



Board of Zoning Appeals
Board Meeting

Minutes

May 4, 2022
5:30 PM

CALL TO ORDER

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

Others in attendance: City Development Services Manager, Lacie Blankenhorn; City Law Director, P. Rob. Broeren; Patrick Kent; Mary Ann Kent; Jacob Green

MINUTES APPROVAL

- Board of Zoning Appeals - Board Meeting - Apr 20, 2022 5:30 PM

Others in attendance: City Development Services Manager, Lacie Blankenhorn; City Law Director, P. Rob. Broeren; Patrick Kent; Mary Ann Kent; Jacob Green

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

BZA FILES

- 2022-BZA-12 : 205 E Chestnut ST - Conditional Use Permit for Residential

P. Kent (sworn in) explained his request to have a single-family home at 205 E Chestnut ST.

Percy explained to Kent the zoning is not being changed, but that a Conditional Use Permit can be issued to allow the use. The Conditional Use Permit will expire if the dwelling is not occupied for more than 1 year.

There was no one else in attendance to testify.

Blankenhorn said she had 2 neighboring property owners call to say they did not have any issues with the property being used as a dwelling.

The Staff Report was read: May 2, 2022 Case: 2022-BZA-12 205 East Chestnut Street parcel #66-05386.000
Patrick D. Kent and Mary Ann Kent request a Conditional Use Permit to allow a single-family dwelling in an

existing structure on an O/I Office-Institutional zoned property. The structure appears to have been a single-family dwelling at one time. Most recently it served as a professional office for an attorney. The property does not provide any enclosed parking, but does provide at least 2 hard surface off-street parking spaces. The property is flanked by dwellings. The zoning staff supports this request.

Percy asked if granting the Conditional Use permit would require enclosed parking to be provided. Broeren said no, that would only be required for new construction.

Simpson made a motion to accept the proposal as submitted.

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

- 2022-BZA-13 : 504 W High ST- Variance for Side and Rear Setbacks

Jacob Green (sworn in) explained the business needs additional operational space.

Percy reviewed the proposal showing a need for a variance to increase the size of an existing nonconforming structure with a side setback of 11.1' and a rear setback of 9.9'. The code calls for 15' side and rear setbacks.

Percy asked if the setback is far enough away from the railroad easement. Blankenhorn said yes.

There was no one else in attendance to testify nor was there any communication through the Development Services Manager concerning the case.

The Staff Report was read: May 2, 2022 Case: 2022-BZA-13 504 W High ST, Parcel #66-09504.001 A+ Autobrokers Inc. requests a reduced side setback of 11.1' at the closest point and a reduced rear setback of 9.9' to add on to the existing nonconforming primary structure. Records indicate a lot split in 2004 made the existing structure nonconforming with regard to the rear setback not being 15' from the created property line. The railroad holds an easement 100' wide, which is 50' from the center of the tracks. The planned addition will be 11.1' from the surveyed property line along the railroad tracks to the east. This will place the planned addition greater than 50' from the centerline of the railroad tracks, see cones in pictures below. The zoning staff supports this request.

Smith made a motion to approve the request as submitted.

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

ADJOURN

- Adjourn Motion

Simpson made a motion to adjourn the meeting, Aryanata seconded and the meeting was adjourned at 5:41 PM



Board of Zoning Appeals Meeting: 05/04/22 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 # 3557)

DOC ID: 3557

**2022-BZA-12 : 205 E CHESTNUT ST - CONDITIONAL USE PERMIT FOR
 RESIDENTIAL**

Item Number	2022-BZA-12
Site Address	205 E Chestnut ST
Parcel Number	66-05386.000
Zoning District	O/I Office Institutional
Presented By	Patrick D Kent

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

- 1168.01(b)(4) Conditional Uses in the Office-Institutional District: Single Family...
- 1155.22 Procedure and Requirements for Approval of Conditional Use Permits
- 1155.23 Contents of Application for Conditional Use Permit
- 1155.24 General Standards Applicable to all Conditional Uses
- 1174.05 Required Number of Parking Spaces by Use

Request: Convert the law office to a single-family home.

COMMENTS - Current Meeting:

P. Kent (sworn in) explained his request to have a single-family home at 205 E Chestnut ST.

Percy explained to Kent the zoning is not being changed, but that a Conditional Use Permit can be issued to allow the use. The Conditional Use Permit will expire if the dwelling is not occupied for more than 1 year.

There was no one else in attendance to testify.

Blankenhorn said she had 2 neighboring property owners call to say they did not have any issues with the property being used as a dwelling.

The Staff Report was read: May 2, 2022 Case: 2022-BZA-12 205 East Chestnut Street parcel #66-05386.000 Patrick D. Kent and Mary Ann Kent request a Conditional Use Permit to allow a single-family dwelling in an existing structure on an O/I Office-Institutional zoned property. The structure appears to have been a single-family dwelling at one time. Most recently it served as a professional office for an attorney. The property does not provide any enclosed parking, but does provide at least 2 hard surface off-street parking spaces. The property is flanked by dwellings. The zoning staff supports this request.

Percy asked if granting the Conditional Use permit would require enclosed parking to be provided. Broeren said no, that would only be required for new construction.

Simpson made a motion to accept the proposal as submitted.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Susie L. Simpson, Member
SECONDER:	William Smith, Member
AYES:	Michael Percy, Susie L. Simpson, William Smith, Kate Aryanata
EXCUSED:	Don Carr, 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
 PATRICK D KENT 20220 CLUTTER RD
 MARY ANN KENT WILICA OH 43080 740 5049311
 Agent's Name, Address and Phone

Site Information

Site Address 205 EAST Chestnut Street	Legal Description
Parcel Number 66-05386.000	Deed Volume and Page Number Vol 1393 Page 66
Existing use of property Law office	Proposed use of property Single family home

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:

Convert the Law office to a single family home. There are four concrete off-street parking spots behind the building. A full kitchen was added inside. Electrical and plumbing were upgraded inside. Both adjacent properties are residential. A change from office to residential use would mean that the property would be occupied overnight, no longer vacant at night, and that would be beneficial to the neighbors.

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 Apr 22

By:

Patrick D Kent
Mary Ann Kent

Status of Application

Filing Date 4/11/2022	Case Number 2022-BZA-12
	Hearing Date May 4, 2022
Fee deposit \$75.00	Date Paid 4/13/22
	Receipt Number 890

Status of Board's Action
☐ Approved ☐ Denied

Attachment: 2022-BZA-12 Application Packet (3557 : 2022-Bza-12)



Board of Zoning Appeals Meeting: 05/04/22 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 # 3558)

DOC ID: 3558

2022-BZA-13 : 504 W HIGH ST- VARIANCE FOR SIDE AND REAR SETBACKS

Item Number	2022-BZA-13
Site Address	504 W High ST
Parcel Number	66-09504.001
Zoning District	GB General Business
Presented By	David Hurlbut

Quick Guide to Codified Ordinance Sections (may not be inclusive):
 1167.03 Development Standards for Free-Standing Use on Individual Lots
 1154.07 Nonconforming Structure

Request: build onto existing nonconforming structure with a reduced rear setback and a reduced side setback.

COMMENTS - Current Meeting:

Jacob Green (sworn in) explained the business needs additional operational space.

Percy reviewed the proposal showing a need for a variance to increase the size of an existing nonconforming structure with a side setback of 11.1' and a rear setback of 9.9'. The code calls for 15' side and rear setbacks.

Percy asked if the setback is far enough away from the railroad easement. Blankenhorn said yes.

There was no one else in attendance to testify nor was there any communication through the Development Services Manager concerning the case.

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Smith made a motion to approve the request as submitted.

RESULT: **ACCEPTED [UNANIMOUS]**
MOVER: William Smith, Member
SECONDER: Kate Aryanata, Alt. Member
AYES: Michael Percy, Susie L. Simpson, William Smith, Kate Aryanata
EXCUSED: Don Carr, 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 A + AUTOMOTORS INC. 504 W. HIGH ST. MT. VERNON OH 43050 (740) 393-0366			
Agent's Name, Address and Phone DAVID HURLBUT 1778 SALEM RD. FREDERICKTOWN OH 43019 (740) 501-5031			
Site Information			
Site Address 504 W. HIGH ST. MT. VERNON OH 43050		Legal Description BETWEEN HIGH + VINE WEST OF NORTON	
Parcel Number 66-09504.001	Deed Volume and Page Number	Zoning District	
Existing use of property AUTOMOTIVE CAR SALES		Proposed use of property AUTOMOTIVE CAR SALES	
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 REQUESTING TO BUILD ONTO AN EXISTING NONCONFORMING STRUCTURE WITH A REDUCED REAR SETBACK AND A REDUCED SIDE SETBACK. EXISTING BUILDING IS NOT 15' FROM REAR PROPERTY LINE.			
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: 4/15/22		By:	
Status of Application			
Filing Date		Case Number	
		Hearing Date	
Fee deposit \$75.00		Date Paid	Receipt Number
Status of Board's Action ☐ Approved ☐ Denied			

Attachment: 2022-BZA-13 Application w/narrative statement (3558 : 2022-Bza-13)

Narrative statements

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

- DA 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.
- DA 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.

Variance is requested to maintain the current look and aesthetic nature of the building already in place. The current building is 10' from property lines building the proposed addition 15' from the line will detract from the current look of the building and the decreased size will deprive the business of profitable space within the addition.

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

Zoning Ordinance creates hardship for 504 W. High St by decreasing the size of the addition we can build - if we have to keep the building 15' from the property. 10' feet - like the existing building would give enough interior space to create further job opening for this business.

- DA 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.

- DA 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.

- DA 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.

3.2.b

Attachment:

Packet Pg. 10



VANCE SURVEYING LTD.

15071 HYATT ROAD

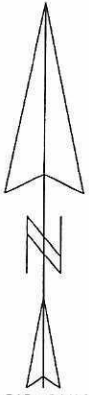
MOUNT VERNON, OHIO 43050

PH. (740) 397-6296

FAX (740) 397-6032

vancesurveying@gmail.com

3.2.c

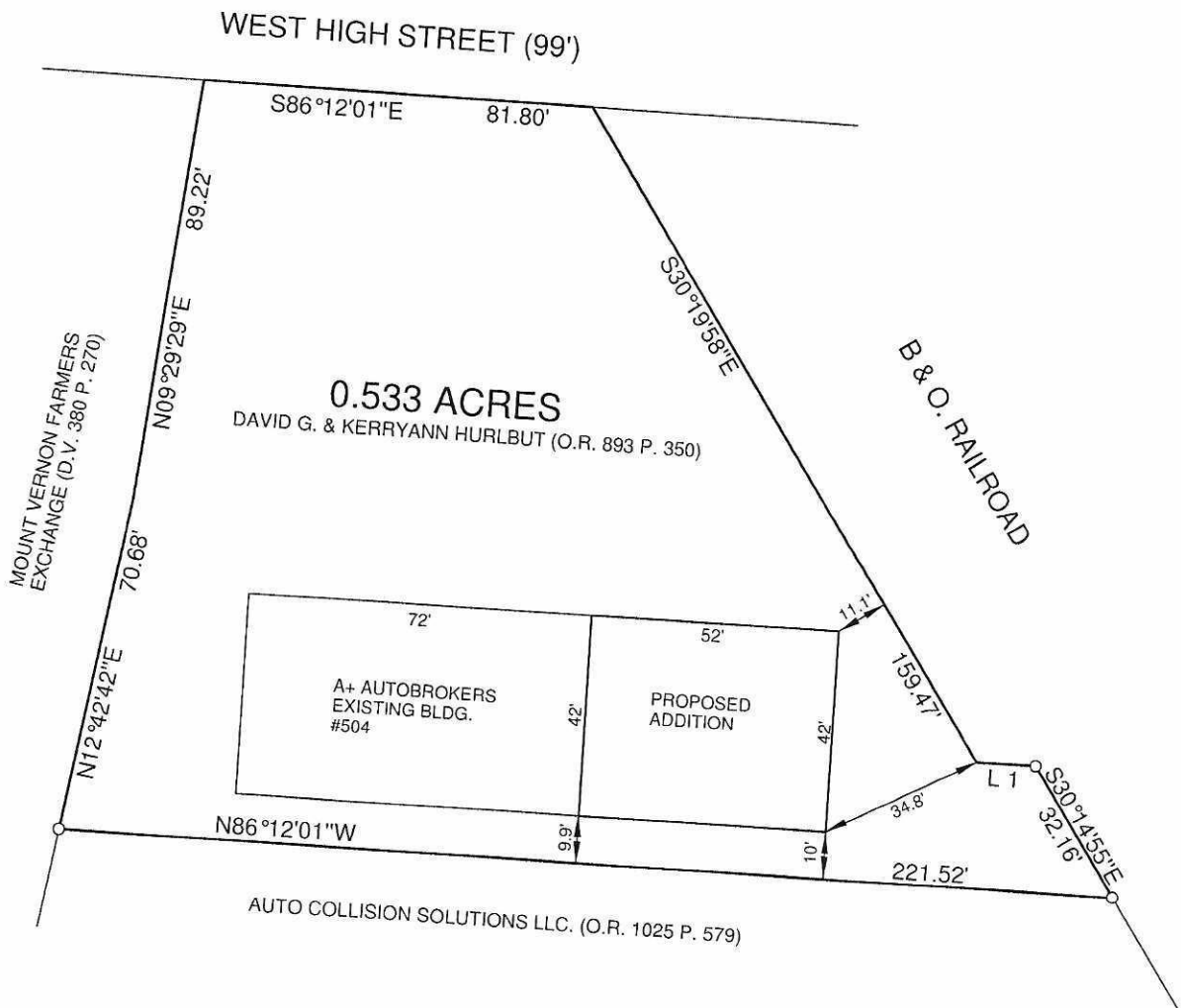


BEARING BASIS: OHIO STATE PLANE
COORDINATE SYSTEM, NORTH ZONE
AND NORTH AMERICAN DATUM OF 1983
(NSRS 2007)

PROPOSED ADDITION FOR
DAVID HULRBUT
504 WEST HIGH STREET

PART OF LOTS 2, 15 & 16 NORTON'S ADDITION, RANGE 13W, TOWNSHIP 6N, USML,
CITY OF MOUNT VERNON, KNOX COUNTY, STATE OF OHIO

SCALE: 1" = 40'
0' 20' 40' 80'



LEGEND

- 5/8" IRON PIN FOUND
- ▲ PK NAIL SET
- 5/8" x 30" IRON PIN SET W/
PLASTIC CAP STAMPED
"VANCE 7922"

CERTIFICATION: WE HEREBY CERTIFY THAT THE FOREGOING SURVEY WAS PREPAR
FROM ACTUAL FIELD MEASUREMENTS, IN ACCORDANCE WITH CHAPTER 4733-37, OF
ADMINISTRATIVE CODE.

Samuel R. Vance

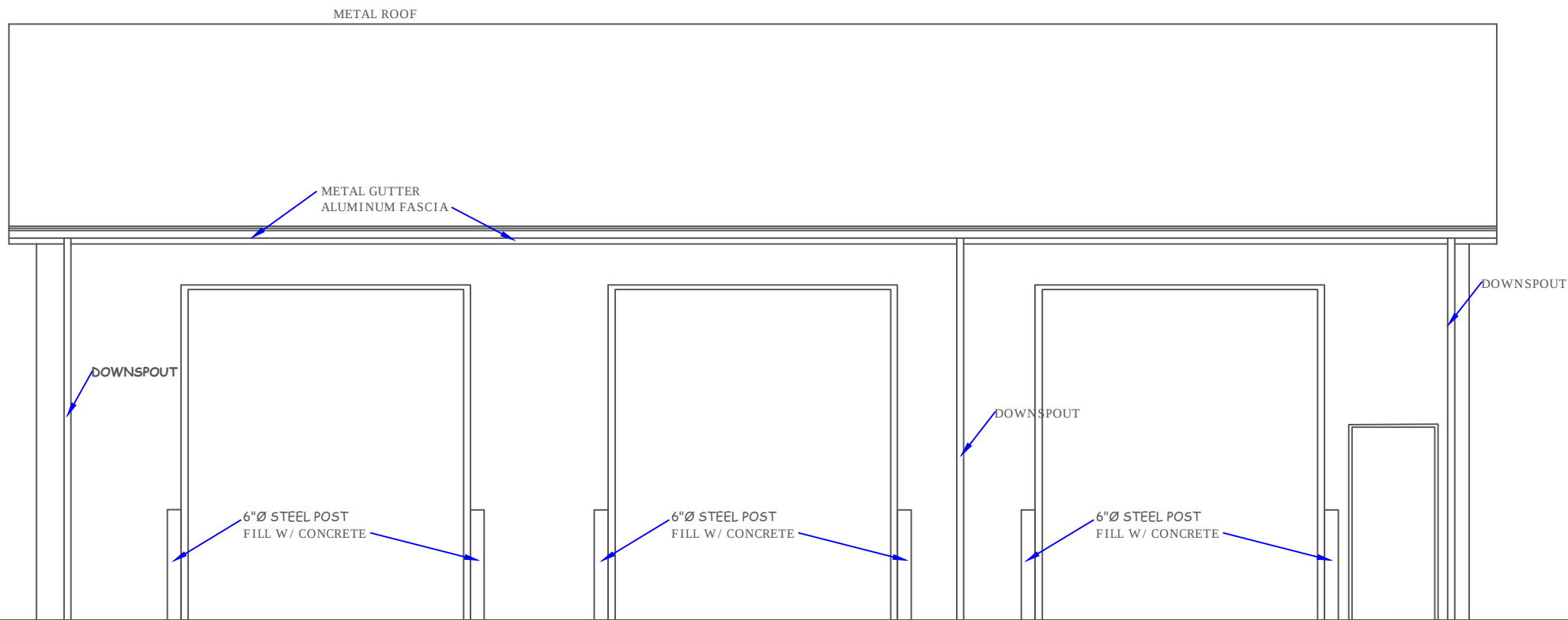
SAMUEL R. VANCE
REGISTERED SURVEYOR NO. 7922

MARCH 11, 2022

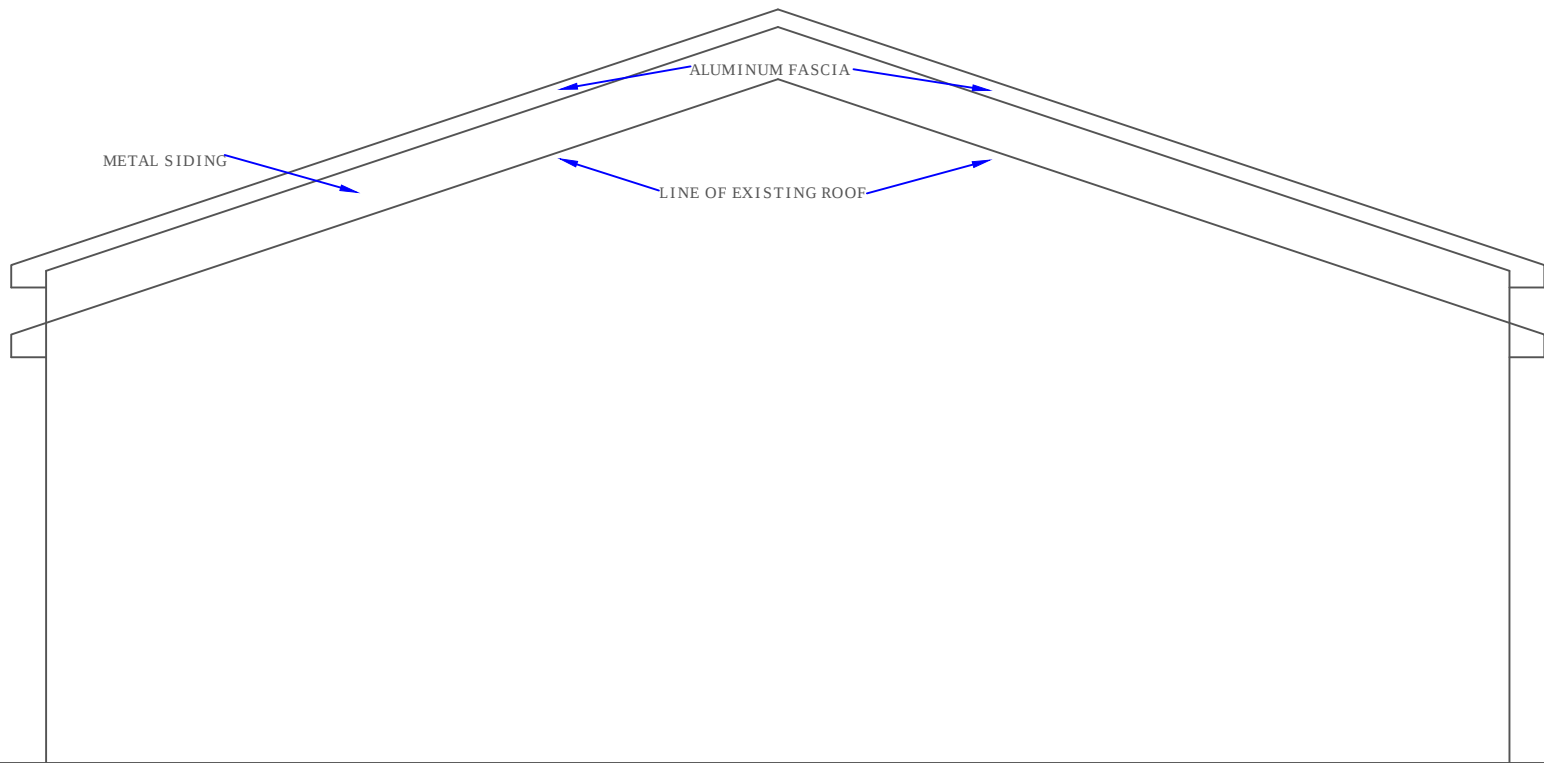
DRAWN BY: SRV

Packet Pg. 11

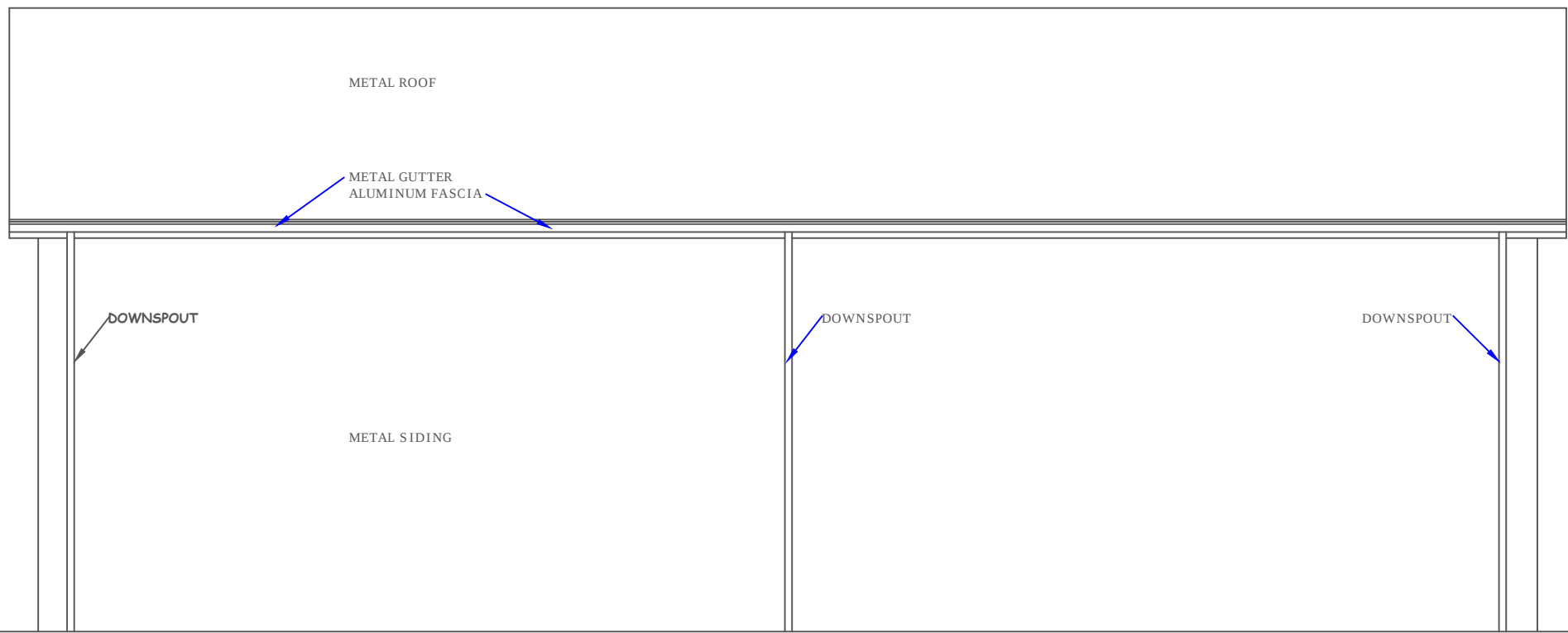
Attachment: plot plan 504 W High St (3558 : 2022-Bza-13)



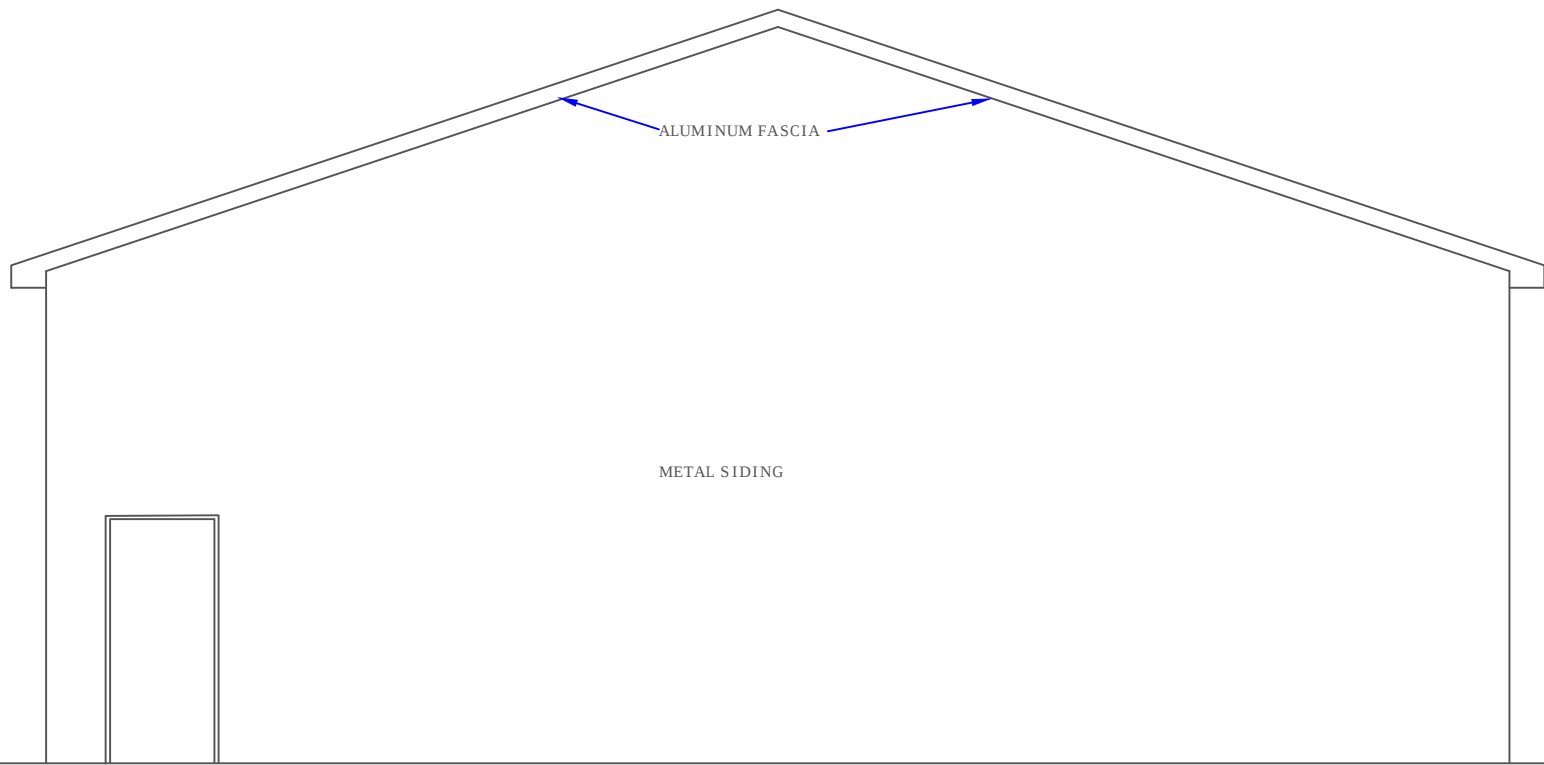
FRONT ELEVATION
1/4"=1'-0"



RIGHT SIDE ELEVATION
1/4"=1'-0"



REAR ELEVATION
1/4"=1'-0"



LEFT SIDE ELEVATION
1/4"=1'-0"