



Board of Zoning Appeals

January 6, 2021

Board Meeting

Minutes

5:30 PM

ZOOM TELECONFERENCE

Join Zoom Meeting

Meeting ID: 816 1812 9950

Passcode: 002256

Online at <https://us02web.zoom.us/j/81618129950>

Dial by phone: +1-929-205-6099

If you want to provide input to the Board, you will need to be sworn in by stating the following:

My name is _____. My address is _____.

I affirm that my testimony is truthful, to the best of my knowledge and ability, so help me God or under penalty of perjury.

CALL TO ORDER

Attendee Name	Title	Status
Michael Percy	Chairman	Remote
Susie L. Simpson	Member	Remote
Don Carr	Vice-Chairman	Remote
William Smith	Member	Excused
Otho Eyster	Alt. Member	Excused
Tonya Boucher	Member	Remote
Kate Aryanata	Alt. Member	Excused

Others in attendance: Lacie Blankenhorn, Development Services Manager; P. Rob. Broeren, City Law Director; Nicholas Hess; Mike Hillier; Andy John; Claire Novotny; Jamison Price; Kathryn Pullins; David Ulery

2021 OFFICER SELECTION

- Nominate Bill Smith as Vice Chairman for 2021

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Don Carr, Vice-Chairman
SECONDER:	Tonya Boucher, Member
AYES:	Percy, Simpson, Carr, Boucher
EXCUSED:	Smith, Eyster, Aryanata

- Nominate Michael Percy as Chairman for 2021

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Don Carr, Vice-Chairman
SECONDER:	Susie L. Simpson, Member
AYES:	Percy, Simpson, Carr, Boucher
EXCUSED:	Smith, Eyster, Aryanata

MINUTES APPROVAL

- Board of Zoning Appeals - Board Meeting - Oct 21, 2020 5:30 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Don Carr, Vice-Chairman
SECONDER:	Tonya Boucher, Member
AYES:	Percy, Simpson, Carr, Boucher
EXCUSED:	Smith, Eyster, Aryanata

BZA FILES

- 2021-BZA-001 : 705 E High ST - Variance for Fence Height

Kathryn Pullins (sworn in) explained her reasoning for adding 4' to the top of her existing 4' high fence, essentially creating a 97" (8 ft.) high fence, without a permit. She cited an incident with her daughter involving a person riding a bike in the alley, wearing a backpack who she described as menacing/harassing. She cited safety as an issue for raising the height of the fence. The height became what it is because they purchased boards and cut them in half, to save money. The boards were overlapped and a header board was placed at the top to make it look nice. Her intent was to block the view from 602 Chestnut ST, where she believes the man resides. She did not raise the height of the fence parallel to the alley in front of the drive leading to the garage, only the fence at the rear of the property. The existing fence along the side separating her home from 707 E High ST was higher than the 6' limit when the home was purchased 10 years ago. A 3+ page narrative was submitted by Ms. Pullins with her appeal application including additional details.

Claire Novotny (sworn in) is Ms. Pullins neighbor at 707 E High ST. She attended the hearing in support of Ms. Pullins, stating the fence height does not bother her.

There were no others in attendance supporting or opposing the request, nor were there any written or telephone communications received.

Mr. Carr asked Ms. Pullins for clarification on the intent to block visibility from 602 E Chestnut ST, and questioned how persons on that property could see through the garage. Ms. Pullins said people across the street could see into her backyard. Mr. Carr clarified that she meant diagonally. She said her motivation was more based on the foot traffic in the alley, specifically the man on the bike.

Mr. Carr talked about fence height and how terrain can affect visibility. He is concerned that an exception made here for an 8' fence would trigger additional requests across the city.

Mr. Pullins said there is a difference between privacy and security.

Mrs. Simpson asked for clarification on the sequence of applications, verifying the fence was built without

applying for a permit.

There was a brief discussion to determine if there are any known variances granted for fences to be higher than 6'. Mrs. Blankenhorn recalled a request for a taller fence on Pleasant ST a couple of years ago that was denied. The request was submitted prior to construction. Mr. Percy explained Lowe's sells fence panels that are 6' high because of zoning regulations.

A motion was made to DENY the request.

RESULT:	DENIED [UNANIMOUS]
MOVER:	Susie L. Simpson, Member
SECONDER:	Don Carr, Vice-Chairman
AYES:	Percy, Simpson, Carr, Boucher
EXCUSED:	Smith, Eyster, Aryanata

- 2021-BZA-02 : 330 Wooster RD- Approval of Substantially Similar Use

Nicholas Hess (sworn in) - explained the request to have a self-service and professional dog grooming business located at 330 Wooster RD. Dog Grooming is not a listed use in the City's Zoning Code, therefore the applicant requests it be deemed substantially similar to a barber or beauty salon, which is a permitted use in an NC Neighborhood Commercial zoned property. The Ohio Revised Code does not consider a grooming service a kennel. The proposed service at this location will not board dogs. They will be providing a service that is similar to a salon. The owner has been doing professional dog grooming for 20 years and has been an area resident for over 13 years.

Mr. Percy asked Mr. Hess what his relationship was to Mr. Ulery, the listed applicant. Mr. Hess explained he is a representative of Mr. Ulery, serving as a project manager for the property and is a very close friend.

Mrs. Blankenhorn explained she worked directly with Nick to assist in the best approach to get the proposed grooming business approved at this location. Because Dog Grooming is not listed as a Permitted or Conditional Use in any district and because a dog groomer was approved to operate out of a home in an R-1 District she suggested the request be made for Substantially Similar.

Mr. Broeren cited 1155.33 and 1155.35 for procedures, requirements and standards for consideration of Substantially Similar. The subject property is Neighborhood Commercial and permitted uses include Service Establishments involving the care of the person or of personal effects, including: Beauty and barber shops; among other permitted uses and conditional uses.

Mr. Percy agreed a dog groomer is similar to a barber or beautician and pointed out a beauty shop used to occupy this location.

David Ulery II (sworn in) explained he is a 20-year veteran of the dog grooming industry and now seeks approval to move his business to the proposed location.

There were no others present to speak for or against the proposal. One neighbor called as a result of the mailed hearing notification to find out more about the proposal. The request was explained to her and she said she was not opposed to it locating and operating in that location.

There was clarification as to who Robert Kirk is, who was listed on the application. He is the property owner. Mr. Ulery will become a tenant.

Mr. Carr asked if this type of business is in operation anywhere else in Central Ohio. Mr. Hess said there are several self-service dog grooming operations in the Columbus area, in addition to professional groomers. An

example given was All About the Dogs off of Whittier in Columbus.

Parking was briefly discussed. Mr. Hess said there are more than enough parking spaces to accommodate the anticipated number of people in the building at any one time, with additional open spaces. There will be 6 self service stations in addition to 1 professional groomer.

Mrs. Blankenhorn explained the Code states barber and beauty shops require 3 parking stalls for each barber or beauty operator.

A motion was made to approve the request that a dog grooming business is Substantially Similar to a barber or beautician.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Susie L. Simpson, Member
SECONDER:	Don Carr, Vice-Chairman
AYES:	Percy, Simpson, Carr, Boucher
EXCUSED:	Smith, Eyster, Aryanata

- 2021-BZA-03 : 0 Lewis ST - Variance for Side Yard Setback

Andy John (sworn in) explained the mixer in the existing building has to be replaced and the new unit has a slightly different orientation forcing them to reconfigure the layout. The mixer, which looks like a concrete mixer has a motor housing that will extend longer than the building is wide. They need to build a small bump out to enclose the electronic motor on the new unit. The variance is requested on the side setback. Measurements show the proposed bump-out would not interfere if a sidewalk were added along W Gambier ST. Mr. Percy asked if the mixer could be orientated differently so that the addition was on the other side of the building. Mr. John explained the other side of the building is open and that is where the trucks load. If the mixer were reversed, trucks would have to load off of W Gambier ST, creating a less than ideal situation. The addition will be sized just to fit the motor housing unit. It will not be as tall as the existing building.

Using Google Street View the Board viewed the surrounding area. Homes are across the street. Mrs. Blankenhorn said the homes on the same side of Gambier ST are zoned General Business.

There was discussion about the building's location, when it was built and property lines. There was discussion about whether the existing building is nonconforming with regard to its proximity to the property lines.

Mr. John said they can reduce the bump out by 2' to reduce the extension from 8' to 6' but it will be a very snug fit for the motor. They would like the additional 2' to allow for room to do maintenance and repairs. The Board discussed 1154.07 nonconforming structure that states no nonconforming structure may be enlarged or altered in any way which increases its nonconformity.

Mr. John said the building sets 26' from the edge of the roadway. Mr. John said if the sidewalk further West on the block were extended in front of the existing building the proposed addition would be 8' from a sidewalk extension.

Mrs. Blankenhorn added that Farmers Exchange is a very long-standing business in the community and are now faced with the challenge of replacing equipment at the end of its life. The new equipment does not fit exactly as the equipment being replaced does in the existing building that was built in 1977.

Mr. Broeren cited 1154.04 Avoidance of Undue Hardship to support the request. The Code states: To avoid undue hardship, nothing in this Zoning Ordinance shall be deemed to require a change in the plans,

construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Zoning Ordinance and upon which actual building construction has been carried on diligently. Mr. Broeren verified the use of the building is not changing.

Mr. John confirmed the use is not changing. The old unit is outdated and no longer functioning. It is being replaced with the same type of unit that has difference dimensions and layout. The other option is a vertical unit that would require an 8' addition to the roofline. The request is for the least intrusive solution.

Mike Hillier (sworn in) considered the safety and line of sight when driving from Lewis ST onto Gambier ST. There is plenty of room from the proposed edge of building to Gambier ST allowing for a clear sight line for autos to see West. He echoed what Lacie said about Farmers Exchange existing in the west end of Mount Vernon as a tax payer for many many years with very few if any problems. In order to keep a needed agricultural business in this community he can't think of a reason why this request wouldn't be approved. The gain is much bigger than the issue of conformity. He supports this 100%.

There were no other proponents or opponents to speak. One phone call was received in the Development Services Office from a neighboring property owner that received the mailed notice of hearing to find out more. Once the request was explained, they were perfectly fine with it.

Mr. Broeren added 1154.04 does apply because they are continuing the same use and that increasing the nonconformity would not apply.

A motion was made to approve the request.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Tonya Boucher, Member
SECONDER:	Susie L. Simpson, Member
AYES:	Percy, Simpson, Carr, Boucher
EXCUSED:	Smith, Eyster, Aryanata

ADJOURN AT THE CALL OF THE CHAIRMAN



Board of Zoning Appeals Meeting: 01/06/21 5:30 PM
City of Mount Vernon Dept: **Board of Zoning Appeals**
Mount Vernon, OH 43050

DEFEATED

Category: N/A
 Prepared By: Lacie Blankenhorn
 Initiator: Lacie Blankenhorn

BZA FILE (ID # 2250)

DOC ID: 2250

2021-BZA-001 : 705 E HIGH ST - VARIANCE FOR FENCE HEIGHT

Item Number	2021-BZA-01
Site Address	705 E High ST
Parcel Number	66-02400.000
Zoning District	R-1 Single Family District
Presented By	Kathryn & Scott Pullins

Quick Guide to Codified Ordinance Sections (may not be inclusive):
 1178 Fences and Hedges

Request: Add height to back portion of fence for security purposes – (see attached application materials)

COMMENTS - Current Meeting:

Kathryn Pullins (sworn in) explained her reasoning for adding 4' to the top of her existing 4' high fence, essentially creating a 97" (8 ft.) high fence, without a permit. She cited an incident with her daughter involving a person riding a bike in the alley, wearing a backpack who she described as menacing/harassing. She cited safety as an issue for raising the height of the fence. The height became what it is because they purchased boards and cut them in half, to save money. The boards were overlapped and a header board was placed at the top to make it look nice. Her intent was to block the view from 602 Chestnut ST, where she believes the man resides. She did not raise the height of the fence parallel to the alley in front of the drive leading to the garage, only the fence at the rear of the property. The existing fence along the side separating her home from 707 E High ST was higher than the 6' limit when the home was purchased 10 years ago. A 3+ page narrative was submitted by Ms. Pullins with her appeal application including additional details.

Claire Novotny (sworn in) is Ms. Pullins neighbor at 707 E High ST. She attended the hearing in support of Ms. Pullins, stating the fence height does not bother her.

There were no others in attendance supporting or opposing the request, nor were there any written or telephone communications received.

Mr. Carr asked Ms. Pullins for clarification on the intent to block visibility from 602 E Chestnut

ST, and questioned how persons on that property could see through the garage. Ms. Pullins said people across the street could see into her backyard. Mr. Carr clarified that she meant diagonally. She said her motivation was more based on the foot traffic in the alley, specifically the man on the bike.

Mr. Carr talked about fence height and how terrain can affect visibility. He is concerned that an exception made here for an 8' fence would trigger additional requests across the city.

Mr. Pullins said there is a difference between privacy and security.

Mrs. Simpson asked for clarification on the sequence of applications, verifying the fence was built without applying for a permit.

There was a brief discussion to determine if there are any known variances granted for fences to be higher than 6'. Mrs. Blankenhorn recalled a request for a taller fence on Pleasant ST a couple of years ago that was denied. The request was submitted prior to construction. Mr. Percy explained Lowe's sells fence panels that are 6' high because of zoning regulations.

A motion was made to DENY the request.

RESULT:	DENIED [UNANIMOUS]
MOVER:	Susie L. Simpson, Member
SECONDER:	Don Carr, Vice-Chairman
AYES:	Michael Percy, Susie L. Simpson, Don Carr, Tonya Boucher
EXCUSED:	William Smith, Otho Eyster, Kate Aryanata



City of Mount Vernon, Ohio
Board of Zoning Appeals

Request for Hearing

Applicant's Information

Owner's Name, Address and Phone

Kathryn + Scott Pullins 705 E. High St. 614-354-0866

Agent's Name, Address and Phone

Site Information

Site Address

705 E. High St.

Legal Description

BR EXR 23

Parcel Number

66.02400.000

Deed Volume and Page Number

Vol 1220 Pg. 412

Zoning District

R-1

Existing use of property

Residential

Proposed use of property

Residential

Hearing Request

Type of Hearing Requested

☒ Variance ☐ Conditional Use ☐ Appeal of Decision ☐ Map Interpretation ☐ Substantially Similar Use

In the following section, please list a brief description of the request. Narrative statements and any additional documents or information required by the Zoning Code and Chapter 1155 should be attached to this application as separate sheets.

Request:

Please see attached.

I hereby certify that the information submitted on this application and on any sketches, drawings or other documents submitted with this application is true and exact.

Date: 11-27-20

By:

Kathryn Pullins

Status of Application

Filing Date

11/30/2020

Case Number

2021-BZA-01

Hearing Date

January 6, 2021

Fee deposit

\$75.00

Date Paid

11/30/2020

Receipt Number

003211

Status of Board's Action

☐ Approved

☐ Denied

Attachment: 2021-BZA-01 Application Packet (2250 : 2021-Bza-01)

November 27, 2020

Zoning Committee Members:

First of all, I apologize for not getting a permit. I honestly did not know I needed one to extend the height of the fence, since I already had a fence. The work done also repaired two sections of the fence that were sagging and broken. The work was started on October 12 and was completed in the afternoon on October 16. I stained the new portion of the fence over the weekend of the 17th and 18th. The work was completed before I received the notice on Monday, October 19th.

I do not understand why the person who took the picture at 11:40 AM on October 16 did not knock on our door and let us know that we were in violation of a zoning code. We would have immediately stopped the work and submitted an application for the permit. By the time the picture was taken, most of the work was completed, except for the staining and removal of the braces. It seems unfriendly and punitive to have someone behind our house take a picture of the fence with the intent to send a Notice of Violation, without even giving us the courtesy of coming to our door.

We have had a lot of work done on the fence since purchasing the house 10 years ago. The fence was molding and rotting in several places. Over the course of our first three summers in the house, we had workmen replacing both perpendicular and horizontal boards on the fence. When that big windstorm came through in March of 2019, the fence on the east side of the yard was completely blown over. We found that the braces on the neighbor's side had been cut at some point and had significantly weakened the fence. We had workmen in the yard for a week adding additional support on our side of the fence, putting in new posts and raising the fence back up. During all of this repair and rebuild work we were never contacted by the city saying we were in violation. So, when we wanted to repair the sagging portions and add to the height of the fence of the back fence, we just did as we had done in the past. We hired a workman and got the work done as quickly as possible.

The fence on the east is 80 inches tall. That fence was here when we bought the house 10 years ago. The fence in the back was 49 inches tall, which was strange, because there was a pool in the backyard at the time. We have since filled the pool in.

Our reason for adding to the height of the back fence was for security. Back in March 2020, right before COVID hit, I called the Mayor's Office to voice our concerns about 602 Chestnut Street. This house shares the alley with us. It is zoned **510 – Single Family Dwlg Owner Occupied**. There are four or five bedrooms in the house that are being rented out to five strangers. These strangers share common spaces, such as a kitchen, and the owner has a cleaning staff come in to clean the common areas. I was told all of this by one of the boarders. Their side yard was turned into a parking lot to accommodate all of the cars of the people living there. This does not seem to fit, in my mind, the definition of the way the house is zoned, which is "single family dwelling owner occupied". The traffic in and out of the house had increased significantly. I was told by a lady in the Mayor's office that my message would be passed on and someone would call me back. I never heard back, but I attributed that to COVID.

A few months after COVID had begun, I did follow up with the city about the house being used as a boarding house. I was told by Lacie Blankenhorn that this was an acceptable use of the house under

the zoning laws. I disagreed with her, however, I accepted that determination and didn't take any more action. I did call the owner of the property, Maria Hanson, and talk with her about it. Maria said that renting out bedrooms was the only way she could afford the house, because she kept having such bad luck with families. I told her I had complained to the city about it because there was so much traffic there, and there was a lot of noise coming from renters who would sit in their cars and blast their radios for long periods of time. Maria told me to let her know when it was happening, and she would look into it. Maria has always been very responsive, and we have no complaints personally about Maria.

At that point in time, we did nothing more about the situation. I texted Maria a few times when there was noise and she seemed to take care of it. The last time I texted her was July 2nd. At that point in time, everything was fine. There was still a lot of traffic at the house, but the noise issue had been resolved.

On Wednesday September 2nd, my 16-year-old daughter pulled into our parking space behind our house around 8AM in the morning. A man riding a bike and wearing a backpack started circling in the alley behind the car. She was afraid to get out and she called me. When I went to the door, he saw me and rode off. His actions were menacing, and he was definitely harassing my daughter. Otherwise, he would have said 'hello' or something else. I was alarmed by his actions. I sent texts to my neighbors about him and also posted it on Next Door. I also called the Police Department to notify them. I did not file a report as I did not want to waste their time, since the man was gone. My neighbors on High Street said they had also seen him around and they, too, had noticed that his behavior was odd. My daughter was very shaken up about the incident for several hours that day.

I later saw this same man, with his bike, in the yard of 602 East Chestnut Street. I believe he lives there or lived there at the time. I decided that we needed to take some action regarding security for our two back doors.

We have one back door which opens out toward the alley and one back door that opens into our back yard onto our deck. We step directly from the house onto the deck, which means that the floor of the deck is two feet higher than the ground.

Because the fence was so short in the back of the yard, it was easy for anyone walking by in the alley and even on Chestnut Street to see our back yard and the door into our house from the deck. There was also a clear view of our deck for 602 Chestnut Street. My daughter and her female friends spend quite a bit of time on the deck and I worried that the man on the bike had seen the girls on the deck and would continue to see them and continue his menacing.

I decided that we should make that back fence taller, to hide the deck back door from the view of 602 Chestnut Street. I investigated the cost of purchasing prebuilt fencing from Lowe's. It was going to cost about \$2000 just for the material. We would also have to pay special fees at the landfill to dump the old fence. We would also have labor costs to pull down the fence and put up the new fence. I found some information online about the possibility of just adding to the height of the fence. This was going to cost a lot less in materials and labor and allow us not to have to throw out the current fence.

We talked about making the back fence as high as the side fence. However, in doing so we would have a tremendous amount of waste in lumber, because we would have to buy 8-foot boards and waste about 3 feet of each board. We found that if we cut the 8-foot boards in half and used all of the board we would not have any waste. We used the four foot pieces, while overlapping them 4 inches on the inside of the fence, so the outside would still look nice. We then cut 3 inches off the top to make everything even and added an inch and a half header. In all, the fence is only 17 inches taller than the side fence.

We removed all of the old posts and put in new posts, sinking them two or three feet into the ground, below the frost line, so the additional height and weight could be supported. Two bags of cement were used for each post. Installing the new posts repaired the two sections of fence that were sagging outward. The fence repair and height extension cost about \$1600 in materials and labor. It seemed a good solution to the security issue at hand, at a much more affordable cost.

In adding height to the fence, this additional height also blocked the view of anyone at 602 East Chestnut street from being able to see the deck back door and deck. I did not add any height onto the portion of the fence that faces the alley, which is 49 inches tall, because from there the back door to the deck is not visible.

The neighbor in back of me at 604 East Chestnut, which is two townhomes, has a storage shed that runs over 20 feet long across the back of their yard. It is 7 feet 2 inches tall to the bottom of the eaves. The roof probably extends upward another four to five feet, making it over 12 to 14 feet tall. Even with the addition to the height on my fence I can still clearly see 2 or more feet of the roof of the shed. Had this shed been closer to the alley it would have blocked the view to my deck back door.

I have been unable to find any pictures showing how the back of our yard and back door could be seen from the alley and chestnut street, prior to the height extension.

I want to note that we purchased this house in 2010 and never felt the need for any type of security. We know all of our neighbors. The townhome behind us has had many renters over the years. We have always gotten to know them and have never had any issues with them. However, when the status of 602 East Chestnut Street changed into a boarding house, and we started seeing a lot of people coming and going from there, we started to worry about our daughter and her friends and our own security in our home. The incident with the man on the bike became the deciding factor for us. His actions that morning were definitely a threat to the safety our daughter feels in going in and out of her home.

I have talked to the three property owners whose properties are contiguous to ours. The additional height does not bother them, and they have all signed a statement saying so. I have attached copies of those statements.

Again, our intention was never to break any kind of law. It was to simply increase security after a change in the neighborhood dynamic. I respectfully ask that we be allowed a variance to accommodate the height of the extension. We will certainly modify the height if the Board members decide not to grant the variance. I would invite the Board members to come to our home and look at the fence in both the back of the yard and the side of the yard to see what we see and to understand

better why we modified the fence. We do strive to be both good neighbors and good community members.

Fence Height Extension on the back fence at 705 East High Street

I purchased the property at 604 East Chestnut Street in 1997. It borders 705 East High Street on the south side of my property. The fence is between our two properties. The additional height on the back fence of 705 East High Street does not bother me at all.

Gary Foster 10.26.20
Date

Attachment: 2021-BZA-01 Application Packet (2250 : 2021-Bza-01)

Fence Height Extension on the back fence at 705 East High Street

We purchased the property at 606 East Chestnut Street in 1987. It borders 705 East High Street on the southwest corner of our property. The additional height on the back fence of 705 East High Street does not bother me at all.

Charles Hull 10/26/20
Charles and Bonnie Hull Date

Attachment: 2021-BZA-01 Application Packet (2250 : 2021-Bza-01)

Fence Height Extension on the back fence at 705 East High Street

We purchased our home in May 2020. Our house borders 705 East High Street on the west side of our property. The additional height on the back fence of 705 East High Street does not bother us at all.

Clair Novotny 10.26.20
Clair Novotny Date

707 East High St.



10/16/2020 11:40 AM

Permit No. _____



City of Mount Vernon, Ohio

Application for Zoning Permit

Application

Owner's Name, Address and Phone and e-mail

Scott and Kathryn Pullins 705 E. High St 614-354-0860 Kelliottms@gmail.com

Contractor's Name, Address and Phone and e-mail

Danny Stephens Construction 1700 Apple Valley Dr. Howard OH

Applicant's Name, Address and Phone and e-mail

Same as owner

Site Information

Site Address

705 E. High St Mt Vernon

Side Street (if corner lot)

Legal Description

BR EXR 23

Parcel Number

66.02400.000

Deed Volume and Page Number

Vol 1228 Pg. 412

Zoning District (circle one)

RR R-1 R-2 R-3 PND NC CB GB O/I M-1 M-1A P-1 R-MH

Flood Zone

☐ Floodway ☐ AE Zone ☐ A Zone ☒ X Zone

Historic District

Status of Historic Review Commission's Action

☐ Yes ☒ No☐ Approved ☐ Denied

Case Number:

Project Information

Description of Proposed Work

Add height to back portion of fence for security purposes.

(attach site plan and/or drawings)

Existing use of property

Residential

Proposed use of property

Residential

Parking spaces/loading berths

N/A

Structure height

8'

Dwelling units

N/A

State Approval:

Date

Approval Number

☐ Full approval
☐ Partial approval
☐ Not required

I hereby certify that the information submitted on this application and on any sketches, drawings or other documents submitted with this application is true and exact. This permit shall expire and may be revoked if work has not begun within six months or substantially completed within one year.

Date: 10-27-20

By: Katy E. Pullins

Status of Application

☒ Application rejected

Date

11/9/2020

By

Lacie Blankenhorn

Reason(s)

Height exceed maximum allowed by code 1178.02

☐ Referred to Board of Appeals: Status of Board's Action: ☐ Approved ☐ Denied Case Number:

Code Review _____ Date: _____

Site Review _____ Date: _____

☐ Application approved

Comments

By:

Date:

Fee Calculation

Estimated Cost

Base Fee

Park Development Fee

Total Fee

Date Paid/Permit Issued:

Cash Check#

Updated 4-30-2019

Packet Pg. 17

Attachment: APP - Zoning - High ST, 705 E - Fence (2250 : 2021-Bza-01)

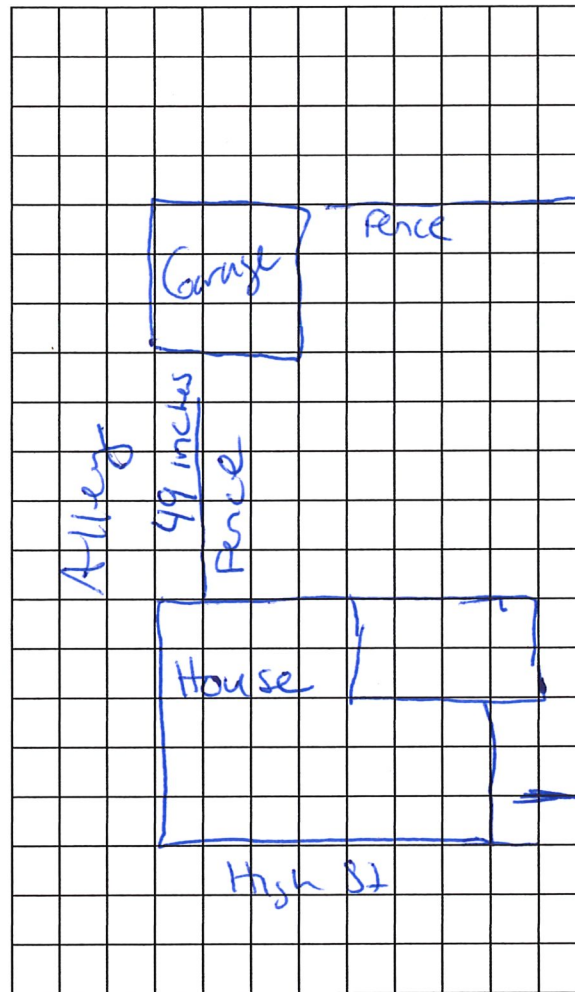
City of Mount Vernon Zoning Permit Sketch

Site Address 705 E. High St

Instructions to Applicant

Supply all the information requested and complete the diagram below by showing the following:

1. Existing structures with solid lines
2. Proposed structures with dashed lines
3. Setback distances from all property lines.
4. Dimensions of all structures
5. Dimensions of the lot
6. Street name(s)



Fence was 49 inch
- raised to 67 on bac
of property only

8'

Street Name East High St.

I hereby certify that the information submitted on this sketch and/or other attached drawings and documents is true and correct.

By Kathy E. Piller
Date 7/25/20

Zoning Enforcement Officer Action

☐ Approved ☐ Disapproved

By

Date

Attachment: APP - Zoning - High ST, 705 E - Fence (2250 : 2021-Bza-01)

October 26, 2020

Zoning Committee Members:

First of all, I apologize for not getting a permit. I honestly did not know I needed one to extend the height of the fence, since I already had a fence. We started redoing the fence on October 12 and were finished with it on October 16. I stained the new portion of the fence over the weekend of the 17th and 18th. The work was completed before I received the notice on Monday, October 19th.

6. 4467

The fence between myself and my neighbor on the east is 80 inches tall. That fence was here when we bought the house 10 years ago. The fence in the back was 49 inches tall, which was strange, because there was a pool in the backyard at the time. We have since filled the pool in.

Our reason for adding to the height of the back fence was for security. Back in March 2020, right before COVID hit, I called City Hall to voice my concerns about 602 Chestnut Street. This house shares the alley with us. It has been turned into a Boarding House by its owner. My definition of a Boarding House is this: The owner, Maria Hanson, does not live in the house, nor has she ever lived there. She purchased it to be used as a rental property. She has not had luck renting it to single families so she has turned it into single bedroom rentals. There are four or five bedrooms in the house that are being rented out to five strangers. These strangers share common spaces, such as a kitchen. The side yard was turned into a parking lot to accommodate all of the cars of the people living there. I know all of this because one of the boarders told me this. This does not seem to fit the definition of the way the house is zoned, which is "single family dwelling owner occupied".

A few months after COVID had begun, I did follow up with the city about the house being used as a boarding house. I was told by Lacey that there was nothing they could do about that. I disagreed with her, however, I accepted that determination and didn't take any more action. Up until that time, it had always been rented out to single families. I did call Maria Hanson and talk with her about it. Maria said that renting out bedrooms was the only way she could afford the house, because she kept having such bad luck with renters. I told her I had complained to the city about it because there was so much traffic there, and there was a lot of noise coming from renters who seemed to sit in their cars and blast their radios for long periods of time. Maria told me to let her know when it was happening and she would look into it.

At that point in time, I did nothing more about the situation. I texted Maria a few times when there was noise and she seemed to take care of it. The last time I texted her was July 2nd.

On Wednesday September 2nd, my 16 year-old daughter pulled into our parking space behind our house around 8AM in the morning. A man riding a bike and wearing a backpack started circling in the alley behind the car. She was afraid to get out and called me. When I went to the door, he saw me and rode off. I sent texts to my neighbors about him and also posted it on Next Door. He was definitely harassing my daughter, which caused us alarm. I also called the Police Department to notify them. I did not file a report as I did not want to waste their time, since the man was gone. I later saw this same man, with his bike, in the yard of the house where the Boarding House is at 602 East Chestnut. I decided that we needed to take some action regarding security for our two back doors.

Attachment: APP - Zoning - High ST, 705 E - Fence (2250 : 2021-Bza-01)

Because the fence was so short in the back, it was easy for anyone walking by in the alley and even on Chestnut Street to see our backyard and the door into our house from the backyard. I investigated the cost of purchasing prebuilt fencing from Lowe's. It was going to cost about \$2000 just for the material. We would also have to pay special fees at the landfill to dump the old fence. We also would have labor costs to pull down the fence and put up the new fence. I found some information somewhere online about the possibility of just adding to the height of the fence. This was going to cost us a lot less in materials and labor and allow us not to have to throw out the current fence.

We talked about making the back fence as high as the side fence. However, in doing so we would have a tremendous amount of waste in lumber, because we would have to buy 8-foot boards and waste about 3 feet of each board. We found that if we cut the 8-foot boards in half and used all of the board we would not have any waste. We used the four foot pieces, while overlapping them 4 inches on the inside of the fence, so the outside would still look nice. We then cut 3 inches off the top to make everything even and added an inch and a half header. In all, the fence is only 17 inches taller than the side fence.

We put in new posts, sinking them two or three feet into the ground, so the additional height and weight could be supported. Two bags of cement were used for each post. We also added bracing on the back, both for support and looks.

The neighbor in back of me at 604 East Chestnut, which is two townhomes, has a storage shed that runs over 20 feet long across the back of their yard. It is 7 feet 2 inches tall to the bottom of the eaves. The roof probably extends another four to five feet, making it over 12 to 14 feet tall. Even with the addition to the height on my fence I can still clearly see 2 or more feet of the roof of the shed. Had this shed been closer to the alley it would have blocked the view into my yard and I wouldn't have become worried about security.

We are also in the process of getting motion lights installed, along with security cameras on our two back doors.

I have been unable to find any pictures showing how the back of our yard and back door could be seen from the alley and chestnut street, prior to the height extension.

I want to note that we purchased this house in 2010 and we never felt the need for any security. However, when the status of 602 East Chestnut changed into a boarding house, and we started seeing a lot of people coming and going from there, we started to worry about our daughter and her friends and our own security in our home. The incident with the man on the bike became the deciding factor for us. I do not know if he lives at 602 East Chestnut, or was visiting someone there, but in our minds he was definitely a threat to the safety my daughter feels going in and out of her home.

I have talked to the three property owners whose properties are contiguous to ours. The additional height does not bother them, and they have all signed a statement saying so. I have attached copies of those statements.

~ Kathy Elliott Pullins



Board of Zoning Appeals Meeting: 01/06/21 5:30 PM
City of Mount Vernon Dept: **Board of Zoning Appeals**
Mount Vernon, OH 43050

ADOPTED

Category: N/A
 Prepared By: Lacie Blankenhorn
 Initiator: Lacie Blankenhorn

BZA FILE (ID # 2251)

DOC ID: 2251

2021-BZA-02 : 330 WOOSTER RD- APPROVAL OF SUBSTANTIALLY SIMILAR USE

Item Number	2021-BZA-02
Site Address	220 Wooster RD
Parcel Number	66-00344.000
Zoning District	NC – Neighborhood Commercial
Presented By	David L. Ulery II

Quick Guide to Codified Ordinance Sections (may not be inclusive):
 1164 NC Neighborhood Commercial District

1152.01(108) Definitions: Kennel – Any lot or premises on which a total of 6 or more dogs and/or cats more than four (4) months of age are housed, groomed, bred, boarded, trained, or sold.

1155.33-37 Substantially Similar

Request: Applicant requests to open a self-serve dog wash and grooming salon. Mr. Ulery will be the only groomer and there will be no more than 6 people in the dog wah at one time.

COMMENTS - Current Meeting:

Nicholas Hess (sworn in) - explained the request to have a self-service and professional dog grooming business located at 330 Wooster RD. Dog Grooming is not a listed use in the City's Zoning Code, therefore the applicant requests it be deemed substantially similar to a barber or beauty salon, which is a permitted use in an NC Neighborhood Commercial zoned property. The Ohio Revised Code does not consider a grooming service a kennel. The proposed service at this location will not board dogs. They will be providing a service that is similar to a salon. The owner has been doing professional dog grooming for 20 years and has been an area resident for over 13 years.

Mr. Percy asked Mr. Hess what his relationship was to Mr. Ulery, the listed applicant. Mr. Hess explained he is a representative of Mr. Ulery, serving as a project manager for the property and is a very close friend.

Mrs. Blankenhorn explained she worked directly with Nick to assist in the best approach to get the proposed grooming business approved at this location. Because Dog Grooming is not listed

as a Permitted or Conditional Use in any district and because a dog groomer was approved to operate out of a home in an R-1 District she suggested the request be made for Substantially Similar.

Mr. Broeren cited 1155.33 and 1155.35 for procedures, requirements and standards for consideration of Substantially Similar. The subject property is Neighborhood Commercial and permitted uses include Service Establishments involving the care of the person or of personal effects, including: Beauty and barber shops; among other permitted uses and conditional uses.

Mr. Percy agreed a dog groomer is similar to a barber or beautician and pointed out a beauty shop used to occupy this location.

David Ulery II (sworn in) explained he is a 20-year veteran of the dog grooming industry and now seeks approval to move his business to the proposed location.

There were no others present to speak for or against the proposal. One neighbor called as a result of the mailed hearing notification to find out more about the proposal. The request was explained to her and she said she was not opposed to it locating and operating in that location.

There was clarification as to who Robert Kirk is, who was listed on the application. He is the property owner. Mr. Ulery will become a tenant.

Mr. Carr asked if this type of business is in operation anywhere else in Central Ohio. Mr. Hess said there are several self-service dog grooming operations in the Columbus area, in addition to professional groomers. An example given was All About the Dogs off of Whittier in Columbus.

Parking was briefly discussed. Mr. Hess said there are more than enough parking spaces to accommodate the anticipated number of people in the building at any one time, with additional open spaces. There will be 6 self service stations in addition to 1 professional groomer.

Mrs. Blankenhorn explained the Code states barber and beauty shops require 3 parking stalls for each barber or beauty operator.

A motion was made to approve the request that a dog grooming business is Substantially Similar to a barber or beautician.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Susie L. Simpson, Member
SECONDER:	Don Carr, Vice-Chairman
AYES:	Michael Percy, Susie L. Simpson, Don Carr, Tonya Boucher
EXCUSED:	William Smith, Otho Eyster, Kate Aryanata



City of Mount Vernon, Ohio
Board of Zoning Appeals

Request for Hearing

Applicant's Information			
Owner's Name, Address and Phone Robert Kirk 12193 millersburg rd. Danville OH 740-501-4666			
Agent's Name, Address and Phone DAVID L. ULERY II 620 Fairgrounds RD. Mount Vernon OH 43050 614-240-0834			
Email address: Doggiestyles4u@aol.com			
Site Information			
Site Address 330 Wooster RD. Mount Vernon OH		Legal Description E E TREFZ 6	
Parcel Number 66-00344.000	Deed Volume and Page Number	Zoning District NC	
Existing use of property Business / Residential		Proposed use of property Self Serve dog wash / Grooming Salon	
Hearing Request			
Type of Hearing Requested			
☐ Variance ☐ Conditional Use ☐ Appeal of Decision ☐ Map Interpretation ☒ Substantially Similar Use			
In the following section, please list a brief description of the request. Narrative statements and any additional documents or information required by the Zoning Code and Chapter 1155 should be attached to this application as separate sheets.			
Request: I would like to open a self serve dog wash and grooming salon. I will be the only groomer and there will be no more than 6 people in the dog wash at one time.			
I hereby certify that the information submitted on this application and on any sketches, drawings or other documents submitted with this application is true and exact.			
Date:		By: [Signature]	
Status of Application			
Filing Date 12/18/2020		Case Number 2021-BZA-02	
		Hearing Date January 6, 2021	
Fee deposit \$75.00		Date Paid 12/18/2020	Receipt Number 3227
Status of Board's Action			
☐ Approved ☐ Denied			

Attachment: 2021-BZA-02 Application Packet (2251 : 2021-Bza-02)

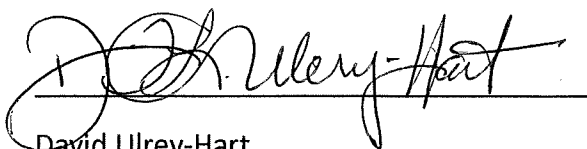
APPLICATION FOR CONDITIONAL USE PERMIT

Submitted for consideration, this petition for a Conditional Use Permit seeks approval to employ the premises at 330 Wooster Road, Mount Vernon OH for the purpose of providing pet grooming services for sale to the general public, under the name "Professional Pet Grooming LLC" (PPG/LLC). Such services will include both professionally provided grooming performed by veteran groomer and Knox County resident David Ulrey-Hart, as well as self-service stalls for "do-it-yourself" groomers. Additionally, PPG/LLC anticipates including retail sales of grooming related merchandise.

It must be clearly noted that, at no time will the activities conducted at this establishment involve the overnight occupancy by any humans or pets. Moreover, the services offered will in no way involve the breeding, boarding, training or sale of said animals. Accordingly, the services contemplated by the instant application in no way constitute any type of kennel, as defined by **Ohio Revised Code, Title IX, Chapter 956: Regulation And Licensing Of Dog Kennels**. Furthermore, with respect to other matters previously identified as potential concerns vis-à-vis this application, no outdoor pens or exercise runs will be utilized, and at no time will the business involve the incineration and/or burial of animals. And regarding matters of sanitation, all grooming activities will be performed from the interior of the existing building, and such facilities will be plumbed and otherwise designed and constructed to comport with any and all relevant state and local regulations/requirements.

Lastly, in evaluating this petition for approval, it is the contention of this request, that the nature of services to be rendered are, in fact, substantially similar to those services offered to humans, in the form of salons and barbershops. Indeed, Professional Pet Grooming LLC merely seeks authorization to provide haircuts, shampoos and nail care to family members and loved ones of a different species.

Regards,

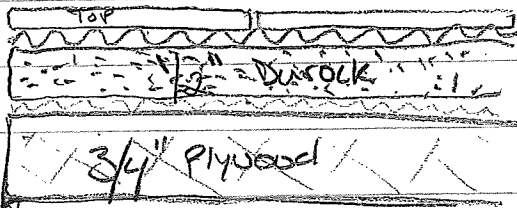
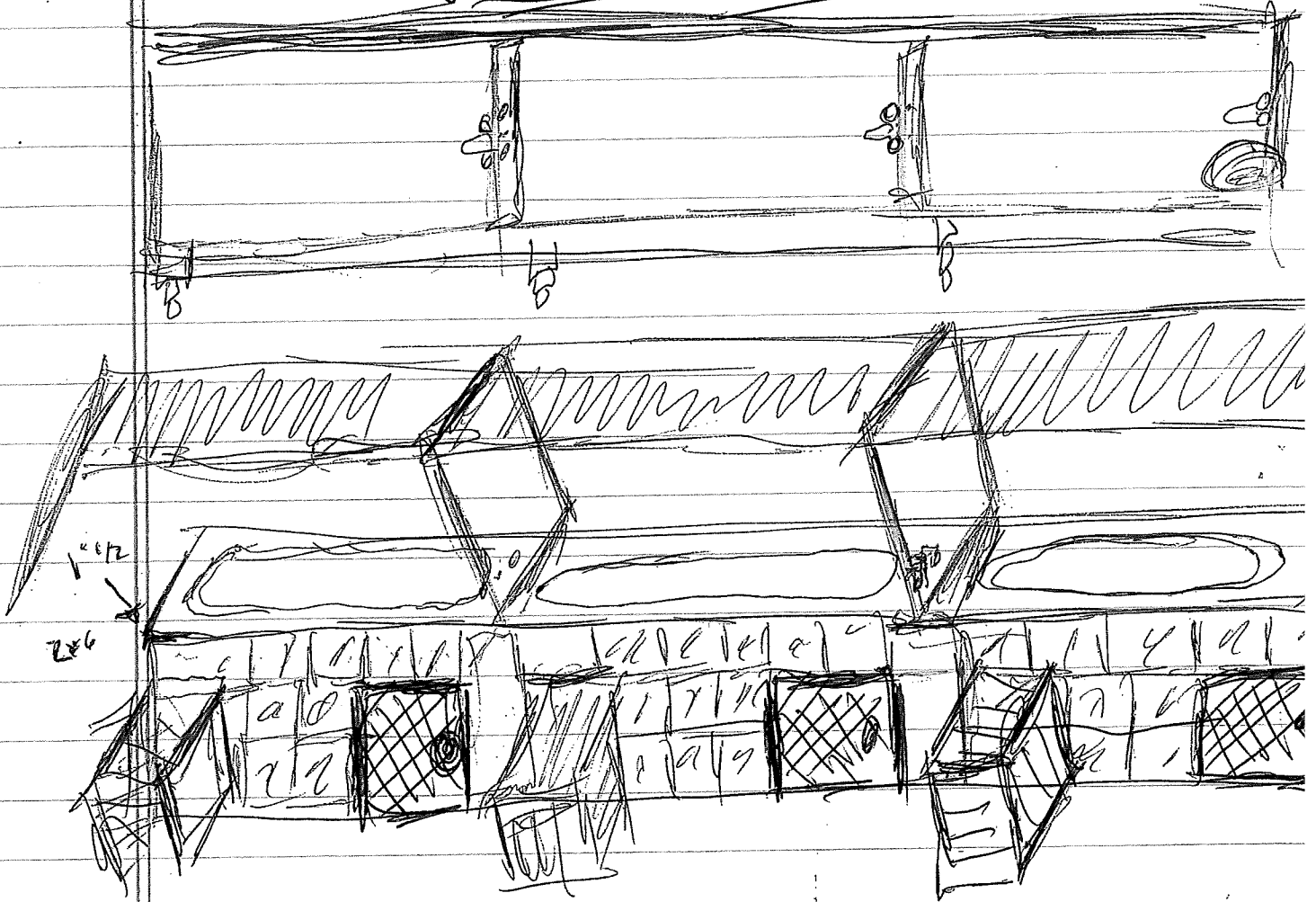
A handwritten signature in black ink, appearing to read "D. Ulrey-Hart", written over a horizontal line.

David Ulrey-Hart

Proprietor – Professional Pet Grooming, L.L.C.

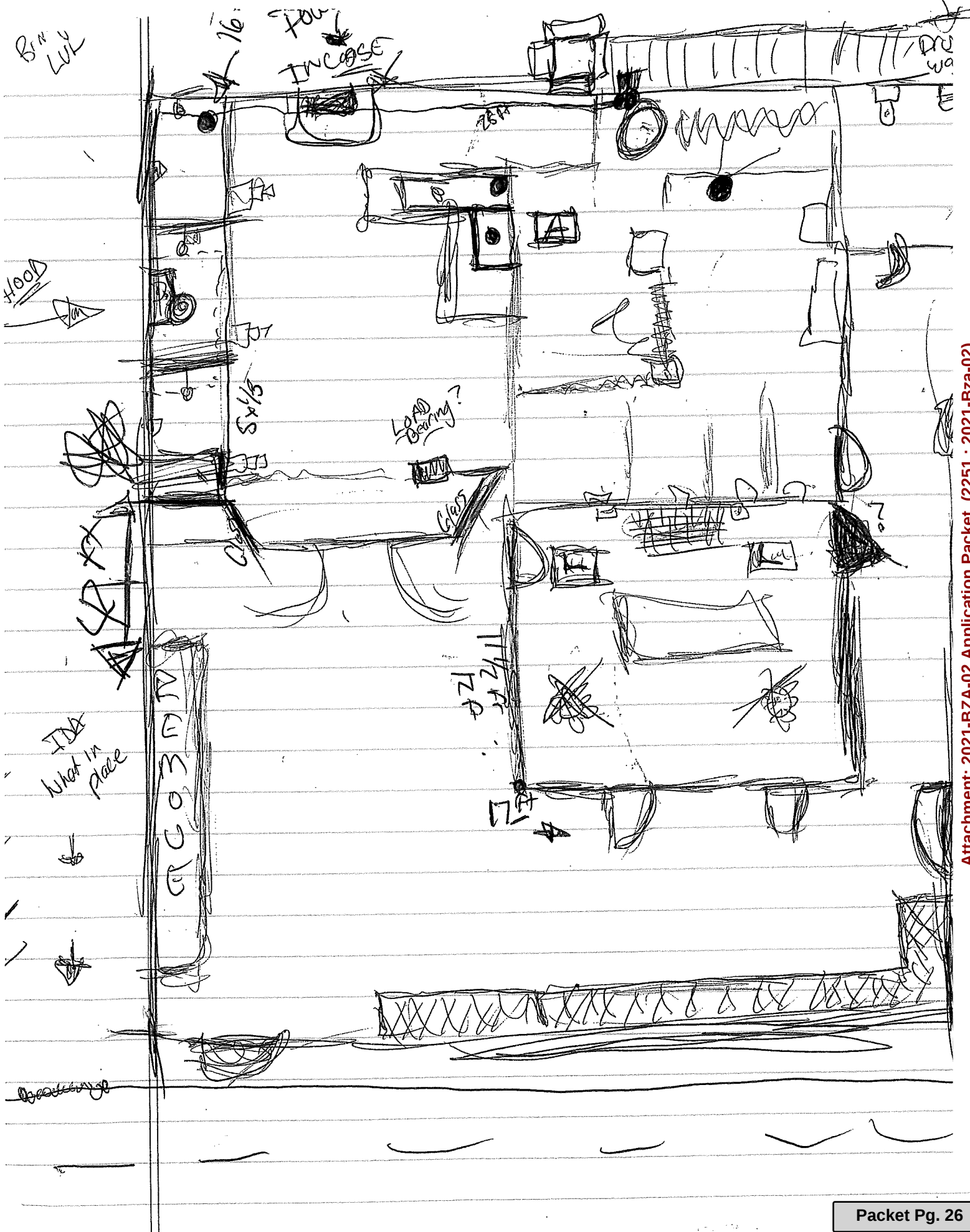
Attachment: 2021-BZA-02 Application Packet (2251 : 2021-Bza-02)

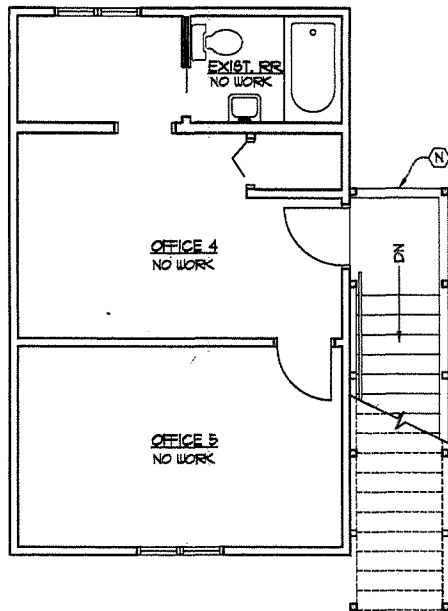
WEST WALL



2x6

Attachment: 2021-BZA-02 Application Packet (2251 : 2021-Bza-02)



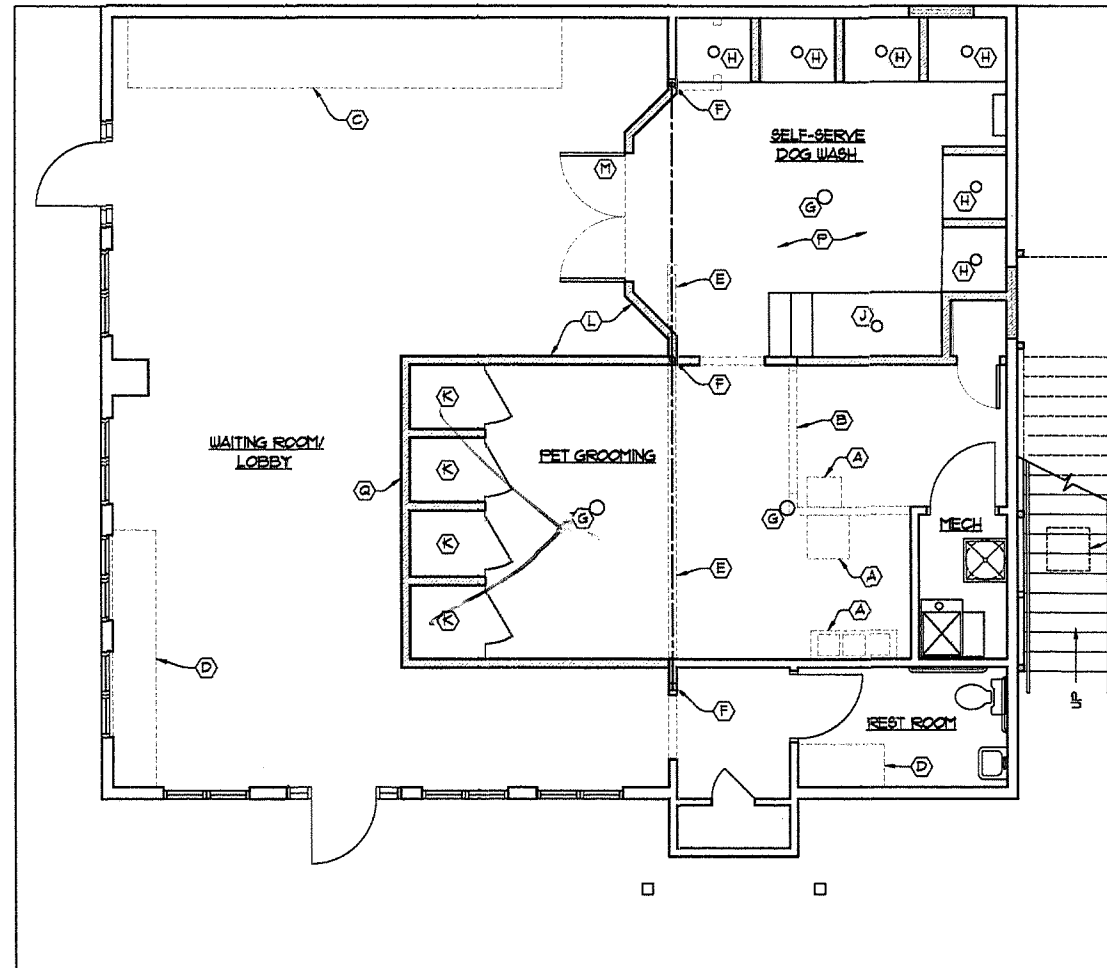


SECOND FLOOR PLAN

1/4" = 1'-0"

NOTES

1. UNLESS NOTED OTHERWISE, ALL CONSTRUCTION AT THE SECOND FLOOR IS EXISTING.
2. COORDINATE WITH OWNER FOR ANY NEW FINISHES AT SECOND FLOOR.



FIRST FLOOR PLAN

1/4" = 1'-0"

FLOOR PLAN CODED NOTES

- (A) EXISTING PLUMBING FIXTURE TO BE REMOVED.
- (B) EXISTING WALLS TO BE REMOVED SHOWN DASHED, TYP.
- (C) EXISTING RAISED PLATFORM TO BE REMOVED.
- (D) EXISTING CASEWORK AND COUNTERTOPS TO BE REMOVED.
- (E) REMOVE EXISTING LOAD BEARING WALL AND INSTALL NEW STEEL STRUCTURAL BEAM.
- (F) EXISTING STRUCTURAL COLUMN OVER SPREAD FOOTING. (INFORMATION FROM ARCHIVE DRAINGS - CONTRACTOR 1 FIELD-VERIFY EXACT LOCATION AND SIZE OF COLUMN AND FOOTING).
- (G) NEW FLOOR DRAIN.
- (H) NEW DOG WASHING STATION. RAISED WASHING STATION WITH DETACHABLE SHOWER HOSE, DRAIN, BUILT-IN INDUSTRIAL BLOW DRYER AND CUSTOM TILE FINISH.
- (J) NEW LARGE DOG WASHING STATION. RAISED WASHING STATION WITH DETACHABLE SHOWER HOSE, DRAIN, BUILT-IN INDUSTRIAL BLOW DRYER, BUILT IN STEPS AND CUSTOM TILE FINISH.
- (K) BUILT-IN DOG KENNEL.
- (L) NEW STUD WALL PARTITIONS SHOWN SHADED, TYPICAL.
- (M) NEW DOUBLE FULL LITE GLASS DOORS.
- (N) NEW TREATED WOOD FRAMED COVERED STAIR.
- (O) EXISTING A/C UNIT. RELOCATE IF REQUIRED FOR NEW STAIR.
- (P) EXISTING FAUX BEAMS TO BE REMOVED THIS AREA, NEW FLAT CEILING FINISH THROUGHOUT.
- (Q) CUSTOM PAW SHAPED WINDOW ABOVE KENNELS.

GENERAL FLOOR PLAN NOTES

1. DRAWINGS ARE SHOWN AS BUILT CONSTRUCTION. UNLESS NOTED OTHERWISE, ALL CONSTRUCTION SHOWN IS EXISTING.
2. CONTRACTOR TO VISIT SITE AND FAMILIARIZE THEMSELVES WITH EXISTING CONDITIONS.
3. ALONG WITH NEW FINISHES AT NEW CONSTRUCTION, CONTRACTOR TO PATCH AND/OR REPAIR EXISTING FINISHES AS REQUIRED.
4. EXISTING FLOORING TO BE REMOVED THROUGHOUT AND REPLACED. COORDINATE WITH OWNER.
5. EXISTING SLAB ON GRADE WILL NEED TO BE SAW CUT AND REMOVED EXTENSIVELY FOR NEW FLOOR DRAINS AND OTHER PLUMBING.
6. NEW PAINT AND FINISHES THROUGHOUT FIRST FLOOR. COORDINATE WITH OWNER FOR FINISHES.

PROFESSIONAL PET GROOMING

MOUNT VERNON, OHIO

JULY 13, 2020



GREEN VALLEY DESIGN, LLC

112 Harcourt Rd., Suite 5
Mt. Vernon, Ohio 43050 740-397-2282

Permit No. _____



City of Mount Vernon, Ohio

Application for Zoning Permit - SIGN

Application					
Property (Real Estate) Owner's Name, Phone ROBERT KIRK 740-501-4666					
Business Owner's Name, Phone (if different than property owner) DAVID L. ULERY II 614-260-0834					
Contractor's Name, Phone (if different than property owner) OPEN					
Applicant's Name, Phone (if different than property owner) DAVID L. ULERY II 614-260-0834					
Site Information					
Site Address 330 WOOSTER RD				Side Street (if corner lot) McGibney RD.	
Parcel Number 66-00344.000.		Zoning District 166-04967		Flood Zone ☐ Floodway ☐ AE Zone ☐ A Zone ☐ X Zone	
Historic District ☐ Yes ☒ No		Status of Historic Review Commission's Action ☐ Approved ☒ Denied Case Number:			
Existing Use of property VACANT			Proposed Use of property Self Service clogwash / Grooming Salon		
Sign Information					
Total Number of Signs Requested for Entity 2		For EACH sign, submit a scaled drawing denoting the proposed signage, including measurements with square footage; orientation to building; illumination type, height of top & bottom of sign.		Type of Signage Requested (Check all that apply) ☐ Wall ☐ Monument ☒ Pole ☐ Joint Identification ☐ Window ☒ Illuminated ☐ Changeable Copy ☐ Message Center	
Building height	Building Linear Footage facing Primary Street 1548 SF		Building Linear Footage facing Secondary Street 1548 SF		Length of Road Frontage 0.67 AC
Building Setback from front Property Line	Square Footage of Building 1548 SF		Sign Setback from front Property Line 15 FT		Sign Distance from <u>RIGHT</u> or LEFT (circle one) Property Line 15 FT
I hereby certify that the information submitted on this application and on any sketches, drawings or other documents submitted with this application is true and exact. This permit shall expire and may be revoked if work has not begun within six months or substantially completed within one year.					
By: [Signature]				Date: Dec 4th 2020	
Status of Application					
Code Review by DSM:					
Initial & Date:					
☐ Application Denied By: _____ Reason(s) _____ Date: _____					
☐ Referred to Board of Appeals		Case Number: _____		Status of Board's Action ☐ Approved ☐ Approved with modifications ☐ Denied	
☐ Application Approved					
Comments					
By: _____				Date: _____	
Fee Calculation					
Estimated Cost of Sign(s)			Permit Fee ☐ Cash ☐ Check		

Attachment: 2021-BZA-02 Application Packet (2251 : 2021-Bza-02)



Board of Zoning Appeals Meeting: 01/06/21 5:30 PM
City of Mount Vernon Dept: Board of Zoning Appeals
Mount Vernon, OH 43050

ADOPTED

Category: N/A
 Prepared By: Lacie Blankenhorn
 Initiator: Lacie Blankenhorn

BZA FILE (ID # 2252)

DOC ID: 2252

2021-BZA-03 : 0 LEWIS ST - VARIANCE FOR SIDE YARD SETBACK

Item Number	2021-BZA-03
Site Address	0 Lewis ST
Parcel Number	66-04254.000
Zoning District	GB General Business
Presented By	Andy John – Ten Point Construction for Farmers Exchange

Quick Guide to Codified Ordinance Sections (may not be inclusive):
 1167.03 Development Standards for Free-Standing Use on Individual Lots
 (General Business)

Request: Construct 8' x 12' shed roof enclosure for a new auger unit

COMMENTS - Current Meeting:

Andy John (sworn in) explained the mixer in the existing building has to be replaced and the new unit has a slightly different orientation forcing them to reconfigure the layout. The mixer, which looks like a concrete mixer has a motor housing that will extend longer than the building is wide. They need to build a small bump out to enclose the electronic motor on the new unit. The variance is requested on the side setback. Measurements show the proposed bump-out would not interfere if a sidewalk were added along W Gambier ST. Mr. Percy asked if the mixer could be orientated differently so that the addition was on the other side of the building. Mr. John explained the other side of the building is open and that is where the trucks load. If the mixer were reversed, trucks would have to load off of W Gambier ST, creating a less than ideal situation. The addition will be sized just to fit the motor housing unit. It will not be as tall as the existing building.

Using Google Street View the Board viewed the surrounding area. Homes are across the street. Mrs. Blankenhorn said the homes on the same side of Gambier ST are zoned General Business.

There was discussion about the building's location, when it was built and property lines. There was discussion about whether the existing building is nonconforming with regard to its proximity to the property lines.

Mr. John said they can reduce the bump out by 2' to reduce the extension from 8' to 6' but it will be a very snug fit for the motor. They would like the additional 2' to allow for room to do maintenance and repairs.

The Board discussed 1154.07 nonconforming structure that states no nonconforming structure may be enlarged or altered in any way which increases its nonconformity.

Mr. John said the building sets 26' from the edge of the roadway. Mr. John said if the sidewalk further West on the block were extended in front of the existing building the proposed addition would be 8' from a sidewalk extension.

Mrs. Blankenhorn added that Farmers Exchange is a very long-standing business in the community and are now faced with the challenge of replacing equipment at the end of its life. The new equipment does not fit exactly as the equipment being replaced does in the existing building that was built in 1977.

Mr. Broeren cited 1154.04 Avoidance of Undue Hardship to support the request. The Code states: To avoid undue hardship, nothing in this Zoning Ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Zoning Ordinance and upon which actual building construction has been carried on diligently. Mr. Broeren verified the use of the building is not changing.

Mr. John confirmed the use is not changing. The old unit is outdated and no longer functioning. It is being replaced with the same type of unit that has difference dimensions and layout. The other option is a vertical unit that would require an 8' addition to the roofline. The request is for the least intrusive solution.

Mike Hillier (sworn in) considered the safety and line of sight when driving from Lewis ST onto Gambier ST. There is plenty of room from the proposed edge of building to Gambier ST allowing for a clear sight line for autos to see West. He echoed what Lacie said about Farmers Exchange existing in the west end of Mount Vernon as a tax payer for many many years with very few if any problems. In order to keep a needed agricultural business in this community he can't think of a reason why this request wouldn't be approved. The gain is much bigger than the issue of conformity. He supports this 100%.

There were no other proponents or opponents to speak. One phone call was received in the Development Services Office from a neighboring property owner that received the mailed notice of hearing to find out more. Once the request was explained, they were perfectly fine with it.

Mr. Broeren added 1154.04 does apply because they are continuing the same use and that increasing the nonconformity would not apply.

A motion was made to approve the request.

RESULT: **ACCEPTED [UNANIMOUS]**
MOVER: Tonya Boucher, Member
SECONDER: Susie L. Simpson, Member
AYES: Michael Percy, Susie L. Simpson, Don Carr, Tonya Boucher
EXCUSED: William Smith, Otho Eyster, Kate Aryanata



Mount Vernon

City of Mount Vernon, Ohio
Board of Zoning Appeals

Request for Hearing

Applicant's Information

Owner's Name, Address and Phone

FARMERS EXCHANGE / 0 S. LEWIS ST. MT. VERNON, OH 43008

Agent's Name, Address and Phone

ANDY JOHN / TEN POINT CONST. 7 DELAWARE DR. MT. VERNON, 43008

Site Information

Site Address

0 S. LEWIS ST.

Legal Description

NS-186

Parcel Number

66-04254.000

Deed Volume and Page Number

229/550

Zoning District

GB

Existing use of property

COMMERCIAL

Proposed use of property

COMMERCIAL

Hearing Request

Type of Hearing Requested

☒ Variance ☐ Conditional Use ☐ Appeal of Decision ☐ Map Interpretation ☐ Substantially Similar Use

In the following section, please list a brief description of the request. Narrative statements and any additional documents or information required by the Zoning Code and Chapter 1155 should be attached to this application as separate sheets.

Request:

SEE ZONING APPLICATION & NARRATIVE

I hereby certify that the information submitted on this application and on any sketches, drawings or other documents submitted with this application is true and exact.

Date: 12-17-20

By: ANDY JOHN

Status of Application

Filing Date

12/17/2020

Case Number

2021-BZA-03

Hearing Date

January 6, 2021

Fee deposit

\$75.00

Date Paid

12/17/2020

Receipt Number

3225

Status of Board's Action

☐ Approved ☐ Denied

Attachment: 2021-BZA-03 Application Packet (2252 : 2021-Bza-03)



Lacie Blankenhorn <dsm@mountvernonohio.org>

Narrative statements

1 message

andrew john <andymjohn@gmail.com>
To: dsm@mountvernonohio.org

Thu, Dec 17, 2020 at 11:06 AM

Lacie, Both Jamison (Farmers Exchange) and I would prefer to use your office for the zoom meeting if that is still possible. That way we can be there in person as this is an important variance request for Farmers Exchange of Mount Vernon

Narrative Statements

(1) The small bump out as outlined in the drawing submitted is to simply allow the motor housing of a pump to have an enclosure to protect its electrical components. The smallest replacement unit must be oriented in a different direction as the current model as it is taller and will not fit. Thus must be placed in a perpendicular direction than the current pump is sitting which requires a small enclosure (bump out) to allow it to fit inside the building.

(2) The intended use is the EXACT same as it is currently being used for. Again, the only differential is the new unit is larger and would require removal of the roof, and a higher building height. However turning the unit sideways allows fitment with this approval.

(3) The current building resides at the legal set back limits. However, if we do the bump out, the building footprint then exceeds set back limits. However, the dimensions of this bump out in the building are small enough that it should not physically obstruct, visually obstruct views from intersections, or impose an issue at any point in time down the road. There is currently not even a sidewalk that passes in front of this building. The sidewalk actually stops at the address location and does not continue to the intersection. So even if the bump out was allowed, a future sidewalk would not be obstructed and or interfered with.

(4) The hardship is that physically the replacement model to do the same work as the current unit will just not fit in the current building. They do not make a smaller option to replace this unit.

(5) Farmers Exchange of mount vernon is, has, and will continue to be an important part of mount vernon. We are asking simply to be able to continue the EXACT same work out of this building as we have been for years. The dimensions of the bump out are ONLY that of what is required to allow the unit to fit into the building, and a minor amount of access to do general maintenance and repairs.

(6) The property adjacent to this is owned by Farmers Exchange, as is the property across the intersection. Therefore not impairing light or air or that of inconvenience to adjacent properties. Furthermore, being it is an intersection, the location of this bump out was chosen to NOT impair the view of drivers, safety personal, and or pedestrians by putting it at the furthest most point away from the intersection. Nor would it affect a sidewalk if one were to ever be extended to the intersection.

(7) With regards to this variance request I would say that if we were asking for a new, super large building, or wanting to just do whatever we wanted with no respect to variance rules and regulations then that might be one thing. However, in this situation, we are simply asking for the smallest possible bump out, with minimalistic obstruction, at its furthest most point from intersection, with the least amount of imposition as possible, all to just continue to do the same work we have been doing for years.

Attachment: 2021-BZA-03 Application Packet (2252 : 2021-Bza-03)

Permit No. _____



City of Mount Vernon, Ohio

Application for Zoning Permit

Application			
Owner's Name, Address and Phone and e-mail MT. VERNON FARMERS EXCHANGE			
Contractor's Name, Address and Phone and e-mail TEN POINT CONST. / 7 DECATUR DR / MT. VERNON / OH / 43050			
Applicant's Name, Address and Phone and e-mail ANDY JOHN / 7 DECATUR DR. / MTU / 43050 / 740-627-0262 / LHC@GMAIL.COM			
Site Information			
Site Address 0 S LEWIS ST.		Side Street (if corner lot) W. GAMBLER ST.	
Legal Description NS-186	Parcel Number 66-04254.000	Deed Volume and Page Number 229 / 550	
Zoning District (circle one) RR R-1 R-2 R-3 PND NC CB <u>GB</u> O/I M-1 M-1A P-1 R-MH		Flood Zone ☐ Floodway ☒ AE Zone ☐ A Zone ☐ X Zone	
Historic District ☐ Yes ☒ No	Status of Historic Review Commission's Action ☐ Approved ☐ Denied Case Number: _____		
Project Information			
Description of Proposed Work 8'x12' SHED ROOF ENCLOSURE FOR A NEW AUGER UNIT (attach site plan and/or drawings)			
Existing use of property GRAIN STORAGE / TRANSPORTATION		Proposed use of property GRAIN STORAGE / TRANSPORTATION	
Parking spaces/loading berths	Structure height 8'	Dwelling units	
State Approval: _____ (commercial only)	Date	Approval Number	☐ Full approval ☐ Partial approval ☐ Not required
I hereby certify that the information submitted on this application and on any sketches, drawings or other documents submitted with this application is true and exact. This permit shall expire and may be revoked if work has not begun within <u>six months</u> or substantially completed within <u>one year</u> .			
Date: 12-2-20		By: ANDY JOHN / TEN POINT CONST. /	
Status of Application			
☐ Application rejected			
☐ Referred to Board of Appeals: Status of Board's Action: ☐ Approved ☐ Denied Case Number: _____			
Code Review _____ Date: _____		Site Review _____ Date: _____	
☐ Application approved Comments			
By: _____		Date: _____	
Fee Calculation			
Estimated Cost \$7,000.00	Base Fee	Date Paid/Permit Issued:	
	Park Development Fee	Cash ☐ Check ☐	
	Total Fee		

Updated 4-30-2019

Google Maps 602 W Gambier St

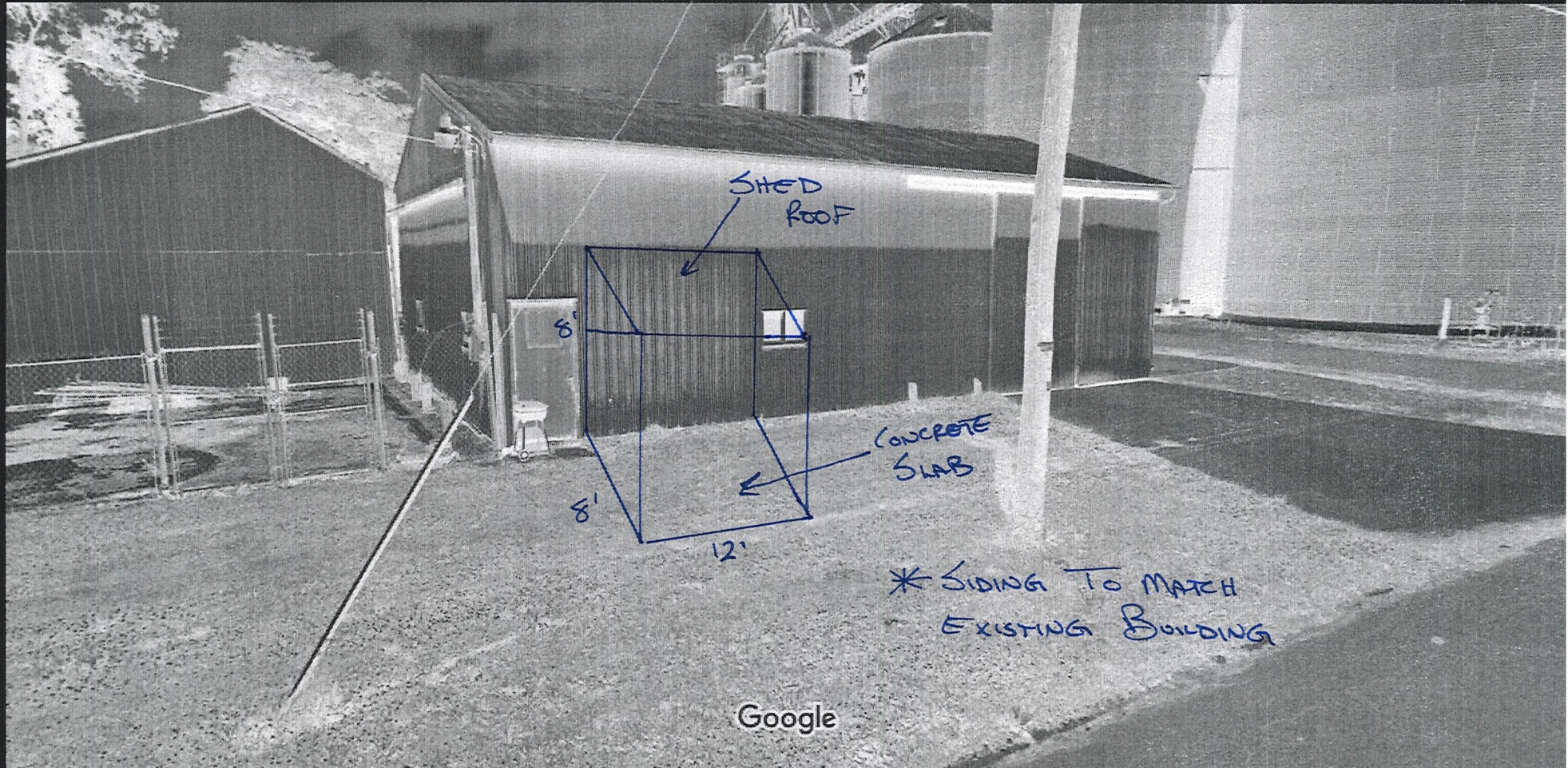


Image capture: Jun 2018 © 2020 Google

Mt Vernon, Ohio

 Google

Street View

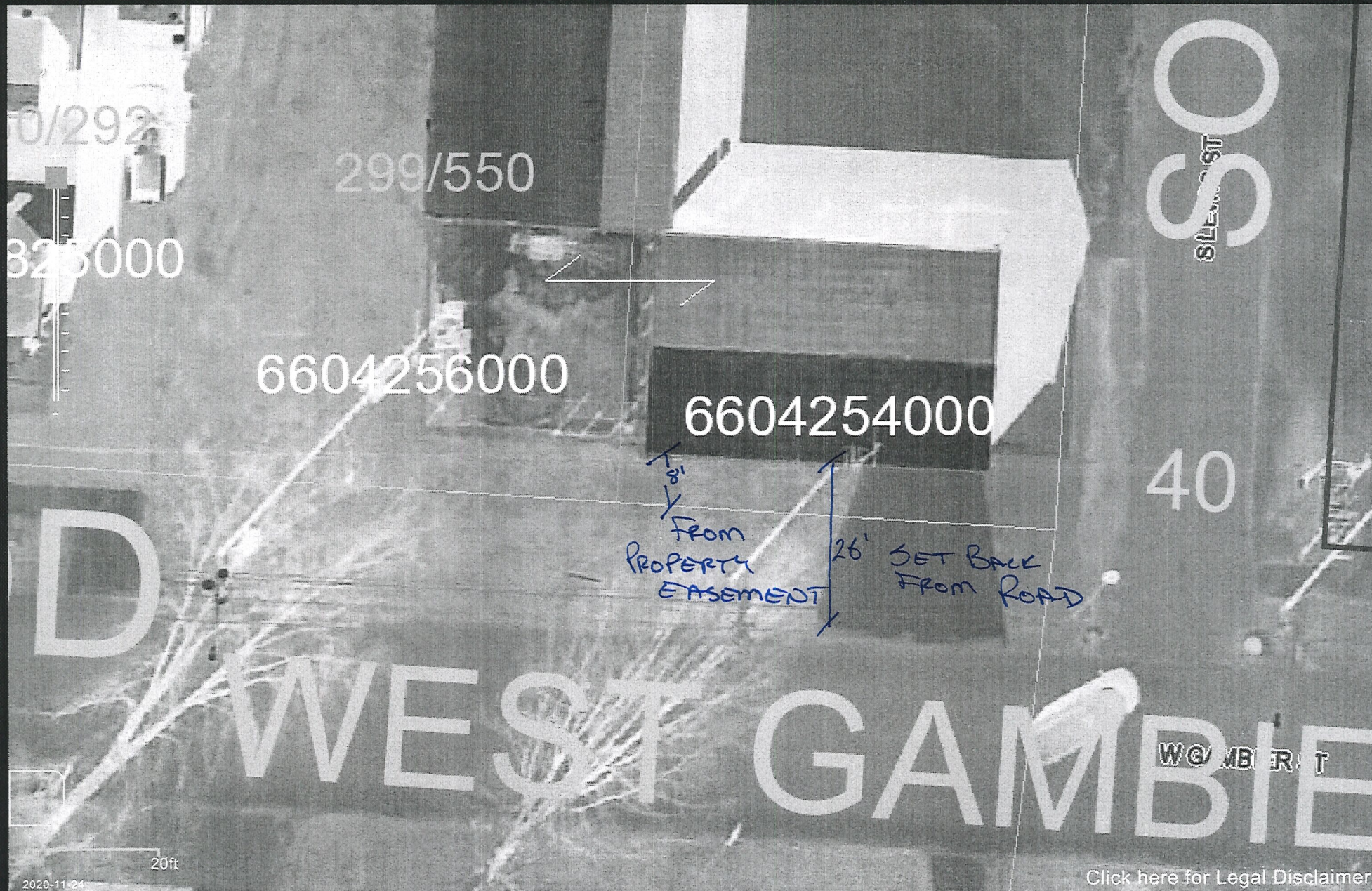
Little Caesars Pizza https://www.google.com/maps/place/506+W+Gambier+St,+Mt+Vernon,+OH+43050/@40.3921548,-82.4935215,3a,49.1y,35.11h,81.28t/data=!3m6!1e1!3m4!1sYvtRPqw6z5bDUixl_POJqA!



(<https://www.knoxcountyauditor.org/>)

Knox County Ohio, GIS

Jonette Curry

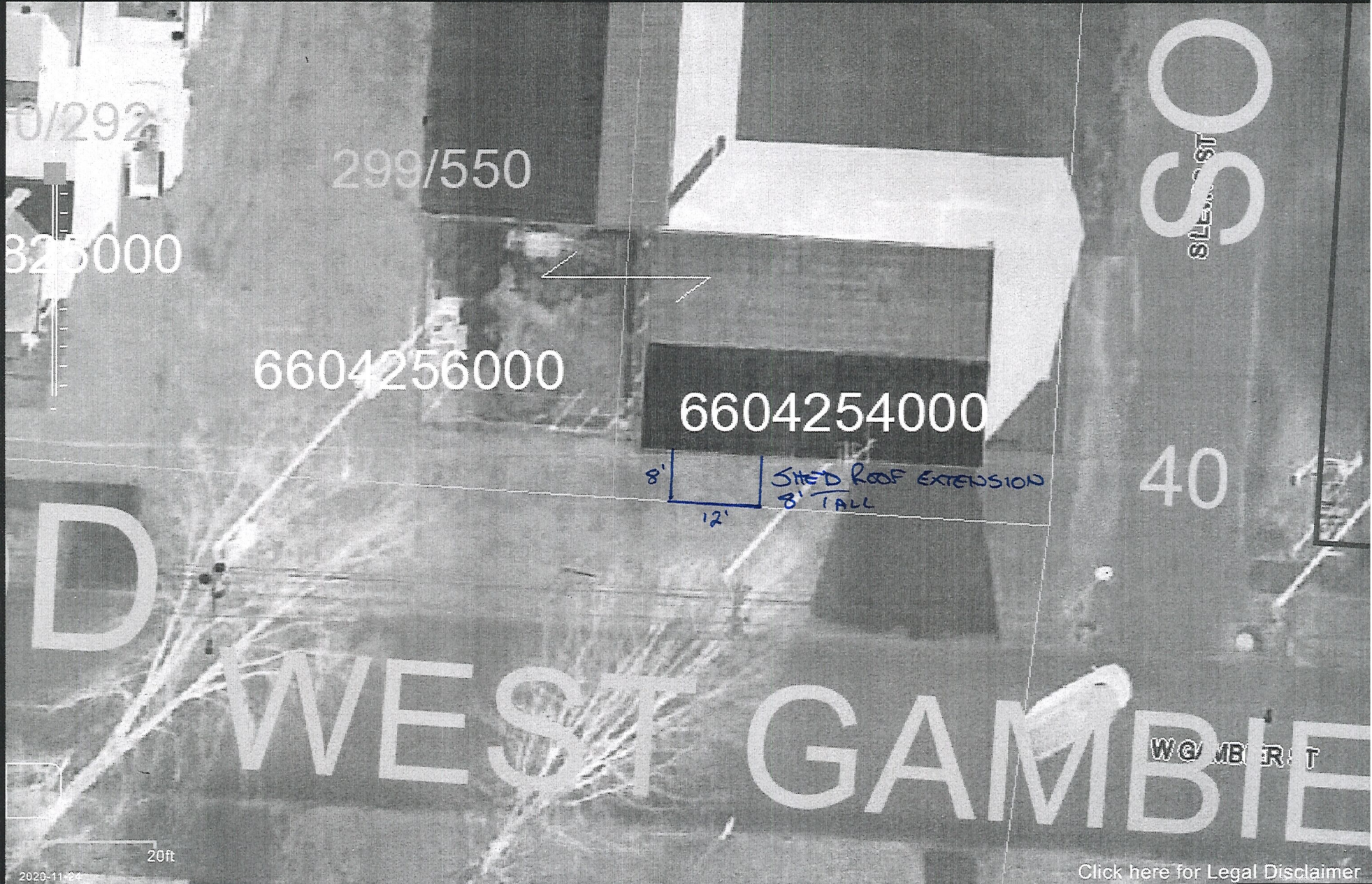




(<https://www.knoxcountyauditor.org/>)

Knox County Ohio, GIS

Jonette Curry



2020-11-24

<https://knox-oh.bhamaps.com/?PropertyNumber=66-09637.000>

[Click here for Legal Disclaimer](#)

Packet Pg. 37

Google Maps 600 W Gambier St

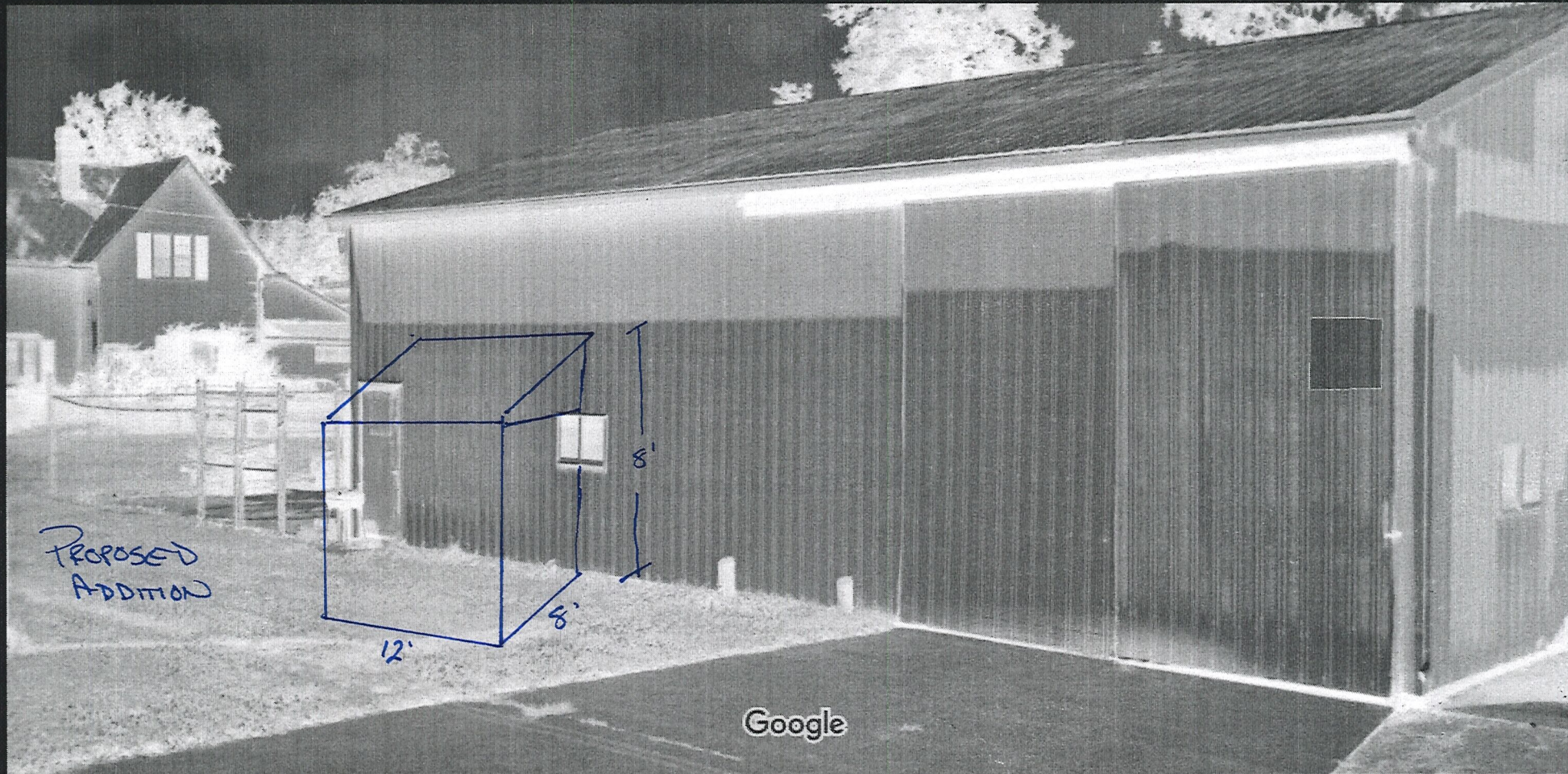
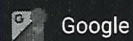


Image capture: Jun 2018 © 2020 Google

Mt Vernon, Ohio



Street View

Little Caesars Pizza

<https://www.google.com/maps/place/506+W+Gambier+St,+Mt+Vernon,+OH+43050/@40.3921414,-82.4932394,3a,25.8y,319.13h,88.51t/data=!3m7!1e1!3m5!1sntFqwsTZx4q7YUHktNUzE>

Packet Pg. 38