

Agenda
Board of Zoning Appeals

Published: September 9, 2026
To: Board of Zoning Appeals
From: Mark A. Easterling II, Planning & Zoning Administrator
Re: **Items for the September 14, 2026 Meeting**

1. Call to Order - 5:30 PM
2. Roll Call
3. Approval of August 10, 2026 Meeting Minutes
4. Administer Oath
5. Zoning Permit Obligation
6. New Business

APPLICATION 30-26

BILL MULTANI IS REQUESTING A ZONING VARIANCE THAT WOULD ALLOW FOR AN APPROACH WIDER THAN TWENTY-FOUR (24) FEET TO REMAIN. THE PROPERTY IS LOCATED AT 1101 HUNTING CREEK DRIVE AND IS ZONED R-1 (SINGLE FAMILY RESIDENTIAL).

NOTE: CHAPTER 1250.51(C)(2) CURB CUTS AND DRIVEWAYS:
RESIDENTIAL DRIVEWAYS SHALL BE A MINIMUM OF TEN (10) FEET WIDE AND A MAXIMUM OF TWENTY-FOUR (24) FEET WIDE WHERE IT MEETS THE CURB, ALLEY OR STREET.

1. THE APPLICANT IS REQUESTING A VARIANCE TO KEEP THE DRIVEWAY APPROACH AT THIRTY (30) FEET WIDE.

Recommendation:

The Planning and Zoning Administrator recommends denial of the requested variance. The subject property is a 2023 new construction on a corner lot with approximately 345 linear feet of unobstructed frontage. The approved zoning permit for the home shows a driveway apron at the 24' maximum width permitted under Section 1250.51(c)(2), and the driveway was constructed and operated at that width from completion until the applicant added two 3' concrete ribbons, one on each side of the apron, bringing the total width to 30'. No zoning permit was applied for, and no inspection was requested for this work. The ribbons within the right-of-way do not meet City specifications. The contractor stated to staff that the

concrete was poured at 4" rather than the required 6" over 4" of compacted stone, and the concrete is colored, which is not permitted in the right-of-way. Regardless of the Board's action on the width variance, the ribbons must be removed and, if the variance is granted, they must be reconstructed to meet the City specifications following the required framing inspection prior to pouring. The lot has no visual barriers, obstructions, or other unique characteristics that limit access or use at the permitted width. The application does not identify a practical difficulty. The request is a preference for a wider apron and seeks approval of work already completed without a permit. The driveway functioned at the maximum permitted width of 24' for approximately two years with no documented issue, and no evidence has been presented to the contrary. Of the factors in Section 1275.02(c)(3), the application satisfies only factor (D).

APPLICATION 31-26

JASON MCCARTHY AND LIZ BROWN ARE REQUESTING A ZONING VARIANCE TO CONSTRUCT A FENCE. THE PROPERTY IS LOCATED AT 514 LOUISIANA AVENUE AND IS ZONED R-3 (SINGLE FAMILY RESIDENTIAL).

NOTE: CHAPTER 1250.42 FENCES, WALLS, STRUCTURAL SCREENS, HEDGES, AND SCREEN PLANTINGS:

R-3 ZONING:

4' MAXIMUM IN FRONT YARD

6' MAXIMUM IN SIDE YARD

6' MAXIMUM IN REAR YARD

1. THE APPLICANT IS REQUESTING A VARIANCE TO CONSTRUCT A SIX (6) FOOT FENCE IN ONE OF THE SIDE YARDS OF THE PROPERTY BEYOND THE HALFWAY POINT.

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 unit is the end cap of a building containing four attached townhomes, with an attached unit adjoining to the south and a single-family home to the north. The request would enclose the entirety of this unit's side yard, extending to the front point of the building. The single-family home to the north sits approximately five feet closer to the street than the subject unit, so the fence will remain within the side yard and largely obscured from view. It will obstruct no views from the neighboring property. The requested height is necessary to contain the homeowner's dogs and to address safety concerns arising from the property's proximity to the street. The placement presents no safety, visibility, or utility concerns and is consistent with the character of the surrounding neighborhood.

APPLICATION 32-26

MICHAEL SACHS IS REQUESTING A ZONING VARIANCE TO CONSTRUCT A

GARAGE. THE PROPERTY IS LOCATED AT 525 EAST SIXTH 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% (743 SF) ALLOWED. THE REQUEST FOR A STRUCTURE OF 952 SF WOULD BRING THE PERCENTAGE TO 6.41%.

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 remove the existing garage and construct a 952 square foot accessory structure. The permitted accessory building area for this parcel is 743 square feet, or 5% of lot area, so the request represents an excess of 209 square feet and a total accessory coverage of 6.41%. The variance is not substantial. The applicant owns the adjoining vacant parcel. Were the two parcels combined, the proposed structure would fall below the 5% threshold and require no variance, and no variance would be required if the structure were placed on the lot line. The nonconformity is therefore a function of the existing parcel configuration rather than the size or intensity of the proposed structure. The requested relief amounts to 1.41 percentage points of lot coverage on a property with adjoining land under the same ownership. The applicant's ability to combine the parcels is noted with respect to condition F, and staff does not find that condition satisfied. The variance nonetheless satisfies conditions B, C, D, and G. The structure will not substantially alter the essential character of the neighborhood, will not adversely affect the delivery of governmental services, and presents no drainage, access, or utility concerns. The land is present here in the adjoining parcel, and should the parcels be adjoined, this structure would be fully compliant.

7. Other Business

8. Adjournment

The next meeting is scheduled for October 12, 2026 at 5:30 PM in the Municipal Building, located at 201 W. Indiana Avenue.

cc: Media