



Board of Zoning Appeals

March 2, 2022

Board Meeting

Minutes

5:30 PM

CALL TO ORDER

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

Others in attendance: City Development Services Manager, Lacie Blankenhorn; Mike Hillier; Florine Staats; Robert Staats

MINUTES APPROVAL

- Board of Zoning Appeals - Board Meeting - Feb 16, 2022 5:30 PM

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

BZA FILES

- 2022-BZA-05 : 103 Arch AVE - Variance for Front Setback for Covered Front Porch

Florine Staats (sworn in) explained they purchased the home in November from their landlord after living there 9+ years. The roof needs replaced. They borrowed extra money when purchasing the home to build a new porch. The porch existing at the time of the purchase was getting very rickety and old and it was extremely small. The proposed porch will improve the looks of the house and she has always wanted a big porch.

Carr asked about the two pictures in the agenda packet. One showing the original porch with a ramp toward the street.

Staats explained that was when they first moved in. The ramp was taken down shortly after they moved in and replaced it with a couple steps.

Carr asked about the setback of the home. He measured using the aerial image on the auditors site and came up

with approximately 14' from the front of the house to the right of way. He asked the applicant if she had any survey information indicating where the property lines are.

Staats said there was a survey done, but she didn't have the paperwork with her.

Carr said without having documentation they would use his approximate measure. The house was not built to comply with the current required 30' setback.

Staats said the smaller porch was 6' and the new porch is 8' in depth.

Simpson asked if the porch was already built.

Staats said the deck part is built. They stopped any further construction when they received the notice of zoning violation. The plan is to have a covered porch.

Carr asked if the cover will be the full length of the deck area. Staats said yes.

Carr asked if the porch cover would be attached to the existing roof.

Staats said the house roof will be redone with metal and the porch roof will be integrated.

Hillier (sworn in) said he drove by the property. He thinks the old ramp extended further than the proposed covered porch. He thinks the new roof and porch and the way it sits with the neighbors will fit in and be a huge, huge improvement. He doesn't think denying the request would be a good thing. He hopes this improvement will encourage some other neighbors to do the same.

Simpson asked if the applicant foresees needing to add a ramp onto the new porch and if so should that be addressed today so she doesn't have to come back to BZA.

Blankenhorn said a ramp off of the front of the porch would require a variance. The new porch has been set up so that the entrance is on the side.

Staats said they don't use their front entrance; they use their side entrance. There is a small porch on the left side. That is the main entrance they use. If a ramp is ever to be built it would go to that door.

Carr mentioned the number of letters attached to the application from the neighbors. He asked if there were any additional communications through the Development Services Manager.

Blankenhorn said she didn't have anything in addition to let letters besides the staff report.

Staff Report: February 15, 2022 BZA Case: 2022-BZA-05 103 Arch AVE Parcel # 66-00316.000 Florine Staats has applied for a front setback variance to allow for the construction of a covered porch on the front of her nonconforming home. A smaller porch roof, steps, and railing with a similar setback was removed. The orientation change of the steps on the side to access the new porch keeps the new setback similar to the setback of the railing for the old steps and in line with the neighboring homes. At one time there was a ramp further out on the property, as seen on Google Street View. This home is located on a street with limited traffic and similarly situated homes. The majority of homes in Mount Vernon's older neighborhoods do not meet setbacks. In order to encourage home improvements to these homes that were constructed prior to the enactment of the current Zoning Code the City Zoning Staff supports this request as submitted. There were also pictures included trying to show the sight lines of the neighboring homes and their similar setbacks.

Carr asked if the motion should be specific to the distance from the right of way. How do you make a variance request when you don't have measurements?

Blankenhorn said the applicant estimated it at 2'. Or the motion can be stated to approve the request as submitted.

Carr asked if being not specific would create any issues. The project is already started.

Blankenhorn said the City keeps all BZA files on file for eternity so they can be referenced.

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

ADJOURN**- Adjourn Motion**

Simpson made a motion to adjourn the meeting, Smith seconded and the meeting was adjourned at 5:46 PM

RESULT:	APPROVED [UNANIMOUS]
AYES:	Simpson, Carr, Smith, Eyster
EXCUSED:	Percy, Boucher, Aryanata



Board of Zoning Appeals Meeting: 03/02/22 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 # 3500)

DOC ID: 3500

**2022-BZA-05 : 103 ARCH AVE - VARIANCE FOR FRONT SETBACK FOR
 COVERED FRONT PORCH**

Item Number	2022-BZA-05
Site Address	103 Arch AVE
Parcel Number	66-00316.000
Zoning District	R-1
Presented By	Florine Staats

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

Request: replace a small, approximately 6' x 6', covered porch with a larger, 8' x 26' covered porch.

- Estimated front setback of proposed/new porch = 2'; steps relocated to side of porch
- The former/old porch setback with steps and railing was approximately 2' to the bottom post for the railing
- At one time there was a ramp with railings extending into the right-of-way, as seen in Google Street View Image enclosed

COMMENTS - Current Meeting:

Florine Staats (sworn in) explained they purchased the home in November from their landlord after living there 9+ years. The roof needs replaced. They borrowed extra money when purchasing the home to build a new porch. The porch existing at the time of the purchase was getting very rickety and old and it was extremely small. The proposed porch will improve the looks of the house and she has always wanted a big porch.

Carr asked about the two pictures in the agenda packet. One showing the original porch with a ramp toward the street.

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setbacks. In order to encourage home improvements to these homes that were constructed prior to the enactment of the current Zoning Code the City Zoning Staff supports this request as submitted. There were also pictures included trying to show the sight lines of the neighboring homes and their similar setbacks.

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SECONDER:	William Smith, Member
AYES:	Susie L. Simpson, Don Carr, William Smith, Otho Eyster
EXCUSED:	Michael Percy, Tonya Boucher, Kate Aryanata



City of Mount Vernon, Ohio
Board of Zoning Appeals

Request for Hearing

Applicant's Information			
Owner's Name, Address and Phone Robert E & Florine A Staats 103 Arch Avenue Mount Vernon, Ohio 43050 (740) 504-6005			
Agent's Name, Address and Phone N/A			
Site Information			
Site Address 103 Arch Avenue		Legal Description RIVERSIDE 94	
Parcel Number 66-00316.000	Deed Volume and Page Number Book 1890, Page 542	Zoning District R-1	
Existing use of property Single Family Dwelling		Proposed use of property Accessory Structure-Deck/Patio/ Porch	
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: We are replacing a very small covered porch (approximately 6'x6') that was in pretty bad shape and was in need of an upgrade, with a larger covered porch that measures 8'x26'. My husband and me just purchased this home from the estate of our now deceased landlord (Wayne Beach) in November. After living here for the past 9 years, we have been looking forward to making many improvements to increase the value of our home. The front porch has been one of the first projects we wanted to			
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: 01-19-2022		By: Florine A Staats	
Status of Application			
Filing Date 1/19/2022		Case Number 2022-BZA-05	
		Hearing Date	
Fee deposit \$75.00		Date Paid 1/19/22	Receipt Number
Status of Board's Action ☐ Approved ☐ Denied			

Attachment: 2022-BZA-05 application packet with narrative (3500 : 2022-Bza-05)

January 19, 2022

To Whom It May Concern:

We are replacing a very small covered porch (approximately 6' x 6') that was in pretty bad shape and was in need of an upgrade, with a larger covered porch that measures 8' x 26'. My husband and me just purchased this home from the estate of our now deceased landlord (Wayne Beach) in November. After living here for the past 9 years, we have been looking forward to making many improvements to increase the value of our home. The front porch has been one of the first projects we wanted to undertake because this has been where we spend a lot of our time, while our little girls ride their bikes and play at Arch Park. Please, we ask that you reconsider your decision.

Sincerely,

Robert E Staats

Florine A Staats

Attachment: 2022-BZA-05 application packet with narrative (3500 : 2022-Bza-05)

Narrative statements

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

FS RES 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.

FS RES 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.

We have 2 little girls that are 8+9 who like to ride their bikes, Roller Skate + would like to Play in back park. The existing porch was very small and in need of repair. With the house facing south the heat of the sun in summer made it unbearable to sit out there, so we could keep an eye out for them. There are no trees for shade. Also, with

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

When we applied for a Mortgage loan, we borrowed a extra \$15,800 to make the improvements to the property by building a new porch + replacing the roof. Half of the money for these projects have been dispersed to the contractor. If the porch cannot be completed, it will

FS RES 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.

FS RES 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.

FS RES 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-BZA-05 application packet with narrative (3500 : 2022-Bza-05)

③

family of 4, there was no room on the old porch for all of us to sit as a family because the porch was not big enough to hold 4 chairs.

We have talked with our Neighbors, Mike Tracy Agem, 101 Arch Ave; Rex + Terry Talbott, 105 Arch Ave; Bill + Candy Conant, 107 Arch Ave; Larry Hurlow; 209 Arch Ave; Richard Darven; 303 Arch Ave. All of the named above have expressed enthusiasm for us becoming homeowners & making improvements to the property. Also they are looking forward to the completion the new porch & roof replacement.

④

cost more money to have it dismantled & a new one put in place. The contractor will have be paid in full for the first started project & then paid to tear it down and then paid again to start over on the approved porch from the zoning board. Our mortgage is at the high end of what our budget will allow and there is not enough money in our budget to start over. Please reconsider your decision.

Attachment: 2022-BZA-05 application packet with narrative (3500 : 2022-BZA-05)

Google Maps 103 Arch Ave



Attachment: 103 Arch Ave - Google Maps (3500 : 2022-Bza-05)

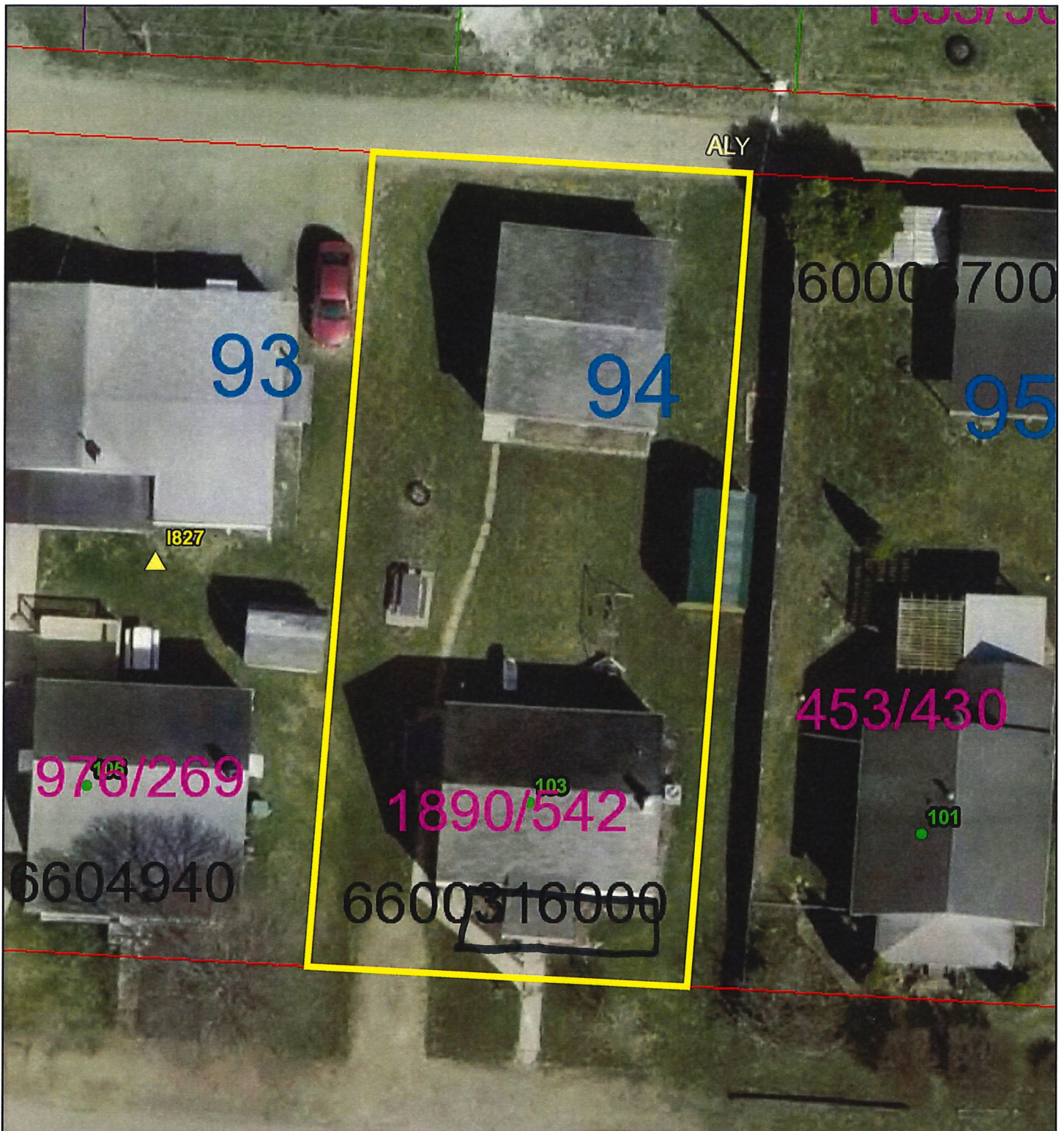
Mt Vernon, Ohio

Google

Street View - May 2012

Image capture: May 2012 © 2022 Google

103 Arch AVE



Attachment: 20220113112951137 (3500 : 2022-Bza-05)

January 13, 2022

26' x 8'
covered front porch

- 1 inch -
Scale - 1:240

1 inch = 20 feet
1 inch = 0.004 miles

Knox County, OH; Bruce Harris & Associates



Attachment: 10473323-Arch 103 Ave Jan 2022 (3500 : 2022-Bza-05)

20 Jan, 2022

To whom it may concern,

I, Michael Agan, and my wife, Tracy Agan, have absolutely no problems with our neighbors, Robert and Florine Staats, at 103 Arch Avenue, building a porch on the front of their house facing Arch Avenue. It will not obstruct our view of the park or in any way inconvenience the quiet enjoyment of our own property at 101 Arch Avenue. Please take this into consideration, Thank you.

Sincerely,

Michael N. Agan
Tracy A. Agan

101 Arch Avenue

Mount Vernon, OH 10

Tel. 740-392-5972

1/27/21

To Whom It may Concern,

My family and I are residents
of 107 Arch Avenue, two houses down
from Bob & Florine Staats. We collectively
have zero objection to any changes
they choose to make with
their home.

Sincerely, The Conants.

✓

Attachment: 2022-BZA-05 neighborhood letters (3500 : 2022-Bza-05)

As residents of 107 Arch avenue
we have no problem with deck being
Built at 103 Arch. In fact we feel it
will be an improvement to the neighborhood
and ask that the zoning board allow it to
go forward.

Candy + Bill Conant

To whom it may concern,

My husband and I
have no problem with
Bob + Florine putting
on a front porch

We have lived
next to them for
several years now
and they take very
good care of their
property.

We think a front
porch is a very nice
addition to their
property.

Yours truly
Loreen Sabett

My number is (740-358-6809) if
you have any more questions