City of Worthington
BOARD OF ZONING APPEALS
APPLICATION

Meetings – First Thursday of Every Month

Case #	BZA 33-14
Date Received	8-27-14
Fee	$25
Meeting Date	10-2-14
Filing Deadline	588201

1. **Property Location** 195 Tucker Dr, Worthington, OH 43085
2. **Present/Proposed Use** Residence
3. **Zoning District** _____
4. **Applicant** David & Sheri Holcomb

   Address 195 Tucker Dr, Worthington, OH 43085

   Phone Number(s) 614-595-8891 614-595-9054
5. **Property Owner** Williamson Family Trust,

   Address 195 Tucker Dr, Worthington, OH 43085

   Phone Number(s) David Holcomb 614-595-8891 Sheri Holcomb 614-595-9054
6. **Action Requested** (ie. type of variance)
   1. Determination that no zoning variance is required.
   2. Or, determine that any infraction is deminimus in nature and does not rise to a level that required any action.
7. **Project Details:**

   a) **Description** Replace two HVAC systems including two (2) Heat Pumps

   b) **Expected Completion Date** Feb 2014

   c) **Approximate Cost** $13,000 –

PLEASE READ THE FOLLOWING STATEMENTAND SIGN YOUR NAME:

The information contained in this application and in all attachments is true and correct to the best of my knowledge. I further acknowledge that I have familiarized myself with all applicable sections of the Worthington Codified Ordinances and will comply with all applicable regulations.

Applicant (Signature) — Date 8-26-2014

Property Owner (Signature) — Date 8-27-2014

ABUTTING PROPERTY OWNERS
FOR
195 Tucker Dr.

William & Gail Loadman	208 Tucker Dr.	Worthington, OH 43085
Jeffrey & Catherine Lyttle	192 Tucker Dr.	Worthington, OH 43085
Janet Fox	179 Tucker Dr.	Worthington, OH 43085
Cloyce & June Miller	184 Medick Way	Worthington, OH 43085
Mark & Rebeccah Ryan	196 Medick Way	Worthington, OH 43085
Douglas & Barbara Kohrt	214 Medick Way	Worthington, OH 43085
Michael & Joy Huang	215 Tucker Dr.	Worthington, OH 43085

David & Sheri Holcomb
195 Tucker Dr
Worthington, OH 43085
614-595-8891

Aug 26, 2014

City of Worthington
Board of Zoning Appeals

Supporting Statement

1. The variance sought is not substantial if it exists at all. The site plan with the heat pump locations noted that was provided by Buckeye Heating and Cooling with the original application for a HVAC Permit back in February 2014, is not accurate. The site plan submitted was obtained through the Franklin County Auditor's office and is identified as Map Routing No 100-N238-030-00 (parcel ID 100-000589-00). It is clear on its face that this site plan is not accurate by noting that on the site plan the west side on the property at 195 Tucker Dr. runs through a corner of the house at 215 Tucker Dr. This is not possible. If the site plan is rotated slightly so as to show the property line on the west side of 195 Tucker Dr. falling roughly midway between 195 and 215 Tucker Dr., it would also show the property line falling roughly midway between 195 and 179 Tucker Dr on the east side. The location of the heat pump on the east side of my house would then be shown to sit well away from the property line.

While I did not hire a surveyor to locate the exact location of the property line, a point located approx. half way between 195 Tucker Dr. and 179 Tucker Dr. shows that the heat pump is 11 feet from the putative property line at its closest point and is, therefore, <u>not</u> out of conformity.

Even if it is determined that the heat pump in question is not within the requisite 10 foot set back, it will be only slightly out of conformity with the regulations.

2. The possible nonconformity does not impact the essential character of the neighborhood, nor would that character be altered if a variance was permitted, nor would the adjoining property at 179 Tucker Dr. suffer any negative detriment whatsoever by granting a variance. This is because the heat pump in question was located exactly where the old heat pump, the heat pump it replaced, was located. We purchased the property at 195 Tucker Dr. on May 21, 2004. There were two heat pumps on the property. In the ten intervening years no one appeared to suffer any harm or detriment due to the location of those two, screened, heat pumps. The character of the neighborhood appears to have been unaffected because if this heat pump is slightly out of set-back then the old one was too. Certainly no one complained to us. In addition, I do not believe that anyone complained to the City of Worthington or the Zoning Board about the location of our two heat pumps until we replaced the old unit with a new one. Ten years of silence suggests that no problem exists or existed with location of the new or the old units.

3. I doubt very much that a slight encroachment upon the required set back, if it exists at all, would negatively affect the delivery of governmental services. The City of Worthington has records going back to the spring of 2004 when we purchased the

house. If an impediment of any kind was encountered in the delivery of any city service it could be discovered by a review of city records. I have no knowledge of any such occurrence.

4. Prior to our purchase of the house at 195 Tucker Dr we did our due diligence and part of that process was to search the city and county records for any liens and actions taken against the property. None were found and we had no knowledge of any set back issues involving the heat pumps.

5. It is possible to relocate the heat pump if it turns out that it lies beyond the required sit back. The cost to relocate the heat pump to the rear of the house would be a substantial burden adding as much as 10% to the total cost of replacing both furnaces and heat pumps. This means that if the heat pump turns out to be, say, 6 inches out of compliance it would cost up to $200 an inch to relocate the heat pump.

In conclusion, it is my hope that the Board of Zoning Appeals will not require us to relocate the heat pump. It may take a survey of the property line to determine if the heat pump is out of code or not. If extraordinary measures will be needed to determine whether the heat pump is to close to the property line and if the old heat pump, that was located in exactly the same place, caused no concern or problems for anyone, it seems unreasonable to force me to spend in excess of $1000 to fix a problem that does not exist.

Thank you for your time and consideration.

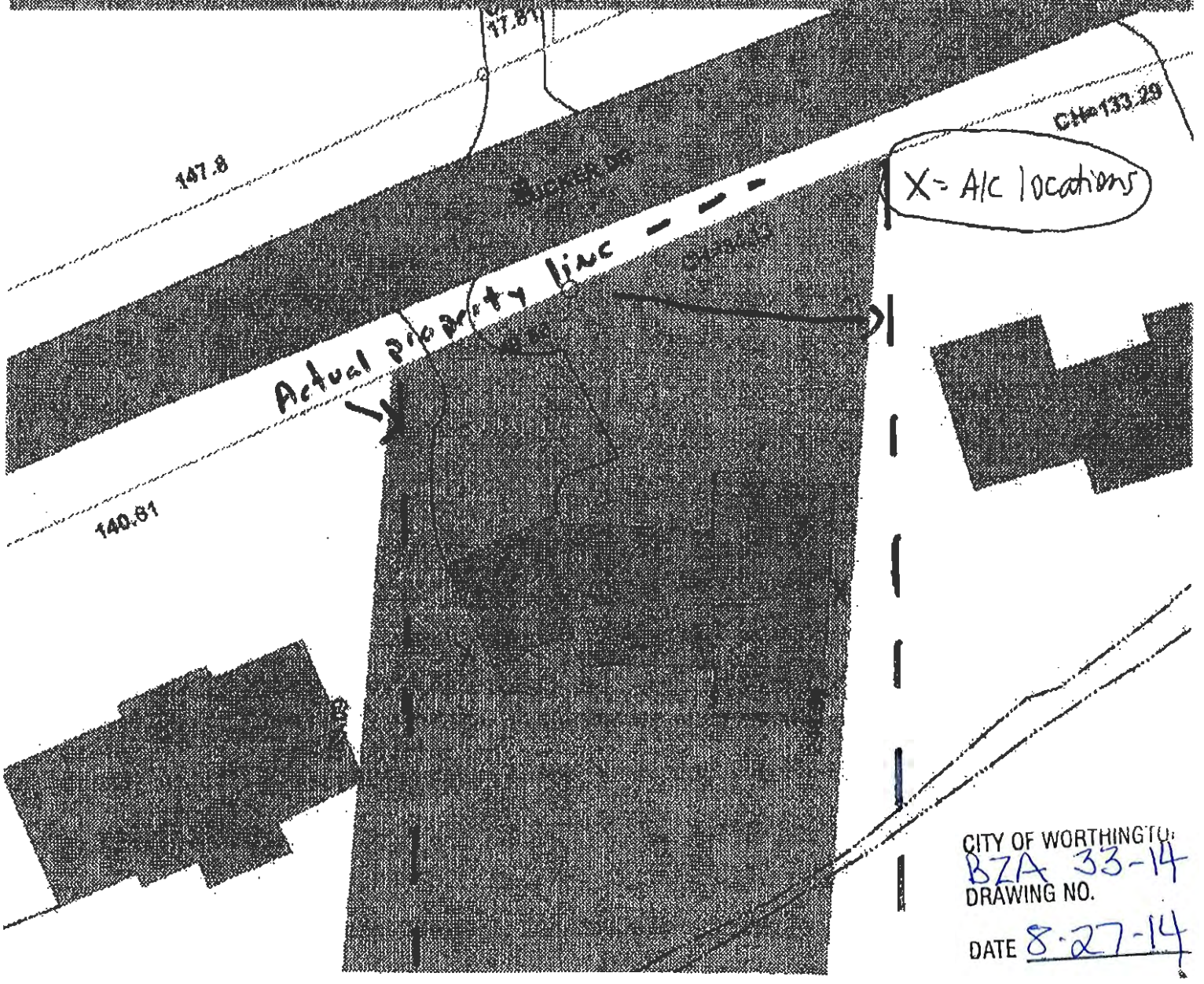
David and Sheri Holcomb

195 Tucker Dr.

100-000589-00 09/26/2010

Clarence E. Mingo, II
Franklin County Auditor

Map Routing No	Card No	Location
100-N238 -030-00	1	195 TUCKER DR



CITY OF WORTHINGTON
BZA 33-14
DRAWING NO.
DATE 8-27-14

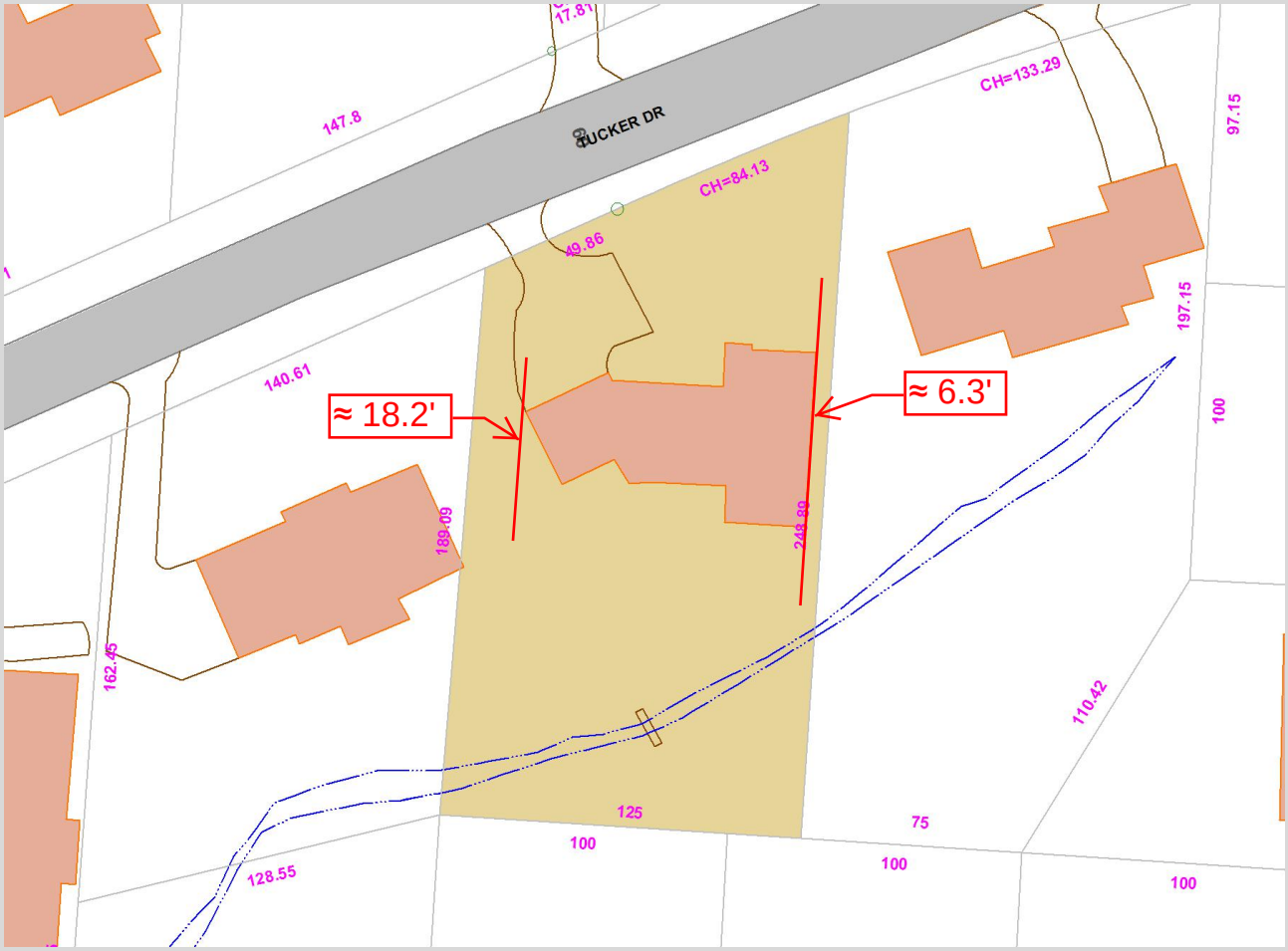
Clarence E. Mingo, II
Franklin County Auditor

MAP(GIS)

Generated on 02/19/14 at 09:13:31 AM

Parcel ID	Map Routing No	Card No	Location
100-000589-00	**100-N238 -038-00**	**1**	**195 TUCKER DR**

GIS



Disclaimer

This drawing is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this drawing are notified that the public primary information source should be consulted for verification of the information contained on this drawing. The county and the mapping companies assume no legal responsibilities for the information contained on this drawing. Please notify the Franklin County GIS Division of any discrepancies.

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CITY OF WORTHINGTON

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