

Agenda
Board of Zoning Appeals

Date: August 8, 2022
To: Board of Zoning Appeals
From: Mark Easterling, Deputy Administrator
Re: Items for the August 8, 2022 Meeting

1. Call to Order - 5:30 P.M.
2. Roll Call
3. Approval of July 11, 2022 Meeting Minutes
4. Administer Oath
5. Zoning Permit Obligation
6. Applications
 - a. **APPLICATION, 41-22** – Tiffany Edens is requesting a zoning variance to install a fence. The property is located at 1091 Westbrook Drive and is zoned R-3 (Single Family Residential).

NOTE: Chapter 1250.42 Fences, Walls, Structural Screens, Hedges, and Screen Plantings:

R1-R5 Zoning: 4' Maximum in Front Yard
 4' Maximum in Side Yard
 6' Maximum in Rear Yard

1. The applicant is requesting a zoning variance to install a six (6) foot privacy fence in the side yard beyond the midpoint of the home.

Recommendation:

1. The Deputy Administrator recommends approval of the zoning variance based on meeting the criteria for variances A, B, C, and D of Chapter 1275.02(c)(3). This property will mirror the neighboring fence and placing it at the halfway point could damage the exterior of the structure.

- b. **APPLICATION, 42-22** – Lori Violet is requesting a zoning variance to keep a six (6) foot fence. The property is located at 1031 Maple Street and is zoned R-3 (Single Family Residential).

NOTE: Chapter 1250.42 Fences, Walls, Structural Screens, Hedges, and Screen Plantings:

R1-R5 Zoning:

4' Maximum in Front Yard

4' Maximum in Side Yard

6' Maximum in Rear Yard

1. The applicant is requesting a zoning variance to install a six (6) foot privacy fence in the side yard two (2) feet beyond the midpoint of the home.

Recommendation:

1. The Deputy Administrator recommends approval of the zoning variance based on meeting the criteria for variances B, C, D, and F of Chapter 1275.02(c)(3). The request is not substantial and the existing fence screen is currently two (2) feet beyond the midpoint to give privacy from the rear yard deck from neighbors.

- c. **APPLICATION, 43-22** – Matt Shortridge is requesting a zoning variance to install a fence. The property is located at 26630 Eckel Road and is zoned I-2 (General Industrial).

NOTE: Chapter 1250.42 Fences, Walls, Structural Screens, Hedges, and Screen Plantings:

I-2 Zoning:

4' Maximum in Front Yard

4' Maximum in Side Yard

6' Maximum in Rear Yard

1. The applicant is requesting a zoning variance to install a six (6) foot privacy fence in the front yard. The property is a legal nonconforming residential structure with two front yards due to having frontage on Eckel Road and W. South Boundary Street.

Recommendation:

1. The Deputy Administrator recommends approval of the zoning variance based on meeting the criteria for variances B, C, D, and E of Chapter 1275.02(c)(3). This property has two front yards, and the area where the property owner wants to install the six (6) foot fence is the area that is utilized as a rear yard. This would also give the residence added

privacy and security in this industrial area. There are no concerns of visibility issues with the proposed location of the fence.

- d. **APPLICATION, 44-22** – Nathan Smith is requesting a zoning variance to build a shed. The property is located at 522 West Seventh Street and is zoned R-3 (Single Family Residential).

NOTE: 1250.61(b) Accessory buildings, such as garages and utility buildings, may be located in a rear yard, provided that such buildings are separated from the main structure by at least ten (10) feet and are set back at least five (5) feet from the side and rear lot lines.

1. The applicant is requesting a variance that would allow them to place a shed in the side yard.

Recommendation:

1. The Deputy Administrator recommends approval of the zoning variance based on meeting the criteria for variances B, C, D, and F of Chapter 1275.02(c)(3). The property is further setback and only has ten (10) feet of rear yard space, which would leave no room for a shed.

- e. **APPLICATION, 45-22** – Jay Oberhauser is requesting a zoning variance to detach the garage from the principal structure. The property is located at 436 W. Second Street and is zoned R-3 (Single Family Residential).

NOTE: 1250.61(f) 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 removing a portion of the house that was connected to the garage. In doing this the garage will now be viewed as a detached structure. The garage will be six hundred (600) square feet, which is in addition to a shed that is one hundred and ninety-two (192) square feet. The lot size is 11,880 square feet, which by code would allow five hundred and ninety-four (594) square feet. The applicant is seeking a variance for 8% of the lot size in accessory structures.

Recommendation:

1. The Deputy Administrator recommends approval of the zoning variance based on meeting the criteria for variances C, D, E, and F of Chapter 1275.02(c)(3). Due to building code requirements, the applicant cannot attach a proposed addition to the garage as he intended. The owner will

eliminate a portion of the garage; however, the remaining portion will still be larger than 5% of the lot size. The garage will not grow in size.

The next Board of Zoning Appeals meeting is scheduled for September 12, 2022 at 5:30 P.M. in the Municipal Building located at 201 W. Indiana Avenue.

cc: