

**Agenda**  
Board of Zoning Appeals

Date: December 6, 2022  
To: Board of Zoning Appeals  
From: Cody Grodi, Zoning Inspector  
Re: **Items for the December 12, 2022 Meeting**

1. Call to Order - 5:30 PM
2. Roll Call
3. Approval of November 14, 2022 Meeting Minutes
4. Administer Oath
5. Zoning Permit Obligation
6. New Business

**Application 60-22**

JONI KING IS REQUESTING A ZONING VARIANCE IN ORDER TO KEEP A RECENTLY INSTALLED SHED. THE PROPERTY IS LOCATED AT 415 W. THIRD STREET AND IS ZONED R-3 (SINGLE FAMILY RESIDENTIAL).

**NOTE:** CHAPTER 1250.61(B) ACCESSORY BUILDING AND USES:  
ACCESSORY BUILDINGS AND USES MAY BE LOCATED IN A REAR YARD, PROVIDED THAT SUCH USES ARE SET BACK AT LEAST FIVE (5) FEET FROM THE SIDE AND REAR LOT LINES.

1. THE APPLICANT IS REQUESTING A ZONING VARIANCE TO KEEP A RECENTLY INSTALLED SHED. THE SHED IS INSTALLED THREE (3) FEET OFF OF THE PROPERTY LINE.

**Recommendation:**

1. The Zoning Inspector recommends denial of the zoning variance as it

does not meet enough of the criteria to grant a variance. There are no easements, topography issues, or unique yard scenarios that prevent the shed from being located five (5) feet off of the property line.

#### **Application 61-22**

JEFFREY AND LESLIE ZILBA ARE REQUESTING A ZONING VARIANCE IN ORDER TO INSTALL A SHED. THE PROPERTY IS LOCATED AT 1683 WATERMILL LANE 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 APPLICANTS ARE REQUESTING A VARIANCE TO CONSTRUCT A SHED IN THE FRONT YARD.

#### **Recommendation:**

1. The Zoning Inspector recommends denial of the zoning variance as it does not meet enough of the criteria needed to grant a variance. The structure can be placed in the back corner of the rear yard. The structure will be able to maintain the required setbacks in this location and remain outside of any easements.

#### **Application 62-22**

SANDI BAUERSCHMIDT IS REQUESTING A ZONING VARIANCE TO INSTALL AN ADDITION. THE PROPERTY IS LOCATED AT 320 W. INDIANA AVENUE AND IS ZONED R-3 (SINGLE FAMILY RESIDENTIAL).

**NOTE:** CHAPTER 1230.01 INTENSITY AND DIMENSIONAL STANDARDS  
R-3 ZONING:

FRONT YARD = 35'  
REAR YARD = 35'

SIDE YARD MIN = 8'  
SIDE YARD TOTAL = 20'

1. THE APPLICANT IS REQUESTING A ZONING VARIANCE TO CONSTRUCT AN ADDITION ON THE REAR OF THE HOUSE. THE ADDITION WILL BE SET BACK TWO (2) FEET OFF OF THE SIDE PROPERTY LINE.

**Recommendation:**

1. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances C, D, E, F of Chapter 1275.02(c)(3). The addition will not encroach any more into the side yard than the existing house. This lot abuts a public right-of-way, and the neighboring property doesn't begin until after the existing right-of-way.

**Application 63-22**

SUZANNA BEARD IS REQUESTING A ZONING VARIANCE TO INSTALL AN ADDITION. THE PROPERTY IS LOCATED AT 316 W. SEVENTH STREET AND IS ZONED R-3 (SINGLE FAMILY RESIDENTIAL).

**NOTE: CHAPTER 1230.01 INTENSITY AND DIMENSIONAL STANDARDS**

**R-3 ZONING:**

FRONT YARD = 35'  
REAR YARD = 35'  
SIDE YARD MIN = 8'  
SIDE YARD TOTAL = 20'

1. THE APPLICANT IS REQUESTING A ZONING VARIANCE TO CONSTRUCT AN ADDITION ON THE HOUSE. THE ADDITION WILL BE SET BACK TWO (2) FEET OFF OF THE SIDE PROPERTY LINE.

**Recommendation:**

1. The Zoning Inspector recommends approval of the zoning variance

based on meeting the criteria for variances C, D, E, F of Chapter 1275.02(c)(3). The addition will not encroach any more into the side yard than the existing house.

7. Other Business

**Application 59-22 (Tabled)**

JAMES WISSER IS REQUESTING A ZONING VARIANCE IN ORDER TO KEEP A RECENTLY INSTALLED SHED. THE PROPERTY IS LOCATED AT 649 LOCUST STREET AND IS ZONED R-3 (SINGLE FAMILY RESIDENTIAL).

**NOTE:** CHAPTER 1250.61(B) ACCESSORY BUILDING AND USES: ACCESSORY BUILDINGS AND USES MAY BE LOCATED IN A REAR YARD, PROVIDED THAT SUCH USES ARE SET BACK AT LEAST FIVE (5) FEET FROM THE SIDE AND REAR LOT LINES.

1. THE APPLICANT IS REQUESTING A ZONING VARIANCE TO KEEP A RECENTLY INSTALLED SHED. THE SHED IS INSTALLED APPROXIMATELY FIFTEEN (15) INCHES OFF OF THE PROPERTY LINE.

**Recommendation:**

1. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances A, C, D, E of Chapter 1275.02(c)(3). Due to the lot being located on a corner, placement of the shed is difficult. The proposed location keeps the shed in the rear yard and allows for maintenance around the structure.

8. Adjournment

The next Board of Zoning Appeals meeting is scheduled for January 9, 2023 at 5:30 P.M. in the Municipal Building, located at 201 W. Indiana Avenue.

cc: Media