



Board of Zoning Appeals

February 16, 2022

Board Meeting

Minutes

5:30 PM

CALL TO ORDER

The Encoder is not working. The meeting will NOT be live streamed.

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

City Development Services Manager, Lacie Blankenhorn; City Law Director, P. Robert Broeren; City Fire Prevention Officer, Terry Davis; City Safety Service Director, Rick Dzik; Marty Parker; Korey Kidwell; Kevin Hughes; Michelle Hughes; Cynthia Cunningham; Sibley Poland; Brian Byers; Mike Hillier; Kennelyn 'Kasie' Alexander; Rebecca Chamberlain; Gayle York; Sharrett York; Don York

MINUTES APPROVAL

- Board of Zoning Appeals - Board Meeting - Jan 5, 2022 5:30 PM

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

BZA FILES

- 2022-BZA-04 : 206 N Main ST - Conditional Use Permit for Tourist Home

Parker (sworn in) explained he is applying for a Conditional Use Permit for a tourism home / Airbnb. The home was built in the 1840's and served as the first hospital in Mount Vernon. Parker explained what an Airbnb is. He provided a background about himself then described his vision for the property. He is planning to provide lodging for a small-town romantic adventure getaway. He showed pictures of the inside of the house. The first floor will be a suite of its own. There will be 2 additional suites upstairs. The planned maximum occupancy of this property at any one time is 6 people. He envisions a high-end luxury resort-esque type of feel. The socialite decor of the 1840's will be retained.

Percy confirmed the application is for a Conditional Use Permit to allow for a Tourist Home at the R-2 zoned property. An additional variance for no off-street parking is also needed; 3 are required based on the number of suites/sleeping rooms.

Parker explained amenities of the home including a Versailles Bed; a rain forest jet tub; a private sauna experience; an art room; a massage chair and salt therapy room. There will be additional amenities available for purchase. Parker proposes the guests can park in front of the home along the street. He intends to keep the front of the property the same. He pointed out the additional staircases at the back of the home. There will not be any signage out front.

Percy asked Blankenhorn if a ruling is required by the Historical Review Commission. Blankenhorn said no, not if there aren't any changes being made to the exterior of the property.

Parker stated the price range will be \$250-\$350 per night with a maximum of 2 people per suite. Arrival will be after 4 PM and leave before 11 AM. There will be a zero-noise tolerance.

Kidwell (sworn in) owns a property within the 300' buffer of the subject property. For full disclosure, the owner of the subject property is a client of Kidwell's. Kidwell is not speaking on behalf of Byers, but as the owner of a property identified as a party in interest by City Zoning Code. Kidwell is in favor of the request. He thinks it is a good idea. He hopes the commission will consider granting the request. He doesn't see any issues with it and thinks this will make the subject property and his property more a part of the downtown, which he would like to see expanded. He also offered parking space rental if that is an issue.

Hillier (sworn in) asked if this property could be converted to a duplex. Per City Zoning it could, without any special permit. A Certificate of Appropriateness would be required for any proposed changes to the exterior. Hillier visited the property during a recent sale. The yard is small. Hillier said another duplex is not needed in that area. He stated unless he hears differently from neighbors, he doesn't know why this wouldn't be a good fit. Hillier questioned the parking being taken away from the church.

Blankenhorn provided a picture of the front of the home with a full-size vehicle parked near the south property line and showing sufficient room for at least 2 additional autos to park directly in front of the subject property. The parking cannot be specifically dedicated.

Hillier thinks this proposal is a better fit than a duplex.

Kasie Alexander (sworn in) stated she is very much a proponent of this request. She likes very much the idea of putting another thing in Mount Vernon on the map. Initially she was concerned with the number of people that could be accommodated. She described the property as very large, very beautiful and very historic. As long as that is preserved, she votes for this request completely. She is a member of the neighboring church and said there is an agreement for parking in the Kidwell parking lot as well as the Living Center across the street.

Simpson added there is handicap parking behind the church and accessed by the alley.

Chamberlain (sworn in) representing First Congregational United Church of Christ at 200 N Main ST. They think the intentions are the best. Their two main concerns are around parking and noise. Chamberlain asked if there could be a guarantee of only 3 parking places being used. They worry about noise and question if there is any way to have a guarantee. She voiced the challenge of not having a representative of the property onsite.

Percy explained the Board of Zoning Appeals cannot dictate who uses on-street parking.

Blankenhorn asked Chamberlain about correspondence she had with Reverend Elliott and if that should be shared or if she was speaking in place of that. Chamberlain said the Reverend would like it on the record.

Blankenhorn read the email correspondence she had with Reverend Scott Elliott, the pastor at First Congregational Church at 200 N Main ST.

Dear Ms. Blankenhorn, I am the pastor at the First Congregational Church at 200 North Main Street. Our church recently received a notice regarding a case for a conditional use permit regarding a possible "tourist home" at 206 North Main Street - the case is 2022-BZA-04.

It is not clear what the building will exactly become as a "tourist home," but the idea without more explanation raises some concerns. Our church and the residential house at issue are in a residential historic district with minimal parking spaces on the street. This raises concerns about the potential for parking needs in the area that a tourist home might cause, especially during worship, funeral and wedding services that occur on weekends. Once the pandemic is over this could especially be a problem if more than two or three

cars (which seems typical present use as a home) will need to park on the street for the “tourist home” use. Additionally 206 North Main Street is located very close to our chapel and not that far from our main sanctuary where we hold services, events, and classes. It is unclear that such services will not be disturbed by tourists renting the space (loud music, parties, gatherings, etc.). It is unclear if an owner/manager will always be on sight to prevent such disturbances.

Simply put, the church has been at the 200 North Main Street location since 1868 and has not had a “tourist home” to contend with and it would be a shame if the presence of one or more of them altered the nature of the historic district and/or infringed the church’s present access to parking on the streets and quiet from what so far have been non-tourist house neighbors. I should also point out that the church use for many decades has created noises (music, amplified speaking, etc) on Sunday mornings that might wake up sleeping guests at a tourist house.

Can you please inform me how we can get our concerns addressed to insure that the conditional use will not interfere with the present uses in the area? Can we do this in writing (will this email do?) Or do we need to appear at the hearing? Can you also email me a copy of the permit application and required fire department approval for 206 North Main Street- and, if possible, the city’s definition of a “tourist home”?

On behalf of the church I specifically ask that the Board of Zoning Appeals make sure to obtain sufficient evidence that the proposed use will (A) be harmonious with the objectives of an historic district and the character of area; (B) will not disturb our existing church uses or that of the neighborhood; (C) that the planned “tourist home” will be served adequately by existing public parking places; and (D) that the general welfare of the area will not be at risk due to increased traffic or noise by a “tourist home.”

Sincerely, Rev. Scott Elliott

Blankenhorn replied: Reverend Elliott, Thank you for reaching out. Have you looked through the application packet and accompanying information provided by the applicant? Here is a link to the online agenda packet. This particular case's information starts on page 14. The City's Codified Ordinances do not define a tourist home even though it is listed as a use. Without having a definition I selected that use based on what the applicant explained to me and how they envision the house operating. I will read your email to the Board if you are unable to attend the hearing. I understand your concerns. Specifically concerning parking, the potential owner doesn't anticipate more than 3 vehicles at a time. The description provided in the request paints more of a relaxation picture than a party scene, though everyone relaxes in different ways. Since the house is not intended to be rented as a whole unit, instead 3 - separate sleeping rooms with ancillary activity rooms, I think that could limit parties and gatherings. Additionally I have been in discussions with the Fire Department and the Law Director to address the required FD approval, as the fire department does not currently inspect airbnbs and they are not governed by Ohio law. Please let me know any additional questions you have and if you would like me to read your email to the Board in your absence.

The Reverend responded: Dear Ms. Blankenhorn, Thank you for your quick reply and the information you provided. We had not seen the application or otherwise been apprised of the details of the proposed use, the link was helpful- it was also concerning. Based on the application materials found at the link, it seems questionable that six people occupying the rooms will always only bring three vehicles to park on the street. It seems likely there could be times when one or more of the couples bring more than one vehicle (example: a person in Cleveland meeting a fiancé from Columbus in Mount Vernon). The proposed use also has high end amenities that could require the use of parking by people taking care of the amenities (landscaping, laundry, repairs, checking in, etc.). It is also possible one or more guest could have a visitor come and meet them to visit at the house and also increase the parking on the street. Since the only proposed parking for the proposed use is on the street, and the proposed use seem may need more than the three cars suggested, the proposed use as an Air BnB is of concern parking-wise. Of further concern is the application suggests that no owner/manager will be on the premise to prevent disturbances by renters. It is not hard to imagine out-of-towners partying at an “Air BnB.” Sadly overnight renters without onsite oversight are more likely to cause a nuisance. It is not hard to image how a nuisance could interfere with a funeral, wedding, evening or other church worship service, or a class or event on our premises. It is hard to imagine how a church service could be stopped to deal with such a nuisance and then be restarted. It's one thing to have yearlong neighbors next door who might make noise and can be talked to, it's quite another to have new outsiders rotate in and out with no connection to the neighborhood and no one to make sure they do not get out of hand. Since this town is presently experiencing a residential housing shortage, and street parking in the area is at a premium,

and there could be new noise disturbance/nuisances in an Air BnB disrupting the historic residential neighborhood and the long time pre-existing use of the church next door, the application as it presently exists is of great concern. Finally I asked about the fire department approval because the city's ordinances at 1155.26 (i) (2) that specifically applies to Tourist Homes states: "All applicable provisions of the fire code shall be met and certification of such compliance by the appropriate official shall accompany the application." Perhaps I missed it, but I did not see the mandatory certificate of compliance in the paperwork for this application. We are planning to have at least our Church Council Moderator (essentially the president of the council) at the hearing to listen, speak and ask questions. Thank you again for your email. If possible, please make my previous email and this reply a part of the written record presented at the hearing.

Davis (sworn in) explained his role with the Fire Department. He stated the Ohio Fire Code pushed regulation of Airbnb's off to the locals. Most fire codes and building codes work together. Knox County does not have a building code. He said the local does not inspect Airbnbs or bed and breakfast homes. There is not a locally compiled list. Inspections could be done once a year. There are currently no ordinances governing Airbnb's. He spoke of what would be looked at and suggested during an inspection.

Carr asked Davis if he was concerned about the 2 units on the second floor and if there were a major fire could the occupants get out. Davis said it depends on a number of factors including window size, accessibility from the outside, whether there is a staircase to exit the 2nd floor. He wouldn't know more without walking through the building. A window 5.7 square feet is considered an exit window if it is accessible from the outside without obstruction.

There are a couple staircases to the 2nd floor.

Being residential, a fire escape cannot be required. Fire alarms are not required. This is considered a 1 or 2-family dwelling for fire regulations.

Carr asked about the Zoning Code requirement of a fire department certification being submitted with the application. Davis said he can provide a fire report, but they do not issue certifications as stated in the Zoning Code.

Percy explained the Code needs updated to reflect Certificates of Compliance aren't issued by the Fire Department.

A Certificate of Occupancy issued by the State of Ohio would entail extensive details to be reviewed for approval as a commercial structure. This property falls under the threshold of requiring that.

Staff Report: February 15, 2022 BZA Case: 2022-BZA-04 206 N Main ST Parcel # 66-01341.000 Marty Parker is in contract to purchase 206 N Main ST to utilize it for an Airbnb. The property is zoned R-2 Single- and Two-Family District. Conditional Uses in R-2 include Tourist Home and Bed/Breakfast Home. The City's Zoning Code does not define these two terms. §1155.26(i) outlines the specific criteria and requirements for approving a Conditional Use Permit for a Tourist Home, Bed/Breakfast Home. The Development Services Manager has reviewed this provision with the City's Fire Prevention Officer and determined that the Fire Department's current procedures for similar situations consist of a walk through with the owner to point out the best locations for detectors and extinguishers. Certificates of Compliance are NOT issued. In light of this, we have identified this as a needed update for the Zoning Code. The State and City do not track airbnbs. The FPO said he could include this property in his annual inspections. The width of the property provides enough space for at least 3 full-size autos to park in front of it. The City Zoning Staff supports this request as submitted and welcomes this opportunity for the Mount Vernon community.

Carr asked Blankenhorn and Broeren, if the Code is revised will the current Airbnbs be grandfathered. Broeren said that is a hypothetical question that he isn't going to provide an answer for at this time. Broeren added, the City is working to contact Airbnb owners because of a compliance issues with bed tax and income tax.

Carr asked Parker if Airbnb collects tax. Parker said Airbnb does not, they serve as a type of broker. Parker spoke with the City Auditor to obtain information on local tax regulations.

Carr asked Parker if there would be somebody locally serving as a property manager. Parker said there will be two different units on call, three actually. One is the cleaners, as that is a very big part, who will clean after every visit. Then the backup cleaners. There will also be a maintenance team and a backup maintenance team.

Carr asked if there is any space on the property that could be converted to on-site parking, mentioning the aforementioned carriage house. Parker said he would need to think about that and look closer at the property. Parker also said he wants to retain the aesthetic value of approaching the home from the front.

Carr asked how the 2 people per unit is policed, suggesting people could bring children. Parker said it could happen, but if it does, he has failed in selling this as a romantic getaway. Noise should be addressed like any other residential disturbance by calling the cops.

Carr asked what would stop parents from renting the home for their kids and friends. Parker said the system has failed if that happens. Percy added Airbnb is a two-way street. The property owner also leaves feedback about tenants. There are ways to police the people that are renting, such as submitting why you are using the property before the rental agreement is in place. The tenant can leave feedback about the property. Property owners can ban a tenant from using Airbnb again. Blankenhorn added this property will not be listed as an entire home for rent. It will be listed as 3 separate sections. A group of people looking for a home would not have this property returned in the search.

Carr asked about the kitchen in the home, if it would be removed or if guests will have kitchen privileges. Parker said the kitchen is not part of the portrayed experience. It will be there, possibly covered up.

Carr made a motion to approve the request for a Conditional Use Permit for a Tourist Home at 206 N Main ST with an additional variance for no onsite parking.

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

- **2022-BZA-06 : 503 E High ST - Variance for Front Setback for Covered Front Porch**

Kevin Hughes (sworn in) explained they are seeking permission to add a covered front porch on their home. The porch will extend out 8' from the existing home. The porch is intended to be inline with the porches of the homes on either side of theirs.

Percy clarified the variances needed are for the front setback and side setback, as the existing home is closer to the side property line than 10'. The porch will not be as close to the side property line as the existing home. The requested front setback is 2' and the drawing shows the side is similar, but doesn't note the actual measurement.

Michelle Hughes (sworn in) added the proposed porch will tie in with the existing side porch. (Some of her comments were indiscernible on the recording due to noise picked up by a mic.)

Percy clarified the Historical Review Commission granted a Certificate of Appropriateness for the proposed porch addition.

Blankenhorn read the staff report: February 15, 2022 BZA Case: 2022-BZA-06 503 E High ST Parcel # 66-04292.000 Kevin Hughes has requested a front setback variance to add a covered front porch to his historic home on East High Street. The Historical Review Commission approved a Certificate of Appropriateness in a public hearing held February 10, 2022. Few homes in old neighborhoods in Mount Vernon conform to the front setback required by the current Zoning Code. The variance process allows these circumstances to be considered individually and approved appropriately. Mr. Hughes' request to add a front porch to within 2 feet of the front property line is compatible with the neighboring property that has a porch closer to the front property line, as seen in the aerial view on the County Auditor's website. There is approximately 7' from the property line to the sidewalk. The City's Zoning Staff supports this request as submitted. Pictures were also included showing line of sight from the neighboring properties.

Carr made a motion to approve the request for a 2' front setback and 2' side setback.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Don Carr, Vice-Chairman
SECONDER:	Kate Aryanata, Alt. Member
AYES:	Percy, Simpson, Carr, Aryanata
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ADJOURN

Broeren made an announcement that the City is working on an audit of the zoning code. There will be a public meeting on March 7 at 6:00PM. There will be notices sent out. All members of the Board of Zoning Appeals are invited. City Council will be invited as well as Municipal Planning and Historical Review Commission members. It will be formatted as a discussion. A contractor has been engaged to conduct the audit. Ideas will be solicited about what parts may not be working.

- Adjourn Motion

Simpson made a motion to adjourn the meeting, Carr second and the meeting was adjourned at 6:36 PM



Board of Zoning Appeals Meeting: 02/16/22 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 # 3501)

DOC ID: 3501

2022-BZA-04 : 206 N MAIN ST - CONDITIONAL USE PERMIT FOR TOURIST HOME

Item Number	2022-BZA-04
Site Address	206 N Main ST
Parcel Number	66-01341.000
Zoning District	R-2
Presented By	Marty Parker

Quick Guide to Codified Ordinance Sections (may not be inclusive):

- 1161.01(b)(3) Conditional Uses R-2
- 1155.24 General Standards Applicable to all Conditional Uses
- 1155.26(i) Additional Criteria for Conditional Uses
- 1155.27 Supplementary Conditions and Safeguards
- 1174.05 Required Number of Parking Spaces by Use

Request: Applicant wants to use property for an “Air B n B” with luxury getaway suites and accompanying amenities as stated in application. See application packet for additional details.

* Administrative note: the term Tourist Home is listed as a Conditional Use in multiple Zoning Districts throughout the City’s Zoning Code, however it is not defined. Based on the applicants description of what he wants to do with the property we encouraged him to pursue the Conditional Use Permit for a Tourist Home.

COMMENTS - Current Meeting:

Parker (sworn in) explained he is applying for a Conditional Use Permit for a tourism home / Airbnb. The home was built in the 1840’s and served as the first hospital in Mount Vernon. Parker explained what an Airbnb is. He provided a background about himself then described his vision for the property. He is planning to provide lodging for a small-town romantic adventure getaway. He showed pictures of the inside of the house. The first floor will be a suite of its own. There will be 2 additional suites upstairs. The planned maximum occupancy of this property at any one time is 6 people. He envisions a high-end luxury resort-esque type of feel. The socialite decor of the 1840’s will be retained.

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required based on the number of suites/sleeping rooms.

Parker explained amenities of the home including a Versailles Bed; a rain forest jet tub; a private sauna experience; an art room; a massage chair and salt therapy room. There will be additional amenities available for purchase. Parker proposes the guests can park in front of the home along the street. He intends to keep the front of the property the same. He pointed out the additional staircases at the back of the home. There will not be any signage out front.

Percy asked Blankenhorn if a ruling is required by the Historical Review Commission. Blankenhorn said no, not if there aren't any changes being made to the exterior of the property.

Parker stated the price range will be \$250-\$350 per night with a maximum of 2 people per suite. Arrival will be after 4 PM and leave before 11 AM. There will be a zero-noise tolerance.

Kidwell (sworn in) owns a property within the 300' buffer of the subject property. For full disclosure, the owner of the subject property is a client of Kidwell's. Kidwell is not speaking on behalf of Byers, but as the owner of a property identified as a party in interest by City Zoning Code. Kidwell is in favor of the request. He thinks it is a good idea. He hopes the commission will consider granting the request. He doesn't see any issues with it and thinks this will make the subject property and his property more a part of the downtown, which he would like to see expanded. He also offered parking space rental if that is an issue.

Hillier (sworn in) asked if this property could be converted to a duplex. Per City Zoning it could, without any special permit. A Certificate of Appropriateness would be required for any proposed changes to the exterior. Hillier visited the property during a recent sale. The yard is small. Hillier said another duplex is not needed in that area. He stated unless he hears differently from neighbors, he doesn't know why this wouldn't be a good fit. Hillier questioned the parking being taken away from the church.

Blankenhorn provided a picture of the front of the home with a full-size vehicle parked near the south property line and showing sufficient room for at least 2 additional autos to park directly in front of the subject property. The parking cannot be specifically dedicated.

Hillier thinks this proposal is a better fit than a duplex.

Kasie Alexander (sworn in) stated she is very much a proponent of this request. She likes very much the idea of putting another thing in Mount Vernon on the map. Initially she was concerned with the number of people that could be accommodated. She described the property as very large, very beautiful and very historic. As long as that is preserved, she votes for this request completely. She is a member of the neighboring church and said there is an agreement for parking in the Kidwell parking lot as well as the Living Center across the street.

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the challenge of not having a representative of the property onsite.

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Additionally 206 North Main Street is located very close to our chapel and not that far from our main sanctuary where we hold services, events, and classes. It is unclear that such services will not be disturbed by tourists renting the space (loud music, parties, gatherings, etc.). It is unclear if an owner/manager will always be on sight to prevent such disturbances.

Simply put, the church has been at the 200 North Main Street location since 1868 and has not had a "tourist home" to contend with and it would be a shame if the presence of one or more of them altered the nature of the historic district and/or infringed the church's present access to parking on the streets and quiet from what so far have been non-tourist house neighbors. I should also point out that the church use for many decades has created noises (music, amplified speaking, etc) on Sunday mornings that might wake up sleeping guests at a tourist house.

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Sincerely, Rev. Scott Elliott

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The Reverend responded: Dear Ms. Blankenhorn, Thank you for your quick reply and the information you provided. We had not seen the application or otherwise been apprised of the details of the proposed use, the link was helpful- it was also concerning. Based on the application materials found at the link, it seems questionable that six people occupying the rooms will always only bring three vehicles to park on the street. It seems likely there could be times when one or more of the couples bring more than one vehicle (example: a person in Cleveland meeting a fiancé from Columbus in Mount Vernon). The proposed use also has high end amenities that could require the use of parking by people taking care of the amenities (landscaping, laundry, repairs, checking in, etc.). It is also possible one or more guest could have a visitor come and meet them to visit at the house and also increase the parking on the street. Since the only proposed parking for the proposed use is on the street, and the proposed use seem may need more than the three cars suggested, the proposed use as an Air BnB is of concern parking-wise. Of further concern is the application suggests that no owner/manager will be on the premise to prevent disturbances by renters. It is not hard to imagine out-of-towners partying at an "Air BnB." Sadly overnight renters without onsite oversight are more likely to cause a nuisance. It is not hard to image how a nuisance could interfere with a funeral, wedding, evening or other church worship service, or a class or event on our premises. It is hard to imagine how a church service could be stopped to deal with such a nuisance and then be restarted. It's one thing to have yearlong neighbors next door who might make noise and can be talked to, it's quite another to have new outsiders rotate in and out with no connection to the neighborhood and no one to make sure they do not get out of hand. Since this town is presently experiencing a residential housing shortage, and street parking in the area is at a premium, and there could be new noise disturbance/nuisances in an Air BnB disrupting the historic residential neighborhood and the long time pre-existing use of the church next door, the application as it presently exists is of great concern. Finally I asked about the fire department approval because the city's ordinances at 1155.26 (i) (2) that specifically applies to Tourist Homes states: "All applicable provisions of the fire code shall be met and certification of

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Percy explained the Code needs updated to reflect Certificates of Compliance aren’t issued by the Fire Department.

A Certificate of Occupancy issued by the State of Ohio would entail extensive details to be reviewed for approval as a commercial structure. This property falls under the threshold of requiring that.

Staff Report: February 15, 2022 BZA Case: 2022-BZA-04 206 N Main ST Parcel # 66-01341.000 Marty Parker is in contract to purchase 206 N Main ST to utilize it for an Airbnb. The property is zoned R-2 Single- and Two-Family District. Conditional Uses in R-2 include Tourist Home and Bed/Breakfast Home. The City’s Zoning Code does not define these two terms. §1155.26(i) outlines the specific criteria and requirements for approving a Conditional Use Permit for a Tourist Home, Bed/Breakfast Home. The Development Services Manager has reviewed this provision with the City’s Fire Prevention Officer and determined that the Fire Department’s current procedures for similar situations consist of a walk through with the owner to point out the best locations for detectors and extinguishers. Certificates of Compliance are NOT issued. In light of this, we have identified this as a needed update for the Zoning Code. The State and City do not track airbnbs. The FPO said he could include this property in his annual inspections. The width of the property provides enough space for at least 3 full-size autos to park in front of

it. The City Zoning Staff supports this request as submitted and welcomes this opportunity for the Mount Vernon community.

Carr asked Blankenhorn and Broeren, if the Code is revised will the current Airbnbs be grandfathered. Broeren said that is a hypothetical question that he isn't going to provide an answer for at this time. Broeren added, the City is working to contact Airbnb owners because of a compliance issues with bed tax and income tax.

Carr asked Parker if Airbnb collects tax. Parker said Airbnb does not, they serve as a type of broker. Parker spoke with the City Auditor to obtain information on local tax regulations.

Carr asked Parker if there would be somebody locally serving as a property manager. Parker said there will be two different units on call, three actually. One is the cleaners, as that is a very big part, who will clean after every visit. Then the backup cleaners. There will also be a maintenance team and a backup maintenance team.

Carr asked if there is any space on the property that could be converted to on-site parking, mentioning the aforementioned carriage house. Parker said he would need to think about that and look closer at the property. Parker also said he wants to retain the aesthetic value of approaching the home from the front.

Carr asked how the 2 people per unit is policed, suggesting people could bring children. Parker said it could happen, but if it does, he has failed in selling this as a romantic getaway. Noise should be addressed like any other residential disturbance by calling the cops.

Carr asked what would stop parents from renting the home for their kids and friends. Parker said the system has failed if that happens. Percy added Airbnb is a two-way street. The property owner also leaves feedback about tenants. There are ways to police the people that are renting, such as submitting why you are using the property before the rental agreement is in place. The tenant can leave feedback about the property. Property owners can ban a tenant from using Airbnb again. Blankenhorn added this property will not be listed as an entire home for rent. It will be listed as 3 separate sections. A group of people looking for a home would not have this property returned in the search.

Carr asked about the kitchen in the home, if it would be removed or if guests will have kitchen privileges. Parker said the kitchen is not part of the portrayed experience. It will be there, possibly covered up.

Carr made a motion to approve the request for a Conditional Use Permit for a Tourist Home at 206 N Main ST with an additional variance for no onsite parking.

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



City of Mount Vernon, Ohio
Board of Zoning Appeals

Request for Hearing

Applicant's Information			
Owner's Name, Address and Phone BUCKET LIST PRODUCTIONS, LLC			
Agent's Name, Address and Phone Marty Lee Parker 9870 Hyland Croy Rd., Plain City, Oh 43064 614-353-3969			
Email address: martyparkernews@gmail.com			
Site Information			
Site Address 206 N. Main St. Mount Vernon, Oh 43050		Legal Description m&b Parcel Size: 8,712 sq. ft.	
Parcel Number 66-01341.000	Deed Volume and Page Number 1832/95 119	Zoning District R2	
Existing use of property 510 - Single family dwelling owner occupant		Proposed use of property Air B N B	
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 plan to buy this property and turn it into an Air B N B. We will have couples from Columbus and Cleveland come and stay in luxury, getaway suites that include amenities such as: a jet tub, a salt (Halotherapy) room, two zero gravity massage chairs, a painting/art room and an exercise room. The decor will be high end providing guests with an elite experience. The home has a lot of charm and historic character that lends itself well to a destination location. We have space for a total of three couples at one time. The average cost per night will be \$342. The historic design of the house will be kept and upgraded to continue the feel of the original design. I need to have approval to operate an air b n b here before I purchase the property. There will be no food served at this location.			
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: 1/10/2022		By:	

Attachment: 2022-BZA-04 Application (3501 : 2022-Bza-04)

Status of Application			
Filing Date		Case Number	
		Hearing Date	
		Fee deposit \$75.00	Date Paid
Status of Board's Action ☐ Approved ☐ Denied			

EFFECTS ON ADJOINING PROPERTIES

The property located at 206 N. Main Street in Mount Vernon would like to be used as a Short Term Rental getaway, location destination for people who want to leave Columbus and Cleveland for the weekend. It will be listed on the Air BnB website. There will be a total of up to six guests in the house at one time. The couples would come in a total of three cars which would park in the available street parking in front of the house.

Here are the element effects on the neighbors:

*Noise - no noise will be added to the property. People will leave their cars, that are parked out front and enter the front entrance. Once people are in the house, they will not leave other to visit downtown.

*Glare – zero glare will be added to the building as we are keeping the outside of the home the same.

*Odor – zero odor will be coming from the property.

*Fumes – zero fumes will be coming from the property.

*Vibrations – zero vibrations will be coming from the house.

The historical context and motif of the home is why we are purchasing the property and we will continue to maintain and improve its current look and feel.

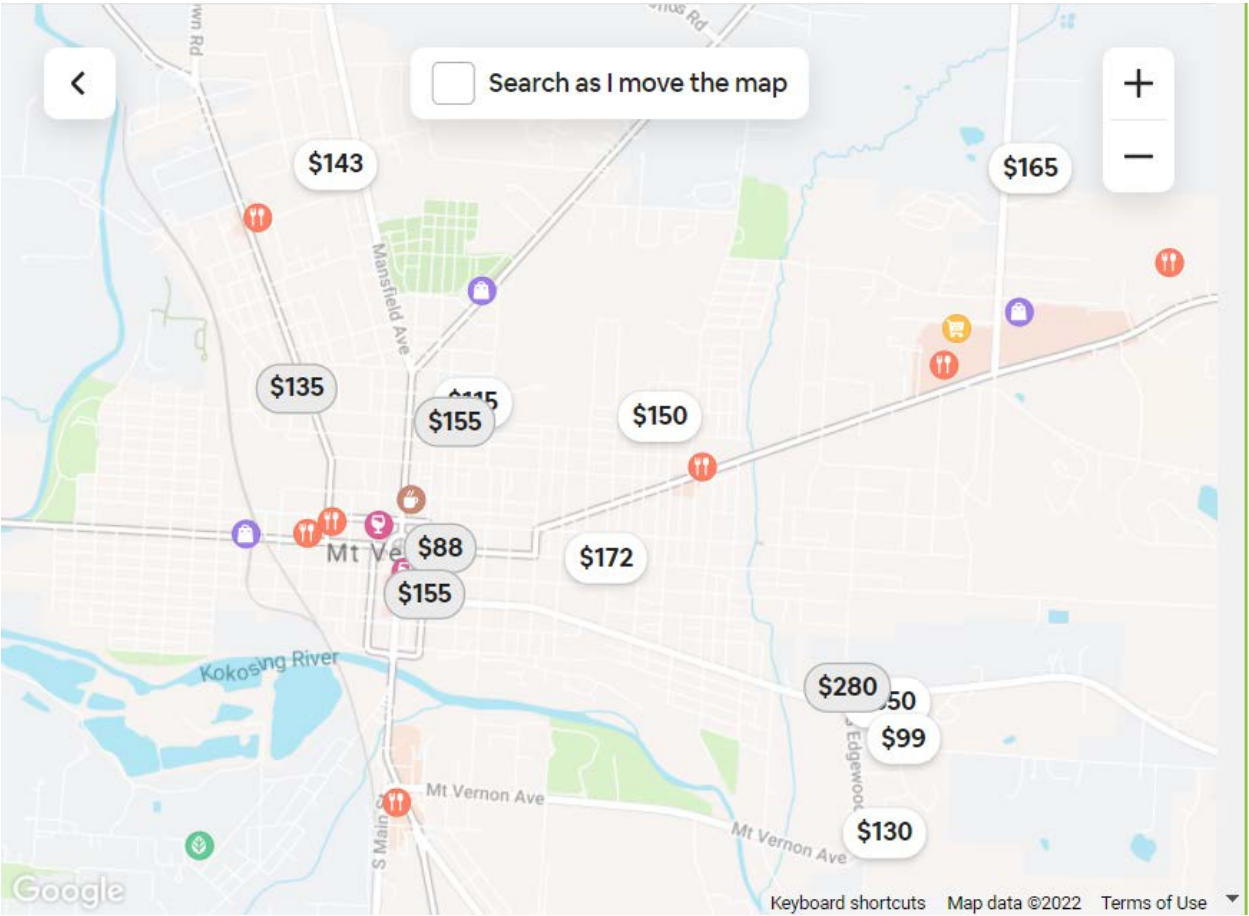
There will be no advertising signs on nor near the property promoting it as a short term rental. This falls in line with all the other Air BnB listings in Mt. Vernon.

The property has a total of four means of egress for fire safety: two on the first floor, a second back staircase from the second floor and a basement door.

The property usage of bringing in clientele from outside of Mount Vernon for a getaway weekend will benefit the local community and adjacent properties greatly. The natural charm of the city square and its surrounding restaurants and bars make a for an amazing experience to explore a town with the character of “Back to The Future” before or after our guest’s stay with us. The two blocks walking distance to such an American treasure is a huge part of the story our guests will have on their visit. We will suggest with a map on our Air BnB listing that our guests patronize the local cantinas and eateries.

Our vision of the property is to maintain the historical feel of the home. One of our first actions will be to fix and paint the soffit of the face of home on the second floor that is facing the street. It is currently rotting away. We will continue to keep up with the beautiful landscaping and we will power wash the north facing side of the home to remove mold. The constant upkeep and improvements to the property to attract visitors falls in line with the comprehensive plan of increasing the local property value of the neighborhood while promoting Mt. Vernon businesses to people outside of the local community.

Below is a map of properties in Mount Vernon that are doing Short Term Rentals just like I plan to do. Several of them are historical homes very similar and close in proximity to the 206 N. Main St. property that I would like to purchase.





SUPERHOST

Entire residential home in Mount Vernon

Mt Vernon Ohio Historic District Home-WELCOME ...

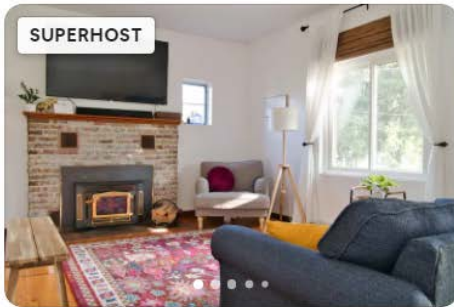


6 guests · 3 bedrooms · 4 beds · 2 baths

Wifi · Kitchen · Free parking

★ 5.0 (23 reviews)

\$172 / night



SUPERHOST

Entire residential home in Mount Vernon

Eclectic Sapphire: A Cheerful 3-Bedroom Getaway



6 guests · 3 bedrooms · 5 beds · 1 bath

Wifi · Indoor fireplace · Kitchen · Free parking

★ 5.0 (10 reviews)

\$143 / night



SUPERHOST

Entire residential home in Mount Vernon

City Farm House



8 guests · 3 bedrooms · 5 beds · 2.5 baths

Wifi · Kitchen · Free parking

★ 4.87 (15 reviews)

\$135 / night



SUPERHOST

Entire residential home in Mount Vernon

CHARMING 1800S FARM HOUSE



10 guests · 4 bedrooms · 7 beds · 2 baths

Wifi · Kitchen · Free parking

★ 4.96 (145 reviews)

\$165 / night

https://www.airbnb.com/rooms/50443439?previous_page_section_name=1000&federated_search_id=0a49a9cb-2767-48e2-a388-9932938dc018



Entire residential home in Mount Vernon



Little Pink Barn house

5 guests · 2 bedrooms · 2 beds · 1 bath
Wifi · Kitchen · Free parking

★ 5.0 (197 reviews)

\$150 / night



Entire place in Mount Vernon



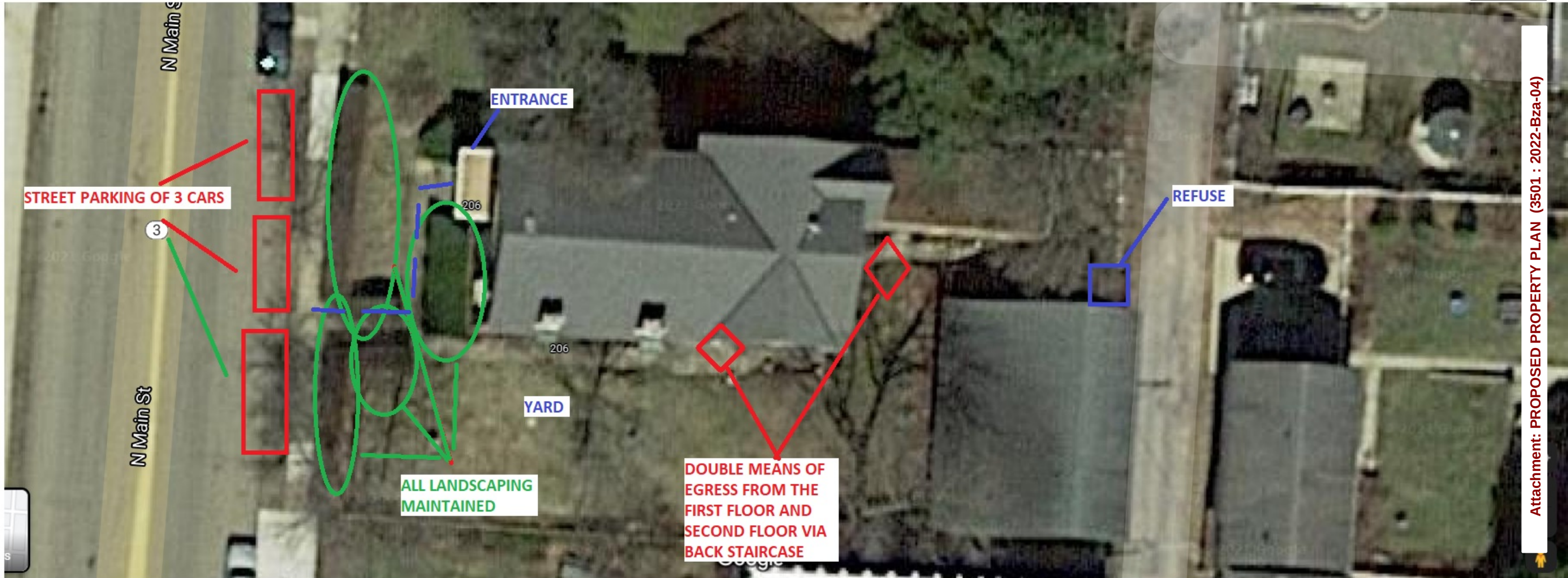
Historic Carriage House in Mt Vernon

4 guests · 2 bedrooms · 4 beds · 1 bath
Wifi · Kitchen · Free parking

★ 5.0 (76 reviews)

\$115 / night

*THERE WILL BE NO SIGNAGE ON THE PROPERTY JUST LIKE THE OTHER HOMES LISTED ON AIR BNB IN MOUNT VERNON.





MOLD FROM NORTH
FACING SIDE OF
PROPERTY WILL BE
REMOVED

SOFFIT REPAIR WILL BE DONE

CORINTHIAN COLUMNS WILL BE CLEANED

LANDSCAPING WILL CONTINUE TO BE WELL MAINTAINED

Attachment: FRONT OF HOME (3501 : 2022-Bza-04)



Board of Zoning Appeals Meeting: 02/16/22 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 # 3502)

DOC ID: 3502

2022-BZA-06 : 503 E HIGH ST - VARIANCE FOR FRONT SETBACK FOR COVERED FRONT PORCH

Item Number	2022-BZA-06
Site Address	503 E High ST
Parcel Number	66-04292.000
Zoning District	R-1
Presented By	Kevin Hughes

Quick Guide to Codified Ordinance Sections (may not be inclusive):
 1160.02 Development Standards (R-1)

Request: applicant is seeking a variance to allow them to construct a porch along the front side (south side) of the house.

COMMENTS - Current Meeting:

Kevin Hughes (sworn in) explained they are seeking permission to add a covered front porch on their home. The porch will extend out 8' from the existing home. The porch is intended to be inline with the porches of the homes on either side of theirs.

Percy clarified the variances needed are for the front setback and side setback, as the existing home is closer to the side property line than 10'. The porch will not be as close to the side property line as the existing home. The requested front setback is 2' and the drawing shows the side is similar, but doesn't note the actual measurement.

Michelle Hughes (sworn in) added the proposed porch will tie in with the existing side porch. (Some of her comments were indiscernible on the recording due to noise picked up by a mic.)

Percy clarified the Historical Review Commission granted a Certificate of Appropriateness for the proposed porch addition.

Blankenhorn read the staff report: February 15, 2022 BZA Case: 2022-BZA-06 503 E High ST Parcel # 66-04292.000 Kevin Hughes has requested a front setback variance to add a covered front porch to his historic home on East High Street. The Historical Review Commission approved a Certificate of Appropriateness in a public hearing held February 10, 2022. Few homes in old neighborhoods in Mount Vernon conform to the front setback required by the current Zoning Code. The variance process allows these circumstances to be considered individually and approved appropriately. Mr. Hughes' request to add a front porch to within 2

feet of the front property line is compatible with the neighboring property that has a porch closer to the front property line, as seen in the aerial view on the County Auditor's website. There is approximately 7' from the property line to the sidewalk. The City's Zoning Staff supports this request as submitted. Pictures were also included showing line of sight from the neighboring properties.

Carr made a motion to approve the request for a 2' front setback and 2' side setback.

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



City of Mount Vernon, Ohio Board of Zoning Appeals

Request for Hearing

Applicant's Information

Owner's Name, Address and Phone

Agent's Name, Address and Phone

Site Information

Site Address

Legal Description

Parcel Number

Deed Volume and Page Number

Zoning District

Existing use of property

Proposed use of property

Hearing Request

Type of Hearing Requested

☐ Variance
Use

☐ Conditional Use

☐ Appeal of Decision

☐ Map Interpretation

☐ Substantially Similar

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 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:

Status of Application

Filing Date

Case Number

Hearing Date

Fee deposit

Date Paid

Receipt Number

\$75.00

Status of Board's Action

☐ Approved

☐ Denied

Attachment: 2022-BZA-06 Application - Hughes (3502 : 2022-Bza-06)

Narrative statements

establishing and substantiating that the variance conforms to the following standards:

☒ 1) The granting of the variance shall be in accord with the general purpose and intent of the regulations imposed by this Zoning Ordinance on the district in which it is located, and shall not be injurious to the area or otherwise detrimental to the public welfare.

☒ 2) The granting of the variance will not permit the establishment of any use which is not otherwise permitted in the district.

3) Describe the special circumstances or conditions, applicable to the land or buildings for which the variance is sought, which are peculiar to such land or buildings and do not apply generally to land or buildings in the area, and which are such that the strict application of the provisions of this Zoning Ordinance would deprive the applicant of the reasonable use of such land or building. There must be deprivation of beneficial use of land.

The variance we are seeking is with respect to our home located at 503 East High Street to enable us to construct a porch on the front of our home. The proposed porch, which we have contracted to obtain and for which we have provided architectural drawings, is consistent with the period look of our home as well the homes on either side of us. The design of our proposed porch is aesthetically pleasing, significantly enhances curb appeal, and will no doubt add value and charm to both our home and the surrounding block. Given the fact our home is flanked by neighboring homes with similarly situated porches, to deny our request would certainly impede our use of our home by comparison to the homes next to our house as well as many homes on High Street. Thank you in advance for your consideration and the granting of our request.

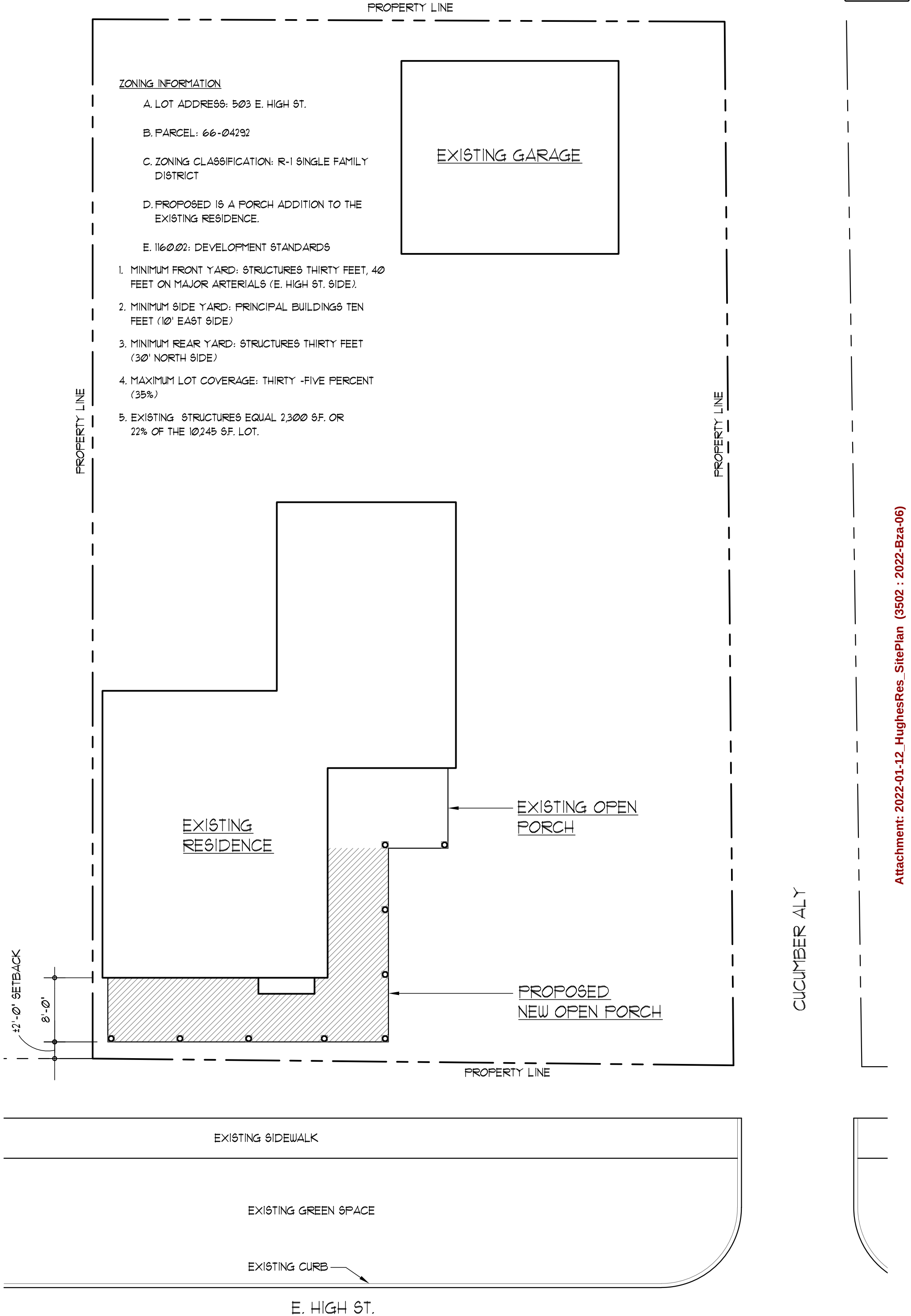
4) Explain the proof of hardship created by the strict application of this Zoning Ordinance.

The strict application of this Zoning Ordinance, as explained more fully above, would create the hardship of interfering with the use and enjoyment of our home as compared to our neighbors and the many homes surrounding us on High Street. We have gladly gone to great lengths to ensure our proposed porch (as shown in the provided architectural drawings by our contracted architects (Green Valley Design, LLC) will be consistent with and as charming and period-appropriate with the historic nature of our home as the homes around us.

☒ 5) The granting of the variance is necessary for the reasonable use of the land or building, and the variance as granted is the minimum variance that will accomplish this purpose.

☒ 6) The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values of the adjacent area.

☒ 7) The granting of the variance requested will not confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district.



Attachment: 2022-01-12_HughesRes_SitePlan (3502 : 2022-Bza-06)





FRONT PERSPECTIVE VIEW
NO SCALE

Attachment: 2021-09-27_21h24_HughesRes_SchemDesignDWGs (3502 : 2022-Bza-06)





Attachment: 2021-09-27_21h24_HughesRes_SchemDesignDWGs (3502 : 2022-Bza-06)



