



Board of Zoning Appeals

March 15, 2023

Board Meeting

Agenda

5:30 PM

VIDEO BROADCASTING/RECORDING

The meeting videos are now being broadcast live and published on YouTube.com
<https://www.youtube.com/@cityofmountvernon3369>

CALL TO ORDER

MINUTES APPROVAL

- Board of Zoning Appeals - Board Meeting - Feb 1, 2023 5:30 PM

BZA FILES

- 2023-BZA-04 : 119 E Curtis ST - Variance for Fence Height

ADJOURN



Board of Zoning Appeals Meeting: 03/15/23 5:30 PM
City of Mount Vernon Dept: **Board of Zoning Appeals**
Mount Vernon, OH 43050

SCHEDULED

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

BZA FILE (ID # 3765)

DOC ID: 3765

2023-BZA-04 : 119 E CURTIS ST - VARIANCE FOR FENCE HEIGHT

Item Number	2023-BZA-04
Site Address	119 E Curtis ST
Parcel Number	66-00933.000
Zoning District	R-1
Presented By	Laura Tabbut and Justin Sorensen

Quick Guide to Codified Ordinance Sections (may not be inclusive): 1178.02 (Fences and Hedges) Regulations

Request: Backyard fencing for the protection of children from busy traffic on McKenzie St. The proposed fence would a black aluminum fence that is 4 ft tall. It would run from the end of the side porch next to the mailbox along the side walk to the garage. Then from the back of the garage along the property line and reattach to the house at the back patio. Please see the attached narrative statement.



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: bza-hearing-application-packet (3765 : 2023-Bza-04)

Narrative Statement for 119 E Curtis St.

(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.

I agree.

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

I agree.

(3) There must exist special circumstances or conditions, fully described in the findings, 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. Mere loss in value shall not justify a variance; there must be deprivation of beneficial use of land.

We live on the corner of Curtis Street and McKenzie Street. McKenzie is a busy street with fast moving traffic. We have limited backyard space and are want a fence for the purposes of confinement. We want to install a low-lying fence that will not violate sight lines. We have two small children and we want to make sure that they have a safe area to play.

(4) There must be proof of hardship created by the strict application of this Zoning Ordinance. It is not sufficient proof of hardship to show that greater profit would result if the variance were granted. Furthermore, the hardship complained of cannot be self-created; nor can it be established on this basis by one who purchases without knowledge of the restrictions; it must result from the application of this Zoning Ordinance; it must be suffered directly by the property in question; and evidence of variances granted under similar circumstances need not be considered.

Currently, we cannot use our backyard. As stated, because we have small children, we have to constantly monitor them. Technically, we cannot turn around as this could result in them running onto the street.

(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.

The proposed fence would safely connect our house to our detached garage. Currently, the open yard presents a safety hazard for our children, who do not understand that they should not run into the street anytime they want.

(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.

The proposed fence will not negatively impact our neighbors. We have discussed the fence installation with the neighbors directly adjacent to us at 117 E. Curtis. An aluminum fence is not a

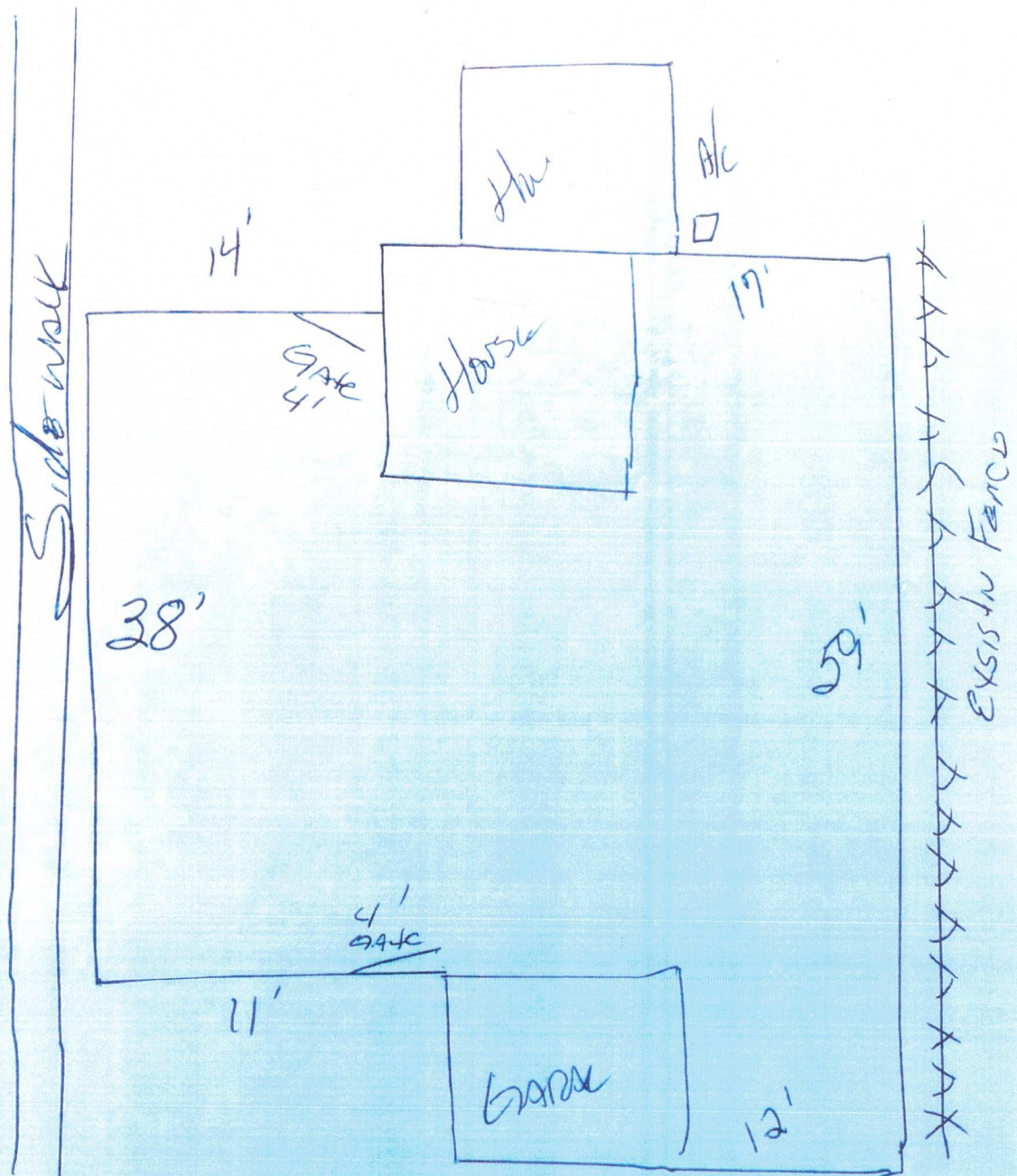
fire or public safety hazard. The proposed fence has the potential to increase surrounding property values.

(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.

We are not requesting any special privileges. Our fence would be in keeping with the other corner lot neighborhood fences at the following addresses: 107 N Gay, 200 N Gay, 201 N Gay, 501 N. Gay, 600 N. Gay, 608 N. Gay, 700 N. Gay; as well as 129 E Sugar, 201 E Hamtramck, 118 E Burgess, & 119 E Lamartine.

Identified any obstructions on site? (Trees, shed, utility poles, etc.). If so, include photos,	Yes
Discussed material and permit lead times?	Yes
Discussed pet considerations?	Yes
Walked the fence line in its entirety?	Yes
Discussed left over material?	Yes

Curtis St





January 30, 2023

- 1 inch -
Scale - 1:480
1 inch = 40 feet
1 inch = 0.008 miles

Knox County, OH; Bruce Harris & Associates

4.1.d

100

A

Packet Pg. 8