

Agenda
Board of Zoning Appeals

Published: August 6, 2026
To: Board of Zoning Appeals
From: Mark A. Easterling II, Planning & Zoning Administrator
Re: **Items for the August 10, 2026 Meeting**

1. Call to Order - 6:00 PM
2. Roll Call
3. Approval of July 13, 2026 Meeting Minutes
4. Administer Oath
5. Zoning Permit Obligation
6. New Business

APPLICATION 24-26

WALTER AND WANDA GUY ARE REQUESTING A ZONING VARIANCE TO CONSTRUCT A SHED. THE PROPERTY IS LOCATED AT 2306 COE COURT AND IS ZONED R-3 (SINGLE FAMILY RESIDENTIAL).

NOTE: CHAPTER 1250.61(A) ACCESSORY BUILDINGS AND USES: NO ACCESSORY BUILDING OR USES SHALL BE LOCATED IN ANY FRONT OR SIDE YARD SETBACK EXCEPT UNDER UNUSUAL CIRCUMSTANCES WHERE SUCH ACTIVITY WILL NOT CONFLICT WITH THE INTENT AND PURPOSES OF THIS ZONING CODE OR WHERE ENFORCEMENT WOULD RESULT IN EXTREME HARDSHIP. EITHER EXCEPTION SHALL REQUIRE APPROVAL OF THE BOARD OF ZONING APPEALS.

1. THE APPLICANT IS REQUESTING A ZONING VARIANCE TO CONSTRUCT A SHED IN THE SIDE YARD.

Recommendation:

The Planning and Zoning Administrator recommends denial of the variance request, having found that the application does not satisfy the minimum four conditions required under Section 1275.02(c)(3). The applicant requests a variance to place a shed within the side yard, citing flooding within the rear yard as the basis for relief. Upon site review, the flood-prone area identified by the applicant is a sloped area located within a 25-foot easement encumbering the

rear yard. That easement area is unavailable for accessory structure placement regardless of drainage conditions. The remaining 20 feet of unencumbered rear yard is not subject to the flooding conditions described and provides sufficient area for compliant placement of the proposed shed.

The property retains full beneficial use without the variance, and a conforming placement option exists within the rear yard, meaning Conditions A and F are not satisfied. The requested relief to place an accessory structure within a side yard where compliant placement is available is substantial, meaning Condition B is not satisfied. The Deputy Administrator further notes that the applicant installed a concrete pad within the side yard in anticipation of the shed prior to obtaining zoning approval. The expense associated with that installation is a self-created condition, and neither self-induced hardship nor the increased cost of compliant construction constitutes a hardship under the applicable standard. For these reasons, the Administrator recommends denial.

APPLICATION 25-26

SUSAN ROBIDA IS REQUESTING A ZONING VARIANCE TO CONSTRUCT A GARAGE. THE PROPERTY IS LOCATED AT 237 EAST FIFTH STREET AND IS ZONED R-3 (SINGLE FAMILY RESIDENTIAL).

NOTE: CHAPTER 1250.61(F) ACCESSORY BUILDINGS AND USES: THE COMBINED FOOTPRINTS OF ALL ACCESSORY BUILDINGS ON A LOT SHALL NOT EXCEED THE LESSER OF 5% OF THE LOT SIZE OR 4,000 SF. HOWEVER, THE BOARD OF ZONING APPEALS MAY CONSIDER AN EXCEPTION TO THE MAXIMUM SIZE REQUIREMENT PROVIDING THAT THE REQUESTED SIZE DOES NOT EXCEED 8% OF THE LOT SIZE.

1. THE APPLICANT IS REQUESTING A ZONING VARIANCE TO CONSTRUCT A GARAGE LARGER THAN THE 5% (408.54 SF) ALLOWED. THE REQUEST FOR A STRUCTURE OF 560 SF WOULD BRING THE PERCENTAGE TO 6.85%.

Recommendation:

The Planning and Zoning Administrator recommends approval of the variance request, having found that the application satisfies conditions B, C, D, and G of Section 1275.02(c)(3). The subject property is a legal nonconforming lot located in the older section of the city, where reduced lot sizes are common and predate the current zoning standards. The property currently has no garage, no driveway, and no off-street parking, requiring the occupant to rely entirely on street parking. The lot's size permits a maximum accessory structure of 408 square feet by right, which falls below the functional standard for a two-car garage. The applicant requests 560 square feet, below the 576 square foot industry standard for a two-car garage, representing the minimum practical relief necessary to provide functional off-street parking and typical residential storage on a lot whose constraints are inherent and not of the applicant's making.

Detached garages of comparable size are common throughout the surrounding neighborhood, and the proposed structure is consistent with the established character of the area, satisfying Condition C. The variance will not adversely affect the delivery of governmental services, satisfying Condition D. The requested deviation is not substantial when measured against the functional standard the structure must meet, satisfying Condition B. Granting the variance restores to this property an accessory use commonly enjoyed throughout the district and substantial justice would be done by its approval, satisfying Condition G.

APPLICATION 26-26

AARON SCHOEN, ON BEHALF OF FIFTH AND LOCUST LLC, IS REQUESTING A ZONING VARIANCE TO CONSTRUCT A DRIVEWAY. THE PROPERTY IS LOCATED AT 500 SANDUSKY STREET AND IS ZONED R-5 (TWO FAMILY RESIDENTIAL).

NOTE: CHAPTER 1250.51(B)(7) DRIVEWAY AND CURB CUTS: NO PORTION OF A DRIVEWAY SHALL BE CLOSER THAN FIVE (5) FEET TO A SIDE OR REAR PROPERTY LINE UNLESS AN AUTHORIZED WAIVER (ON FILE IN THE PLANNING AND ZONING OFFICE) IS PROVIDED INDICATING THE PERMISSION FROM THE ADJOINING PROPERTY OWNER OR IF A WAIVER CANNOT BE OBTAINED A VARIANCE FROM THE BOARD OF ZONING APPEALS CAN BE SOUGHT.

1. THE APPLICANT IS REQUESTING A VARIANCE TO CONSTRUCT A DRIVEWAY ZERO (0) FEET FROM THE SIDE PROPERTY LINE.

Recommendation:

The Planning and Zoning Administrator recommends approval of the variance requests, having found that the application satisfies conditions A, B, D, and F of Section 1275.02(c)(3). The applicant is the owner of two duplex properties and requests variances to permit a single shared driveway access onto the rear alley, secured by a cross-access easement between the two parcels. The configuration of the site does not permit a compliant driveway for the northern property. A driveway onto Fifth Street would sit approximately thirty feet from the intersection, short of the fifty-foot minimum required by code, and a driveway onto Sandusky Street cannot be supported due to the street layout and its own proximity to the intersection, creating traffic concerns on both frontages. No driveway orientation exists for the northern property that the city can support, satisfying Conditions A and F.

The requested relief is procedural in nature. Shared zero lot line driveway access between adjoining properties is ordinarily accommodated administratively through a recorded waiver between owners. That mechanism is unavailable here solely

because both parcels are held in common ownership, and an owner cannot execute a waiver with himself. The variance provides the same relief the code already contemplates, making the request not substantial and satisfying Condition B. The shared alley access has no effect on surrounding properties or the delivery of governmental services, satisfying Condition D.

The Planning and Zoning Administrator has further evaluated concerns regarding traffic and pedestrian safety within the alley. The residential density and associated vehicles are a function of the permitted duplex use and exist regardless of the access configuration; the variances before the Board determine only the point of vehicular access. The alley is maintained by the city and accommodates a weekly refuse collection service. The majority of properties along both Fifth Street and the neighboring street sharing this alley currently take driveway and garage access from it, consistent with the established development pattern of the historic street grid, including the alleys between Front Street and Second Street, Second Street and Third Street, Sixth Street and Seventh Street, and Fifth Street and Indiana Avenue. Alley-loaded vehicular access is the prevailing and historic condition of this neighborhood. Of the available access configurations for these properties, alley access is the only option that satisfies the city's intersection spacing standards, and the requested variances direct vehicle movements away from the intersection environment and into the access corridor designed for that purpose.

The Planning and Zoning Administrator recommends that approval be conditioned upon the execution and recording of a cross-access easement, in a form acceptable to the Law Director, that runs with the land and binds all successors in title, guaranteeing perpetual shared access for both properties prior to the issuance of any zoning permit. For these reasons, the Planning and Zoning Administrator recommends approval.

APPLICATION 27-26

AARON SCHOEN, ON BEHALF OF FIFTH AND LOCUST LLC, IS REQUESTING A ZONING VARIANCE TO CONSTRUCT A DRIVEWAY. THE PROPERTY IS LOCATED AT 508 SANDUSKY STREET AND IS ZONED R-5 (TWO FAMILY RESIDENTIAL).

NOTE: CHAPTER 1250.51(B)(7) DRIVEWAY AND CURB CUTS: NO PORTION OF A DRIVEWAY SHALL BE CLOSER THAN FIVE (5) FEET TO A SIDE OR REAR PROPERTY LINE UNLESS AN AUTHORIZED WAIVER (ON FILE IN THE PLANNING AND ZONING OFFICE) IS PROVIDED INDICATING THE PERMISSION FROM THE ADJOINING PROPERTY OWNER OR IF A WAIVER CANNOT BE OBTAINED A VARIANCE FROM THE BOARD OF ZONING APPEALS CAN BE SOUGHT.

1. THE APPLICANT IS REQUESTING A VARIANCE TO CONSTRUCT A

DRIVEWAY ZERO (0) FEET FROM THE SIDE PROPERTY LINE.

Recommendation:

The Planning and Zoning Administrator recommends approval of the variance requests, having found that the application satisfies conditions A, B, D, and F of Section 1275.02(c)(3). The applicant is the owner of two duplex properties and requests variances to permit a single shared driveway access onto the rear alley, secured by a cross-access easement between the two parcels. The configuration of the site does not permit a compliant driveway for the northern property. A driveway onto Fifth Street would sit approximately thirty feet from the intersection, short of the fifty-foot minimum required by code, and a driveway onto Sandusky Street cannot be supported due to the street layout and its own proximity to the intersection, creating traffic concerns on both frontages. No driveway orientation exists for the northern property that the city can support, satisfying Conditions A and F.

The requested relief is procedural in nature. Shared zero lot line driveway access between adjoining properties is ordinarily accommodated administratively through a recorded waiver between owners. That mechanism is unavailable here solely because both parcels are held in common ownership, and an owner cannot execute a waiver with himself. The variance provides the same relief the code already contemplates, making the request not substantial and satisfying Condition B. The shared alley access has no effect on surrounding properties or the delivery of governmental services, satisfying Condition D.

The Planning and Zoning Administrator has further evaluated concerns regarding traffic and pedestrian safety within the alley. The residential density and associated vehicles are a function of the permitted duplex use and exist regardless of the access configuration; the variances before the Board determine only the point of vehicular access. The alley is maintained by the city and accommodates a weekly refuse collection service. The majority of properties along both Fifth Street and the neighboring street sharing this alley currently take driveway and garage access from it, consistent with the established development pattern of the historic street grid, including the alleys between Front Street and Second Street, Second Street and Third Street, Sixth Street and Seventh Street, and Fifth Street and Indiana Avenue. Alley-loaded vehicular access is the prevailing and historic condition of this neighborhood. Of the available access configurations for these properties, alley access is the only option that satisfies the city's intersection spacing standards, and the requested variances direct vehicle movements away from the intersection environment and into the access corridor designed for that purpose.

The Planning and Zoning Administrator recommends that approval be conditioned upon the execution and recording of a cross-access easement, in a form acceptable to the Law Director, that runs with the land and binds all successors in title, guaranteeing perpetual shared access for both properties prior to the

issuance of any zoning permit. For these reasons, the Planning and Zoning Administrator recommends approval.

APPLICATION 29-26

DON YOUEL IS REQUESTING A ZONING VARIANCE TO CONSTRUCT A SHED. THE PROPERTY IS LOCATED AT 954 LOUISIANA AVE AND IS ZONED R-3 (SINGLE FAMILY RESIDENTIAL).

NOTE: CHAPTER 1250.61(F) ACCESSORY BUILDINGS AND USES: THE COMBINED FOOTPRINTS OF ALL ACCESSORY BUILDINGS ON A LOT SHALL NOT EXCEED THE LESSER OF 5% OF THE LOT SIZE OR 4,000 SF. HOWEVER, THE BOARD OF ZONING APPEALS MAY CONSIDER AN EXCEPTION TO THE MAXIMUM SIZE REQUIREMENT PROVIDING THAT THE REQUESTED SIZE DOES NOT EXCEED 8% OF THE LOT SIZE.

1. THE APPLICANT IS REQUESTING A ZONING VARIANCE TO CONSTRUCT A SHED LARGER THAN THE 5% (1088) ALLOWED. THE REQUEST FOR A STRUCTURE OF 96 SF WOULD BRING, WITH THE REMOVAL OF THE CHICKEN COOP, THE PERCENTAGE TO 5.44%.

Recommendation:

The Planning and Zoning Administrator recommends approval of the variance request, having found that the application satisfies conditions B, C, D, and G of Section 1275.02(c)(3). The applicant proposes to construct a 96 square foot storage shed following the demolition of an existing chicken coop of comparable size in a similar location, resulting in accessory structure coverage of 95 square feet above the 1,088 square foot maximum permitted for the lot, a deviation of 8.7 percent. The request represents a functional replacement of an existing structure with a net change of one square foot of coverage relative to current conditions, and is not substantial, satisfying Condition B. Because a structure of similar size has occupied this location, the proposed shed would not alter the essential character of the neighborhood, satisfying Condition C, and the request would not adversely affect the delivery of governmental services, satisfying Condition D.

The applicant has further provided a written statement documenting that accessibility limitations of a household member make the property's existing storage above the garage difficult to access, and the proposed ground-level structure addresses that need. Granting the variance permits the continued reasonable accessory use of the property in substantially its existing configuration, and substantial justice would be done by its approval, satisfying Condition G. The Planning and Zoning Administrator recommends that approval be conditioned upon the demolition of the existing chicken coop prior to or concurrent with the issuance of a zoning permit for the new structure. For these reasons, the Planning and Zoning Administrator recommends approval.

7. Other Business

8. Adjournment

The next meeting is scheduled for September 14, 2026 at 6:00 PM in the Municipal Building, located at 201 W. Indiana Avenue.

cc: Media