



Board of Zoning Appeals
Board Meeting

Minutes

July 20, 2022
5:30 PM

CALL TO ORDER

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

Others in attendance: City Development Services Manager, Lacie Blankenhorn; City Law Director, P. Rob. Broeren; Lee Luebke; Karen Luebke

VICE-CHAIR ELECTION

- elect Ms. Cunningham as Vice Chair

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

MINUTES APPROVAL

- Board of Zoning Appeals - Board Meeting - Jul 6, 2022 5:30 PM

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

BZA FILES

- 2022-BZA-20 : 507 N Catherine ST - Variance for Accessory Structure Height

L. Luebke (sworn in) explained he replaced a rotten structure with a new construction. After speaking with the Development Services Manager he found out he could not build the size he wanted due to the code limiting the size based on the size of his home. He built a 20' x 20' with a 10' porch to utilize the existing concrete pad of the old structure. He did not know about the height restriction. The building is 18 inches too tall.

Percy asked Luebke if he obtained a Zoning Permit prior to construction.

L. Luebke said he made arrangements with an Amish crew to build a barn. The Amish called on a Monday and said they could be there Tuesday. Luebke said he did not get his permits. He had trouble finding a dumpster after the storm that moved through the area. The man that tore the building down took the rubble to Martinsburg. He visited the Engineering Office on Thursday to apply for permits, demolition and zoning. He had already applied for a fence permit, which he paid for when he was applying for the other permits. He received a message from the Development Services Manager about needing a variance for the height. He was not able to print the application because his computer quit working after the storm.

Broeren asked when the structure was built.

Luebke said it was in the process of being built when he got the approval for the demolition, the week of June 13. They started on a Tuesday. The Property Maintenance Enforcement Officer stopped at his house.

Broeren asked if the building was finished without the permit. Luebke said yes, it was. Luebke thought it would be ok to get the permits later.

Percy said the whole point of the permitting process is to avoid these problems in advance.

Linda Carrier of 502 N Catherine ST left a voicemail with the Development Services Manager stating she is ok with the construction and she does not have any complaints.

Staff Report: July 20, 2022 Case: 2022-BZA-20 507 N Catherine ST, Parcel #66-00516.000 Lee Luebke requests a variance for the height of an accessory structure to exceed the 18' maximum set by Code §1173.06(c), for an overall peak height of 19.5'. A 1-½ story accessory structure was removed from the property, see picture below. The new accessory structure was built on the site of the removed structure without a permit. The applicant was aware that a permit is required, per a phone conversation with the Development Services Manager earlier this year. The newly constructed accessory structure does not appear overly large and is similar to the razed structure that it replaces. The zoning staff supports this request for an increased height of 19.5 feet for the accessory structure.

Percy asked if the height of the structure that was torn down is known. Luebke did not. Luebke stated it did have a full loft.

Simpson made a motion to accept the variance request as presented.

RESULT:	ACCEPTED [3 TO 2]
MOVER:	Susie L. Simpson, Member
SECONDER:	Tonya Boucher, Member
AYES:	Boucher, Aryanata, Cunningham
NAYS:	Percy, Simpson
EXCUSED:	Smith, Eyster

ADJOURN

- Adjourn Motion

Cunningham made a motion to adjourn the meeting, Boucher seconded and the meeting was adjourned at 5:44 PM



Board of Zoning Appeals Meeting: 07/20/22 5:30 PM
City of Mount Vernon Dept: Board of Zoning Appeals
Mount Vernon, OH 43050

ADOPTED

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

BZA FILE (ID # 3594)

DOC ID: 3594

2022-BZA-20 : 507 N CATHERINE ST - VARIANCE FOR ACCESSORY STRUCTURE HEIGHT

Item Number	2022-BZA-20
Site Address	507 N Catherine ST
Parcel Number	66-00516.000
Zoning District	R-1
Presented By	Lee Luebke

Quick Guide to Codified Ordinance Sections (may not be inclusive):
 1173.06(c) General Requirements (accessory buildings)

Request: Asking to keep additional 1.5 feet at roof peak, intended for a better construction. Roof is metal and pitch allows for better run off of rain and snow to prevent any damage. Also need slightly more height for porch header and roof.

COMMENTS - Current Meeting:

L. Luebke (sworn in) explained he replaced a rotten structure with a new construction. After speaking with the Development Services Manager he found out he could not build the size he wanted due to the code limiting the size based on the size of his home. He built a 20' x 20' with a 10' porch to utilize the existing concrete pad of the old structure. He did not know about the height restriction. The building is 18 inches too tall.

Percy asked Luebke if he obtained a Zoning Permit prior to construction.

L. Luebke said he made arrangements with an Amish crew to build a barn. The Amish called on a Monday and said they could be there Tuesday. Luebke said he did not get his permits. He had trouble finding a dumpster after the storm that moved through the area. The man that tore the building down took the rubble to Martinsburg. He visited the Engineering Office on Thursday to apply for permits, demolition and zoning. He had already applied for a fence permit, which he paid for when he was applying for the other permits. He received a message from the Development Services Manager about needing a variance for the height. He was not able to print the application because his computer quit working after the storm.

Broeren asked when the structure was built.

Luebke said it was in the process of being built when he got the approval for the demolition, the week of June 13. They started on a Tuesday. The Property Maintenance Enforcement Officer stopped at his house.

Broeren asked if the building was finished without the permit. Leubke said yes, it was. Leubke thought it would be ok to get the permits later.

Percy said the whole point of the permitting process is to avoid these problems in advance.

Linda Carrier of 502 N Catherine ST left a voicemail with the Development Services Manager stating she is ok with the construction and she does not have any complaints.

Staff Report: July 20, 2022 Case: 2022-BZA-20 507 N Catherine ST, Parcel #66-00516.000 Lee Luebke requests a variance for the height of an accessory structure to exceed the 18' maximum set by Code §1173.06(c), for an overall peak height of 19.5'. A 1-½ story accessory structure was removed from the property, see picture below. The new accessory structure was built on the site of the removed structure without a permit. The applicant was aware that a permit is required, per a phone conversation with the Development Services Manager earlier this year. The newly constructed accessory structure does not appear overly large and is similar to the razed structure that it replaces. The zoning staff supports this request for an increased height of 19.5 feet for the accessory structure.

Percy asked if the height of the structure that was torn down is known. Luebke did not. Luebke stated it did have a full loft.

Simpson made a motion to accept the variance request as presented.

RESULT:	ACCEPTED [3 TO 2]
MOVER:	Susie L. Simpson, Member
SECONDER:	Tonya Boucher, Member
AYES:	Tonya Boucher, Kate Aryanata, Cynthia Cunningham
NAYS:	Michael Percy, Susie L. Simpson
EXCUSED:	William Smith, Otho Eyster



City of Mount Vernon, Ohio
Board of Zoning Appeals

Request for Hearing

Applicant's Information

Owner's Name, Address and Phone

Lee Lubcke 507 North Catherine St. Mount Vernon, Ohio

Agent's Name, Address and Phone

740-485-9013 43050

Site Information

Site Address

507 North Catherine Street

Legal Description

Lots 27, 28, 29, 30, 36, 37
2 PT Aly map record and
Kewmore .697A

Parcel Number

66-00516.000

Deed Volume and Page Number

Zoning District

Existing use of property

Single family dwlg (owner)

Proposed use of property

Single family dwlg (owner)

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:

Asking to keep additional 1.5 feet at roof peak. was intended for a better construction. Roof is metal, and pitch allows for better run off of rain and snow to prevent any damage. Also need slightly more height for porch header and roof.

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:

June 22nd, 2022

By:

Lee Lubcke

Status of Application

Filing Date

Case Number

Hearing Date

Fee deposit

\$75.00

Date Paid

Receipt Number

Status of Board's Action

☐ Approved

☐ Denied

Attachment: 2022-BZA-20 Application Packet - Catherine ST, 507 N - accessory structure height (3594 : 2022-Bza-20)

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.

Asking to keep additional 1.5 feet of height.

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

Roof is constructed of Sheet metal. The pitch was for better construction to allow for water and snow run off to help prevent any damage. Also height helps with the porch header and height.

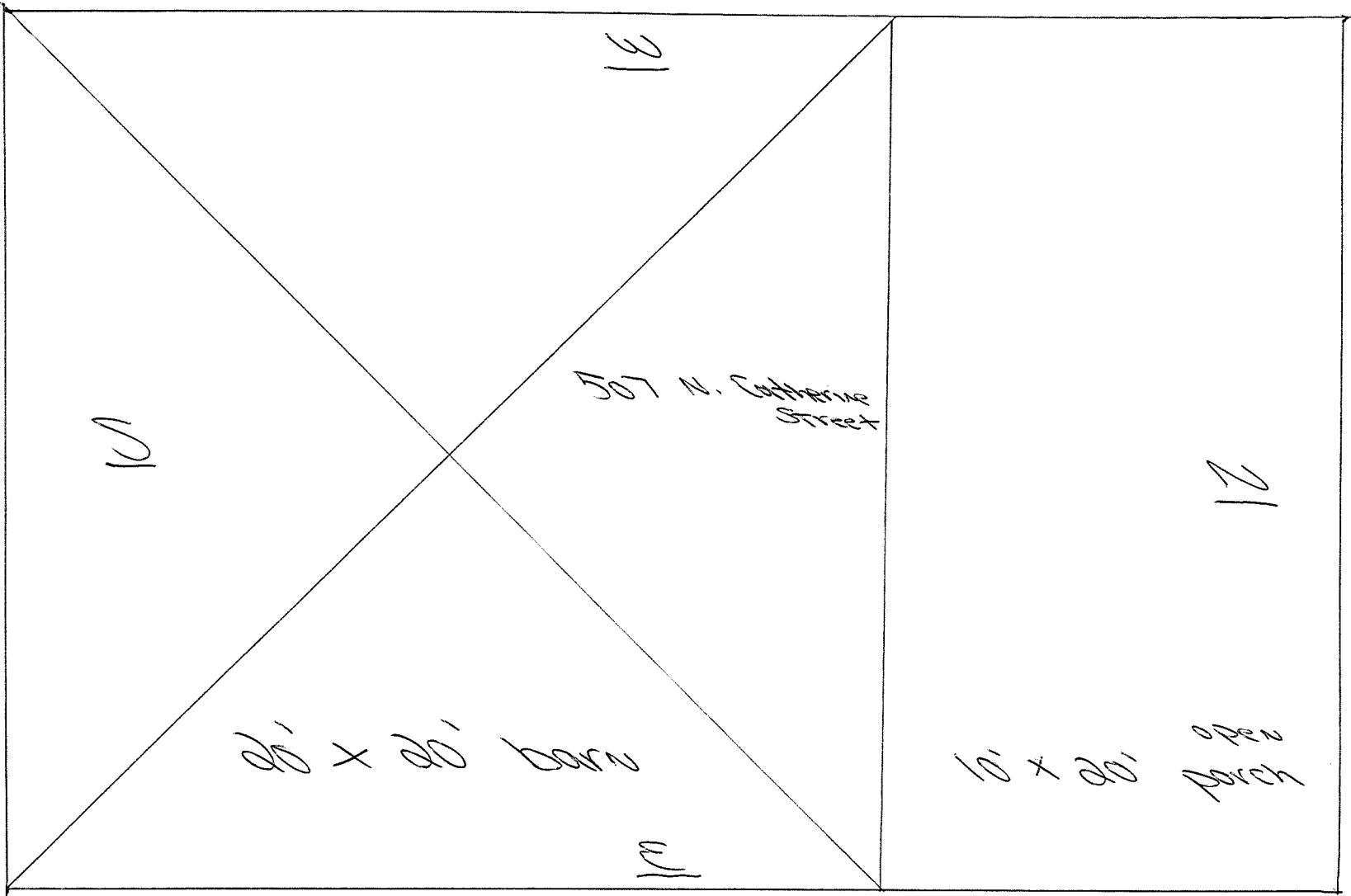
5) The granting of the variance is necessary for the reasonable use of the land or building, and the variance as granted is the minimum variance that will accomplish this purpose.

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.

12' x 20' (South)

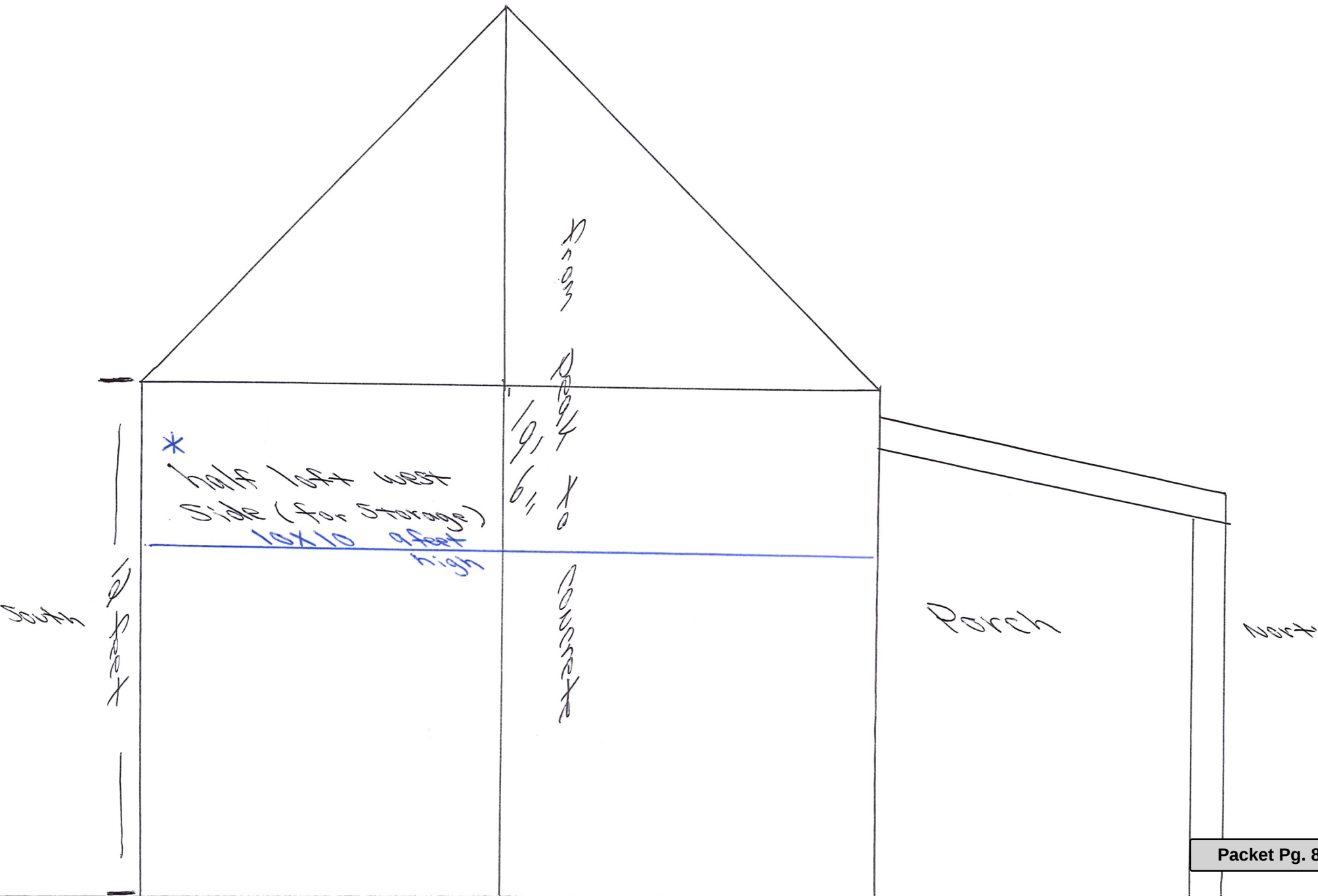
20' to property line



Parcel # 66-00516.000

507 North Catherine St

Parcel # 66-00516.0



Attachment: 2022-BZA-20 Application Packet - Catherine ST, 507 N - accessory structure height (3594 :



Knox County Ohio, GIS
Jonette Curry

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



Attachment: Auditor's aerial image (3594 : 2022-Bza-20)

507 N Catherine St



40ft

2021-09-28

<https://knox-oh.bhamaps.com/?PropertyNumber=66-00516.000>

[Click here for Legal Disclaimer](#)

Packet Pg. 9

10 x 10 porch

10 x 10 porch

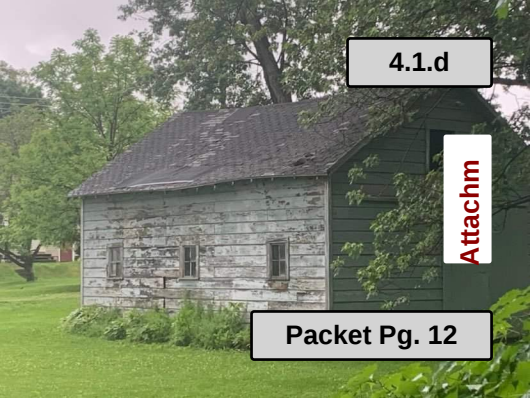
10 x 10 porch

10 x 10 porch

4.1.c

Attachment:

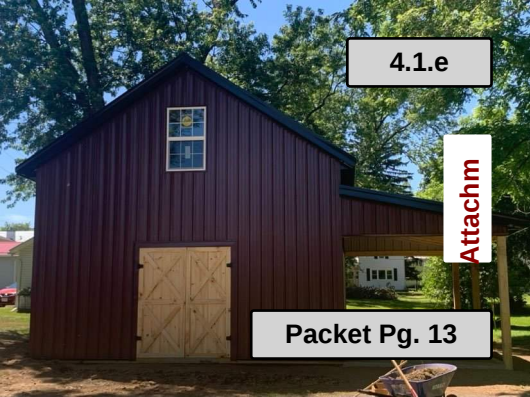
Packet Pg. 11



4.1.d

Attachm

Packet Pg. 12

A photograph of a dark red barn with a gambrel roof. The barn has a small, multi-paned window near the peak and a set of double doors with a light-colored wood grain pattern. The barn is situated in a yard with trees and a blue sky in the background. A wheelbarrow is visible in the foreground.

4.1.e

Attachm

Packet Pg. 13



4.1.f

Attachm

Packet Pg. 14