



Variance Application Delaware County, Ohio

(for unincorporated areas only)

RPC Number _____
(RPC Staff will assign)

PROJECT	Coves Subdivision, lot 496 - division #1	(circle one) Residential Commercial
TOWNSHIP	Berlin	
Subdivision Regulations Section for which Variance is sought: 306.02 # of lots		

APPLICANT/ CONTACT	Name Timothy Dickens	
	Address 1876 Africa Rd	
	City, State, Zip Galena OH 43021	

PROPERTY OWNER	Name Timothy Dickens	
	Address 1876 Africa Rd	
	City, State, Zip Galena OH 43021	

SURVEYOR/ ENGINEER	Name Aaron Heydinger	Phone
	Address 5676 State Route 521, Suite B	
	City, State, Zip Delaware OH 43015	

LOCATION	(circle one) N S E W side of Africa Rd	Road/Street
	approx. 2700 feet N S E W of Cheshire Rd	Road/Street

DETAILS	Farm Lot 8	USMD/VMS
	Buildable lots 2	Total Acreage 3.108 AC

VARIANCE MUST SHOW THE FOLLOWING IN WRITING (Sub. Regs. Section 204.02)	1. The granting of this variance request shall not be detrimental to the public health, safety and welfare and not injurious to other parties.
	2. The conditions, upon which this variance request is based, are unique to the property for which this variance is sought.
	3. Due to the physical surroundings, shape, or characteristics of the property, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the Delaware County Subdivision Regulations were carried out.
	4. The granting of this variance will not vary the provisions of the application of the applicable zoning regulations, comprehensive plans, or other existing development guidelines and regulations, nor shall it otherwise impair the intent and purpose of these regulations, or the desirable development of the neighborhood and community.

SUBMISSION REQUIREMENTS (Sub. Regs. Section 204.02)	Required Written Response(s), quote Section Number of Sub. Regs.;
	One (1) copy of Sketch Plan (max 11" x 17");
	Fee: \$500 (Refer to Fee Schedule) \$ _____

RECEIVED
JUL 06 2026

Owner (or agent for owner) and Date 7/6/26

Del. Co. Regional
Planning Commission

Delaware County Regional Planning Commission, 1610 State Route 521, P.O. Box 8006
Delaware, OH 43015 (740) 833-2260

Effective 01/01/24

July 6, 2026

To the Delaware County Regional Planning Commission:

I am submitting this letter in connection with my variance application for Lot 496, Division 1 of the Coves Subdivision, Berlin Township.

I purchased this property at a foreclosure auction in 2010 and have lived there since. The existing configuration, including both houses, the pool, and the pond, was already in place at that time and was not something I created. My youngest son has now finished high school, and I no longer have a need to occupy a large house while a second, fully built structure on the same property sits unoccupied. Splitting the property into two lots allows both structures to be put to appropriate use.

I have a good relationship with my neighbors and they support this split. I don't anticipate any significant impact on their use or enjoyment of their properties as a result of this request. I also don't believe this creates any burden on the community. The utility infrastructure and the common access drive already exist and are already in use; any access matters between the resulting lots can be addressed through straightforward easements.

Below, and through attachments, I have addressed all points brought to my attention during the sketch review process and the requirements of the variance application to the best of my ability. I appreciate the Commission's time in reviewing this request and am happy to provide any additional information needed.

Sincerely,
Tim Dickens

Attachments responding to the sketch review process:

Coves CAD Utility service letter: Responds to sewer, water, drainage and utility concerns.

Coves CAD Occupancy Permit email: Responds to building department comments about change of use.

Coves CAD Neighbors: Signed letters from neighbors approving of the split.

Below are detailed findings required to support the variance request:

1. The granting of this variance shall not be detrimental to the public health, safety and welfare and not injurious to other parties.

- All owners taking access from the CAD have provided written consent authorizing this lot split, as reflected in the attached documentation.
- All existing structures on the property comply with the applicable setback requirements for the FR-1 district.
- The site is served by public sanitary sewer rather than septic, which is uncharacteristic of most CAD developments and removes on-site wastewater treatment as a concern. As indicated on the attached Utility Service letter, sewer already accesses both buildings and no service changes are required. A maintenance easement will be provided.
- Del-Co Water reviewed the lot split and reported no concerns. A 3-inch water main already runs along the CAD and is currently being used by both buildings with pressure of approximately 85-90psi. As indicated on the attached Utility Service letter, a new tap, service line and easement will be required.
- The CAD drive is paved rather than gravel, a higher standard than typical for CADs, which supports emergency vehicle access.
- The existing driveway serving Lot 496 crosses Lot 4961 outside of a recorded easement. This will be resolved by recording an access agreement/easement, and by submitting an amended CAD Maintenance Agreement executed by all affected owners, consistent with Staff's comments.
- The lot immediately south of the site is already developed with a single-family home, and all other adjoining land is non-developable U.S. Army Corps (USA) property, limiting any additional impact to other parties.

2. The conditions upon which this variance request is based are unique to the property.

- Lot 496 is already part of a platted CAD subdivision established by a 1991 variance permitting six lots; the parcel's access and utility configuration were set by that prior approval, not created by this application.
- The property is served by public sanitary sewer and a paved CAD drive, which Staff has identified as atypical for CAD subdivisions in the county generally.
- An existing accessory structure and pond on the site constrain how the lots can be configured; the pond will be addressed with a maintenance easement as it is divided between the resulting lots.
- With the exception of the developed lot to the south, all surrounding land is non-developable USA property, precluding the alternative access points, road connections, or open-space connections that would ordinarily be available on a comparable parcel.

3. Due to the physical surroundings, shape, or characteristics of the property, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the Delaware County Subdivision Regulations were carried out.

- The existing site configuration, including both structures, the pool, and the pond, predates the current owner's acquisition of the property, which was purchased at a foreclosure auction in 2010. These improvements were not created by the current owner and materially limit the options available for the lot. Given this pre-existing configuration, the resulting lot split adds minimal density and would have no discernible impact on the surrounding community.
- Because the property is bounded by already-developed CAD lots and by USA land, no configuration exists that would allow an additional lot to be created outside the established CAD or with independent road frontage.

4. The granting of this variance will not vary the provisions of the application of the applicable zoning regulations, comprehensive plans, or other existing development guidelines and regulations, nor shall it otherwise impair the intent and purpose of these regulations, or the desirable development of the neighborhood and community.

- Staff's letter confirms the site is zoned FR-1 and that "it appears all zoning requirements can be met with this project."
- The proposed 1.05-acre lot meets the FR-1 district's 1-acre minimum lot size.
- While the Subarea 6 comprehensive plan recommends one dwelling unit per two acres, the site already exceeds typical CAD standards through public sewer service and a paved drive, supporting the underlying health, safety, and service objectives the comprehensive plan is intended to protect.
- No vehicular, pedestrian, or open-space connections to adjacent land are affected by this variance. Staff confirmed no such connection opportunities exist for this site, given the surrounding developed lot and USA land, independent of lot configuration.
- The applicant will comply with other conditions identified in Staff's review, including an access easement, an amended CAD Maintenance Agreement executed by all affected owners, and a maintenance easement over the divided pond, preserving the function these regulations are intended to ensure for CAD subdivisions.



SITE DATA	
ZONING	FR-1
MINIMUM AREA	1.0 ACRE
MINIMUM FRONTAGE	150 FEET
MINIMUM DEPTH	150 FEET
FRONT SETBACK PER ORIGINAL PLAT FOR REAR GAR LOT	60 FEET
SIDE SETBACK	25 FEET
REAR SETBACK	60 FEET



PLAN PREPARED BY: CHD CANDICE HENDERSON GROUP 1000 N. STATE ROUTE 501, SUITE B DELAWARE, OH 43015 P. 614.392.1234	
REVIEWED BY: SEAN TOWNSHIP, DELAWARE COUNTY, OHIO	
CONCEPT LAYOUT EXISTING COVE SUBDIVISION LOTS 495-500 PRELIMINARY CONCEPT PLAN SPLIT OF LOT 496	
DATE	5/21/2025
SCALE	AS SHOWN
DRAWN BY	JD
CHECKED BY	AK
PROJECT NUMBER	25-195-01
DRAWING NUMBER	
SHEET NUMBER	