



Board of Zoning Appeals

June 16, 2021

Board Meeting

Minutes

5:30 PM

CALL TO ORDER

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

Others in attendance: Lacie Blankenhorn, City Development Services Manager; P. Rob Broeren, City Law Director; Steven W. Leighty; Tim Fitzgerald, Vicki Fitzgerald, Mike Hillier and Stacey Varner

MINUTES APPROVAL

- Board of Zoning Appeals - Board Meeting - Jun 2, 2021 5:30 PM

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

BZA FILES

- 2021-BZA-10 : 405 N Mulberry ST - Variance for Front & Side Yard Setbacks

Steven Leighty (sworn in) explained that he would like to build a building out to the front side of his home to replicate a carriage/stable and a taxi cab garage that was there in the 1920's. When he bought the property in 1978 there was only a little bit of the brick foundation remaining. He would like to build a 12'x30' rustic pine building and put a metal standing seam roof on the building with a carriage style door with the big hinges and the old-fashioned handles.

Mr. Percy asked if he was asking for a 5 feet set back instead of the standard 30 feet set back in the front and on the side yard is it right up to the property line?

Mr. Leighty stated he has an old concrete wall that is his and the proposed garage would be about a foot from the wall and 2 to 2.5 feet from his house. Mr. Leighty said the garage would not be on the property line

as it is on the other side of the wall. There is a pin that he hasn't dug up for years but is on the north side of the wall.

Mr. Percy stated to Mr. Leighty that it would have to be 5 feet from the property line and if it is closer than that it has to have a variance.

Mr. Leighty stated that it would not be 5 feet, it would be closer.

Mr. Percy stated that he needed to know how many feet from the pin he is going to be in order grant the variance. Also lot coverage exceeding 35% is an issue.

Mr. Leighty stated that he is 6 feet back from the sidewalk but would only be 3 feet in from the pin from the north side.

Mr. Percy asked Mr. Leighty if he is going to be 6 feet back instead of the required 30 feet. Mr. Percy also asked if it is going to be 6 feet or 5 feet? He said the picture that they were given says 5 feet.

Mr. Leighty stated that there is a pin in the front at Mulberry Street and there is a pin in the back at Walnut Alley.

Mrs. Blankenhorn stated that the measurement should come from that pin, not the sidewalk.

Mr. Percy stated that his concern is that we need the measurement from that pin to make the variance request correct. If we do something different than it actually is we can go through all of this and approve it and then you measure it and it is not right you would have to start the whole process over. Mr. Percy stated if you withdraw your application, it appears that we are going to meeting again in July, you could withdraw and get the actual dimensions because he does not know if we have the complete information at this point. If you would do that then on July 7 we could make it on the actual measurements.

Mr. Percy stated that he has to know where the pin is in the front so he knows where he is granting him his variance for. Mr. Percy stated that he did not think he had the full information to do that. Mr. Percy stated that if we approve 6 feet and you go this way or that way you would have to start all over again.

Mr. Percy told Mr. Leighty if he withdraws the application and provides more accurate information with the actual measurements you will not have to pay the fee again and Mrs. Blankenhorn could put you on the July 7, 2021 meeting.

Mr. Leighty asked how he could find the front pin.

Mrs. Blankenhorn told him that if he could locate one of the pins and knows the dimensions of his lot he could pull a measurement from that to get in the general area to locate it.

Mr. Leighty asked to table the variance until next month.

Mr. Hillier stated just for verification the Code required set back from the pin is what?

Mr. Percy stated 30 feet is code requirement, five feet from the side yard for a detached structure and the other thing that they are going to run into on this is over the 35% lot coverage standard.

Mr. Percy stated that the variance consists of the set back from the front pin, a side yard variance of 5 feet and a total lot coverage which can't exceed 35%.

Mr. Hillier told Mr. Leighty if the pin is in the corner of the wall you are at 0 and you are then asking for a variance of 30 feet.

Mr. Leighty stated that he would like to table the variance request until the next meeting.

Mr. Carr made a motion to table the application 2021-BZA-10 until the next July 7, 2021 meeting. Mr. Smith seconded the motion. AIF, motion carries.

RESULT:	TABLED
----------------	---------------

- 2021-BZA-11 : 205 E High ST - Variance for Side Yard Setback

Tim. Fitzgerald, 206 E. High Street (Sworn in) stated that he is asking to build a deck attached to their house on the west side. The 10 x 14 foot structure has a 3 feet setback from the property line. He is requesting a variance of 3 ft as opposed to the normal 5 ft. He stated there was a concrete porch that was falling apart when they moved there and steps that were dysfunctional and about a foot from the property line. They removed the side porch 4 to 5 years ago. There is a 4 to 5 foot drop there now and he would like to put a deck with no rails, no lights with something safe they can walk out onto.

Mr. Carr asked who Mr. Fitzgerald's neighbor to the west would be and would there be any interference with

the deck being so close to the property line.

Mr. Fitzgerald said the neighbor would be the Hauberg's and there would not be any interference.

Mr. Hillier, 215 E. Sugar St. (Sworn in) stated that he thinks this would be a nice improvement to what was there before.

Ms. Blankenhorn stated that the Historical Review Commission reviewed this request and they have unanimously issued the Certificate of Appropriateness. Sandra Smith, owner of 207 E. Vine St. which is behind Mr. Fitzgerald, called to voice her support of their request and thinks the patio would be a good thing. Mark Hauberg, owns 204 E. High St., contacted her and stated that he has no issues with the request of Mr. Fitzgerald.

Mr. Percy stated that he lived next to the Fitzgerald's for a number of years and they have updated the house significantly.

A motion was made to accept the request as submitted.

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

- 2021-BZA-12 : 306 E Gambier ST - Variance for Side & Rear Yard Setbacks

Stacy Varner, 306 East Gambier St.(Sworn in) is purposing to build a garage on the property, it is a corner lot so the entrance to the garage would be from South Park Street. He said that a large section of the house in built out to the sidewalk. He is asking for two variances, first is to build the garage to the sidewalk on South Park Street, the west side of the sidewalk and second is to build it two feet from the south property line. The reason is that there is a beautiful mature tree at the southwest corner of the existing structure and a mature rose bush that he would like to save and in order to do that the two variances allow him to keep 8.5 feet between the house and the proposed structure. He has talked to a tree trimming company and they said that keeping that 8.5 ft. distance should allow him maintain the tree. Building it as close to the sidewalk as possible there are mature gardens behind that and open grass areas he would also like to maintain as well.

Mrs. Blankenhorn stated that there was a Historical Review Commission meeting last week about this design and the height to the peek was determined to be 18.4 inches so we will need a variance for the 4 inches.

Mr. Varner stated that he has talked to his designer and the designer stated that it could be lowered without affecting the look and feel of the garage.

Mr. Percy stated that the whole side of the house is on the sidewalk.

Mr. Carr stated that Mr. Varner provided two examples of what is proposed, one being a detached garage and the other an attached garage.

Mr. Varner stated the 2nd alternative is an option if the 2 feet rear setback cannot be granted.

Mr. Carr stated that the Auditor describes the southernmost section of the existing home as a bedroom addition on a slab and asked if it once was a carriage house.

Mr. Varner stated that it once was a carriage house and was turned into a garage and is now a family room.

Mr. Carr asked if there were any concerns from the Historical Review Commission regarding the height of the proposed structure.

Mrs. Blankenhorn said no they approved both designs so that Mr. Varner did not have to go back to the Historical Review Commission based on what this commission decided today whether it would have to be attached or detached. She stated the only thing he has to go back to Historical Review for is on the garage door selection and they have opted to do that administratively. Once Mr. Varner selects the door that he wants the selection's specifications will be submitted back to the HRC through e-mail for a final approval.

Mr. Hillier stated that he does not have an issue with the setbacks that are requested or the roof height. He stated that Mr. Varner is having poured walls that look like brick and will be painted to match the home. He thinks this will be a nice addition to the neighborhood.

Mrs. Blankenhorn had a phone conversation with Tom Cline that owns 205 South Park, immediately south of

where the garage is proposed to be built. Mr. Cline felt that the request was acceptable and asked about the shrubbery that is along his shared property line, wanting to know if it would be cut down. She talked to Mr. Varner and he said most likely yes to make room for the garage. Mr. Cline stated that he thought that the wall would be better than the shrubbery that is currently there now. Peter Boutin, 400 East Gambier who lives across the street called the Development Services Manager and totally supports the construction. She also had an administrative statement from the Safety-Service Director, Zoning Enforcement Officer Richard Dzik stating that he supports 2021-BZA-12 and after the Administrative review of the zoning application and review with the Historical Review Commission he strongly supports the variance for the side yard setback of zero feet. This will align the proposed garage with the existing structure that fits with the neighborhood and he does not have many objections with the variance of a 2 feet setback for the rear yard. Both proposed designs were reviewed and approved by the Historical Review Commission on June 10, 2021.

Mr. Carr made a motion to accept the request for 0 feet side setback, a 2 feet rear yard setback and a 4-inch variance for structure height at 306 East Gambier Street.

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

ADJOURN

Mr. Smith made a motion to adjourn the meeting. Meeting adjourned.

- Adjourn Motion

Mr. Smith made a motion to adjourn the meeting; the meeting adjourned at 6:12 PM



Board of Zoning Appeals Meeting: 06/16/21 5:30 PM
City of Mount Vernon Dept: Board of Zoning Appeals
Mount Vernon, OH 43050

TABLED

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

BZA FILE (ID # 2341)

DOC ID: 2341

2021-BZA-10 : 405 N MULBERRY ST - VARIANCE FOR FRONT & SIDE YARD SETBACKS

Item Number	2021-BZA-10
Site Address	405 N Mulberry ST
Parcel Number	66-00900.000
Zoning District	R-1 Single Family District
Presented By	Steven Leighty

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

1173.04; .06; .10 Regulation of Accessory Uses and Buildings; General Requirements; Accessory Buildings Used for Storage

Request: Mr. and Mrs. Leighty request to build a 12' wide x 30' deep Colonial Style, gabled roof carriage barn, similar to the one that was on this spot the era of 1910-1920. It was a horse stable & then a taxi cab garage. See attached photo of spot for new building.

COMMENTS - Current Meeting:

Steven Leighty (sworn in) explained that he would like to build a building out to the front side of his home to replicate a carriage/stable and a taxi cab garage that was there in the 1920's. When he bought the property in 1978 there was only a little bit of the brick foundation remaining. He would like to build a 12'x30' rustic pine building and put a metal standing seam roof on the building with a carriage style door with the big hinges and the old-fashioned handles.

Mr. Percy asked if he was asking for a 5 feet set back instead of the standard 30 feet set back in the front and on the side yard is it right up to the property line?

Mr. Leighty stated he has an old concrete wall that is his and the proposed garage would be about a foot from the wall and 2 to 2.5 feet from his house. Mr. Leighty said the garage would not be on the property line as it is on the other side of the wall. There is a pin that he hasn't dug up for years but is on the north side of the wall.

Mr. Percy stated to Mr. Leighty that it would have to be 5 feet from the property line and if it is closer than that it has to have a variance.

Mr. Leighty stated that it would not be 5 feet, it would be closer.

Mr. Percy stated that he needed to know how many feet from the pin he is going to be in order grant the variance. Also lot coverage exceeding 35% is an issue.

Mr. Leighty stated that he is 6 feet back from the sidewalk but would only be 3 feet in from the pin from the north side.

Mr. Percy asked Mr. Leighty if he is going to be 6 feet back instead of the required 30 feet. Mr. Percy also asked if it is going to be 6 feet or 5 feet? He said the picture that they were given says 5 feet.

Mr. Leighty stated that there is a pin in the front at Mulberry Street and there is a pin in the back at Walnut Alley.

Mrs. Blankenhorn stated that the measurement should come from that pin, not the sidewalk.

Mr. Percy stated that his concern is that we need the measurement from that pin to make the variance request correct. If we do something different than it actually is we can go through all of this and approve it and then you measure it and it is not right you would have to start the whole process over. Mr. Percy stated if you withdraw your application, it appears that we are going to meeting again in July, you could withdraw and get the actual dimensions because he does not know if we have the complete information at this point. If you would do that then on July 7 we could make it on the actual measurements.

Mr. Percy stated that he has to know where the pin is in the front so he knows where he is granting him his variance for. Mr. Percy stated that he did not think he had the full information to do that. Mr. Percy stated that if we approve 6 feet and you go this why or that way you would have to start all over again.

Mr. Percy told Mr. Leighty if he withdraws the application and provides more accurate information with the actual measurements you will not have to pay the fee again and Mrs. Blankenhorn could put you on the July 7, 2021 meeting.

Mr. Leighty asked how he could find the front pin.

Mrs. Blankenhorn told him that if he could locate one of the pins and knows the dimensions of his lot he could pull a measurement from that to get in the general area to locate it.

Mr. Leighty asked to table the variance until next month.

Mr. Hillier stated just for verification the Code required set back from the pin is what?

Mr. Percy stated 30 feet is code requirement, five feet from the side yard for a detached structure and the other thing that they are going to run into on this is over the 35% lot coverage standard.

Mr. Percy stated that the variance consists of the set back from the front pin, a side yard variance of 5 feet and a total lot coverage which can't exceed 35%.

Mr. Hillier told Mr. Leighty if the pin is in the corner of the wall you are at 0 and you are then asking for a variance of 30 feet.

Mr. Leighty stated that he would like to table the variance request until the next meeting.

Mr. Carr made a motion to table the application 2021-BZA-10 until the next July 7, 2021 meeting. Mr. Smith seconded the motion. AIF, motion carries.

RESULT: TABLED



City of Mount Vernon, Ohio
Board of Zoning Appeals

Request for Hearing

Applicant's Information			
Owner's Name, Address and Phone <i>STEVEN & Terri LEIGHTY. 405 N. MULBERRY ST. 740-504-8555</i>			
Agent's Name, Address and Phone <i>MYSELF.</i>			
Site Information			
Site Address <i>405 N. MULBERRY ST.</i>		Legal Description <i>SINGLE FAMILY - Residential Property</i>	
Parcel Number <i>66 00900000.</i>	Deed Volume and Page Number	Zoning District	
Existing use of property <i>SINGLE Family. Residential.</i>		Proposed use of property <i>SAME:</i>	
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>TO BUILD A 12' WIDE X 30' Deep COLONIAL Style - GABLED ROOF GARAGE BARN. SIMILAR TO THE ONE THAT WAS ON THIS SPOT IN THE ERA OF 1910-1920. IT WAS A HORSE STABLE & THEN A TAXI CAB GARAGE. - SEE ATTACHED PHOTO OF SPOT FOR NEW BUILDING.</i>			
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: <i>12-FEB. 2021.</i>		By: <i>Steven W. Leighty</i>	
Status of Application			
Filing Date <i>5/24/2021</i>		Case Number <i>2021-359</i> <i>2021-BZA-</i>	
		Hearing Date	
Fee deposit <i>\$75.00</i>		Date Paid	Receipt Number
Status of Board's Action ☐ Approved ☐ Denied			

Attachment: 2021-BZA-10 Application (2341 : 2021-Bza-10)

Google Maps 404 N Mulberry St



Mt Vernon, Ohio



Street View

Image capture: Oct 2019 © 2021 Google

12' WIDE x 30' Deep:
 Building A GABLED ROOF- COLONIAL STYLE CARRIAGE BARN.
 5' Foot BACK FROM SIDEWALK + 1 Foot IN
 FROM NORTH WALL. MY NEW BUILDING WILL NO
 BE USED FOR BUSINESS OR COMMERCIAL USE. WANTING
 THE BUILDING TO LOOK AS CLOSE TO 1915- 1920 ERA AS
 STABLE / GARAGE THAT WAS THERE.

405 N Mulberry ST

3.1.a



May 26, 2021

- 1 inch -
Scale - 1:240

1 inch = 20 feet
1 inch = 0.004 miles

Knox County, OH; Bruce Harris & Associates

Attachment: 2021-BZA-10 Application (2341 : 2021-Bza-10)

Packet Pg. 10

Copyright 2020 Knox County, Ohio and Bruce Harris & Associates

Mail body:



Attachment: 2021-BZA-10 Application (2341 : 2021-Bza-10)



Lacie Blankenhorn <dsm@mountvernonohio.org>

Fwd: 1155.14. Application and Standards For Variances.

steve leighty <steveleighty11@gmail.com>
To: dsm@mountvernonohio.org

Mon, Feb 22, 2021 at 12:20 PM

Lacie, Is this ok ? I have to go to Staples to have it printed. Thanks Steven Leighty

Sent from my iPhone

Begin forwarded message:

From: Steven Leighty <leighty.steve@icloud.com>
Date: February 22, 2021 at 12:10:04 PM EST
To: steve leighty <steveleighty11@gmail.com>
Subject: 1155.14. Application and Standards For Variances.

1155.14. Application and Standards For Variances.
Steven W. Leighty, 405 North Mulberry St, Mt. Vernon, Ohio 43050
Phone # 7405048555.
Single family residence.
Wanting to build a garage to replace an old structure that was on
This same site until approximately 1925. It was a carriage house
And later a taxi cab garage.
Yes I will pay the required fee.
Yes I will conform to the following standards:

1. The new building will be accord with the general purpose imposed, and will not be injurious to the area or public welfare.
2. I will not use it for anything that is not permitted.
3. Want to get this building to look as original as the one in the 1920 Era.
4. No profits in any way on this project.
5. Yes. I need the variance for the reasonable use of the land and new building.
6. It will not impair an adequate supply of light and air to adjacent property.
7. This will not confer any special privileges to me on other lands or structures or buildings in the same district.

Sent from my iPad

Attachment: 2021-BZA-10 Narrative Statement (2341 : 2021-Bza-10)



Board of Zoning Appeals Meeting: 06/16/21 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 # 2342)

DOC ID: 2342

2021-BZA-11 : 205 E HIGH ST - VARIANCE FOR SIDE YARD SETBACK

Item Number	2021-BZA-11
Site Address	206 E High ST
Parcel Number	66-02401.000
Zoning District	O/I Office Institutional
Presented By	Vicki & Tim Fitzgerald

Quick Guide to Codified Ordinance Sections (may not be inclusive):
 1168.03 Development Standards for Residential Uses in the Office-Institutional District

1160.02 Single Family District Development Standards

Request: Mr. and Mrs. Fitzgerald would like to use side property space for patio/low deck with access to side door (West).

Planned side setback: 3 feet from edge of patio to property line

COMMENTS - Current Meeting:

Tim. Fitzgerald, 206 E. High Street (Sworn in) stated that he is asking to build a deck attached to their house on the west side. The 10 x 14 foot structure has a 3 feet setback from the property line. He is requesting a variance of 3 ft as opposed to the normal 5 ft. He stated there was a concrete porch that was falling apart when they moved there and steps that were dysfunctional and about a foot from the property line. They removed the side porch 4 to 5 years ago. There is a 4 to 5 foot drop there now and he would like to put a deck with no rails, no lights with something safe they can walk out onto.

Mr. Carr asked who Mr. Fitzgerald's neighbor to the west would be and would there be any interference with the deck being so close to the property line.

Mr. Fitzgerald said the neighbor would be the Hauberg's and there would not be any interference.

Mr. Hillier, 215 E. Sugar St. (Sworn in) stated that he thinks this would be a nice improvement to what was there before.

Ms. Blankenhorn stated that the Historical Review Commission reviewed this request and they

have unanimously issued the Certificate of Appropriateness. Sandra Smith, owner of 207 E. Vine St. which is behind Mr. Fitzgerald, called to voice her support of their request and thinks the patio would be a good thing. Mark Hauberg, owns 204 E. High St., contacted her and stated that he has no issues with the request of Mr. Fitzgerald.

Mr. Percy stated that he lived next to the Fitzgerald's for a number of years and they have updated the house significantly.

A motion was made to accept the request as submitted.

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

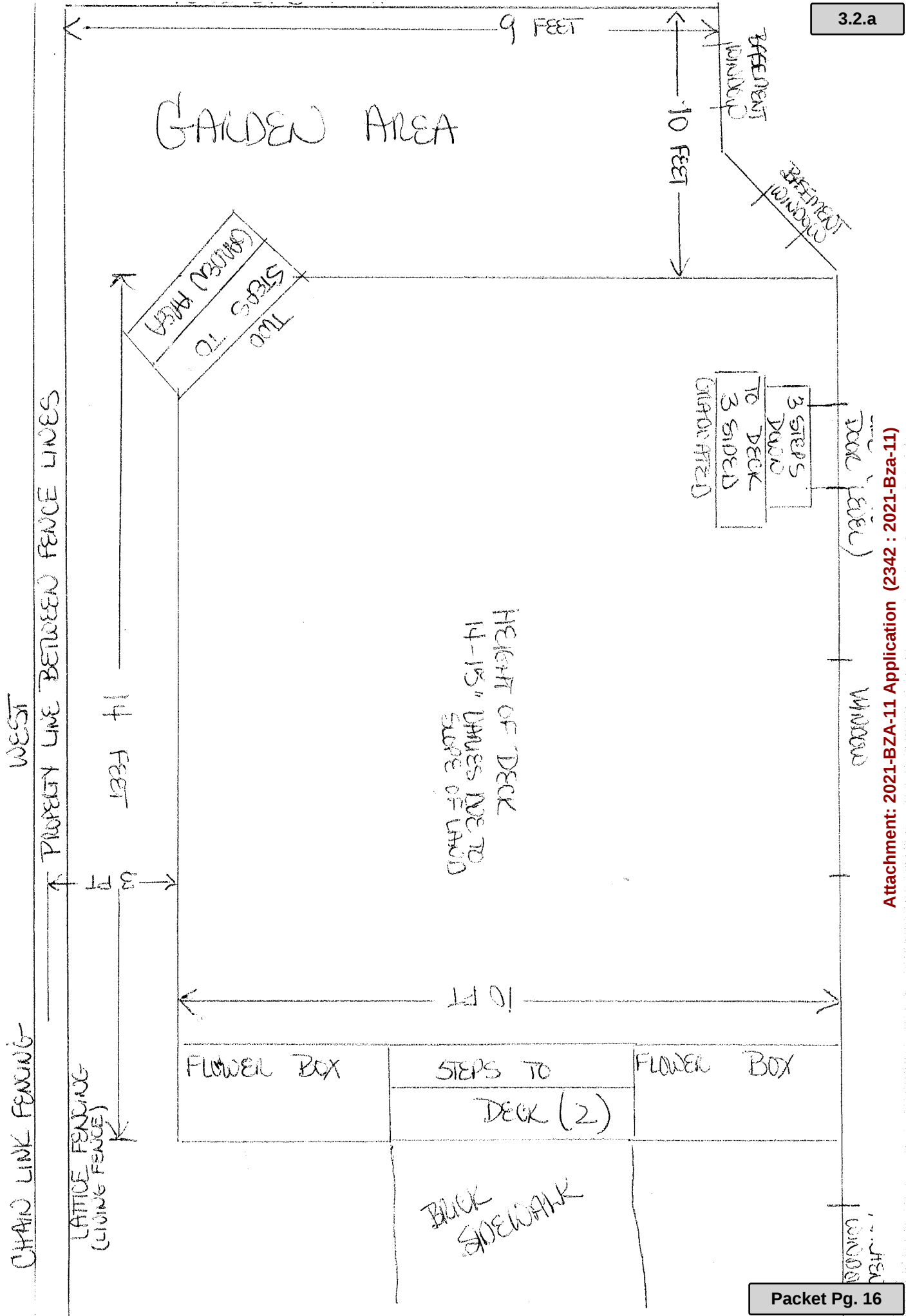


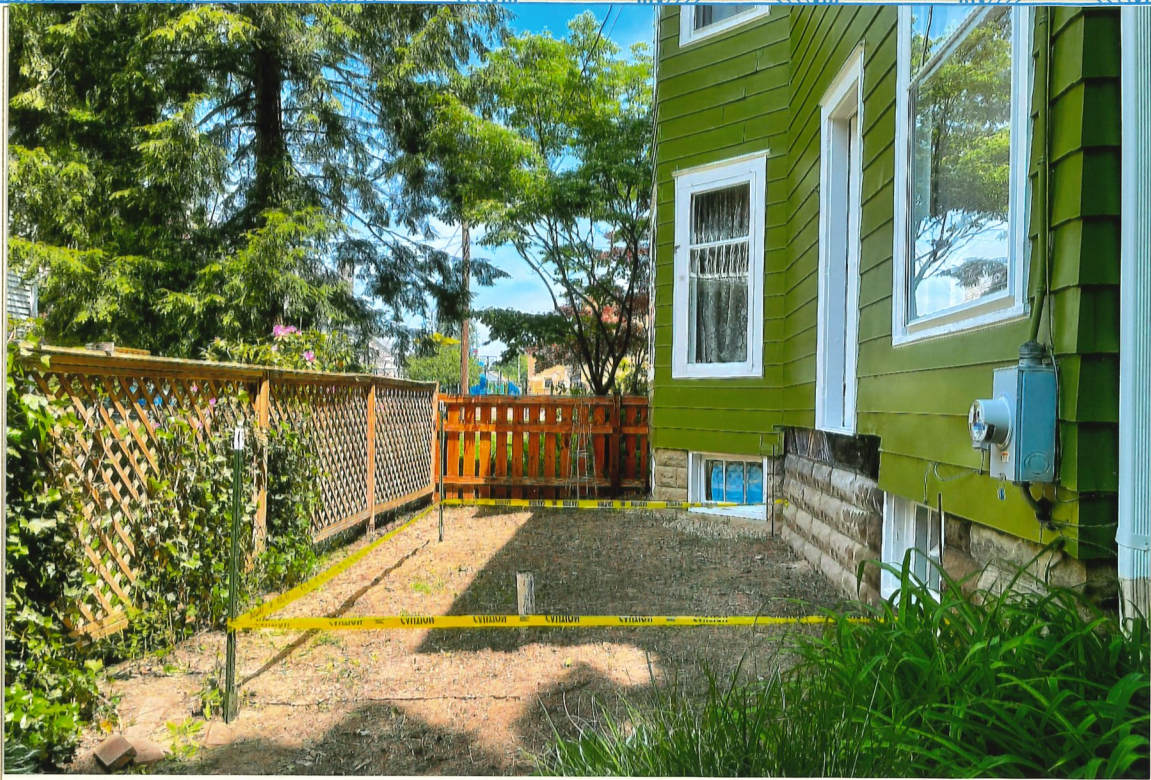
City of Mount Vernon, Ohio
Board of Zoning Appeals

Request for Hearing

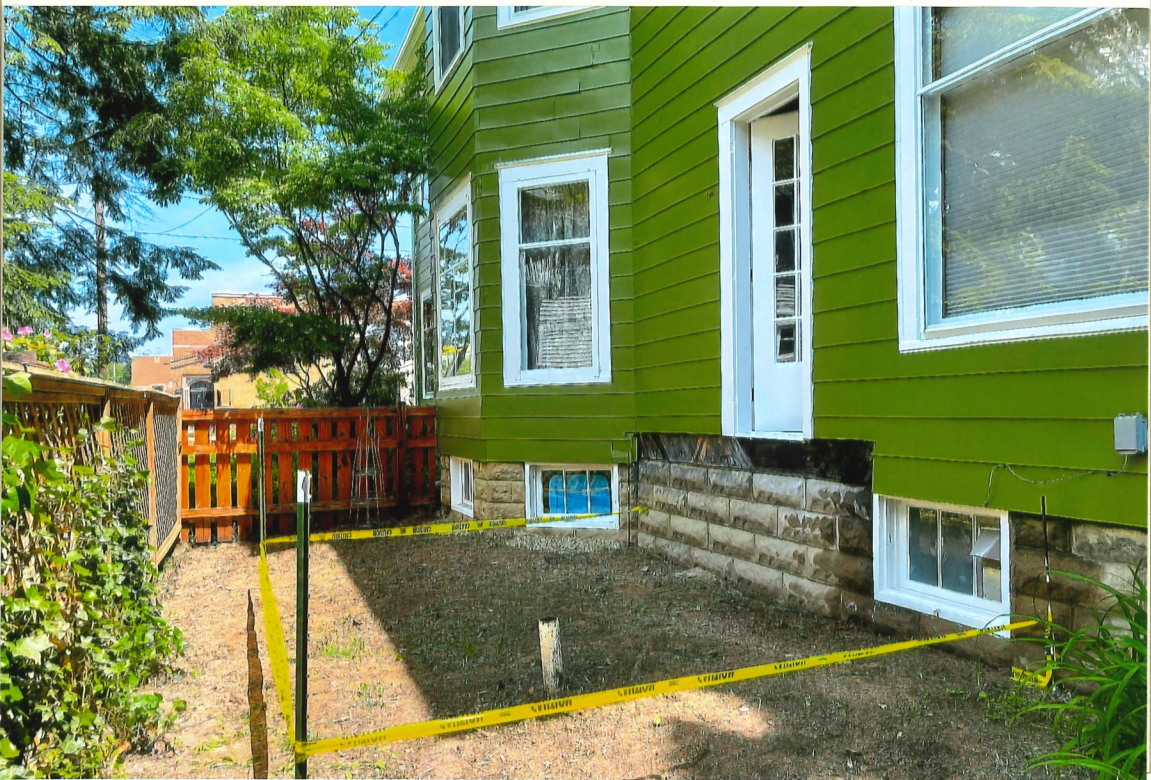
Applicant's Information			
Owner's Name, Address and Phone VICKI & TIM FITZGERALD 206 E. HIGH ST, MOUNT VERNON OH (740) 501-5297 (740) 485-2174			
Agent's Name, Address and Phone			
Site Information			
Site Address 206 E. HIGH ST, MOUNT VERNON		Legal Description	
Parcel Number 66-02401.000	Deed Volume and Page Number	Zoning District O/I	
Existing use of property EMPTY LAWN SPACE		Proposed use of property LOW DECK/PATIO	
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: WOULD LIKE TO USE SIDE PROPERTY SPACE FOR PATIO/LOW DECK WITH ACCESS TO SIDE DOOR (WEST). PREVIOUS SIDE ENTRANCE STRUCTURE WAS UNSAFE STRUCTURALLY SITTING ON TWO STACKS OF CEMENT BLOCK FOR FOUNDATION, HAD NO OUTSIDE ACCESS STEPS AND WAS UNUSABLE PRIOR TO OUR PURCHASE IN 2001. IT WAS REMOVED 5 YRS AGO WHEN IT SHIFTED OFF ONE STACK OF BLOCK AND WAS AFFECTING STRUCTURAL SAFETY OF THAT SIDE OF THE HOUSE.			
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: 5-20-2021		By: Vicki Fitzgerald	
Status of Application			
Filing Date 5/21/2021		Case Number	
		Hearing Date	
		Fee deposit \$75.00	Date Paid 5/21/2021
Status of Board's Action			
☐ Approved ☐ Denied			

Attachment: 2021-BZA-11 Application (2342 : 2021-Bza-11)



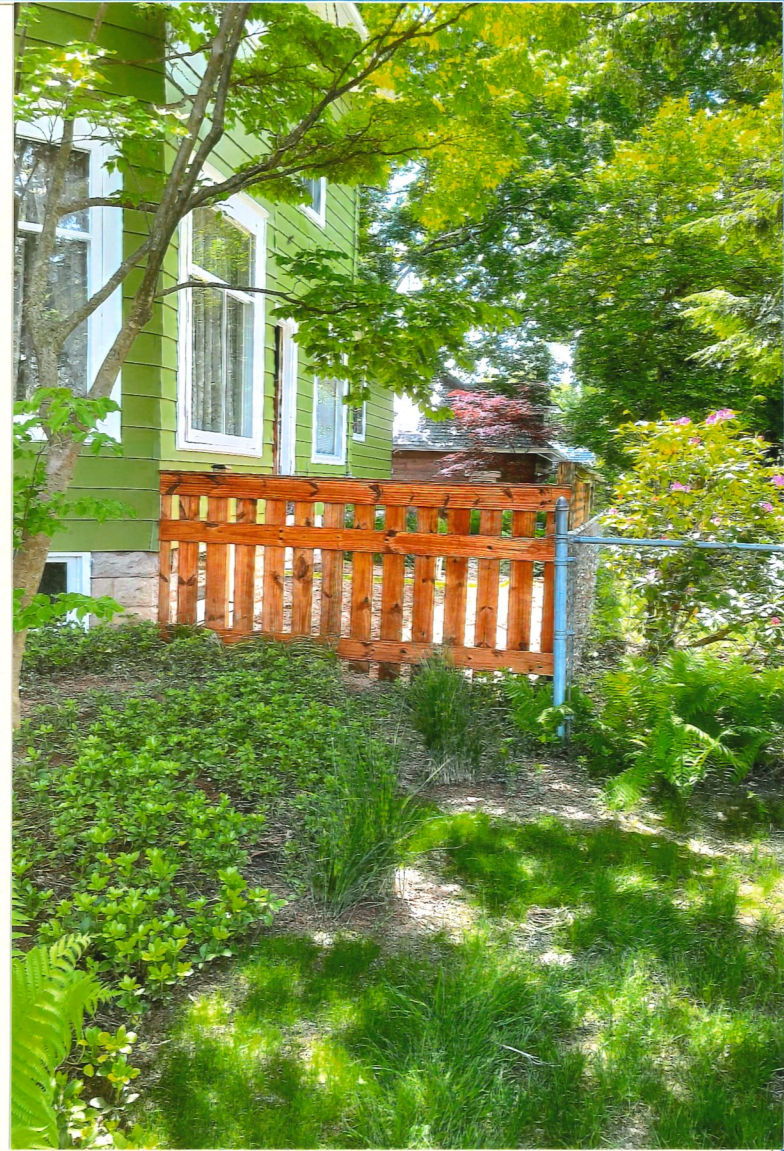


MEASURED OUT/CAUTION TAPE IS AT HEIGHT OF DECK





VIEWS SHOWING DECK HEIGHT CURRENT FENCE &
FROM HIGH ST. DECK TO BE STAINED SAME AS FENCE





Lacie Blankenhorn <dsm@mountvernonohio.org>

Narrative Statement for Zoning Board of Appeals, 206 E High Street Property

1 message

VL Fitzgerald <fitzgeraldvickil@gmail.com>
To: dsm@mountvernonohio.org

Fri, May 21, 2021 at 6:27 PM

This narrative statement addresses the (7) seven standards for requesting a variance for building a low deck at [206 E High Street, Mount Vernon, Ohio](#).

- 1) The purpose of the deck/patio is in keeping with the layout of the house, the previous use of the space, the neighborhood and the purpose of residential zoning.
- 2) The granting of a variance for the deck/patio which will be used to access the side yard through the established west door entrance of the house creating a family functional space and will not have any use not permitted in the district.
- 3) The special circumstances which exist are the small size of the side yard to accommodate a replacement porch structure making the west side entrance useful and functional for our family. The purpose of the deck/patio is consistent with the previous structure in size and function for the side yard. The previous structure was level with the west side door and was (without entrance steps) 7 feet x 10 feet with an exit door that needed steps (as they had deteriorated and become unusable) at the time we purchased this home. The west side door was no longer a functional entrance and was also a safety hazard because of the drop from the external door. The previous structure needed 5 steps to make it functional. Adding 5 steps to the old structure would have added 52 1/2" to the 7' base structure. That was impossible because of the fence line. Unfortunately, the original (later screened in) porch had to be razed 5 years ago because it had "fallen off" one of its two stacked cement block foundations and became unsafe. The structure we are requesting puts 3 of the (above mentioned) 5 steps down from the door of the house which diminishes the floor space of the deck/patio but makes the overall measurement of the structure approx 2 feet less than what would have existed had we been able to find a way to remedy the previous structure. The other 2 steps will be created from the deck down to the ground. The deck/patio we are requesting is a smaller, safer, more appealing and less obvious footprint for the space given the natural limitations of our side yard.
- 4) If we made the deck narrower to comply with the zoning ordinance, it would greatly diminish the usefulness and functionality as well as eye appeal of the structure.
- 5) The granting of the variance is necessary for the reasonable use of the land as an outdoor seating space which has existed in the same area since the house was built. The deck with stairs is the most functional and least invasive structure we can build there. It also allows us to address the safety issue of having a door opening with nothing below it.
- 6) The proposed variance will not impair the neighboring home in any manner as the east side of the neighboring home structure sits 29 1/2 feet away from the two fence lines.
- 7) A common feature of normal residential housing outdoor living is a deck/patio/porch. It is a common structure in residential neighborhoods.

Vicki & Tim Fitzgerald

Attachment: 2021-BZA-11 Narrative Statement (2342 : 2021-Bza-11)



Board of Zoning Appeals Meeting: 06/16/21 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 # 2343)

DOC ID: 2343

**2021-BZA-12 : 306 E GAMBIER ST - VARIANCE FOR SIDE & REAR YARD
 SETBACKS**

Item Number	2021-BZA-12
Site Address	306 E Gambier ST
Parcel Number	66-03347.000
Zoning District	R-2 Single & Two Family District
Presented By	Stacey Varner

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

1161.02(a) Single and Two Family District Development Standards

1160.02 Single Family District Development Standards

1173.04; .06; .10; Supplementary District Regulation of Accessory Uses and
 Buildings; General Requirements; Accessory Buildings Used for Storage

1173.17 Setback Requirements for Corner Buildings

1154.07 Nonconforming Structure

Request: Mr. Varner would like to construct a 26' wide by 24' deep garage.

Preferred siting: Detached with a 2' rear yard setback and 0' side yard setback along S Park ST, in line with existing structure.

Secondary siting option: Attached with a 0' side yard setback along S Park ST. in line with existing structure.

This home is in a Historical District. Mr. Varner's request was reviewed by the Historical Review Commission (HRC) on June 10, 2021 and received preliminary approval for both sitings. Approval for final Certificate of Appropriateness will be issued when specific door details are submitted and approved by the HRC, administratively.

COMMENTS - Current Meeting:

Stacy Varner, 306 East Gambier St.(Sworn in) is purposing to build a garage on the property, it is

a corner lot so the entrance to the garage would be from South Park Street. He said that a large section of the house is built out to the sidewalk. He is asking for two variances, first is to build the garage to the sidewalk on South Park Street, the west side of the sidewalk and second is to build it two feet from the south property line. The reason is that there is a beautiful mature tree at the southwest corner of the existing structure and a mature rose bush that he would like to save and in order to do that the two variances allow him to keep 8.5 feet between the house and the proposed structure. He has talked to a tree trimming company and they said that keeping that 8.5 ft. distance should allow him maintain the tree. Building it as close to the sidewalk as possible there are mature gardens behind that and open grass areas he would also like to maintain as well.

Mrs. Blankenhorn stated that there was a Historical Review Commission meeting last week about this design and the height to the peak was determined to be 18.4 inches so we will need a variance for the 4 inches.

Mr. Varner stated that he has talked to his designer and the designer stated that it could be lowered without affecting the look and feel of the garage.

Mr. Percy stated that the whole side of the house is on the sidewalk.

Mr. Carr stated that Mr. Varner provided two examples of what is proposed, one being a detached garage and the other an attached garage.

Mr. Varner stated the 2nd alternative is an option if the 2 feet rear setback cannot be granted.

Mr. Carr stated that the Auditor describes the southernmost section of the existing home as a bedroom addition on a slab and asked if it once was a carriage house.

Mr. Varner stated that it once was a carriage house and was turned into a garage and is now a family room.

Mr. Carr asked if there were any concerns from the Historical Review Commission regarding the height of the proposed structure.

Mrs. Blankenhorn said no they approved both designs so that Mr. Varner did not have to go back to the Historical Review Commission based on what this commission decided today whether it would have to be attached or detached. She stated the only thing he has to go back to Historical Review for is on the garage door selection and they have opted to do that administratively. Once Mr. Varner selects the door that he wants the selection's specifications will be submitted back to the HRC through e-mail for a final approval.

Mr. Hillier stated that he does not have an issue with the setbacks that are requested or the roof height. He stated that Mr. Varner is having poured walls that look like brick and will be painted to match the home. He thinks this will be a nice addition to the neighborhood.

Mrs. Blankenhorn had a phone conversation with Tom Cline that owns 205 South Park, immediately south of where the garage is proposed to be built. Mr. Cline felt that the request was acceptable and asked about the shrubbery that is along his shared property line, wanting to know if it would be cut down. She talked to Mr. Varner and he said most likely yes to make room for the garage. Mr. Cline stated that he thought that the wall would be better than the

shrubbery that is currently there now. Peter Boutin, 400 East Gambier who lives across the street called the Development Services Manager and totally supports the construction. She also had an administrative statement from the Safety-Service Director, Zoning Enforcement Officer Richard Dzik stating that he supports 2021-BZA-12 and after the Administrative review of the zoning application and review with the Historical Review Commission he strongly supports the variance for the side yard setback of zero feet. This will align the proposed garage with the existing structure that fits with the neighborhood and he does not have many objections with the variance of a 2 feet setback for the rear yard. Both proposed designs were reviewed and approved by the Historical Review Commission on June 10, 2021.

Mr. Carr made a motion to accept the request for 0 feet side setback, a 2 feet rear yard setback and a 4-inch variance for structure height at 306 East Gambier Street.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Don Carr, Vice-Chairman
SECONDER:	Susie L. Simpson, William Smith
AYES:	Percy, Simpson, Carr, Smith, Aryanata
EXCUSED:	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: BZA-Hearing-Application-Packet_GarageAt-306EastGambierStreet (2343 : 2021-Bza-12)

Hearing Request continuation - for Garage construction at 306 East Gambier Street

REQUEST Narrative continued:

1. Construction of garage is reasonable use of land. (reference to 1155.14 (e)(5);
2. Maximize yard, maintaining as much open yard space and mature gardens as possible (reference to 1155.14 (e)(3); Minimize loss of mature vegetation: deciduous, flowering tree and mature rose bush next to the SW section of existing house structure by moving the north wall of garage as far as possible from existing south border of house where these mature plants reside; Tree trimming company has been consulted and believes the tree could be saved if garage is constructed at requested location on property.

Design, Dimension, and Elevation Description:

1. Garage Size:
 - a. 26' wide X 24'deep
 - b. Doors size: 2 - 10' wide X 9' tall
 - c. Please reference Elevation view in file named: 2021-05-25_21v15_VarnerGarage_Elevation
 - d. Pediment of roof would face East/West toward South Park Street

Legal Documents: Please reference current survey documents attached →

1. Land Survey
2. Location Survey

Location of structure:

1. Current building south side is 36.5' from South border of property. Locating the proposed garage two feet from the south property line and 26' wide garage (south to north) leaves 8.5' to existing structure allowing the mature rose bush and mature deciduous & flowering tree to be remain and adorn the yard and property.
2. Locating proposed garage East boundary to existing sidewalk minimizes loss of useable/function yard and mature gardens.

Respectfully Submitted,

Stacey Varner.

STATE of OHIO
KNOX COUNTY
CITY OF MOUNT VERNON
LOT 467 of the
THOMAS ADDITON~PB. P Pg. 517
TOWNSHIP 6 NORTH
RANGE 13 WEST
U.S. MILITARY LANDS

Location Survey for
Stacey Varner

East Gambier Street ~ 66' R/W



"Bearing are based on the Ohio State Plane Coordinate System,
Ohio North Zone, NAD83, as established by Static and RTK GPS
Observations, and was determined by using NGS, OPUS-S Service,
with the South Right of Way of East Gambier Street as bearing South
86 ° 11 ' 02 " East and are used to denote angles only."

Lot 466

Jeffrey C & Cindy D Northrup
1465 / 452
0.200 Ac.

N 03°58'16" E
132.00'

S 86°11'02" E

66.00'

17.57'

Lot 467

9.08'

30.00'

38.20'

31.30'

2 Story House

1.70'

13.00'

27.00'

1.80'

14.00'

7.50'

MR Stacey Varner
Parcel # 66-03347.000
1811 / 94
0.200 Acres by Survey

2.80'

7.40'

5.80'

S 03°58'16" W 132.00'

South Park Street ~ 49.5' R/W

House is over the
Property line by 0.20'

4.00'

0.20'

48.27'

18.00'

0.20'

36.82'

66.00'

N 86°11'02" W

Lot 469

Edith M Cosner
309 / 162
0.200 Ac.

Lot 468

205 Park Street LLC
1835 / 794
0.067 Ac.

Legend

○ = 5/8" x 30" Rebar with a 2" Aluminum ID cap
stamped "Boeshart S-6512" set

0' 20' 40'

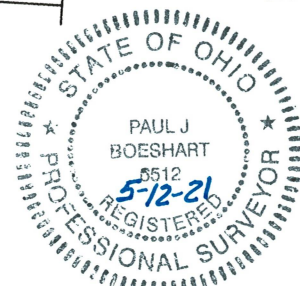


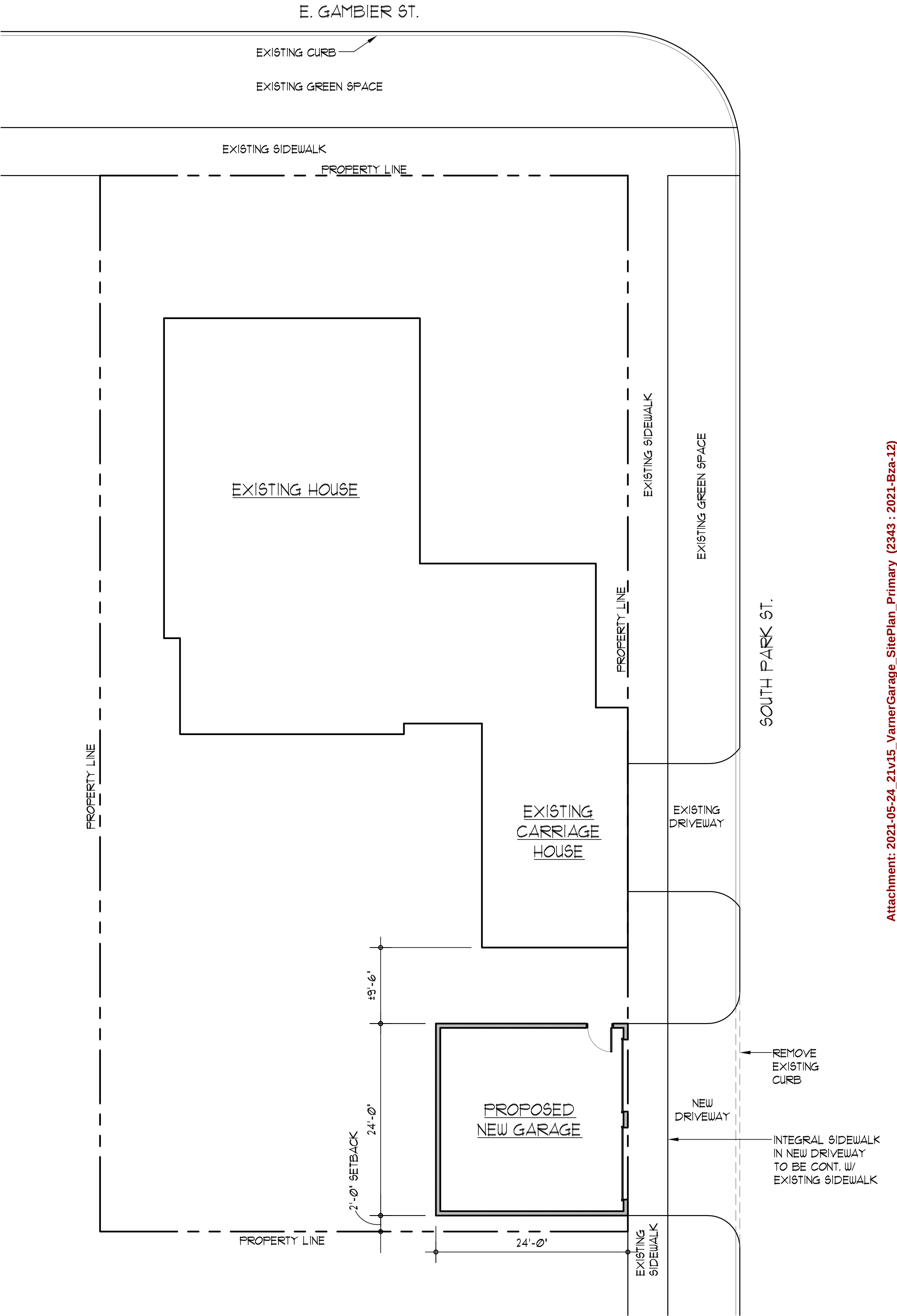
Scale: 1" = 20'

I HEREBY CERTIFY THAT THIS PLAT REPRESENTS A TRUE AND CORRECT
SURVEY AND ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH
CHAPTER 4733-38 OF THE OHIO ADMINISTRATIVE CODE UNDER MY
DIRECT SUPERVISION IN MAY, 2021.

Paul J. Boeshart

PAUL J. BOESHART, PLS REGISTRATION NO. S-6512
94 CANYON VILLA DRIVE, HEBRON, OH 43025
PHONE: 740-928-4130 CELL: 740-616-0812 EMAIL: pjboeshart@hotmail.com





SITE PLAN

3/32" = 1'-0"

VARNER GARAGE

MT. VERNON, OH



Attachment: 2021-05-25_21v15_VarnerGarage_Elevation (2343 : 2021-Bza-12)

SOUTH PARK STREET ELEVATION

1/8" = 1'-0"

VARNER GARAGE

MT. VERNON, OH

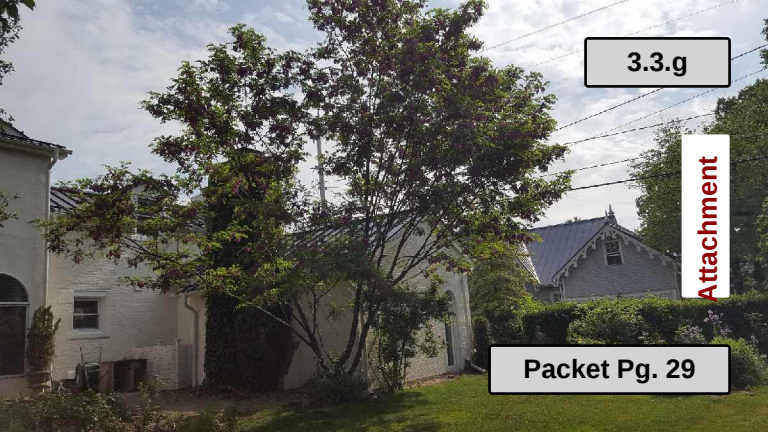
MAY 25, 2021

A large, leafy tree with numerous small purple flowers is the central focus. It stands in front of a light-colored house with arched windows. The ground is covered in green grass.

3.3.f

Attache

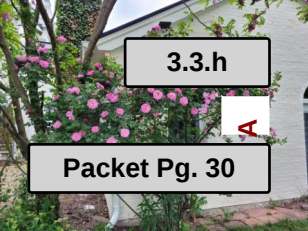
Packet Pg. 28



3.3.g

Attachment

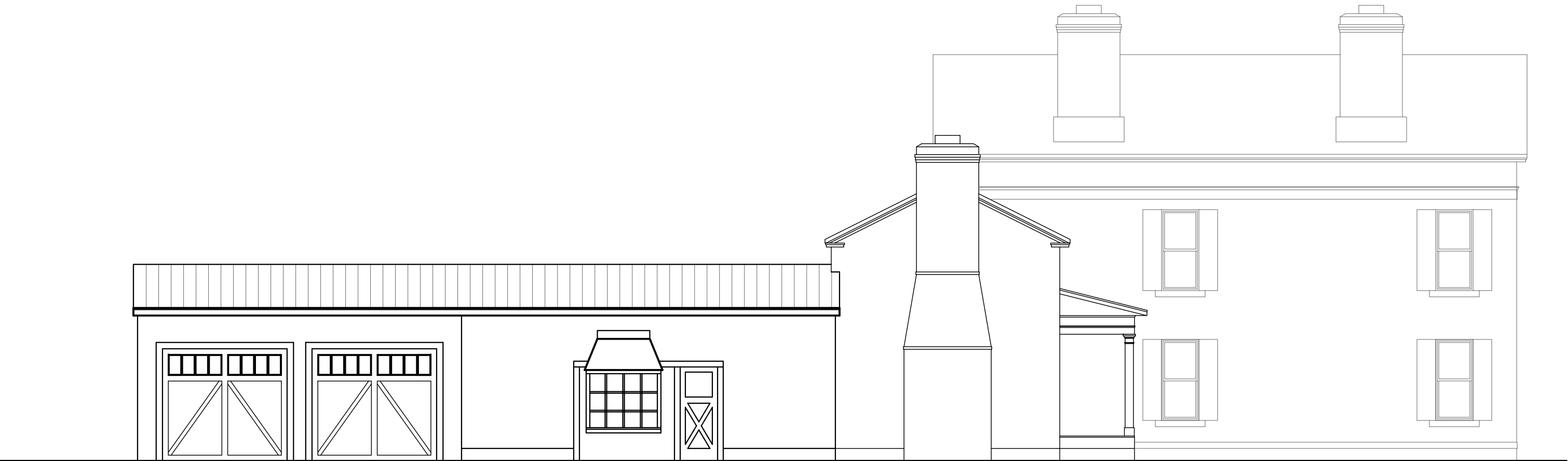
Packet Pg. 29

The background of the slide is a photograph of a light-colored house with a dark roof. A large bush of pink flowers, possibly roses, is in the foreground, partially obscuring the house. A white downspout is visible on the left side of the house.

3.3.h



Packet Pg. 30



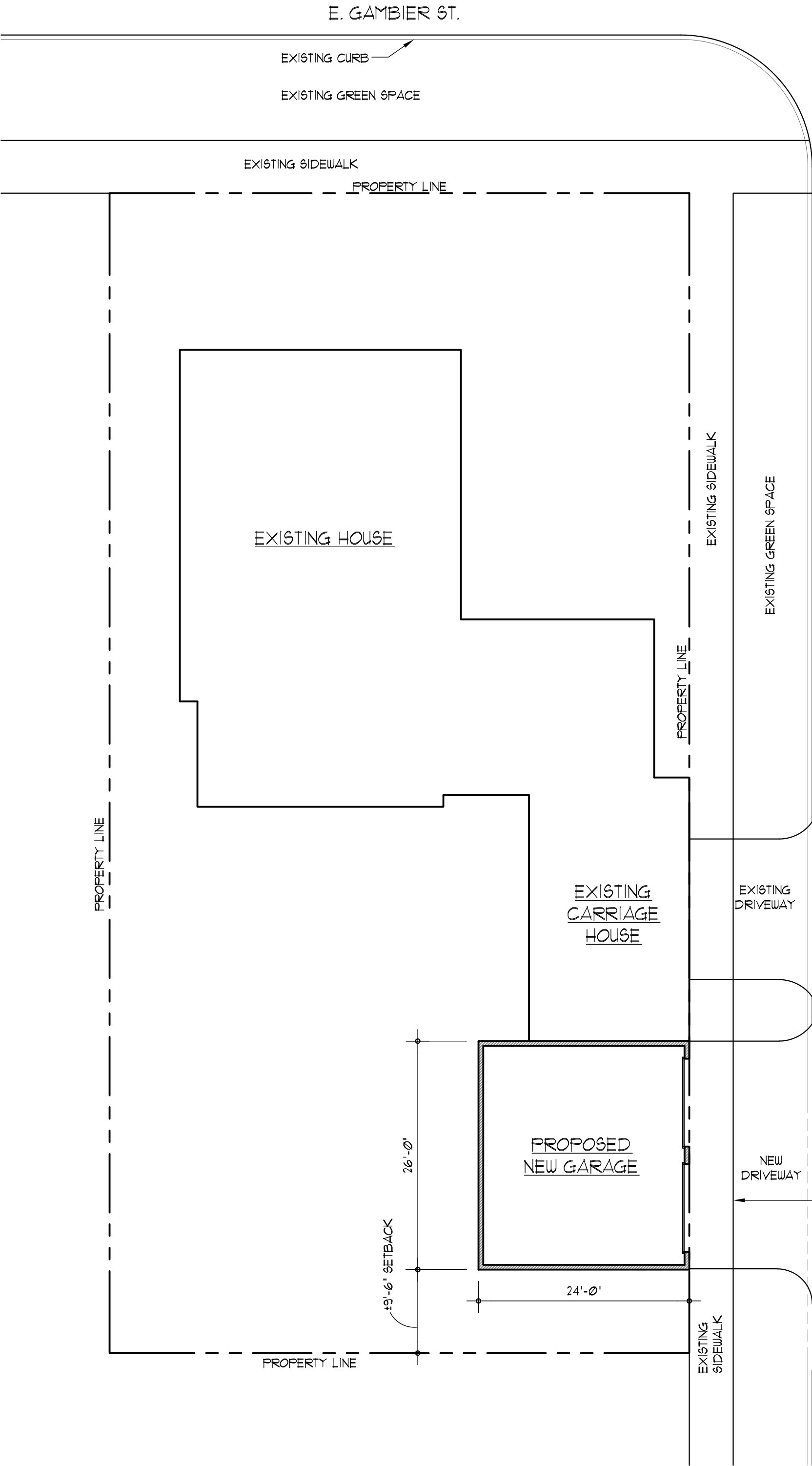
SOUTH PARK STREET ELEVATION

1/8" = 1'-0"

VARNER GARAGE

MT. VERNON, OH

JUNE 2, 2021



SITE PLAN

3/32" = 1'-0"

VARNER GARAGE

MT. VERNON, OH