



Board of Zoning Appeals
Board Meeting

Agenda

July 19, 2023
5:30 PM

VIDEO BROADCASTING & RECORDING

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

CALL TO ORDER

MINUTES APPROVAL

- Board of Zoning Appeals - Board Meeting - Jun 21, 2023 5:30 PM

BZA FILES

- 2023-BZA-14 : 0 Whiteheirs - Variance for Accessory Structures
- 2023-BZA-15: 208 Miller AVE - Variance for Accessory Structure Size
- 2023-BZA-17 : 301-303 N Norton ST - Conditional Use Permit for Residential

ADJOURN



Board of Zoning Appeals Meeting: 07/19/23 5:30 PM
City of Mount Vernon Dept: **Board of Zoning Appeals**
Mount Vernon, OH 43050

SCHEDULED

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

BZA FILE (ID # 3841)

DOC ID: 3841

2023-BZA-14 : 0 WHITEHEIRS - VARIANCE FOR ACCESSORY STRUCTURES

Item Number	2023-BZA-14
Site Address	0 Whiteheirs ST
Parcel Number	66-04770.000 & 66-04771.000
Zoning District	R-2
Presented By	Julius J and Sherry A Schwarcz

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

- 1152.01(1) Accessory Building or Use definition
- 1161.01 Permitted and Conditional Uses (R-2)
- 1160.01 Permitted and Conditional Uses (R-1)
- 1178 Fences and Hedges

Request: Install a 6' tall fence for a private dog park and an 8' x 16' shed on vacant land with no existing structures.



City of Mount Vernon, Ohio
Board of Zoning Appeals

Request for Hearing

Applicant's Information

Owner's Name, Address and Phone

Julius J. and Sherry A. Schwarcz

Agent's Name, Address and Phone

Same as above

Site Information

Site Address

0 Whiteheirs Street, Mount Vernon, OH 43050

Legal Description

Situate in the city of Mount Vernon, County of Knox and State of Ohio

Parcel Number

66-04770.000, 66-04771.000

Deed Volume and Page Number

BK 1974 PG 217 - 219

Zoning District

City of Mount Vernon

Existing use of property

Vacant Land

Proposed use of property

Private Dog Park

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 permission to install a 6' tall fence for a private dog park. This is vacant land with no existing structures. We would also install a 8'x16' shed between Center Run and a tree area. The shed would be out of public view as it is hidden between the run and the tree line. There would be a minimum of 30' setback from Whiteheirs Street to be used as a gravel parking area. 811 has been contacted to ensure there will be no conflict with easements/utilities.

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:

5/31/2023

By:

Julius Joe Schwarcz Sherry Anne Schwarcz
Julius Joe and Sherry Anne Schwarcz

Status of Application

Filing Date

Case Number

Hearing Date

June 21 - 5:30pm

DDA

Fee deposit

\$75.00

Date Paid

5-31-2023

Receipt Number

#1572
Permit 20230234

Status of Board's Action

☐ Approved

☐ Denied

Attachment: BZA app Schwarcz (3841 : 2023-Bza-14)

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.

The City's Zoning Code permits fences and sheds as accessory structures to primary structures. This property is vacant and doesn't have a primary structure, thus we are requesting variance for accessory structures. In addition, the fencing is open and will not detract from other similar type fencing as found nearby (e.g. - 202 S. Edgewood and 2 S. Center Street). The private nature of the park will not add noise, traffic or odors

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

We would not be able to safely store/secure equipment necessary to care for the property - such as mowing, landscaping tools, materials to maintain the shed, fencing and parking.

_____ 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.

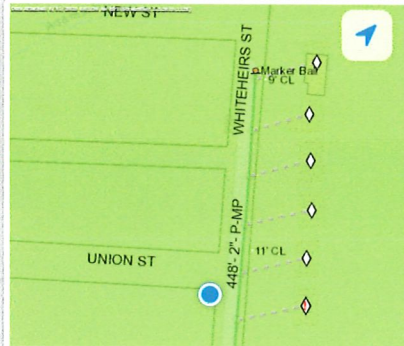


UtiliQuest EPR Notification

Ticket Information	Ticket Image
Ticket Number/Type: A315004656 - ROUT NEW POLY LREQ Caller: JULIUS SCHWARBZ Company: Call Date: 5/30/2023 2:43:00 PM Done For: SELF Street Address: WHITE HEIRS ST Place: MT. VERNON County: KNOX State: OH Nature of Work: FENCE AND SHED INSTALLATION	Ticket Identifier: 112965176 PILP 00012 OUPSa 05/30/23 15:00:46 A315004656-00A Ticket : A315004656 Rev: 00A Taken: 05/30/23 02:43 State: OH Cnty: KNOX Place: MT. VERNON Address : Street: WHITE HEIRS ST Cross 1 : FLORENCE ST Rail/Hwy: Milemarker(s): Where : WEST SIDE OF WHITE HEIRS ST STARTING AT THE : ST GOING 400 FT NORTH AND ENDING AT THE D : FARTHEST POINT OFF ROAD: 350 FT WEST FOR

The locate request for the following utilities ONLY have been updated by UtiliQuest

Company	Utility	Status	Notes
Columbia Gas MT Vernon (PILP)	Gas	Not in Conflict	



Exit

Ticket Notes

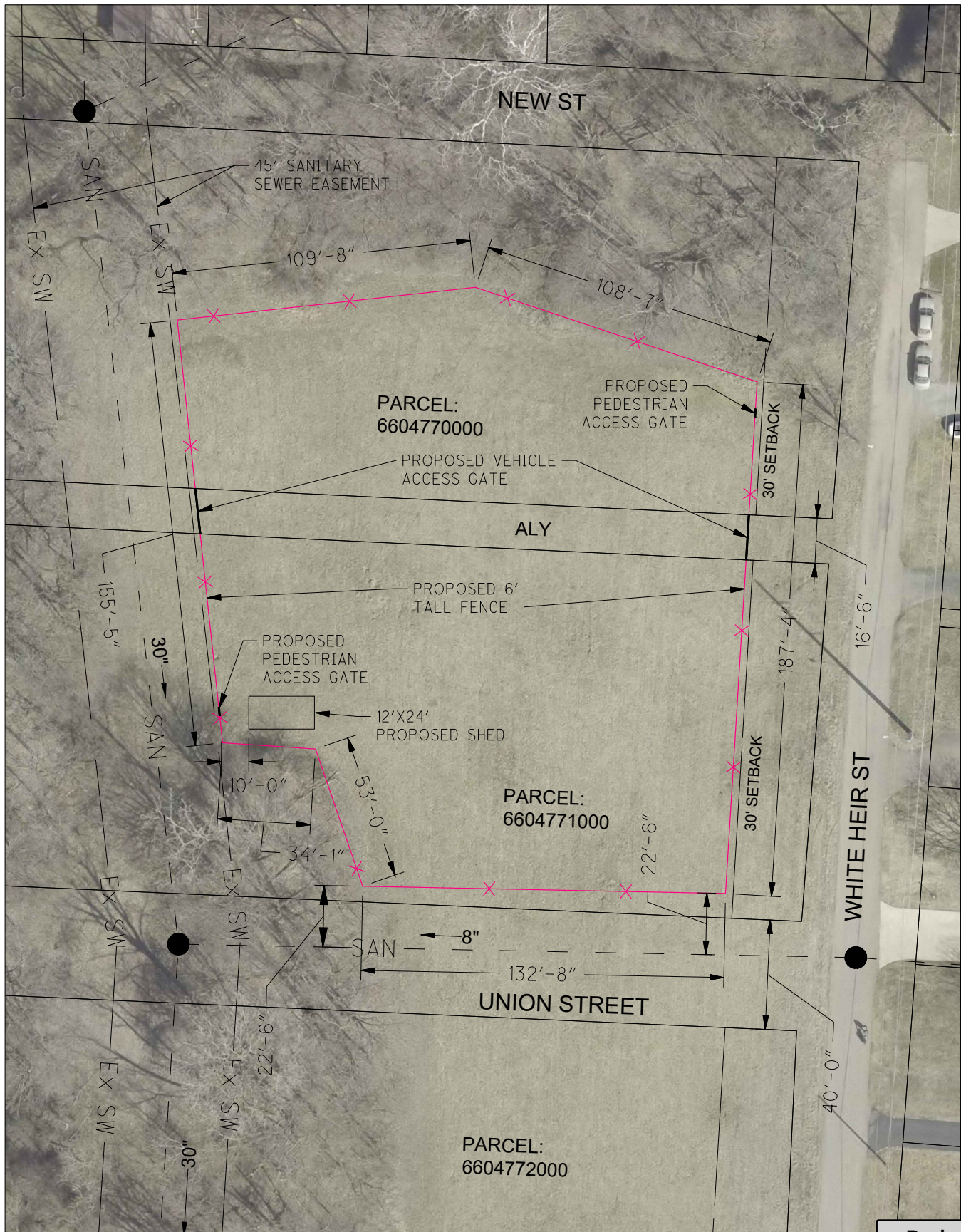
Date: 2023/05/31
 Notes: No gas in ticket scope. All mains on opposite side of the road.

Ticket information, facility maps, electronic locate manifests and any associated aerial images ("Materials") provided to the excavator via "Enhanced Positive Response" (EPR) are for internal excavator planning and communication purposes only and are not authorized to be redistributed to any third party. <911> If you damage any underground gas facility, please call 911 (or local emergency responders if 911 service is unavailable) immediately.

Attachment: BZA app Schwarcz (3841 : 2023-Bza-14)



Example of Dog Run we previously built ourselves.





Board of Zoning Appeals Meeting: 07/19/23 5:30 PM
City of Mount Vernon Dept: **Board of Zoning Appeals**
Mount Vernon, OH 43050

SCHEDULED

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

BZA FILE (ID # 3842)

DOC ID: 3842

2023-BZA-15: 208 MILLER AVE - VARIANCE FOR ACCESSORY STRUCTURE SIZE

Item Number	2023-BZA-15
Site Address	208 Miller AVE
Parcel Number	66-05127.000
Zoning District	R-1
Presented By	Ryan Holmes

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

1160.01 Permitted and Conditional Uses (R-1)

1160.02 Development Standards (R-1)

1173.04-06 Regulation of Accessory Uses and Buildings

Request: Construct a 30' x 40' building.



City of Mount Vernon, Ohio
Board of Zoning Appeals

Request for Hearing

Applicant's Information

Owner's Name, Address and Phone

Ryan Holmes

Agent's Name, Address and Phone

Ryan Holmes 208 Miller Ave. Mount Vernon, Ohio 43050 740-504-0596

Site Information

Site Address

208 Miller Ave

Legal Description

Belmont Subdivision #66

Parcel Number

6605127000

Deed Volume and Page Number

1184/404

Zoning District

R1

Existing use of property

Residential

Proposed use of property

Residential

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:

Construct 30x40 foot building along with a 5 foot distance to property lines on the north and east sides.

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.

05-31-2023

Date:

By:

Ryan Holmes

Status of Application

Filing Date

5-31-2023

Case Number

Hearing Date

Fee deposit

\$75.00

Date Paid

5-31-2023

Receipt Number

1573

Status of Board's Action

☐ Approved

☐ Denied

Attachment: BZA app Holmes (3842 : 2023-Bza-15)



Lacie Blankenhorn <dsm@mountvernonohio.org>

proposed garage location

1 message

Ryan Holmes <ryanholmes67@gmail.com>

Tue, Jun 6, 2023 at 7:07 PM

To: Lacie Blankenhorn <dsm@mountvernonohio.org>

I wish to build a permanent structure (pole barn) for the use of a residential garage. I understand that the zoning asks that there be a minimum stand off from the property lines, however I feel that a variance is reasonable due to all my neighbors to my rear having fences, two of them tall privacy fences. I have spoke on the matter to my neighbor immediately north of me on my intentions and he stated he has no issue with me building it. As for the size, I would really prefer to erect a larger structure, however I feel that it may appear gaudy and have an opposite effect of what I wish to accomplish. I own several non commercial vehicles, 2 jeeps, 2 cars and a large pickup truck along with three motorcycles and several atvs. This sounds like a lot, it is, but is why I would like to have this structure, to have adequate storage and keep the neighborhood aesthetically pleasing. Also there have been a few instances where vehicles have been broken into and have affected my family directly over the years. As of the location of the structure, I believe the zoning allows me to build this garage if it were attached to the house, however I am unable to conceive a way to execute that without compromising the appearance of my property or the neighborhood. Attached is a draft of how the property would be layed out. Im not certain that the scale on the image properly translated throughout the property so I included measurements where I felt it was relevant. If you have any questions please feel free to contact me via email, phone or text @ (740)504-0596 thank you for your time



Ryan Holmes proposed garage layout.pdf

1226K

Attachment: eMail - proposed garage location (3842 : 2023-Bza-15)



(<https://www.knoxcountyauditor.org/>)

Knox County Ohio, GIS Sarah Thorne



I attempted to draw the building to scale using a ruler over the computer screen. I feel that my measurements were correct however they dont appear to translate perfectly.



20ft

2023-03-10

[Click here for Legal Disclaimer](#)



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Mount Vernon, OH 43050

SCHEDULED

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

BZA FILE (ID # 3843)

DOC ID: 3843

**2023-BZA-17 : 301-303 N NORTON ST - CONDITIONAL USE PERMIT FOR
 RESIDENTIAL**

Item Number	2023-BZA-17
Site Address	301-303 N Norton ST
Parcel Number	66-05329.000 & 66-02335.000
Zoning District	PCDD
Presented By	Sam Filkins, Knox County Land Revitalization Corporation

Quick Guide to Codified Ordinance Sections (may not be inclusive):
 1185.01 Permitted and Conditional Uses (PCDD)
 1167.02(g) Conditional Uses (GB) Residential, as determined compatible with
 other uses in the area.

Request: A Conditional Use Permit for Residential in a PCDD, to allow the parcels to be redeveloped to allow affordable senior housing.



City of Mount Vernon, Ohio
Board of Zoning Appeals
Request for Hearing

Applicant's Information

Owner's Name, Address and Phone	KNOX COUNTY LAND REVITALIZATION CORPORATION P.O. BOX 29, MOUNT VERNON, OHIO 43050 740-393-3806
Agent's Name, Address and Phone	SAM FILKINS, PO BOX 29, MOUNT VERNON, OHIO 43050 740-507-5762

Site Information

Site Address	301 + 303 NORTH NORTON STREET		Legal Description	NORTON ISLAND 359 + 360
Parcel Number	Deed Volume and Page Number	Zoning District		
66-05329.000 66-02335.000	1871/765 1891/596			
Existing use of property	SINGLE FAMILY HOME AND VACANT LAND		Proposed use of property	MULTI FAMILY SENIOR HOUSING

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:

Conditional use for multifamily.

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: 7/5/2023

By:  Sam Filkins

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: Norton ST BZA app (3843 : 2023-Bza-17)

Conditional Use Narrative

AAA5 and Knox County Land Bank Project

The requested Conditional Use Permit for the parcels located at 301 & 303 N. Norton Street is to allow the parcel to be redeveloped to allow affordable senior housing. These parcels are owned by the Knox County Land Bank for the express purpose of redevelopment particularly due to their current condition and proximity to Heartland Commerce Park (former Siemens manufacturing facility). Per the code (1155.23) a narrative is required to address any negative impacts on surrounding properties, compatibility with adjoining properties,

(1) Effects on adjoining properties - particularly negative impacts

Because this conditional use would be residential within a residential area, there are no anticipated impacts related to noise, glare, odor, fumes, and vibration on adjoining property. In fact, as a buffer property between the industrial site to the south and the residential to the north, it can help lessen those impacts between the two uses. Additionally, these will be one-story buildings, so they will not seem massive compared to the neighboring properties.

(2) Compatibility of Conditional Use sought with the use of adjacent land, adjacent zoning, and with land use plans for the general area.

The plan for redevelopment is to add affordable senior housing. This residential use would align with the other adjacent properties becoming a bridge between the manufacturing and residential uses. This can help preserve the residential neighborhood feel.

(3) The relationship of the proposed use to the comprehensive plan

This Conditional Use and future development support the Knox County Comprehensive Plan (2018) in the following ways.

Chapter 3: Ensure responsible growth

Goal 3.3.3: Control scale and scope of development

“Encourage development in areas already on the grid.” We are not extending the grid further by building affordable senior multi-unit housing on these parcels. This means the development cost for taxpayers is less because there will be more users paying into the system without the need for new infrastructure. Projects like this are outlined as a target outcome of the Knox County Land Bank (3.3.3A Outcome D).

Chapter 5: Strengthening quality of life

5.2 - This chapter highlights housing as a community issue and priority for the county to be successful.

Goal 5.3.1: Diversify the county's housing stock

"Affordability, changes in household size, an aging population, and a growing preference for walkability, will all continue to reshape Knox County's residential development patterns moving forward. An attractive, high-quality, and safe housing stock is important for retaining and attracting residents." This project aligns with this goal because it provides safe, attractive, high-quality, and affordable housing for the aging population.

This Conditional Use is also supported through the Mount Vernon Strategic Plan (Phase 1, 2021) guiding principles.

Principle #1: *Foster a collaborative environment that is supportive of business and economic growth through fair, efficient, and transparent regulatory processes.*

This project is a collaboration between the Land Bank, AAA5, and the County Commissioners. By supporting this project through this zoning change and the following processes, the City of Mount Vernon can join on as a collaborator for affordable senior housing.

Principle #6: *Through initiatives such as streamlined development processes, innovative zoning, and strategic incentives, the City will support policies to ensure safe, abundant, and attainable quality housing.*

This project speaks directly to this project and the processes we are currently undertaking to make it a reality. Our hope is that the City will use this principle when evaluating the project for zoning, conditional use, and final development plans.

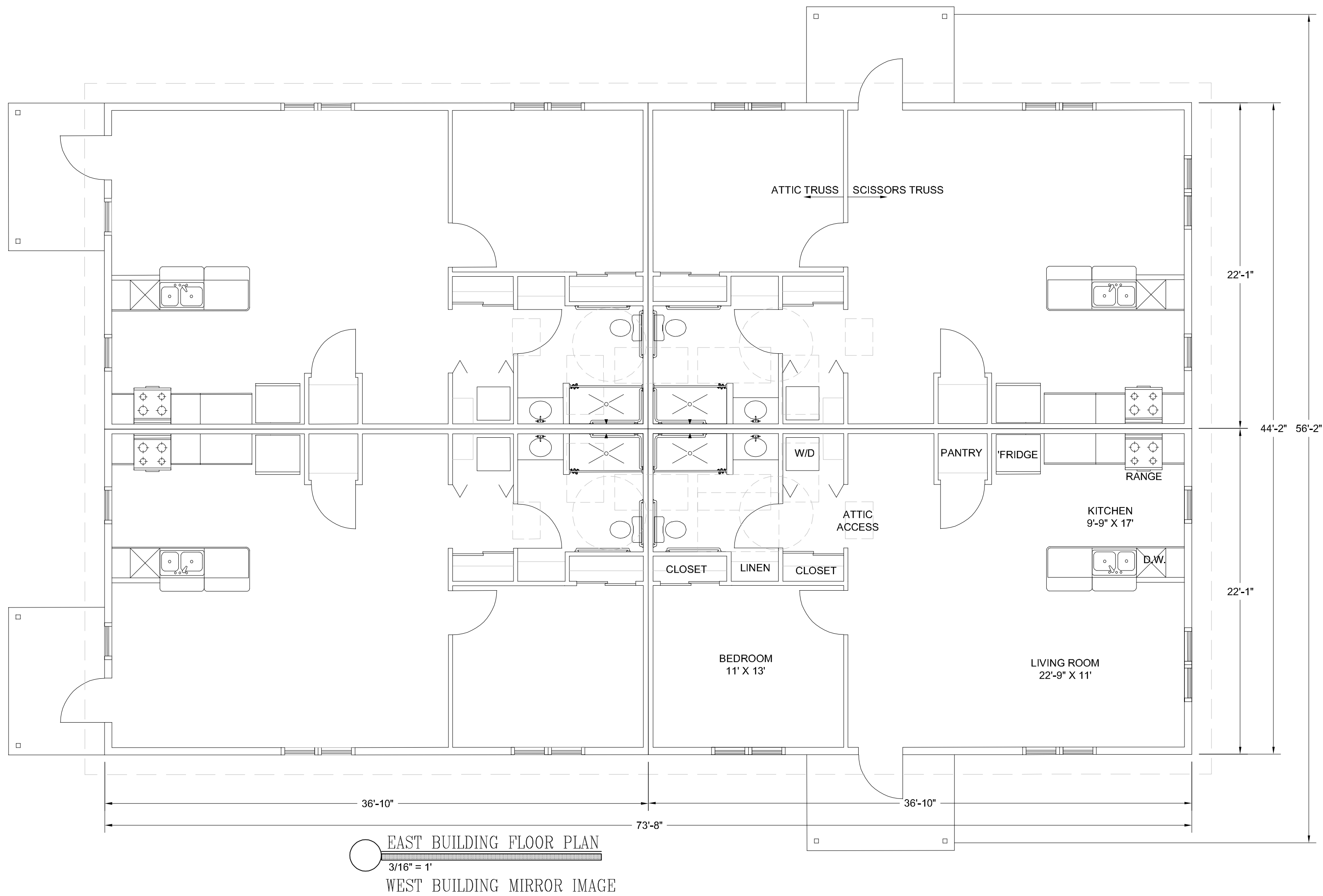
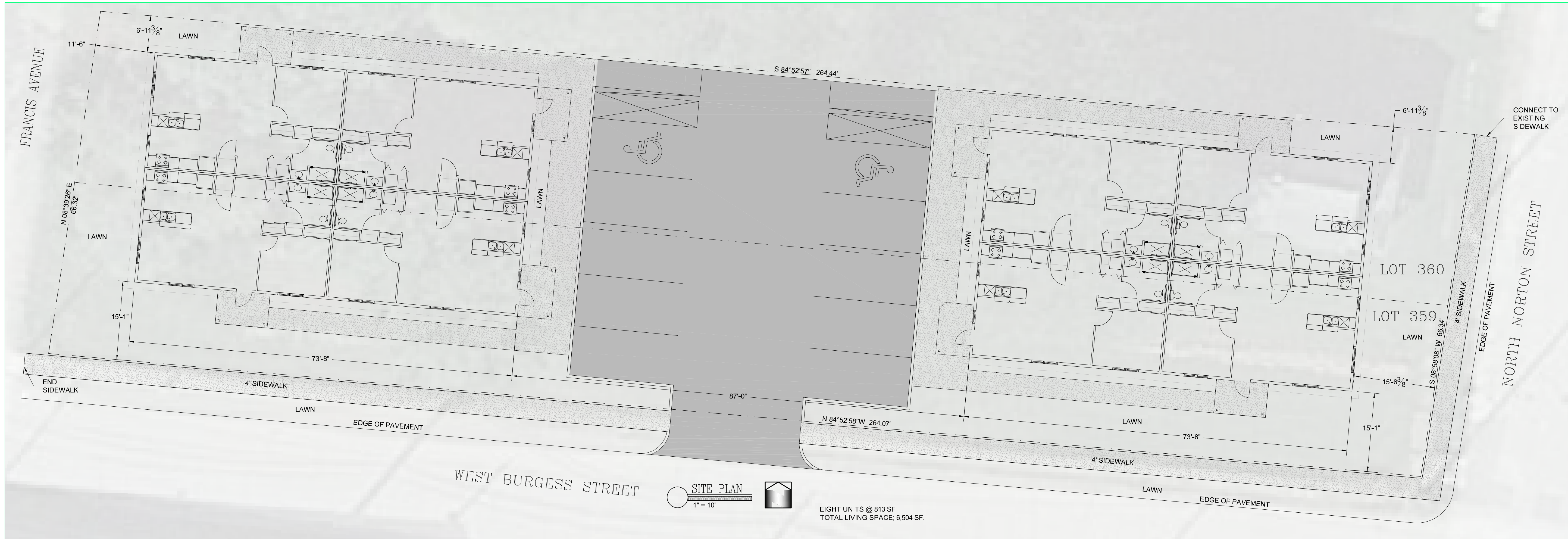
Conditional Use Approval Criteria

The following nine considerations for Conditional Use Approval are outlined in Chapter 1155.24 of the City of Mount Vernon Zoning Code.

- (a) Is in fact a conditional use as established under the Schedule of District Regulations adopted for the zoning district involved.
 - (i) Under the PCDD designation all allowed uses under General Business (GB) are permitted. In GB, residential is a Conditional Use.
- (b) Will be harmonious with and in accordance with the general objectives, or with any specific objective of the City's Comprehensive Plan and/or the zoning ordinance.
 - (i) As mentioned in the Conditional Use Narrative, this project meets many objectives of the County Comprehensive Plan and the City Strategic Plan.
- (c) Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
 - (i) These are multi-family senior housing structures, but the design is low profile and fits within the general neighborhood character. The look is aligned with traditional mid-western residential structures.
- (d) Will not be hazardous or disturbing to existing or future neighboring uses.
 - (i) There is no known impact on the environment or creation of any hazardous situations for existing or future uses.
- (e) Will be served adequately by essential public facilities and services such as highways, street, police and fire protection drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
 - (i) These lots are in-fill, meaning they are already receiving these public facilities and services. By adding this use, it will not overextend any current offerings. Additionally, as the property owner, the Area Agency on Aging (AAA5) will maintain the grounds and units, along with checking in on the residents frequently. This allows AAA5 to keep an eye on things and make sure any issues that may arise are addressed early. For example, if there is a health issue they can help coordinate rides to the

doctor for preventative care as opposed to it getting worse requiring an ambulance.

- (f) Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
 - (i) This will actually free up local housing stock to help benefit the economic welfare of the community.
- (g) Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odor.
 - (i) Being a residential use, there is no anticipated impact on traffic, noise, smoke, fumes, glare, or odor. With the population being housed in this site there is traditionally less traffic than in other areas.
- (h) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
 - (i) A new entrance off of Burgess Street will be included in the construction. This entrance will have a full view of the street and allow traffic without adding a dangerous intersection.
- (i) Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
 - (i) These lots have been a residential use for generations but do not have any natural, scenic, or historical significance.



CITY OF MOUNT VERNON ZONING

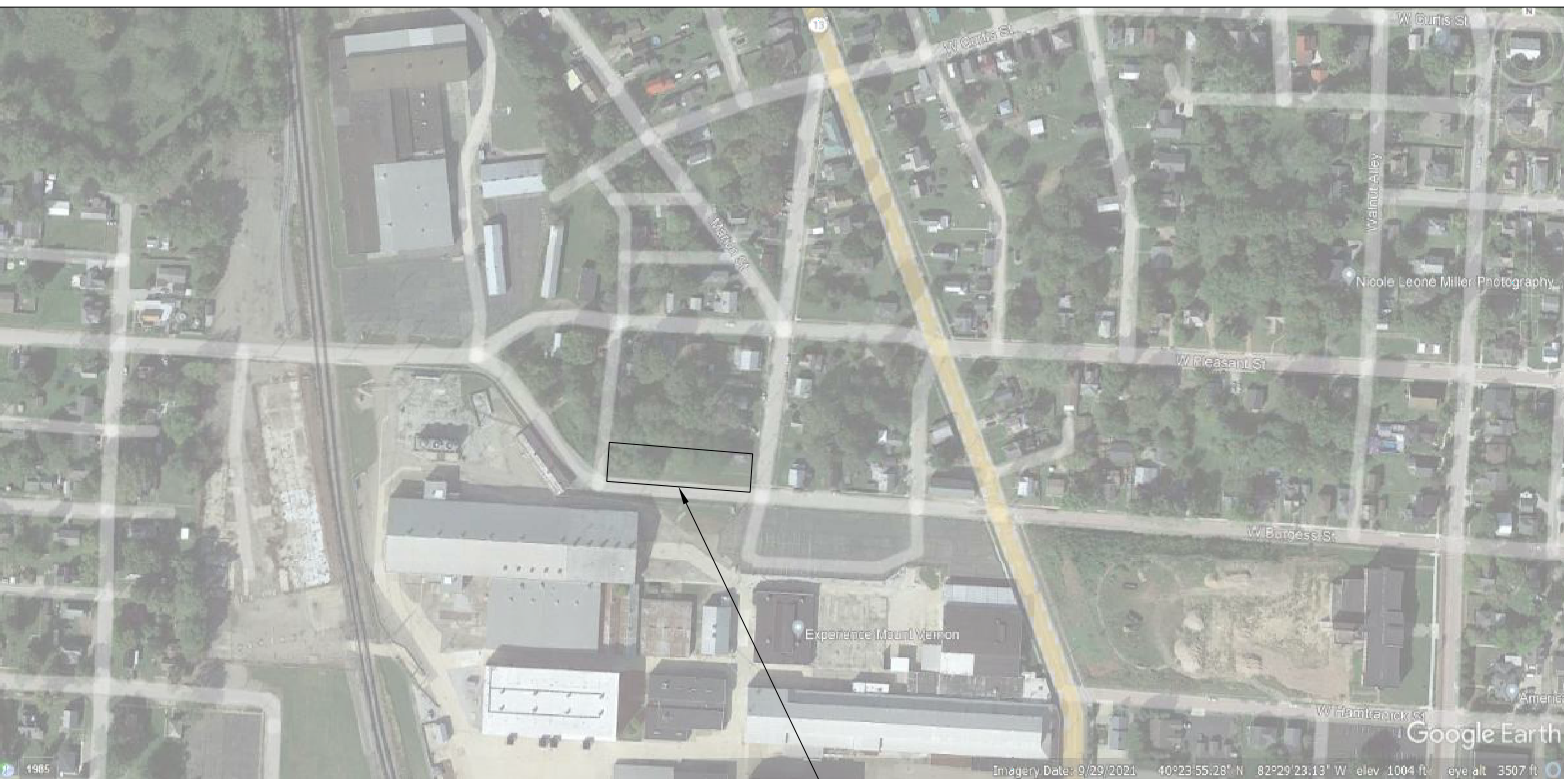
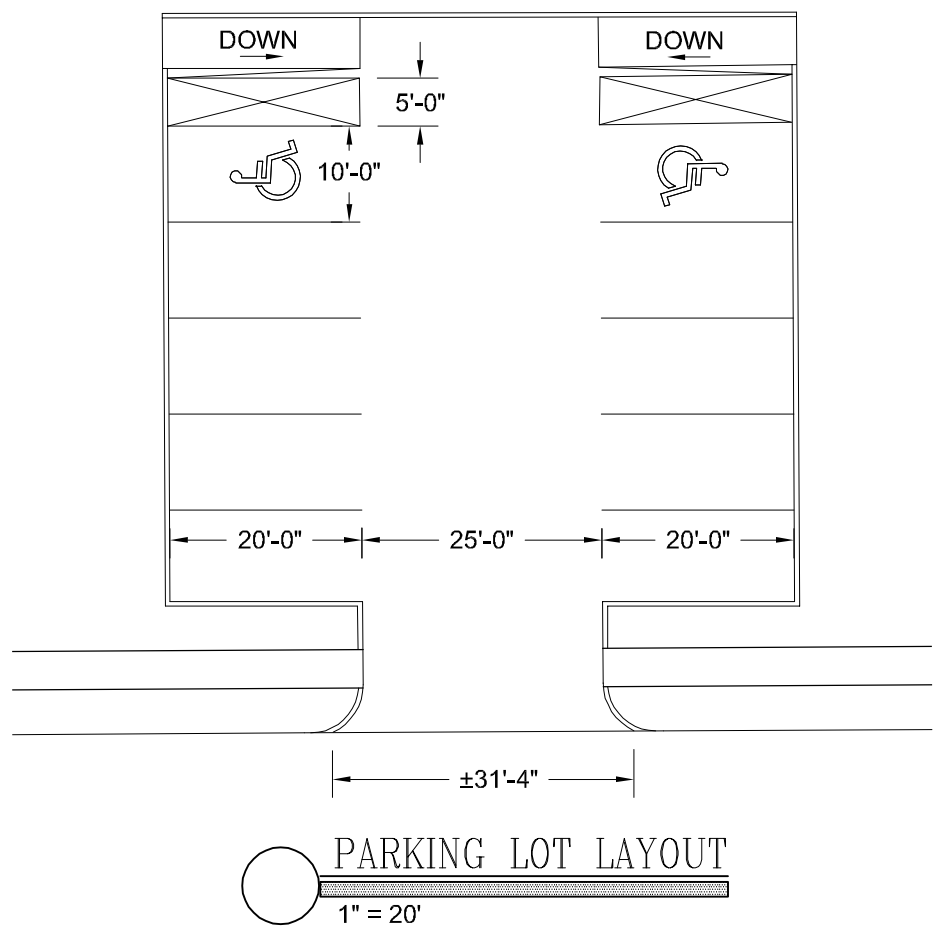
SITE ADDRESS: FORMERLY 301 AND 303 NORTH NORTON STREET
ZONING DISTRICT: PCDD, PLANNED COMMERCIAL DEVELOPMENT DISTRICT
MINIMUM REQUIRED LOT AREA: NONE
ACTUAL LOT AREA: 17,511 SQUARE FEET (0.402 ACRES)
MINIMUM REQUIRED LOT WIDTH: NONE
ACTUAL LOT WIDTH: 66.34' NORTH NORTON STREET
264.07' WEST BURGESS STREET
66.32' FRANCIS AVENUE

FRONT YARD: NORTON BURGESS FRANCIS
MINIMUM REQ. >20' >10' NONE
*NOTE: AVERAGE OF THOSE STRUCTURES ALONG THE SAME BLOCK FACE.
ACTUAL MIN. ±15' ±15' ±11'-6"

SIDE YARD: NO SIDE YARDS
MINIMUM REAR YARD: NONE
ACTUAL REAR YARD: ±7'
MAXIMUM BUILDING HEIGHT ALLOWED: 60'
ACTUAL BUILDING HEIGHT ±12'-7"
ALLOWABLE GROUND COVER: UP TO 95%
ACTUAL COVERAGE: 37%

PARKING REQUIREMENT:
SECTION 1174.11 ELDERLY HOUSING PARKING
10' X 20' SPACES WITH 22' WIDE AISLE:
1 SPACE PER DWELLING PLUS ONE PER STAFF PER SHIFT.
NO FULL TIME ON SITE STAFF WILL BE PRESENT.

RESIDENCE SPACES: 8 REQUIRED, 10 PROVIDED (2 ADA STALLS)



LOCATION MAP
NTS

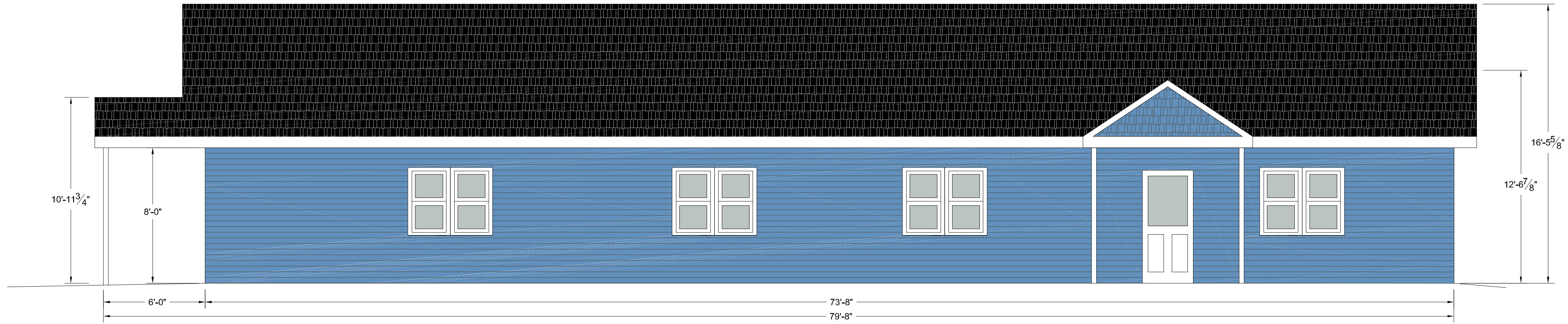
APPLESEED BUILDING COMPANY
362 LENOX AVENUE, MANSFIELD, OHIO 44906
PHONE/FAX 419-756-4410

AREA AGENCY ON
AGING – DISTRICT 5

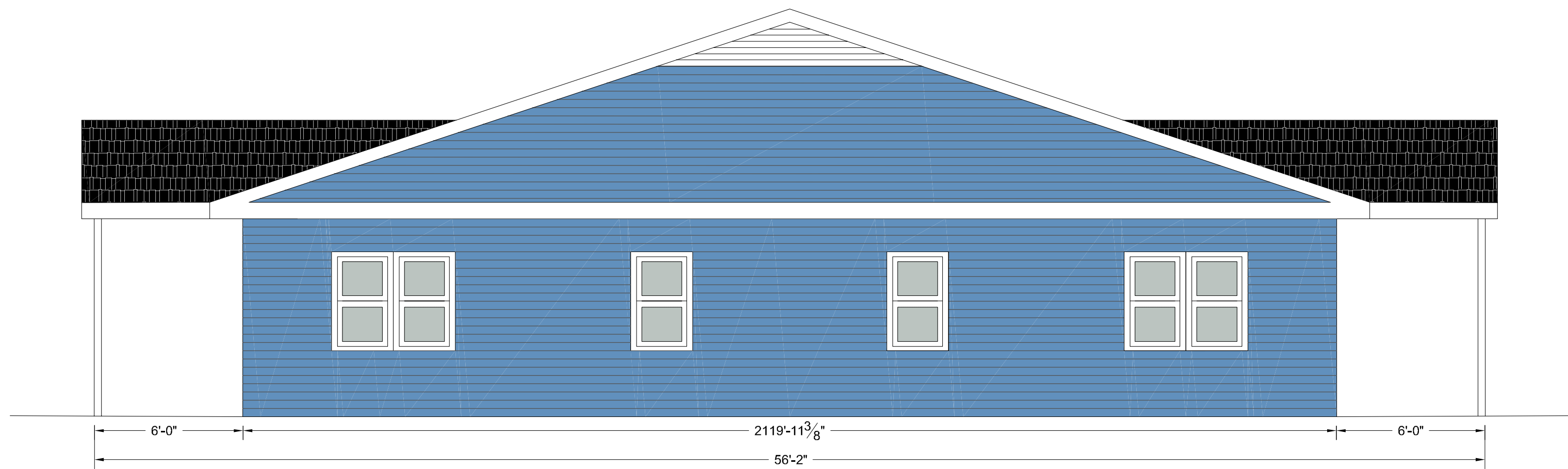
SENIOR HOUSING – PRELIMINARY

DATE 09-06-22	REVISIONS 06-22-23	SCALE AS NOTED	DR. BY DRW
APP. BY			1/2

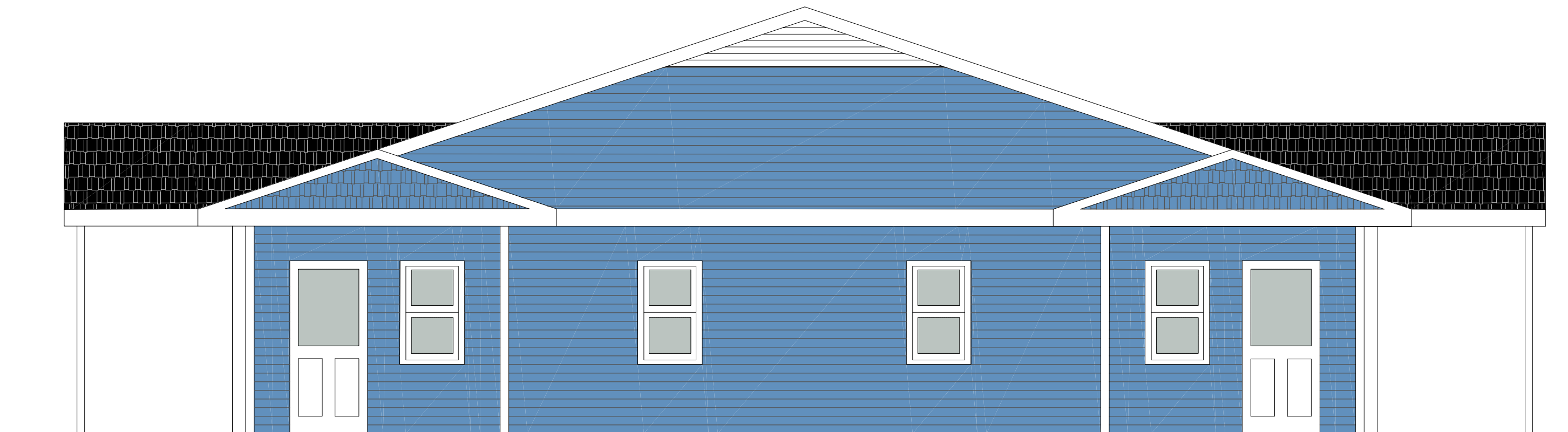
SEAL



SOUTH ELEVATION, EAST BUILDING
1/4" = 1'



EAST ELEVATION, EAST BUILDING
1/4" = 1'



WEST ELEVATION, EAST BUILDING
1/4" = 1'

09-06-22

06-20-23

SEAL

APPLESEED BUILDING COMPANY				
362 LENOX AVENUE, MANSFIELD, OHIO 44906 PHONE/FAX 419-756-4410				
AREA AGENCY ON AGING – DISTRICT 5				
SENIOR HOUSING – PRELIMINARY				
DATE	REVISIONS	SCALE	DR. BY	DRW
09-06-22	06-22-23	AS NOTED	APP. BY	2/2