



Board of Zoning Appeals

June 21, 2023

Board Meeting

Minutes

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

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

Others in attendance: City Development Services Manager, Lacie Blankenhorn; City Law Director, P. Rob. Broeren; Jeff Gottke; Vaibhav K Patel; Guaj Chandat; Kaynon Cheek; Marie Gerecke; James Mahan; Cheryl Splain; Mike Hillier

MINUTES APPROVAL

- Board of Zoning Appeals - Board Meeting - May 17, 2023 5:30 PM

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

BZA FILES

- 2023-BZA-12.1 : 1560 Venture DR - Variance for Primary Structure Height

Patel (sworn in) representing Rama Tika Management a primary hospitality development group, a family business. They construction hotels. They are proposing to build a Hampton Inn by Hilton. A height variance for the building and a setback variance for the patio is requested.

Percy read that the building roof trusses are 40' 6-3/4". GB has a maximum of 35'. The roofline and architectural elements are 57' 10".

The proposed hotel is 4-stories with 99 rooms. The 57' is the elevator tower that extends above the roof. Patel explained there are 2 different levels of parapet wall in the architectural design. The highest parapet wall, required by the brand for signage, is 54'. The roof line is just above the windows at around 40'.

Hillier (sworn in) asked how high the Danbury building is, across Venture DR. Blankenhorn said the zoning permit application says 33'. Hillier continued, stating this variance sets a precedence. Percy stated the apartment building to be built on Mulberry Street in a Neighborhood Commercial District was granted a 40' variance from the required 30'.

Blankenhorn read the staff report: June 21, 2023 Case: 2023-BZA-12 1560 Venture DR Parcel # 66-09675.003 Vaibhav Patel requests for R Chandat LLC variances to construct a 4-story hotel at 1560 Venture DR. The requested 57' 10" maximum overall height is a variance from Code section 1167.03(b)(1) maximum height of 35'. There are a number of structures in the GB district exceeding the Code maximum including 3 buildings on the hospital campus, the newest constructed in 2019 at 83'. The requested 10' west side setback is a variance from Code section 1167.03(a)(4) requiring a 15' side yard for structures. There is a waterline on the adjacent property in the turf area, restricting any further development in that area of the parcel. The pink line in the image below represents the property line.

Simpson made a motion to accept the (height) variance as proposed.

Smith asked if the new zoning code has the same height restrictions or if they are going to change. Blankenhorn said that section hasn't been reached yet.

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

- 2023-BZA-12.2 : 1560 Venture DR - Variance for Side Setback for Patio

Patel explained the Hampton brand requires a patio in the back for guests.

Percy brought attention to the picture provided in the Staff Report showing a waterline located on the adjacent property, creating a buffer between the proposed structure and the structure on the neighboring property.

There was no further discussion about the requested side setback variance.

Simpson made a motion to accept the variance as submitted.

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

- 2023-BZA-13 : 123 E Gambier ST - Variance for Fence Height

Gerecke (sworn in) explained her request for a variance for fence height on her corner lot. They are attempting to expand the usable space within their fence, pushing it closer to the side street. They want to locate a 4' tall fence 2 feet from the back of the sidewalk. Their property is above the grade of the sidewalk. The 4' fence will make it safer for those in the backyard. Gerecke provided letters of support from Sam & Paul Barone who live diagonally behind the Gerecke's; and Diana Williams located directly behind the subject property.

The property lines were looked at on the Knox County Auditor's website. The representation shows the proposal will locate the 4' fence on the property line, as it is approximately 2 feet from the back of the sidewalk.

Gerecke said the proposed location of the fence will not affect the usability or safety of the sidewalk, or the safety of the stop sign.

Simpson asked if the fence would be in their line of sight when exiting the garage. Gerecke said no.

Blankenhorn read the staff report: June 21, 2023 Case: 2023-BZA-13 123 E Gambier ST Parcel # 66-06213.000 Marie Gudz Gerecke requests a variance for fence height to install a 4' tall fence between the back of her home and the garage on her corner lot. Landscaping is planned between the fence and the public sidewalk. The proposed fence would not impair site lines for automobiles traveling on the public street. The image below shows the existing fence. The plans show the proposed 4' fence would be moved toward the street, near the top of the steps leading into the backyard.

Smith made motion to approve the requested variance.

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

ADJOURN

- Adjourn Motion

Smith made a motion to adjourn the meeting, Boucher seconded and the meeting was adjourned at 5:53 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Smith, Member
SECONDER:	Tonya Boucher, Member
AYES:	Percy, Simpson, Smith, Boucher, Aryanata
EXCUSED:	Eyster, Cunningham



Board of Zoning Appeals Meeting: 06/21/23 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 # 3823)

DOC ID: 3823

2023-BZA-12.1 : 1560 VENTURE DR - VARIANCE FOR PRIMARY STRUCTURE HEIGHT

Item Number	2023-BZA-12.1
Site Address	1560 Venture DR
Parcel Number	66-09675.033
Zoning District	GB
Presented By	Vaibhav Patel for R Chandat LLC

Quick Guide to Codified Ordinance Sections (may not be inclusive):
 1167.03(b)(1) Development Standards for Free-Standing Use on Individual Lots:
 Maximum Height

Request: a variance to the GB maximum height of 35'. The overall height of the 4-story hotel, including roof line and architectural elements is 57' 10". (The roof truss bearings are 40' 6-3/4")

COMMENTS - Current Meeting:

Patel (sworn in) representing Rama Tika Management a primary hospitality development group, a family business. They construction hotels. They are proposing to build a Hampton Inn by Hilton. A height variance for the building and a setback variance for the patio is requested.

Percy read that the building roof trusses are 40' 6-3/4". GB has a maximum of 35'. The roofline and architectural elements are 57' 10".

The proposed hotel is 4-stories with 99 rooms. The 57' is the elevator tower that extends above the roof. Patel explained there are 2 different levels of parapet wall in the architectural design. The highest parapet wall, required by the brand for signage, is 54'. The roof line is just above the windows at around 40'.

Hillier (sworn in) asked how high the Danbury building is, across Venture DR. Blankenhorn said the zoning permit application says 33'. Hillier continued, stating this variance sets a precedence. Percy stated the apartment building to be built on Mulberry Street in a Neighborhood Commercial District was granted a 40' variance from the required 30'.

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section 1167.03(b)(1) maximum height of 35'. There are a number of structures in the GB district exceeding the Code maximum including 3 buildings on the hospital campus, the newest constructed in 2019 at 83'. The requested 10' west side setback is a variance from Code section 1167.03(a)(4) requiring a 15' side yard for structures. There is a waterline on the adjacent property in the turf area, restricting any further development in that area of the parcel. The pink line in the image below represents the property line.

Simpson made a motion to accept the (height) variance as proposed.

Smith asked if the new zoning code has the same height restrictions or if they are going to change. Blankenhorn said that section hasn't been reached yet.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Susie L. Simpson, Member
SECONDER:	Tonya Boucher, Member
AYES:	Percy, Simpson, Smith, Boucher, Aryanata
EXCUSED:	Otho Eyster, Cynthia Cunningham



City of Mount Vernon, Ohio
Board of Zoning Appeals

Request for Hearing

Applicant's Information

Owner's Name, Address and Phone

R Chandat LLC

Agent's Name, Address and Phone

Vaibhav Patel 1039 Riveria Way Macedonia OH 44056 419-806-6446

Site Information

Site Address

1560 Venture Dr

Legal Description

12 7 3 SE PART NW SECT 24 2.108AC

Parcel Number

66-09675.003

Deed Volume and Page Number

OR 1671 PG 786

Zoning District

GB

Existing use of property

vacant

Proposed use of property

Hotel/lodging

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:

We are requesting a variance to the GB maximum height of 35' The height of the 4 story hotel to the roof truss bearings is 40' 6-3/4" and the overall height including roof line and architectural elements is 57'-10". We are also requesting a variance for the patio setback of 10'. A Preliminary Site Plan is attached.

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.

05/22/2023

Date:

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: 05 22 2023 - BZA Variance Application REVISED (3823 : 2023-Bza-12.1)

Narrative statements

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

X 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.

X 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 proposed facility is a 4 story Hampton Inn hotel. Given the size of the lot, a 2 story hotel would not be cost effective to build or operate.

The hotel features a patio adjacent to the hotel. We are requesting a variance on the setback for the patio from 15' to 10'. Given its location this should be low impact to surrounding properties.

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

The current building design is a 4 story hotel. If the hotel were to be redesigned to conform the the maximum building height in the zoning code (35'), the building would not longer be cost effective to build and operate.

Mt. Vernon's minimum parking stall depth combined with the width of the property causes the setback on the patio to require the variance.

X 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.

X 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.

X 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.



- | EXTERIOR FINISH LEGEND: | |
|---|--|
|  | (E1) EIFS: COLOR |
|  | (E2) EIFS: COLOR |
|  | (E3) EIFS: COLOR |
|  | (E4) EIFS: COLOR TO MATCH B2 |
|  | (E5) EIFS: COLOR TO MATCH WINDOW FRAME |
|  | (A1) ARCHITECTURAL WOOD LOOK PANEL |
|  | (M1) MASONRY/TILE |

NOTE:
ALL EIFS THICKNESS IS 3" UNLESS NOTED OTHERWISE

- # KEY NOTES:
1. ROOF GUTTER SEE DETAIL ON P502
 2. EXPANSION/CONTROL JOINT
 3. SIGNAGE - COORDINATE ELECTRICAL REQUIREMENTS AS NEEDED- REFER TO 'BUILDING SIGNAGE' BELOW
 4. EXTERIOR INSULATION FINISH SYSTEM
 5. PRE-FINISHED ALUMINUM WINDOWS AND LOUVERS, THERMALLY BROKEN FRAME, KYNAR 500 FINISH
 6. ALUMINUM STOREFRONT, THERMALLY BROKEN FRAME, KYNAR 500 FINISH
 7. PRE-FINISHED METAL LOUVERS AT DRYER VENTS, KYNAR 500 FINISH
 8. AUTOMATIC SLIDING DOORS
 9. EXTERIOR WALL SCOUND
 10. INSULATED HOLLOW METAL DOOR AND FRAME
 11. CLEARANCE SIGN
 12. SLOPE DRIVE 1/4" MAX (1/64 RECOMMENDED) TO DRAIN OUT FROM UNDER CANOPY.
 13. PROVIDE EXTERIOR LOUVERS TO MATCH LOOK OF PTAC-BASED WINDOWS. PROVIDE INSULATED PANEL BEHIND LOUVER AT NON-PTAC LOCATIONS
 14. GUEST LAUNDRY THRU WALL VENT FOR OPTIONAL LAUNDRY IF USED
 15. HARD SURFACE BASE MATERIAL (MASONRY/TILE)
 16. FLAT ROOF ABOVE SMOKING AREA
 17. WELCOME SIGNAGE - REFER TO GLOBAL EXTERIOR SIGNAGE SPECIFICATIONS FOR ADDITIONAL INFORMATION.
 18. RECESSED LED CAN LIGHT EQUIVALENT TO INTER-LUX MODEL; ORMA R 55-E16049-14-60-5 WITH EXTENDED STAINLESS STEEL MOUNTING SCREWS.

GENERAL NOTES

M MICHAEL L. MAUST
ARCHITECT

Hampton (Jm)

SHEET SIZE 24x36

HAMPTON INN

MOUNT VERNON, OH

REVISIONS:

PRELIMINARY - NOT
FOR CONSTRUCTION

DATE: 05/12/23

JOB NO.: MAS-23-111

NAME: _____

EXTERIOR ELEVATIONS

SHEET:

A201



- | EXTERIOR FINISH LEGEND: | |
|---|---|
|  | (E1) EIFS: COLOR |
|  | (E2) EIFS: COLOR |
|  | (E3) EIFS: COLOR |
|  | (E4) EIFS: COLOR TO MATCH
B2 |
|  | (E5) EIFS: COLOR TO MATCH
WINDOW FRAME |
|  | (A1) ARCHITECTURAL WOOD
LOOK PANEL |
|  | (M1) MASONRY/TILE |

NOTE:
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NOTED OTHERWISE

- # KEY NOTES:
1. ROOF GUTTER SEE DETAIL ON P502
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 3. SIGNAGE - COORDINATE ELECTRICAL REQUIREMENTS AS NEEDED- REFER TO 'BUILDING SIGNAGE' BELOW
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 18. RECESSED LED CAN LIGHT EQUIVALENT TO INTER-LUX MODEL: ORMA R 55-E16049-14-60-5 WITH EXTENDED STAINLESS STEEL MOUNTING SCREWS.

GENERAL NOTES

M MICHAEL L. MAUST
ARCHITECT

Hampton
(Jm)

SHEET SIZE 24x36

HAMPTON INN

MOUNT VERNON, OH

REVISIONS:

PRELIMINARY - NOT
FOR CONSTRUCTION

DATE: 05/12/23

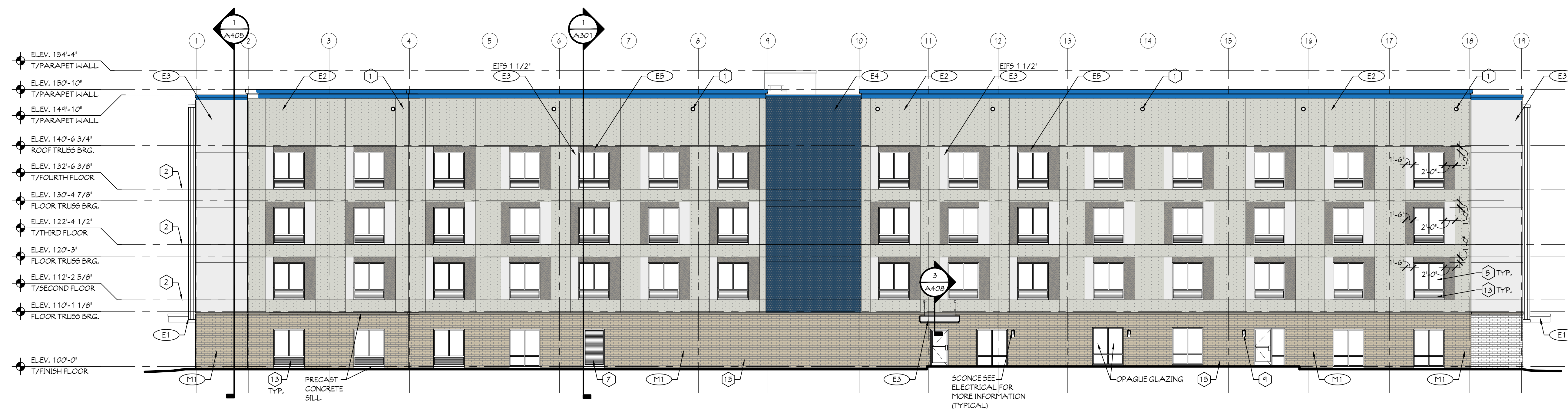
JOB NO.: MAS-23-111

NAME: _____

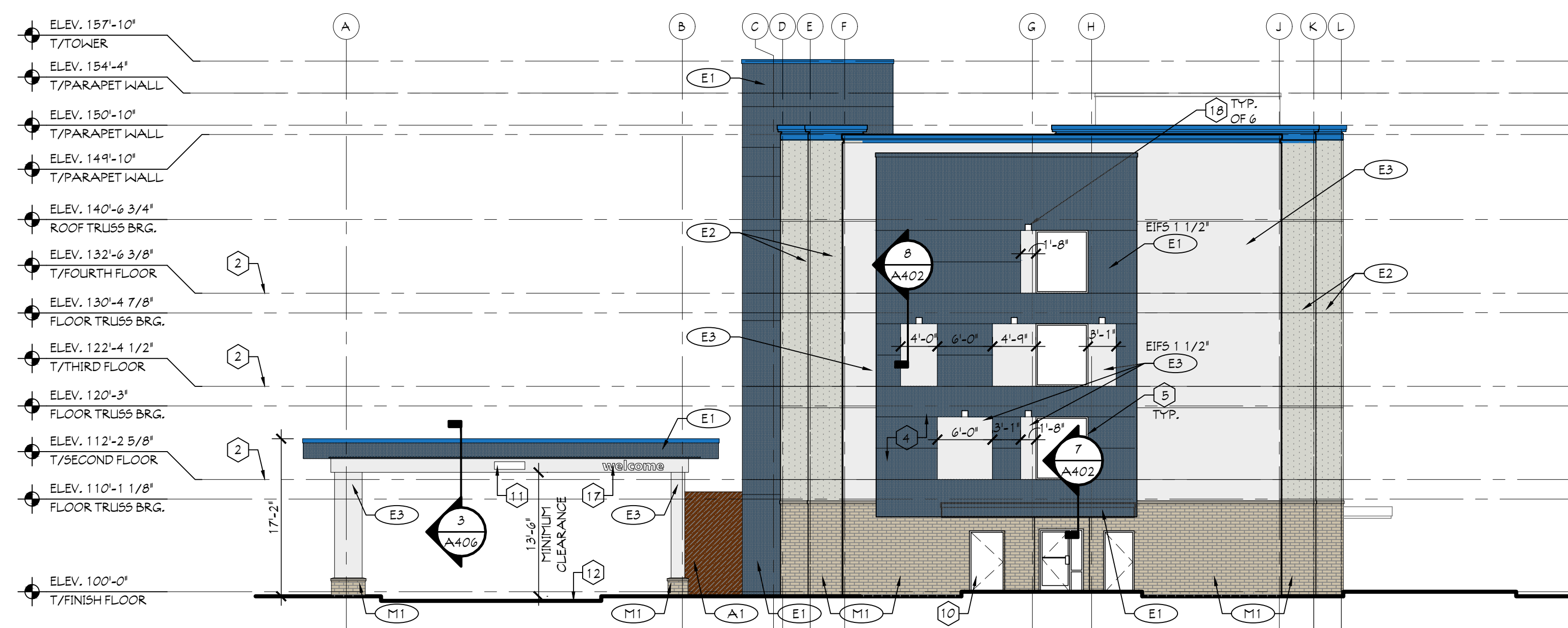
EXTERIOR ELEVATIONS

SHEET:

A201



1 BACK ELEVATION
SCALE: 3/32" = 1'-0"



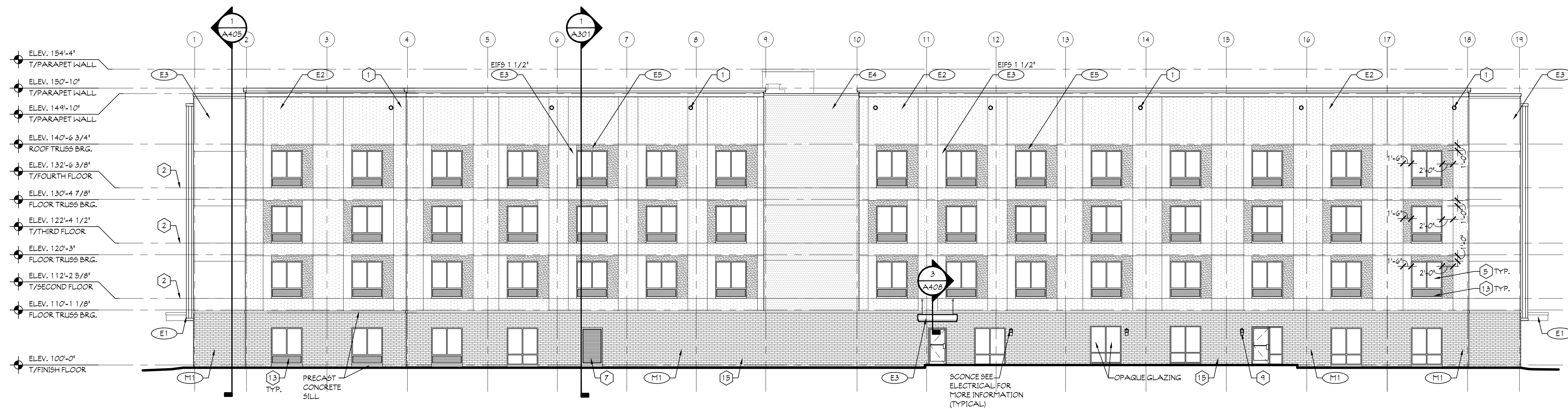
2 RIGHT ELEVATION
SCALE: 3/32" = 1'-0"

EXTERIOR FINISH LEGEND:	
	E1 EIFS: COLOR
	E2 EIFS: COLOR
	E3 EIFS: COLOR
	E4 EIFS: COLOR TO MATCH B2
	E5 EIFS: COLOR TO MATCH WINDOW FRAME
	A1 ARCHITECTURAL WOOD LOOK PANEL
	M1 MASONRY/TILE

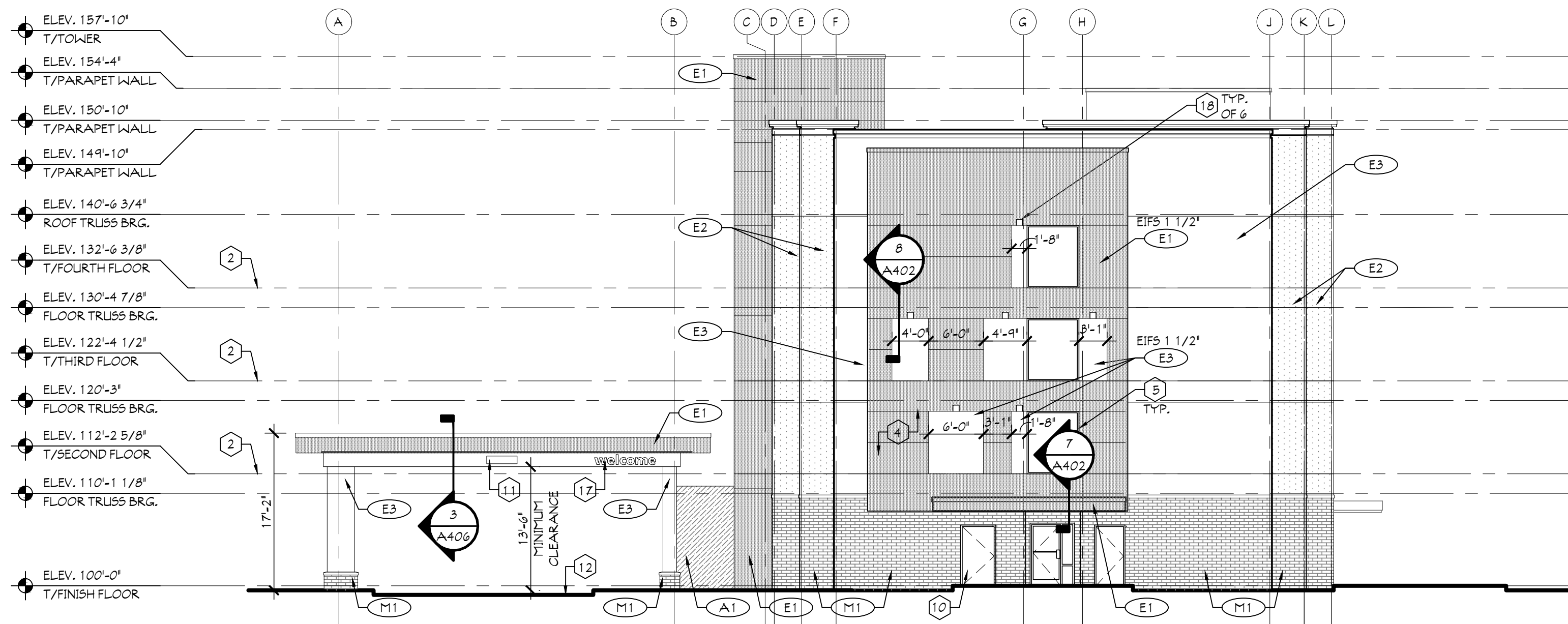
NOTE:
ALL EIFS THICKNESS IS 3" UNLESS
NOTED OTHERWISE

KEY NOTES:

1. ROOF SLOPPER SEE DETAIL ON P502
2. EXPANSION/CONTRACT JOINT
3. SIGNAGE - COORDINATE ELECTRICAL REQUIREMENTS AS NEEDED- REFER TO 'BUILDING SIGNAGE' BELOW
4. EXTERIOR INSULATION FINISH SYSTEM
5. PRE-FINISHED ALUMINUM WINDOWS AND LOUVERS, THERMALLY BROKEN FRAME, KYNAR 300 FINISH
6. ALUMINUM STOREFRONT, THERMALLY BROKEN FRAME, KYNAR 300 FINISH
7. PRE-FINISHED METAL LOUVERS AT DRYER VENTS, KYNAR 300 FINISH
8. AUTOMATIC SLIDING DOORS
9. EXTERIOR WALL SCIENCE
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11. CLEARANCE SIGN
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13. PROVIDE EXTERIOR LOUVERS TO MATCH LOOK OF PTAC-BASED WINDOWS.
14. PROVIDE INSULATED DOOR BEHIND LOUVER AT NON-PTAC LOCATIONS
15. QUEST LAUNDRY THRU WALL VENT FOR OPTIONAL LAUNDRY IF USED
16. HARD SURFACE BASE MATERIAL (MASONRY/TILE)
17. FLAT ROOF ABOVE SMOKING AREA
18. WELCOME SIGNAGE - REFER TO GLOBAL EXTERIOR SIGNAGE
19. SPECIFICATIONS FOR ADDITIONAL INFORMATION.
20. RECESSED LED CAN LIGHT EQUIVALENT TO INTER-LUX MODEL: ORMA R 55-46094-14-60-5 WITH EXTENDED STAINLESS STEEL MOUNTING SCREWS.



1 BACK ELEVATION
SCALE: 3/32" = 1'-0"



2 RIGHT ELEVATION
SCALE: 3/32" = 1'-0"

EXTERIOR FINISH LEGEND:	
	E1 EIFS: COLOR
	E2 EIFS: COLOR
	E3 EIFS: COLOR
	E4 EIFS: COLOR TO MATCH B2
	E5 EIFS: COLOR TO MATCH WINDOW FRAME
	A1 ARCHITECTURAL WOOD LOOK PANEL
	M1 MASONRY/TILE
NOTE: ALL EIFS THICKNESS 15 3/4" UNLESS NOTED OTHERWISE	

- KEY NOTES:
- ROOF SCUPPER SEE DETAIL ON P502
 - EXPANSION/CONTROL JOINT
 - SIGNAGE - COORDINATE ELECTRICAL REQUIREMENTS AS NEEDED - REFER TO 'BUILDING SIGNAGE' BELOW
 - EXTERIOR INSULATION FINISH SYSTEM
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GENERAL NOTES

ALL HEIGHTS ARE IN FEET AND INCHES. THE ACCURACY OF THE DRAWINGS CANNOT BE GUARANTEED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. DIMENSIONS SHOWN SHALL BE DEEMED TO BE THE FINAL DIMENSIONS. ALL DIMENSIONS SHALL BE TO FACE UNLESS NOTED OTHERWISE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. DIMENSIONS SHOWN SHALL BE DEEMED TO BE THE FINAL DIMENSIONS. ALL DIMENSIONS SHALL BE TO FACE UNLESS NOTED OTHERWISE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

MICHAEL L. MAUST
ARCHITECT

These drawings are the property of Michael L. Maust and may not be reproduced, copied, or distributed without the written consent of Michael L. Maust.

Hampton Inn

Attachment: Elevations 05-12-23 (3923 : 2023-Bra-12.1)

SHEET SIZE 24x36

HAMPTON INN

MOUNT VERNON, OH

REVISIONS:

PRELIMINARY - NOT FOR CONSTRUCTION

DATE: 05/12/23

JOB NO.: MAS-23-111

NAME:

EXTERIOR ELEVATIONS

SHEET:

A202



Board of Zoning Appeals Meeting: 06/21/23 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 # 3824)

DOC ID: 3824

2023-BZA-12.2 : 1560 VENTURE DR - VARIANCE FOR SIDE SETBACK FOR PATIO

Item Number 2023-BZA-12.2
 Site Address 1560 Venture DR
 Parcel Number 66-09675.033
 Zoning District GB
 Presented By Vaibhav Patel

Quick Guide to Codified Ordinance Sections (may not be inclusive):
 1167.03(a)(4) Development Standards for Free-Standing Use on Individual Lots:
 Minimum side yard

Request: a variance for the patio setback of 10'.

COMMENTS - Current Meeting:

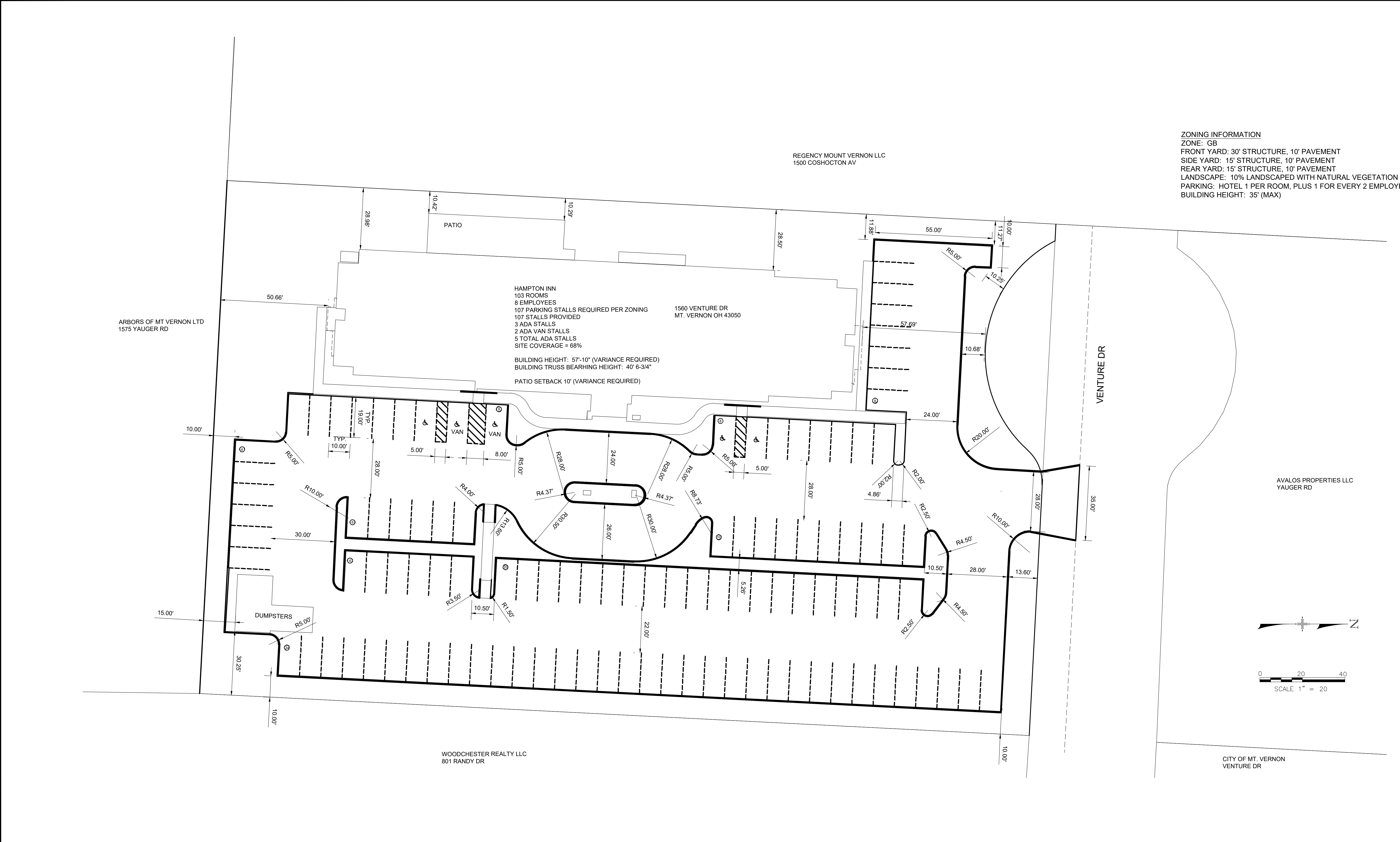
Patel explained the Hampton brand requires a patio in the back for guests.

Percy brought attention to the picture provided in the Staff Report showing a waterline located on the adjacent property, creating a buffer between the proposed structure and the structure on the neighboring property.

There was no further discussion about the requested side setback variance.

Simpson made a motion to accept the variance as submitted.

RESULT: **ACCEPTED [UNANIMOUS]**
MOVER: Susie L. Simpson, Member
SECONDER: Tonya Boucher, Member
AYES: Percy, Simpson, Smith, Boucher, Aryanata
EXCUSED: Otho Eyster, Cynthia Cunningham



ZONING INFORMATION
ZONE: GB
FRONT YARD: 30' STRUCTURE, 10' PAVEMENT
SIDE YARD: 15' STRUCTURE, 10' PAVEMENT
REAR YARD: 15' STRUCTURE, 10' PAVEMENT
LANDSCAPE: 10% LANDSCAPED WITH NATURAL VEGETATION
PARKING: HOTEL 1 PER ROOM, PLUS 1 FOR EVERY 2 EMPLOYEES
BUILDING HEIGHT: 35' (MAX)

EASEMENT REFERENCE				REVISIONS				PRELIMINARY LAYOUT				RAMA TIKA MANAGEMENT, LLC HAMPTON INN MT. VERNON OH	
City's No.	County	Recorder	Grantor	No.	Description	Approval	Date	Plans Prepared By : P.O. BOX 325, 1810 E. MANSFIELD ST. BUCYRUS, OHIO 44820 Phone: (419) 562-7757 Fax: (419) 562-4717 DYLAN J. WYATT Ohio Reg. No. _____ Date _____ E-86763 Ohio Reg. No. _____ Date _____ 				ENG. FILE NO. _____	
Volume	Page											IMP. ACCT. NO. _____	
												CONTRACT NO. _____	
												COMPLETION DATE _____	
												CONTRACTOR _____	
												Scale : Horiz. = AS NOTED Vert. = AS NOTED	
												Original Sheet Size = 24"x36"	
												Date : 5/22/2023	
												Sheet No. : 1 OF x	
												S:\2023\068\001	
												Dwg. No. : 23-068-prelim_layout_b	



Board of Zoning Appeals Meeting: 06/21/23 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 # 3825)

DOC ID: 3825

2023-BZA-13 : 123 E GAMBIER ST - VARIANCE FOR FENCE HEIGHT

Item Number	2023-BZA-13
Site Address	123 E Gambier ST
Parcel Number	66-06213.000
Zoning District	O/I
Presented By	Marie Gudz Gerecke

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

Request: variance to allow for a 4' fence along the McKenzie Street back yard area of the home due to the slope of the existing piece of land

COMMENTS - Current Meeting:

Gerecke (sworn in) explained her request for a variance for fence height on her corner lot. They are attempting to expand the usable space within their fence, pushing it closer to the side street. They want to locate a 4' tall fence 2 feet from the back of the sidewalk. Their property is above the grade of the sidewalk. The 4' fence will make it safer for those in the backyard. Gerecke provided letters of support from Sam & Paul Barone who live diagonally behind the Gerecke's; and Diana Williams located directly behind the subject property.

The property lines were looked at on the Knox County Auditor's website. The representation shows the proposal will locate the 4' fence on the property line, as it is approximately 2 feet from the back of the sidewalk.

Gerecke said the proposed location of the fence will not affect the usability or safety of the sidewalk, or the safety of the stop sign.

Simpson asked if the fence would be in their line of sight when exiting the garage. Gerecke said no.

Blankenhorn read the staff report: June 21, 2023 Case: 2023-BZA-13 123 E Gambier ST Parcel # 66-06213.000 Marie Gudz Gerecke requests a variance for fence height to install a 4' tall fence between the back of her home and the garage on her corner lot. Landscaping is planned between the fence and the public sidewalk. The proposed fence would not impair site lines for automobiles traveling on the public street. The image below shows the existing fence. The plans

show the proposed 4' fence would be moved toward the street, near the top of the steps leading into the backyard.

Smith made motion to approve the requested variance.

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



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: ZONINGREQUESTFORHEARING (3825 : 2023-Bza-13)

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.

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

_____ 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.

May 22, 2023

Dear Members of the Zoning Board of Appeals:

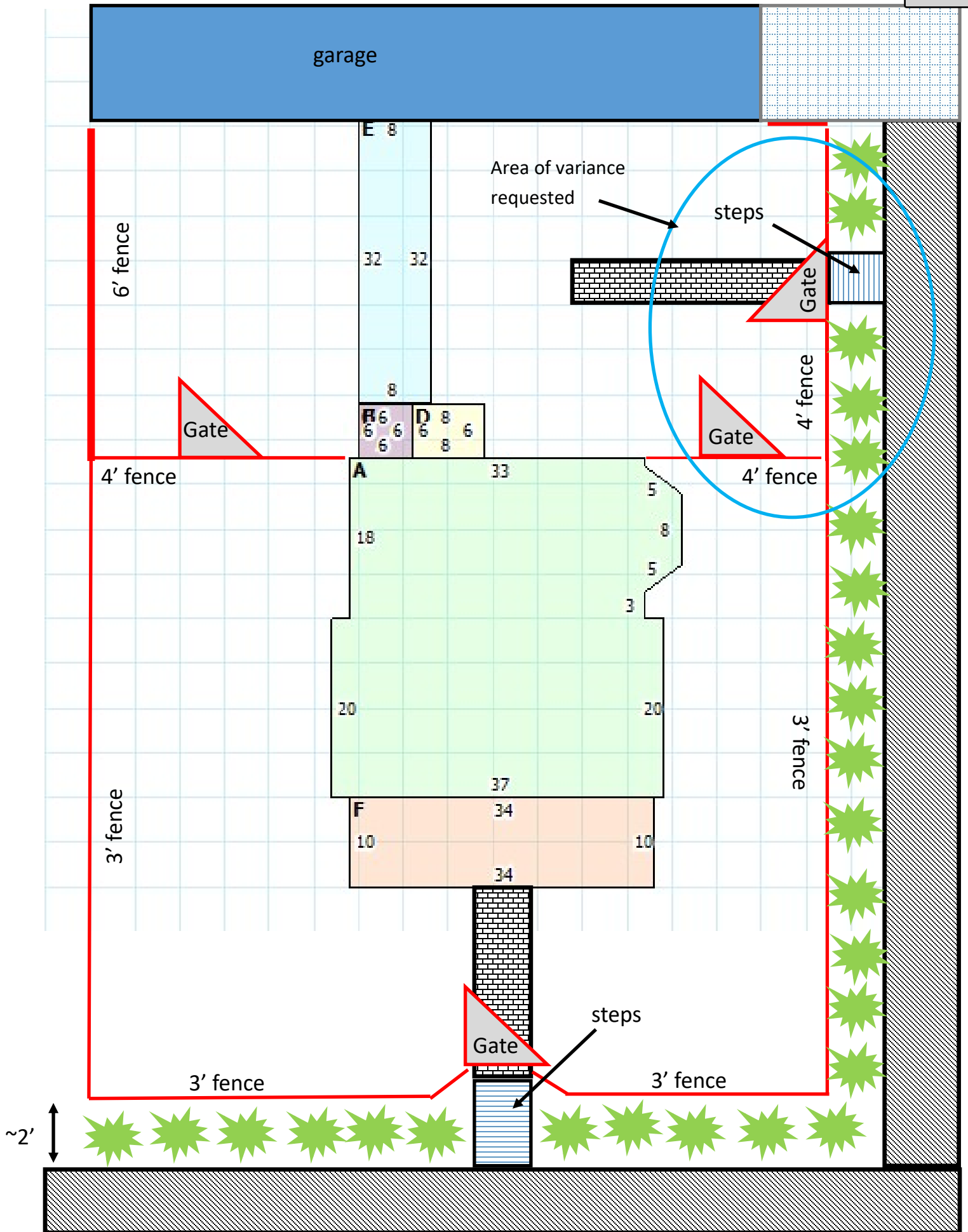
I am writing to seek a fence variance for my single-family home at 123 E Gambier St. Current zoning rules say that fences must be no more than 36" tall in front of the setback. I respectfully request to install a fence that is 4' feet tall in one small section due to the existing slope of the property. Our property is about 4' above the sidewalk, and if we put a 36" fence on the lower half of the slope where we intend, it will pose a safety hazard for guests and children on our property, who might land on the top of the pickets if they were to trip and fall. We are only requesting this variance for the area of fence installed in the back yard, and believe approval of this variance will improve the safety of the new fencing in the area that will be most utilized by our family and guests.

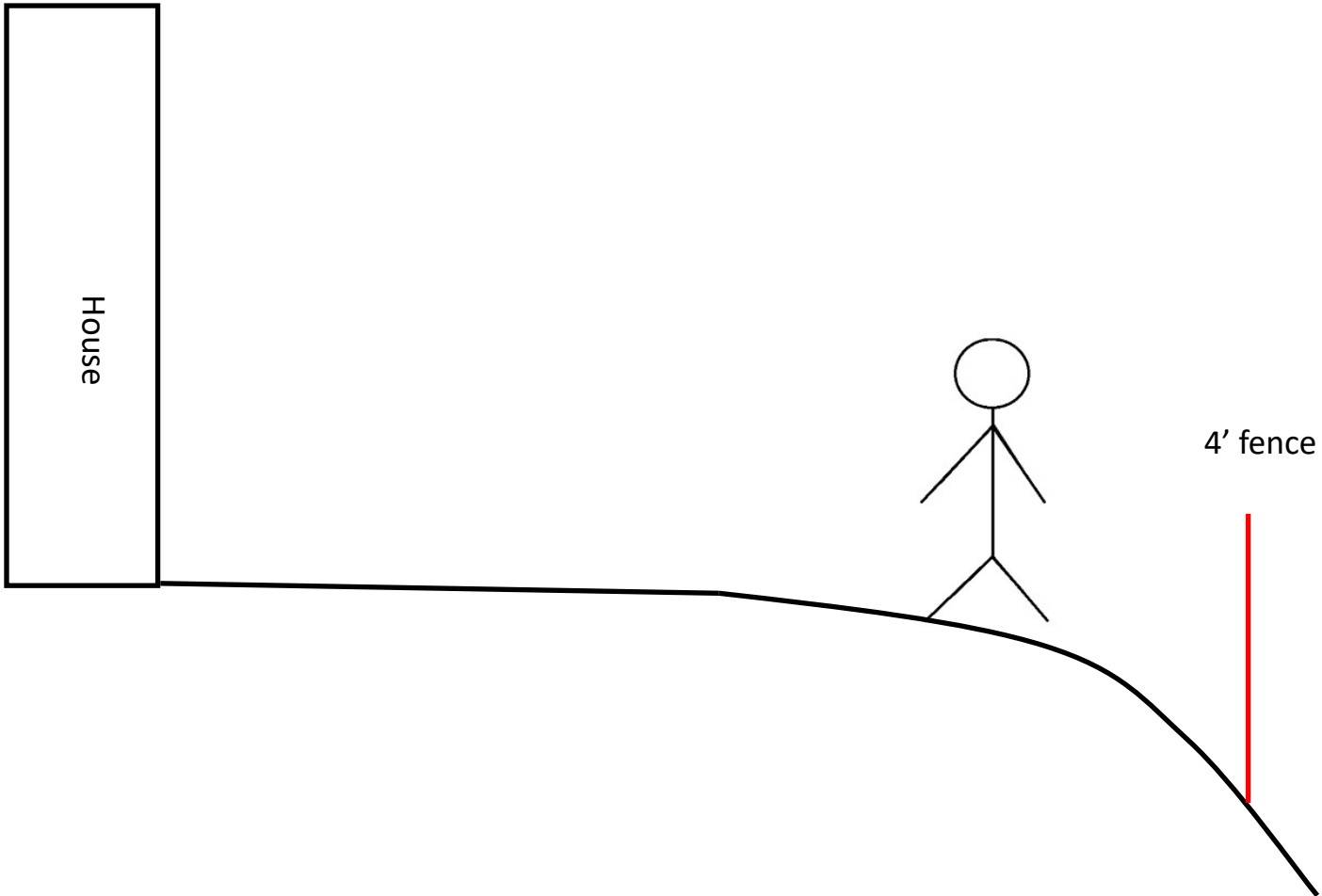
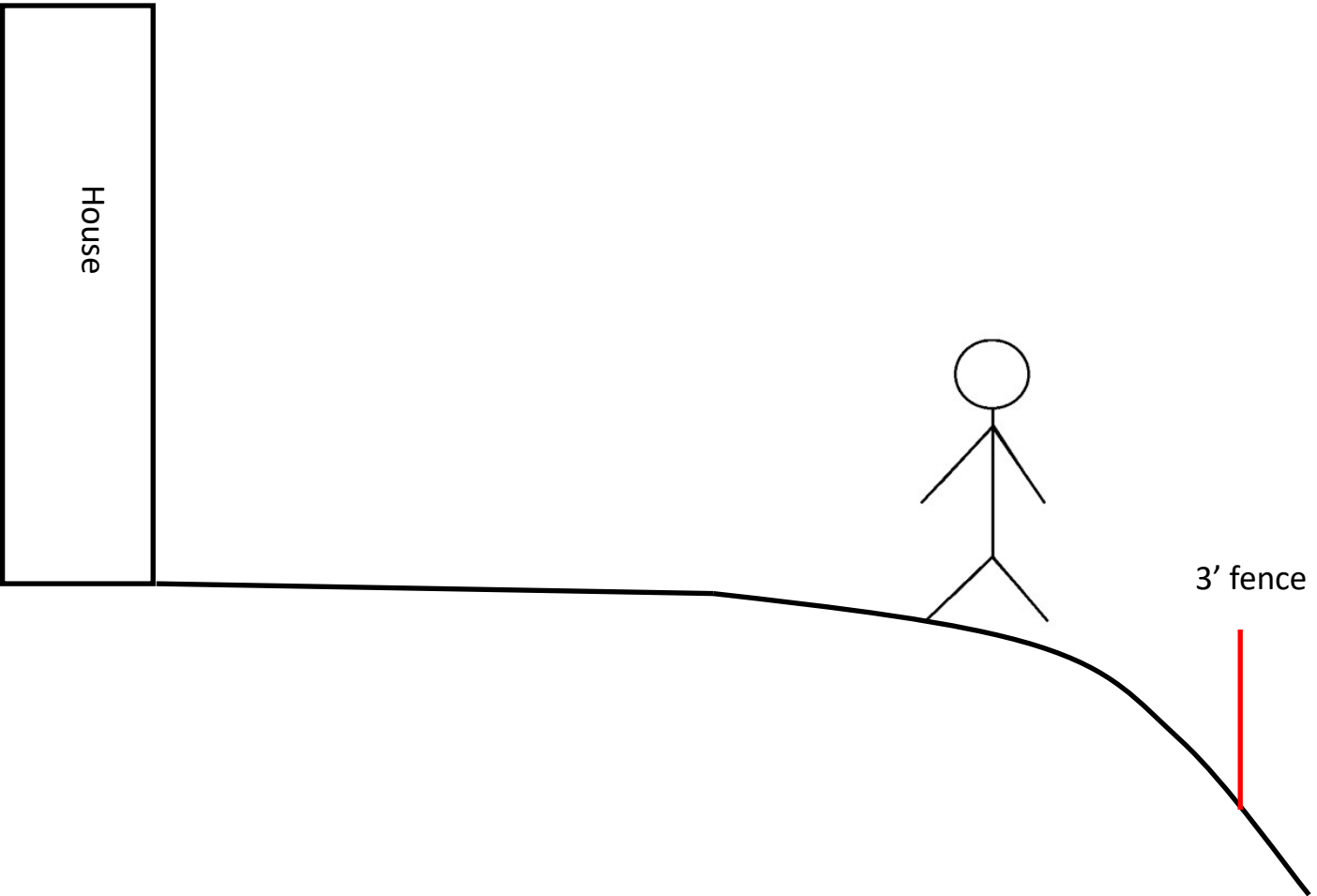
Please see the renderings provided.

Sincerely,

Marie Gudz Gerecke

Attachment: Fence Variance Letter (3825 : 2023-Bza-13)





Picket fencing for front and side yards:



Privacy fencing for the area on the west side of the house behind the setback that will have a 6' privacy fence:

