



BOARD OF ZONING APPEALS

Monday, April 14, 2025 at 5:30 PM

1 Benjamin Franklin Way Franklin, Ohio 45005

www.FranklinOhio.org

CLERK'S JOURNAL

1. CALL TO ORDER

The meeting was called to order at 5:31PM.

2. ROLL CALL

PRESENT

Garrett Heaney

Matthew Bricking

Jacob Freeland

ABSENT

Dennis West

Ron Bencsik

Staff: Jonathan Westendorf, Liz Fields, Khristi Dunn.

One Guest, Alex Larison

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Bricking.

4. OATH OR AFFIRMATION

The Oath was issued to all guests.

5. ELECTION OF OFFICERS FOR 2025

The Chair called for nominations for the position of the Board of Zoning Appeals Chair for the 2025 term.

Bricking nominated Heaney for Chair. Seconded by Freeland.

The Chair announced the candidate and called for additional nominations. Hearing none, he closed the nominations and requested a roll call.

Voting Yea: Heaney, Bricking, Freeland

The Chair called for nominations for the position of the Board of Zoning Appeals Vice-Chair for the 2025 term.

Heaney nominated Bricking for Vice-Chair. Seconded by Freeland.

Motion made by Heaney, Seconded by Freeland.

Voting Yea: Heaney, Bricking, Freeland

7. APPROVE THE CLERK’S JOURNAL AND ACCEPT THE TAPES AS THE OFFICIAL MINUTES

Motion made by Bricking, Seconded by Freeland.

Voting Yea: Heaney, Bricking, Freeland

A. October 14, 2025, Meeting Minutes

The Clerk's Journal was approved, and the tapes were accepted as the official minutes of the October 14, 2025 meeting.

Motion made by Bricking, Seconded by Freeland.

Voting Yea: Heaney, Bricking, Freeland

8. NEW BUSINESS

- A. BZA 25-01 Variance Application - 1 Holly Drive** - The applicant, Alex Larison, is requesting a variance in order to permit a six-foot privacy fence in the secondary front yard of a through lot located at 1 Holly Drive in the “R-1B One-Family Residential District.”

Liz Fields introduced BZA 25-01 stating that the applicant, Alex Larison, is requesting a variance in order to permit a six-foot privacy fence in the secondary front yard of a through lot located at 1 Holly Drive in the “R-1B One-Family Residential District.”

Fields reviewed Section 1107.11(j)(2)(B)(iii) of the Unified Development Ordinance (UDO): For through lots, fences in the secondary front yard (between the secondary front property line and the rear building line of the structure) may be up to six feet in height and opaque if the fence is set back from the secondary front property line a minimum distance that is equal to the required front yard setback or one-half the distance between the secondary front property line and the rear building line, whichever is less.

Fields shared a Power Point photo showing an ariel view of the current property line and where the requested six-foot privacy fence would be located. She then reviewed the Variance General Standards for Approval reminding Board members that unless other standards are provided in the UDO for variances, approval can only be granted if the Appeals Board finds that all of the following standards are met:

1. 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 within the same zoning district. (Examples of such special conditions or circumstances are exceptional irregularity, narrowness, shallowness, or steepness of the lot, etc.).

There are no special conditions which are peculiar to the land or structure involved.

2. The special conditions or circumstances that exist did not result from the actions of the applicant.

Special conditions or circumstances do not exist on the land or structure involved.

3. There cannot be any beneficial use of the property without the variance.
Without the variance, the applicant will still be able to enjoy the beneficial use of the property as a single-family residence.
4. The variance is not substantial and is the minimum relief necessary to make possible the reasonable use of the land or structures.
The variance is substantial as it would result in a six-foot privacy fence in the front yard of the property which is otherwise not permitted.
5. The difficulty or reason why the applicant is seeking a variance cannot be resolved through any method other than a variance.
Without a variance, the applicant would be able to construct a four-foot fence that is 40% transparent up to the property line or would be able to construct a six-foot fence if the fence is set back from the property line a minimum distance that is equal to the front yard setback or half the distance between the property line and building, whichever is less.
6. The essential character of the neighborhood will not be substantially altered nor will adjoining properties would suffer substantial detriment as a result of the variance.
The essential character of the neighborhood will not be substantially impacted.
7. The variance will not adversely affect the delivery of governmental services such as water, sewer, and trash pickup.
Governmental services will not be impacted.
8. Granting the variance will be in harmony with the general purpose and intent of the zoning requirement the applicant seeks a variance from and will not otherwise be detrimental to the public's health, safety, or welfare.
Granting the variance will not be in harmony with the general purpose and intent of the zoning requirements.
9. Granting of the variance requested will not confer upon the applicant any special privilege that is denied by this UDO to other lands, structures, or buildings in the same district.
The applicant will be conferred a special privilege that is denied to other lands, structures, or buildings in the R-1B Zoning District.

Fields explained that if the Board of Zoning Appeals determines that all applicable standards for approval are met, staff recommends that the following conditions be included as part of the approval:

1. The proposed fence is set back a minimum of 10 feet from the existing white rail fence; and
2. One evergreen tree be planted along the exterior of the fence every 35 feet.

Hearing no additional questions/comments from Board members, the Chair opened the floor for public hearing at 5:49 PM.

Alex Larison approached the podium, provided his address and confirmed he had been sworn in. He explained that due to the busy main road and active sidewalks, the family would feel safer with a six-foot privacy fence as it would provide additional security for the family's children and pets. The trees listed in the street view have been removed. There is a shed in the back north corner of the lot that would be in the way if the 10 ft recommendation was followed. Mr. Larison maintains the east side of the fence, the city maintains the west side of the fence to the sidewalk.

Hearing no additional requests for public comment, the Chair closed public comment on BZA 25-01 at 5:59PM. Mr. Heaney reopened for public discussion at 6:07pm. Alex Larison approached the podium, provided his address and confirmed he had been sworn in. There was additional discussion regarding the distance options and suggested evergreen plantings. Hearing no additional requests for public comment, the Chair closed public comment on BZA 25-01 at 6:20PM.

Board members discussed the variance request and how it could possibly impact future variance requests in the same vicinity.

Mr. Bricking made a motion to accept the variance with the proposed conditions of a set back of a minimum of 10 feet from the existing white rail fence and one evergreen tree be planted along the exterior of the fence every 35 feet.

Motion made by Bricking, Seconded by Heaney.
Voting Yea: Heaney, Bricking, Freeland

9. DISCUSSION

Mr. Westendorf thanked the board and told them they are doing a great job. He suggested the committee members attend a Council meeting and/or Planning Commission meeting to see how those are run.

10. ADJOURNMENT

Motion made by Bricking, Seconded by Freeland.
Voting Yea: Heaney, Bricking, Freeland.

The meeting was adjourned at 6:24pm.

Chair