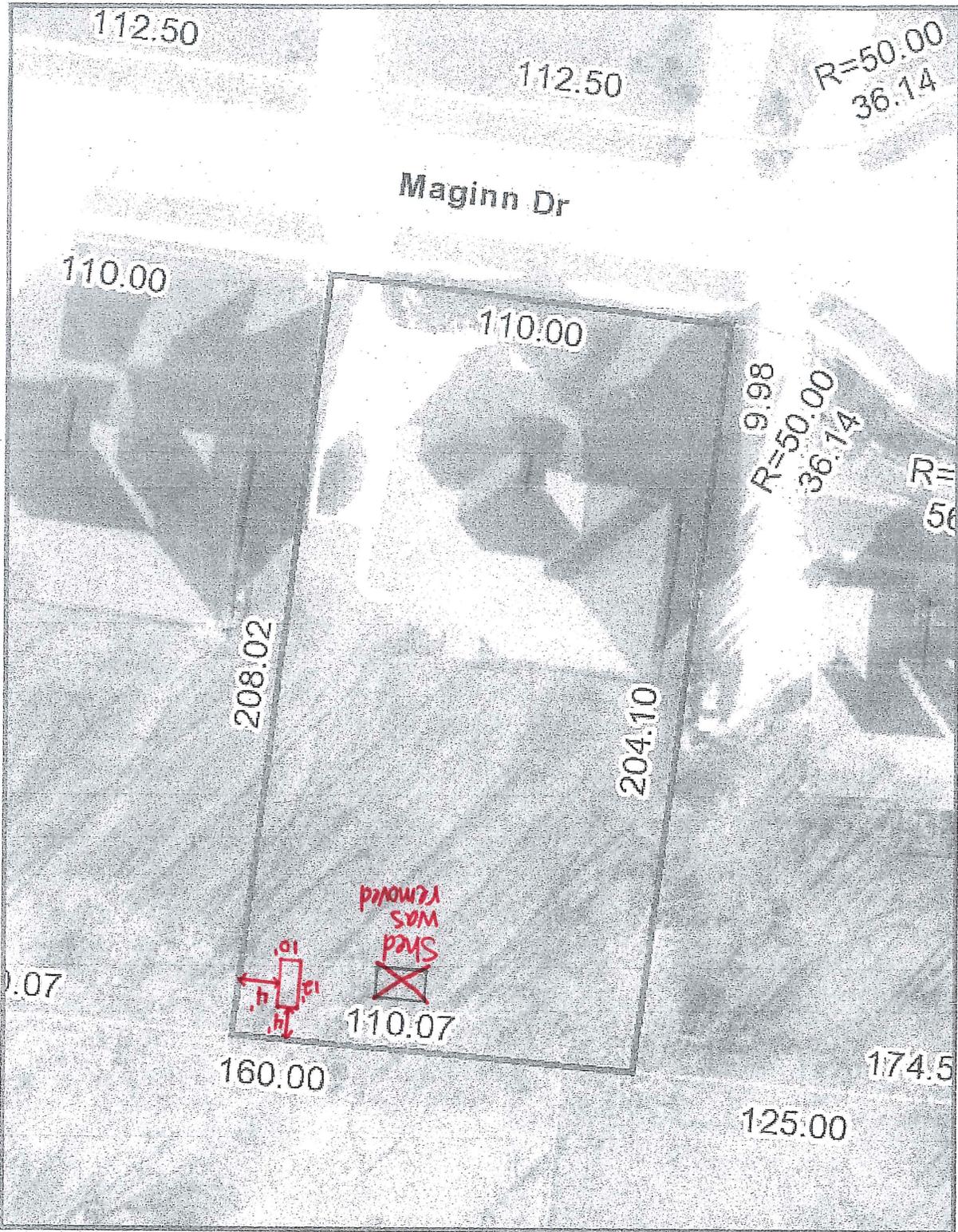
Date Filed 9/10/2020 Fee Paid 100.00 Received by MG

RECEIVED

1368 Research Park Drive • Beavercreek, OH 45432 • (937) 427-5512 • Fax: (937) 427-5544 **SEP 10 2020**

CITY OF BEAVERCREEK
PLANNING DEPARTMENT

2823 Maginn Drive



Greene County Legend 1 inch = 40 feet

	Interstate Highway		Schools
	US Highway		Parks
	State Route		Buildings
	Local Roads		Hydrography
			Parcel Boundary
			Corporation Lines
			Topography

Parcel Number
71
51

Lot Number

0 20 40 Feet

This map was prepared as the tax map for Greene County as prepared by the Greene County Engineer in accordance with Section 5713.09 of the Ohio Revised Code. Greene County assumes no legal responsibility for the information contained on this map. Users noting errors or omissions are encouraged to contact the Greene County GIS Department.

RECEIVED

SEP 10 2020

CITY OF BEAVERCREEK
PLANNING DEPARTMENT

CITY OF BEAVERCREEK ACCESSORY STRUCTURE ZONING PERMIT

Atch to Application for VARIANCE

Date 10 Sept 2020

Permit _____

Fee _____

Address of Property 2823 Maginn Dr. Beavercreek Zoning District _____

Lot No. 666 Subdivision Tara Falls Section _____ Parcel ID B42000__00__00__00

Name of Property Owner Charles & Lounie Sue Brackenhoff Telephone 937-874-5143 (cell)

Contractor Beechy Berus - Quaker Style Telephone _____

Accessory structure size 10 feet X 12 feet = 120 square feet.

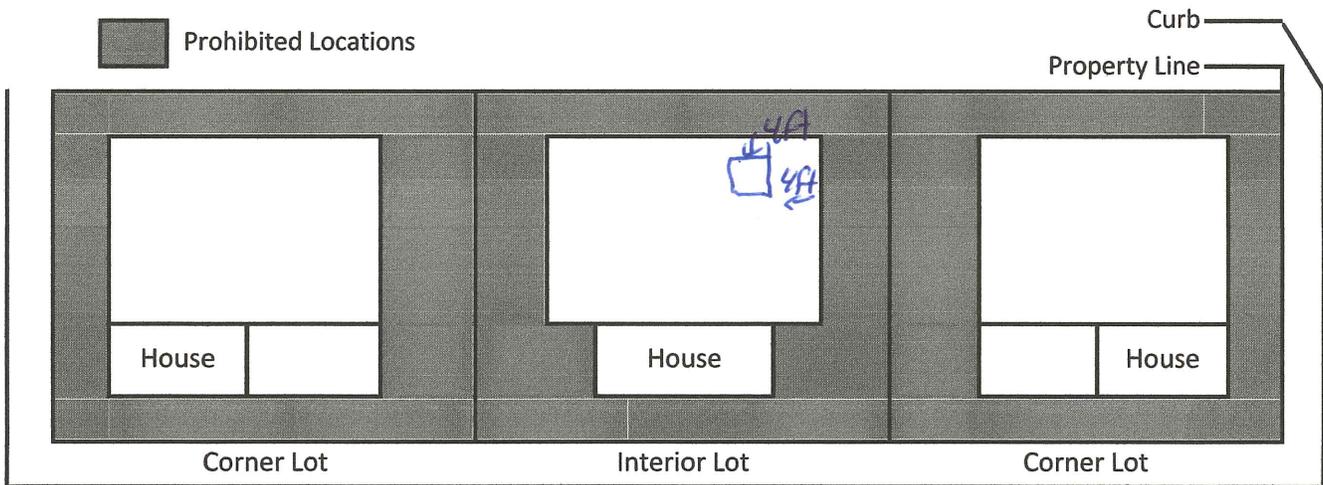
Distance from rear lot line 4' feet, from side lot line 4' feet. (Requesting VARIANCE)

Accessory structure height 10' feet.

Structure located in Floodplain: Yes No If yes, Floodplain Permit is required.

ACCESSORY STRUCTURE REQUIREMENTS

1. Detached garages may not be located nearer to the front property line than the main dwelling. All other detached structures are permitted only in the rear yard.
2. The structure may not be placed closer than ten (10) feet to any side or rear property line or within ten (10) feet of an alley.
3. Structure may not exceed 16 feet in height from grade.
4. Total square footage – see reverse side.
5. All detached accessory structures 201 square feet or larger require 1 set of construction drawings and 3 copies of a site plan drawn to Standard Engineering scale (e.g. 1"=30') showing the dimensions and shape of the lot, location of existing structures and exact location and dimensions of the proposed construction showing setbacks from property lines as well as a Greene County building permit (937-562-7420).



NOTE: LOCATE ALL EXISTING AND PROPOSED ACCESSORY STRUCTURES ON DRAWING.

I hereby certify that I am the property owner, or am authorized to act as the owner's agent in obtaining this permit. I further certify that all of the information and attachments submitted with this application are true and correct to the best of my knowledge and that the property owner is responsible for locating and verifying all property lines and boundaries. I understand that if this information is incorrect or incomplete, any permit issued may be invalid and the property owner may be required to remove this structure at his/her own expense. I hereby consent to the inspection of the subject property and of any buildings or structures relevant to this application. Any deviation from the approved plans will require submission and approval of the revised plans.

Charles.Brackenhoff@Dau.edu
Applicant's Email Address (Please print)

Charles Brackenhoff
Applicant's Signature

This application is: Approved Disapproved

Planning Department Date

CITY OF BEAVERCREEK ACCESSORY STRUCTURE ZONING PERMIT

Reference 1

Date 19 June 2020

Permit _____
Fee _____

Address of Property 2823 Maginn Dr. Beaver Creek Zoning District _____

Lot No. 666 Subdivision Tara Falls Section 23 Parcel ID B42000 00 00 00

Name of Property Owner Charles & Lannie Sue Brackenhoff Telephone 937-974-5143 (cell)

Contractor Beady Barns - Cottage Shed Telephone _____

Accessory structure size 12' feet X 16' feet = 192 square feet.

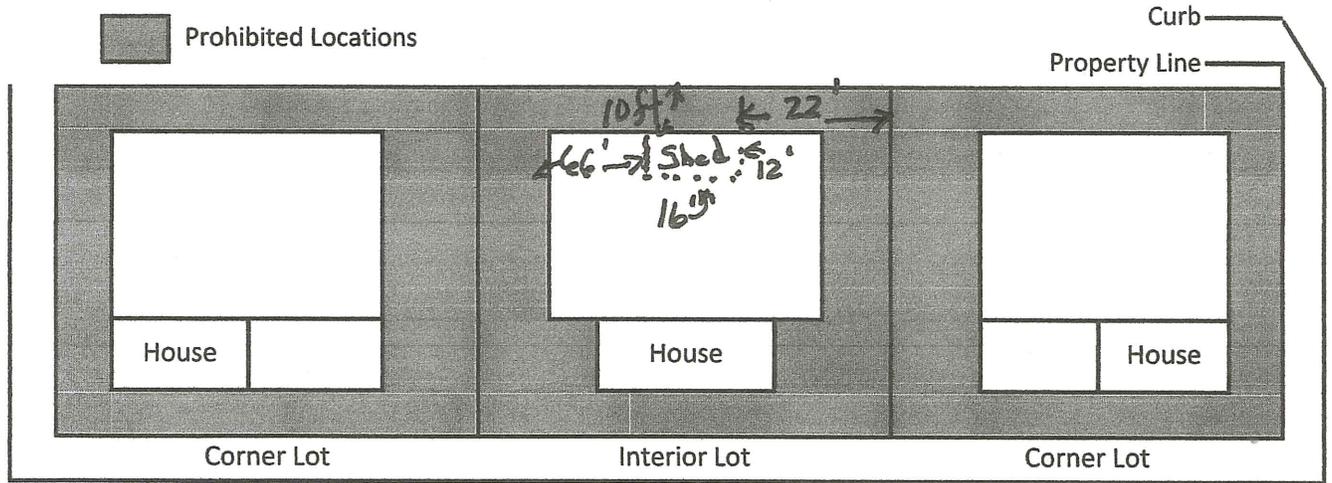
Distance from rear lot line 10 feet, from side lot line 22' & 66' feet.

Accessory structure height 12' feet.

Structure located in Floodplain: Yes No If yes, Floodplain Permit is required.

ACCESSORY STRUCTURE REQUIREMENTS

1. Detached garages may not be located nearer to the front property line than the main dwelling. All other detached structures are permitted only in the rear yard.
2. The structure may not be placed closer than ten (10) feet to any side or rear property line or within ten (10) feet of an alley.
3. Structure may not exceed 16 feet in height from grade.
4. Total square footage – see reverse side.
5. All detached accessory structures 201 square feet or larger require 1 set of construction drawings and 3 copies of a site plan drawn to Standard Engineering scale (e.g. 1"=30') showing the dimensions and shape of the lot, location of existing structures and exact location and dimensions of the proposed construction showing setbacks from property lines as well as a Greene County building permit (937-562-7420).



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Charles.Brackenhoff@DAU.edu
Applicant's Email Address (Please print)

Charles Brackenhoff
Applicant's Signature

This application is: Approved Disapproved

Planning Department Date

Reference 2



City of Beavercreek
Department of Planning & Development

1368 Research Park Drive
Beavercreek, OH 45432
937-427-5512
www.beavercreekohio.gov
planning@beavercreekohio.gov

ZONING PERMIT

R-20-393	ACCESSORY STRUCTURE - RESIDENTIAL
SITE ADDRESS: 2823 MAGINN DR DAYTON	ISSUED: 06/22/2020
PRIMARY PARCEL: B42000600150017100	
PROJECT NAME:	

APPLICANT: BRACKENHOFF CHARLES R
2823 MAGINN DR
BEAVERCREEK OH 45434
Not Defined, XX 00000

OWNER: BRACKENHOFF CHARLES R
2823 MAGINN DR BEAVERCREEK OH 45434
Not Defined, XX 00000

PERMIT DETAILS

Detail Name	Detail Value
Contractor	Beachy Barns
Addition/Accessory Structure/Deck Size	Up to 200 sq.ft.
Total (Sq.ft.)	192.00
Structure Size (ft. x ft.)	12x16
Distance from rear lot line (ft.)	10
Distance from side lot line (ft.)	22
Height of structure (ft.)	12
Structure located in Floodplain Y/N	No

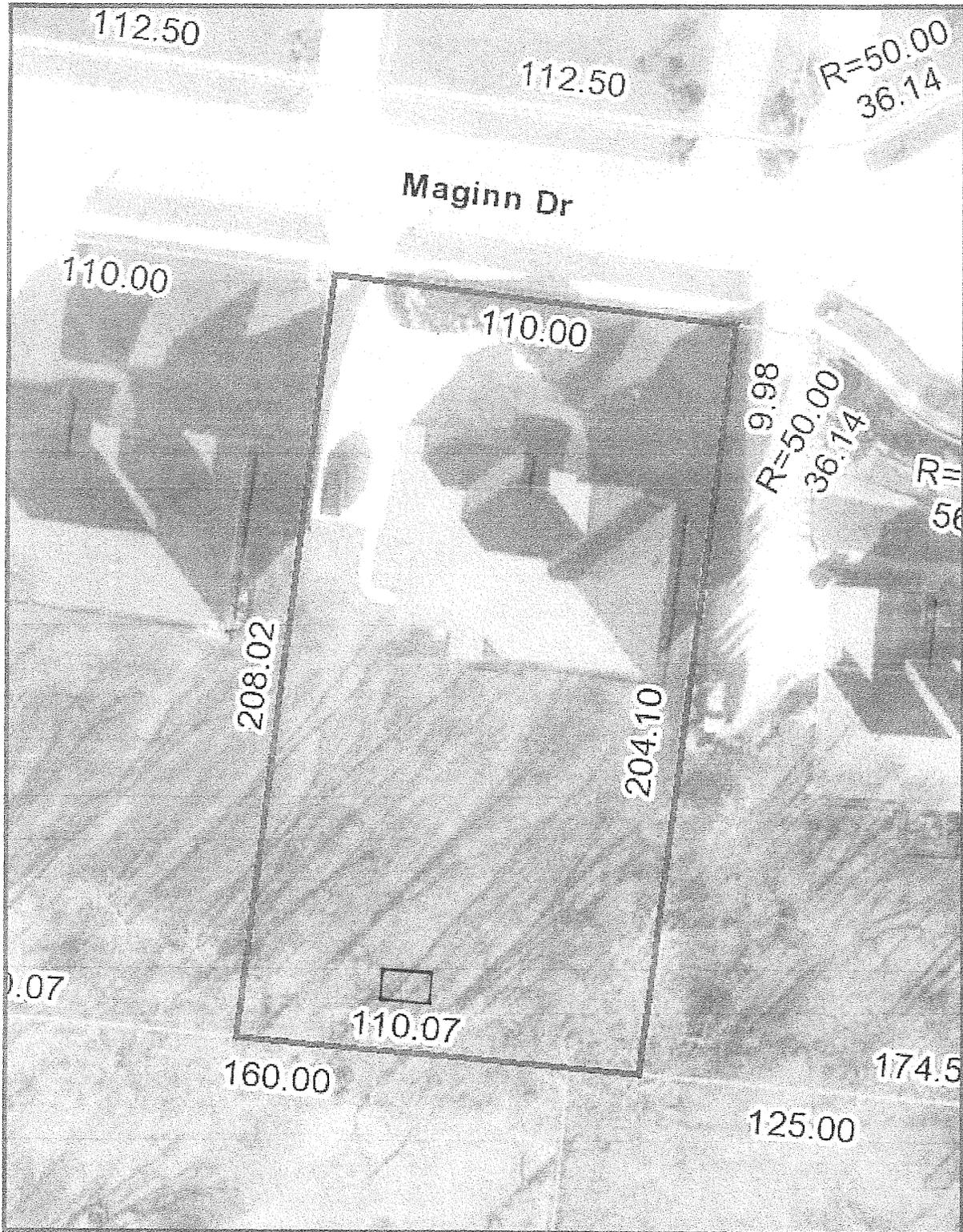
CONDITIONS

* The permit will expire six months from the date of issuance unless construction, relocation, remodeling, or use has commenced within the six month time period.

Issued By: Melissa Gillaugh

FEES:	Paid	Due
Addition/Accessory Structure/Deck - Residential	\$30.00	\$0.00
Totals :	\$30.00	\$0.00

2823 Maginn Drive



Greene County Legend

1 inch = 40 feet

	Interstate Highway		Schools	<u>71</u> <u>51</u>	<u>Parcel Number</u> <u>Lot Number</u>		
	US Highway		Parks		Parcel Boundary		
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NTS

City of Beavercreek
Department of Planning & Development
Zoning Department, Board of Zoning Appeals
1368 Research Park Drive, Beavercreek Oh 45432

10 September 2020

References:

1. Homeowner's (Brackenhoff) Original Accessory Structure Zoning Permit Application, 19 June 2020
2. City of Beavercreek Dept., Zoning Permit, 22 June 2020

To: Dept. of Planning & Development and Zoning Board of Appeals,

Re: Request for Variance from Back Lot and Side Lot Lines of six (6) feet, i.e., four (4) ft from Back an Side Property Line

History:

Mid June 2020: Prior to submitting my Accessory Structure Zoning Permit Application on 19 June 2020, I spoke with personnel from the Planning & Development Office on the permit process and zoning limitations from back lot and side lot lines from my property line for an outdoor shed.

I explained that my backyard has a very steep hill and that I cleared off trees/shrubbery at the top of the back of the lot and only had one (flat) location that could accommodate the outdoor shed.

The constraints on the placement of the shed:

1. From backyard setback to beginning of the hill, slopes downward and varies due to the terrain of the backyard.
2. There are numerous cable and electrical lines that limit placement of shed and will prohibit planting of any shrubs around the shed.
3. Facing the backyard, the entire area on top of the hill has a significant slope from the right to left side of the backyard.
4. Trees prevent placement of shed.

However, the only area that was "flat" for a placement of the shed, would require a variance. It was explained to me that the Board of Zoning Appeals would not approve a variance "if" they could find a suitable location for the shed anywhere on my property.

Based on this information, the only location that I could place the shed 10 ft from and side lot, was the location identified in my original Zoning Permit Application that was approved by the Dept. of Planning & Development (Ref 1 and 2 above). Once I had permit approval, I contacted Beachy Barns and ordered the shed.

City of Beavercreek
Department of Planning & Development
Zoning Department, Board of Zoning Appeals
1368 Research Park Drive, Beavercreek Oh 45432

10 September 2020

References:

1. Homeowner's (Brackenhoff) Original Accessory Structure Zoning Permit Application, 19 June 2020
2. City of Beavercreek Dept., Zoning Permit, 22 June 2020

To: Dept. of Planning & Development and Zoning Board of Appeals,

Re: Request for Variance from Back Lot and Side Lot Lines of four (4) feet.

History:

Mid June 2020: Prior to submitting my Accessory Structure Zoning Permit Application on 19 June 2020, I spoke with personnel from the Planning & Development Office on the permit process and zoning limitations from back lot and side lot lines from my property line for an outdoor shed.

I explained that my backyard has a very steep hill and that I cleared off trees/shrubbery at the top of the back of the lot and only had one (flat) location that could accommodate the outdoor shed.

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Based on this information, the only location that I could place the shed 10 ft from and side lot, was the location identified in my original Zoning Permit Application that was approved by the Dept. of Planning & Development (Ref 1 and 2 above). Once I had permit approval, I contacted Beachy Barns and ordered the shed.

Note: This was not my first choice for the location of shed. But due to issues described below, I am now requesting a variance for another location of a shed. (The shed has been returned to Beachy Barns, builder).

Aug 6, 2020: Beachy Barns delivered/setup the shed on the location identified on my original permit application. (see pics).

Aug 20, 2020: Beachy Barns removed the shed from my property and refunded me a portion of the cost of the shed.

The reasons for removing the shed (as depicted in the pictures):

1. To be in-compliance with the 10' back lot line, the shed is literally right on the edge of the hill and appeared it was ready to slide down at any time.
2. The height of the shed increased dramatically with the placement of treated lumber and concrete bricks underneath to level the shed.
3. Unable to plant any shrubbery around the front facing side of the shed due to buried electrical and cable lines.
4. Due to the slope of the top of the hill along the backyard, the dirt along the back/side of the shed was dug out 8-10" and the front (side with the double doors) needed concrete bricks and treated lumber to "level" the shed.
5. To get into the shed, the distance from the ground to the shed floor was 15-18 ". This significant elevation negated the use of the provided ramp and I would need to build a ramp that extended 7-9 ft from the double doors over electrical and cable lines due to the continued downward slope of the ground.
6. The shed placement met the back and side lot setbacks of 10 ft, but looked like a huge negative distraction to my neighbors.

Need for outdoor storage shed:

1. Due to the limitations of the so called 3-car garage, which is not really a 3-car garage. If a shed is built, it will only be a 2-car garage due to other space limitation in garage area:
 - a. There is only 6-8 inches on each side of garage walls and unable to hang any tools, etc.
 - b. Due the elevation of the house on the property, there is literally a built-in "stair case" to get into the house from garage that prevents parking of riding mower and the pull behind trailer, i.e, just enough room to park a honda.
 - c. I have already built shelves to accommodate storage, but need shed for my riding lawn mower, pull behind trailer, other mower accessories, outdoor tools (shovels, rakes, axe, etc.), lawn and garden supplies/equipment, etc.
2. The surrounding property on both sides and behind my property on the "hill" are all trees or wild shrubbery. (see pics)
3. All the reasons I outlined above for having the shed removed and limitations of the backyard due to the hill, significant slope of the backyard, trees, and underground electrical and cable lines, etc.

Request for Variance: Four (4) ft from back lot and side lot lines to accommodate 10'x12' shed:
(see pics)

1. This is the only area that is flat in the backyard at the top of the hill.
2. 4'ft from back lot line would give me ample area to put shrubbery around the front facing of the shed since buried cable are literary right at the grass line. (see pics)
3. 4'ft from side lot line is needed due the existing tree and the proposed shed has an "overhang" over the double doors. (see pics)

Appreciate your consideration for the above back lot and side lot lines.



Charles & Sue Brackenhoff
2823 Maginn Drive
Beavercreek, Ohio 45434
937-974-5143 (cell)

Attached:

- Pictures of "Approved" Outdoor Structure (Shed) and Placement on Property
- Pictures of "proposed" location of shed

Aug 2020, site of approved shed location



6 Aug 2020. Issues with "leveling" shed (front to back and side to side) and to be 10ft from back lot line. Note: Orange tape is property line.



View of shed from back of house, neighbors' view of shed, and slope of hill.



Note: height above ground to level shed and tree to right.



Note: Electrical and Cable lines, orange tape is backyard property line. (10'ft from rear lot line)



Note: Height above door and ramp would extend 7-9 ft and over electrical and cable lines).



Note: Location of underground electrical and cable lines that prevented ramp to elevated shed for riding lawn mower.



Note: At edge of hill, due to 10 ft rear lot line and buried lines that prevent planning shrubbery.



Note: Must maintain some distance from existing tree. If variance approved, shed would be to right of this tree, hence a need for a 4ft variance from side lot line.



Proposed
Shed
location

Note: 10 ft from rear lot line (property line) and slope of area downward.



Shed removed by Beachy Barns on 20 Aug 2020 (blue area). Proposed location of new shed is to the right of tree, red arrow.



Proposed location of shed (metal stakes). ONLY Flat area in back area. Request variance of 4 ft from back and side lot lines. I had fence installed several weeks ago about 3-6 inches in from back property line. Note: neighbor's vegetation/shrubbery/trees behind and to side of my property.



Note: metal pole approx. denote shed with adequate distance to add shrubbery/etc.



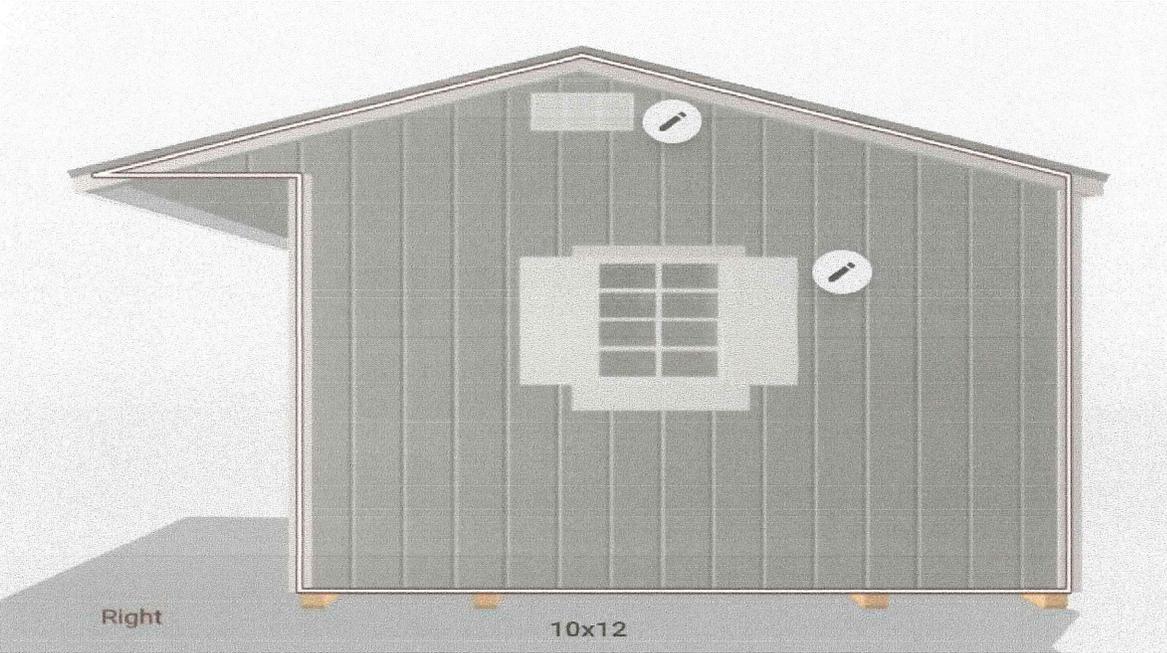
Note: Due to the buried cable lines, unable to have scrubby any closer, hence the need in previous picture to place plants in front of the shed area.



Note: Stakes are 4 ft from back lot and side lot line (my fence is 4-6 inches inside property line).



Proposed Shed. This will be the view looking up the hill to the backyard. Shrubbery in other pictures will be in front of this side. Note: the overhang that will be close to the existing tree in other picture, hence the need for 4ft side lot from property line.



This view of the proposed shed is facing down the back side of the backyard. A tree in existing picture will be in front of the window and close to the roof overhang.

