



Board of Zoning Appeals

July 7, 2021

Board Meeting

Agenda

5:30 PM

CALL TO ORDER

MINUTES APPROVAL

- Board of Zoning Appeals - Board Meeting - Jun 16, 2021 5:30 PM

BZA FILES

- 2021-BZA-10 : 405 N Mulberry ST - Variance for Front & Side Yard Setbacks
- 2021-BZA-09 : 600 Clinton ST - Variance for Fence Height or Location
- 2021-BZA-13 : 305 S Division ST - Conditional Use Permit for Residential in a GB District

ADJOURN AT THE CALL OF THE CHAIRMAN



Board of Zoning Appeals Meeting: 07/07/21 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.

HISTORY:

06/16/21 Board of Zoning Appeals TABLED

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.



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



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

May 26, 2021

Scale - 1:240

1 inch = 20 feet
1 inch = 0.004 miles

Knox County, OH; 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.

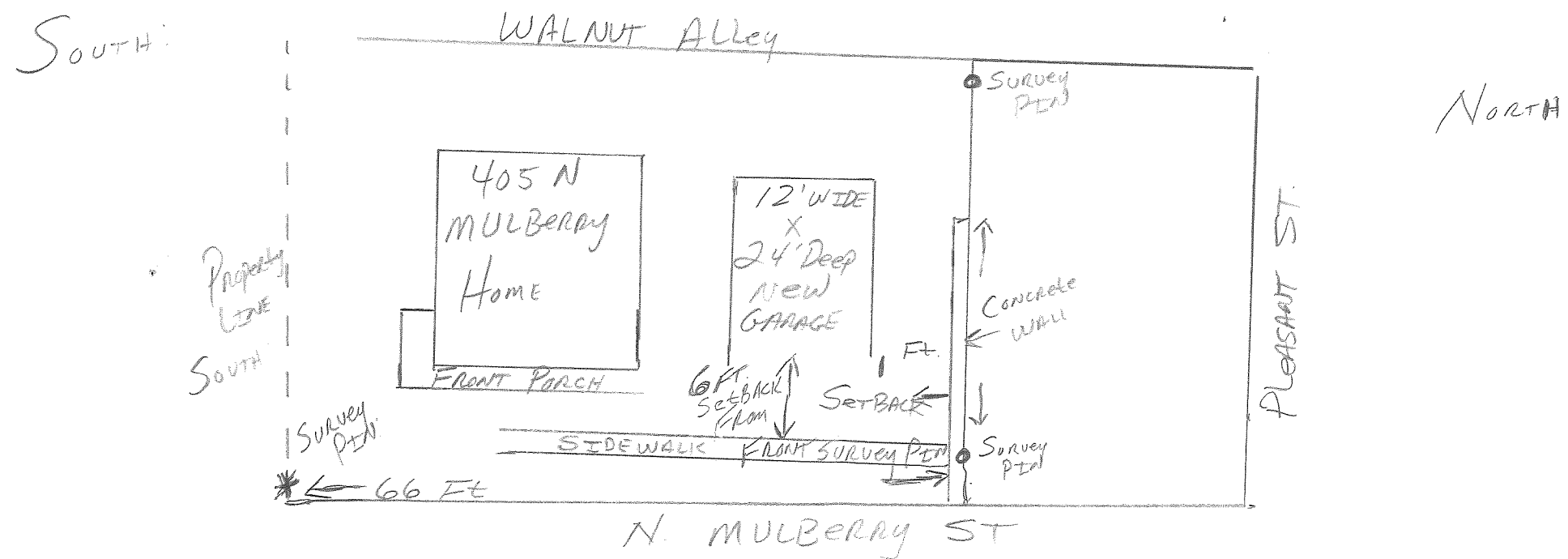
1155.14. Application and Standards For Variances.
Steven W. Leighty, 405 North Mulberry St, Mt. Vernon, Ohio 43050
Phone # 7405048555.
Single family residence.
Wanting to build a garage to replace an old structure that was on
This same site until approximately 1925. It was a carriage house
And later 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)

LEIGHTY GARAGE
405 N. MULBERRY ST
STEVEN LEIGHTY
740-504-8535





Board of Zoning Appeals Meeting: 07/07/21 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 # 2354)

DOC ID: 2354

2021-BZA-09 : 600 CLINTON ST - VARIANCE FOR FENCE HEIGHT OR LOCATION

Item Number	2021-BZA-09
Site Address	600 N Clinton ST
Parcel Number	66-06918.000
Zoning District	R-1 Single Family District
Presented By	Dawn Kramer

Quick Guide to Codified Ordinance Sections (may not be inclusive): 1178 Fences and Hedges

Request: Ms. Kramer would like to install a 6' high chain link fence on the lower half of her property running along N Clinton ST and Spring ST.



City of Mount Vernon, Ohio
Board of Zoning Appeals

Request for Hearing

Applicant's Information

Owner's Name, Address and Phone

Dawn Kramer

Agent's Name, Address and Phone

Site Information

Site Address

600 N. Clinton St.

Legal Description

CP64

Parcel Number

66-06134.000

Deed Volume and Page Number

1636/675

Zoning District

R-1

Existing use of property

Single Family home

Proposed use of property

fence

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 would like to place a chain link fence on lower half of property that would run along Clinton and Spring St. The fence is 6' tall. This would allow a safe place for kids.

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:

5-6-21

By:

Dawn Kramer

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: 2021-BZA-09 Application (2354 : 2021-Bza-09)

Dear members of the zoning board of appeals:

I am writing to seek a fence variance for my single-family home located at 600 North Clinton , Mt. Vernon Ohio. Current zoning rules state that a property fence should not exceed 36" on the street side of my property. I respectfully request a variance allowing the installation of a 6' chain link fence along the lower portion of my property on the street sides. I have addressed the 7 standards below establishing how I feel the variance would conform to the standards as written.

- 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. – The 30' of fence that I would like to install between the street right away line and the building set-back line will in no way be injurious to the area or detrimental to the public welfare. However, not having this fence can affect the safety of my family. Because this is an area that kids walk by often due to being close to Pleasant Street Elementary School, if the fence were only 36" tall, anyone pedestrian could go over the fence line and easily affect the safety of the children and securing our personal property. Due to the lower portion of our lot being on the other side of the "creek", many people think this is public property. We have all ages of children roaming in our yard and at times whole families will be hanging out on our property. My main goal for installing this fence is to keep the children safe and to allow us to enjoy the outside without worry of who may be in the yard.*
- 2) *The granting of the variance will not permit the establishment of any use which is not otherwise permitted in the district. The only use will be safe yard play and a place for the family to hang out together.*
- 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. – Since installing a 36" fence would defeat the purpose of keeping people off the property and the children safe, we are in need of a taller fence to secure the lower portion of our property.*
- 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. – The main hardship here is that even though we have the school next door for the*

children to play at, there are often teenagers and adults loitering around and it is unsafe to send the children to play. Also, it is an unfortunate truth that we have had people camp out on our property and found dirty, used needles that were left behind. We have had teenage kids on our property throwing knives, rocks and cussing the kids out. Although I can't guarantee their safety in my backyard, a privacy fence surrounding their play area will help to slow down the amount of foot traffic we see on our property.

- 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. –I am requesting that the property only goes from the corner of Clinton and down to the creek and on the other side it would just go to the edge of our lot.*
- 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. In no way will this small portion of fence impair the supply of light or air to my neighbors. Because the fence will not be near the intersection at all, there is no risk of public safety or congestion nor will there be an increase of fire.* 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. This variance will only benefit my family and does not grant me any special privilege denied to other lands, structures, or buildings in the same district.*

I hope that you all will agree that my request is justified and will bring a level of safety to my family. Should you have any questions or require any additional information, please do not hesitate to contact me at 740-263-1124 Thank you for your consideration of my request.

Kind regards,

Dawn Kramer

Permit No. 2021294

City of Mount Vernon, Ohio

Application for Zoning Permit

Application

Owner's Name, Address and Phone and e-mail

Dawn Kramer

Contractor's Name, Address and Phone and e-mail

Applicant's Name, Address and Phone and e-mail

Site Information

Site Address

600 N. Clinton St.

Side Street (if corner lot)

Spring St.

Legal Description

CP 64

Parcel Number

66-06134.000

Deed Volume and Page Number

Zoning District (circle one)

RR R-1 R-2 R-3 PND NC CB GB O/I M-1 M-1A P-1 R-MH

Flood Zone

☐ Floodway ☐ AE Zone ☐ A Zone ☒ X Zone

Historic District

Status of Historic Review Commission's Action

☐ Yes ☒ No☐ Approved☐ Denied

Case Number:

Project Information

Description of Proposed Work

chain link fence

(attach site plan and/or drawings)

Existing use of property

single family home

Proposed use of property

fence

Parking spaces/loading berths

Structure height

6'

Dwelling units

State Approval:
(commercial only)

Date

Approval Number

☐ Full approval
☐ Partial approval
☐ Not required

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. This permit shall expire and may be revoked if work has not begun within six months or substantially completed within one year.

Date:

5-6-21

By:

Dawn Kramer

Status of Application

Date

By

Reason(s)

☐ Application rejected
☐ Referred to Board of Appeals: Status of Board's Action: ☐ Approved ☐ Denied Case Number:

Code Review _____ Date: _____

Site Review _____ Date: _____

☐ Application approved

Comments

By:

Date:

Fee Calculation

Estimated Cost

Base Fee

Park Development Fee

Total Fee

Date Paid/Permit Issued:

Cash ☐ Check# ☐

Updated 4-30-2019

Packet Pg. 15

Attachment: APP - ZNG - Clinton ST, 600 N - fence (2354 : 2021-Bza-09)



Scale - 1:480

1 inch = 40 feet
1 inch = 0.008 miles

Knox County, OH; Bruce Harris & Associates



Board of Zoning Appeals Meeting: 07/07/21 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 # 2355)

DOC ID: 2355

**2021-BZA-13 : 305 S DIVISION ST - CONDITIONAL USE PERMIT FOR
 RESIDENTIAL IN A GB DISTRICT**

Item Number	2021-BZA-13
Site Address	305 S Division ST
Parcel Number	66-03056.000; 66-03057.000; 66-02982.000
Zoning District	GB – General Business
Presented By	Jesse Ashcraft

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

1167 – General Business District
 1155.22 – 155.27 Conditional Use Permit
 1160 – R-1 Single Family District

Request: Mr. Ashcraft would like to establish a residence on this GB – General Business property. See application for his detailed plan.

Other considerations: Variance(s) for Dwelling Size, Setbacks



City of Mount Vernon, Ohio
Board of Zoning Appeals

Request for Hearing

Applicant's Information

Owner's Name, Address and Phone **KNOX COUNTY PROPERTIES 740.392.2941**
20718 DANVILLE AMITY ROAD, MT VERNON, OH
 Agent's Name, Address and Phone **JESSE L. ASHCRAFT 859.341.0416**
40 ARCADIA AVENUE, LAKESIDE PARK, KY 41017

Site Information

Site Address 305 SOUTH DIVISION SE	Legal Description 66-02982 FACTORY 23x36 SE COR S 1/2 OF 5, 66-03056 FACTORY 4, 66-03057 FACTORY N 1/2 OF 5
Parcel Number 66-02982 66-03056 66-03057	Deed Volume and Page Number GB
Existing use of property 500 RESIDENTIAL VACANT	Proposed use of property PRIVATE HOBBY SHOP, RESIDENCE, PRIVATE GARAGE

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: **SEE 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.

Date: **1 JUN 21**

By:

Jesse L. Ashcraft

Status of Application

Filing Date 6/14/2021	Case Number 2021-BZA-13
Hearing Date JULY 7, 2021	Fee deposit \$75.00
Date Paid 6/14/21	Receipt Number 449

Status of Board's Action

☐ Approved ☐ Denied

Attachment: 2021-BZA-13 Application (2355 : 2021-Bza-13)

Jesse L. Ashcraft

40 Arcadia Avenue
Lakeside Park, Kentucky
41017-2129
jesselashcraft@fuse.net
Phone: 859.341.0416

Application for Conditional Use permit for parcels 66-02982, 66-03056, and 66-03057 located at 305 South Division Street at the corner of Division and Howard.

I am requesting the property above be granted a Conditional Use wavier for me to establish a residence here.

It is my intention to erect a well lit, insulated and heated steel shop building on the site, 40' by 65', which would provide me with a garage for my vehicles, a wood shop area to pursue my hobby and temporary living quarters during construction of the house. This would be the first two structures erected on the site allowing me to store all my household belongings from Kentucky while the house is being built.

The goal is to make these business friendly buildings that fit in with the local surroundings and could easily be adapted into a commercial concern in the future.

I'm 71 years old and live alone. I've been thinking of putting a small single story post & beam home on the property with an open "great room" type floor plan, vaulted ceiling and few partitions that could be a future office space, reception area and/or conference room should the property be converted into a business at some point.

The effects of my home and shop to the surrounding residents should be minimal and unremarkable. Sounds that might emanate from the shop would include occasional and intermittent table saw, planer, air compressor and power tools but only during normal daylight hours, if that; and no more intrusive than a lawn mower, a leaf blower or a rototiller. I try to be a good neighbor in that I'm not very active early in the morning or late in the evening. I expect my steel shop building will be a handsome fit with the motif of the surrounding business structures.

This location is close to the bike path and walking distance to downtown, restaurants and groceries making it a desirable place to live out my retirement.

Thank you for your consideration.



Attachment: 2021-BZA-13 Application (2355 : 2021-Bza-13)

Jesse L. Ashcraft

40 Arcadia Avenue
Lakeside Park, Kentucky
41017-2129
jesselashcraft@fuse.net
Phone: 859.341.0416

Application for Conditional Use permit for parcels 66-02982, 66-03056, and 66-03057 located at 305 South Division Street at the corner of Division and Howard.

