



Board of Zoning Appeals
Board Meeting

Minutes

December 7, 2022
5:30 PM

CALL TO ORDER

Attendee Name	Title	Status	Arrived
Michael Percy	Chairman	Present	
Susie L. Simpson	Member	Excused	
William Smith	Member	Present	
Otho Eyster	Alt. Member	Excused	
Tonya Boucher	Member	Present	5:45 PM
Kate Aryanata	Alt. Member	Present	
Cynthia Cunningham	Vice-Chairman	Present	

Others in attendance: City Development Services Manager, Lacie Blankenhorn; City Law Director, P. Rob. Broeren; Yogesh Pate; Ashuih Patel; Bill Cashman; Shane Heald; Reggie Ebright; Don Carr; Gary Sharp; Jeanann Sharp; Gary Koester

MINUTES APPROVAL

- Board of Zoning Appeals - Board Meeting - Nov 2, 2022 5:30 PM

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

BZA FILES

- 2022-BZA-38 : 125 Mansfield AVE - Variance for Accessory Structure Size

G. Sharp (sworn in) - explained his request for a variance to build a building large enough to house his motorhome and utility trailer. The proposed building is 26' wide x 50' long and 14' at the eave. The motorhome is 8 ½ feet wide, 40' long and 13 ½ feet tall. Percy verified the request for a variance is for the size, because based on the Code the size of his home determines the allowable size of the garage, being 609 square feet, which is 35% of the size of the dwelling. No other variances are needed. The request is 72-73% of

the size of the home. The property is a double lot. Sharp explained the property runs from Mansfield AVE to Mulberry ST. The lot is 88 feet wide, 260 feet deep. He plans to put the building at the end of his driveway. He stated there is plenty of space. Percy confirmed that no setback variances are needed.

Carr (sworn in) described the variance request as extreme, but not unusual. He described a 609 square feet building as pretty substantial. He said there is an attached garage on the property. Carr said the double car garage adequately holds vehicles. He said there doesn't appear to be any hardship expressed in the application. Carr said accessory buildings should always be subordinate to the home. He said an accessory building over twice the size of that allowable seems to be extreme. Carr said the Code says accessory buildings need to be harmonious. He provided a definition from the dictionary for harmonious, being pleasant, agreeable, matching, congruent, or similar. He said putting in storage for a trailer is not necessary or provided for in the Code, saying RV's can be placed in the back yard. Carr said many of the homes along North Mulberry do not meet the current standard of 1,200 square feet. He further explained many of the homes in the area are smaller than the accessory building being requested. He noted there is already an existing 20' x 10' shed in the subject properties back yard.

There was no one else in attendance to speak about the request.

Blankenhorn read communications submitted through her office. Staff Report: December 7, 2022 Case: 2022-BZA-38 125 Mansfield AVE Parcel # 66-04047.000 Gary Sharp requests a variance to build a 26' wide by 50' long accessory structure to store his new recreational vehicle and utility trailer in. The proposed structure is 1,300 square feet. The primary structure on this property is 1,740 square feet. 35% of that is 609 square feet. The property is 88.5' wide x 266' deep and comprises 23,541 square feet, of which 8,239 square feet can be covered. This would allow up to 10 26' x 23' accessory structures comprising 5,980 square feet to be built in compliance. §1173.14 and 1309.05 limits the storage of recreational vehicles and/or trailers to the rear yard at a maximum count of 1 item. §1173.14 further directs storage to be in a completely enclosed building. The City of Mount Vernon does not have building code, therefore the City does not regulate building materials. Garages and storage structures can increase property values. The proposed structure would allow the applicant to legally keep both his recreational vehicle and utility trailer on the property while meeting or exceeding the required setbacks. The lot is large enough to be split to create a second buildable lot along N. Mulberry ST.

Blankenhorn explained she receive a number of voicemails. She learned that an anonymous letter was distributed to a number of residents in the area surrounding the subject property.

Voicemails: Hi Lacie this is Jo Pullins. I actually got a letter, I'm not sure who sent these out, I don't think it was you, I don't know. This is concerning the property at 125 Mansfield Avenue owned by Gary Sharp and him wanting to build a 26' x 50' x 16' high storage building. I live at 1307 N. Mulberry, which isn't far from that property and I just want to voice that I don't want that to happen. I guess I would not want the zoning to change to allow that. My understanding is that right now the code doesn't permit it and I would like it to stay that way.

My name is Denise Gallagher. I live at 1215 N. Mulberry St. and I'm calling about the 125 Mansfield and the 50 foot long storage building. I do not agree with that and I hope it doesn't get built. That is an awful big size thing to do to that property so I'm against it so I'm letting you know thanks have a good day.

Hello this is Jason Fraser I reside at 103 Rose Ave. in Mount Vernon and I'm calling in reference to the request by Gary Sharp at 125 Mansfield to get a special permission to build his storage building that I've been informed will be 26 x 50 x 16. I would like to express my opposition to the building being built. I think it would be a negative impact on the character of our neighborhood and an eyesore and that the zoning rules that we have regarding large storage buildings in residential areas are there for a reason. I fear that it will also detract from the property values of my neighbors who live in close proximity to that property. Please do give all due consideration thank you have a good day.

My name is Michelle Herbert. I reside at 1219 N. Mulberry St. in Mount Vernon and I got notice of a property at 125 Mansfield Avenue wanting to build a structure, case number 2022 - BZA-38. Thank you for your letter. I measured it according to my house and basically, it's like putting a house on that back lot that he has. My only concern is that it looks nice. Maybe make it as nice of a building as possible with windows or something so it's just not a plain pole building but as far as a size I think it's just the size of another house and he has a big

lot and I will say on Mr. Sharp defense he does keep a very nice yard. His things are cleaned up and it looks nice so I think he would do a good job with this. Other than that, I think he should be able to do what he wants with his property so long as it looks nice for the others that have to look at it. It is his property. I hope this finds you well and I apologize that we disagree on this point.

My name is Kimberly Nelson and I am responding to 125 Mansfield Avenue wants to build a 26 foot wide by 50 feet long and 16 feet high storage building for RV and trailer storage in his backyard. I oppose this. I do not want him to be able to do this. I reside at 1303 N. Mulberry ST Mount Vernon Ohio.

My name is Pamela Dalton I live at 1304 North Mulberry St. I'm calling to vote no on the construction of a large building a few properties over. Thank you.

Email from Kathy Garner: We live at 1213 N Mulberry St so the building being proposed will be clearly visible to our neighborhood on N Mulberry Street. I appreciate that Mr. Sharp requires storage for his recreational vehicles and he certainly has plenty of land/space; however, the proposed metal commercial building would be prominent in a neighborhood on N Mulberry of ranch homes with square footage most likely averaging between 1000-1200 SF. I'm not sure if there are other options that would blend the new storage addition into the landscape in a less prominent way for those of us on N Mulberry St. Thank you for the opportunity to voice our opinion. Sincerely, Kathy and David Garner

Email from Susan Durbin: We live at 1205 N Mulberry St and just became aware of the item that is on tonight's agenda. The "building" that the resident at 125 Mansfield Ave is wanting to build is extremely large for the area. This building would actually be more visible for the people/neighbors on N Mulberry St than on Mansfield Ave. We walk/ ride our bikes in the neighborhood nearly everyday - It would look out of place and create an eyesore for the whole area. I do respect their right to buy a RV, Camper, Trailer or whatever else they want to buy HOWEVER - storing those items is something that you also have to think about BEFORE you buy them. A big commercial, metal type building would not fit into that neighborhood and would be something we would have to look at forever. We don't support this. Thanks for letting us have a voice. Sincerely, Alex & Susan Durbin

Phone Conversation: Mathew Black owns 121 Mansfield AVE which is next door to the subject property. He is supportive of Mr. Sharp's request to build a garage on the property.

Smith made a motion to permit Mr. Sharp to have the variance as requested.

Discussion: Smith said it concerns him that the square footage of the proposed building is so far out of wack to what the neighborhood deserves. The open lot is flanked by ranch homes. He thinks the requested size is way out of the ball park and he intends to vote no.

There was no further discussion.

RESULT:	DENIED [0 TO 4]
MOVER:	William Smith, Member
SECONDER:	Kate Aryanata, Alt. Member
NAYS:	Percy, Smith, Aryanata, Cunningham
EXCUSED:	Simpson, Eyster, Boucher

- 3667 : 2022-Bza-36 Conditional Use Permit - mini-storage building

Boucher arrived prior to this case being heard. Cunningham abstained from this case.

Heald (sworn in) explained they have a retail building at 1002 Coshocton AVE and there is a large space out back that is an empty lot area currently. They have been kicking around ideas on how to better utilize and maximize their property. They came up with the idea of storage units. They have drawn up to have a 30' x 120' building with 20 9' x 8' storage units in the space.

Percy reviewed the requesting explaining storage units requires a Conditional Use Permit in the General Business District. Should the Conditional Use Permit be granted, then a variance is needed for the size of the structure because it is larger than 35% of the gross floor area of the primary use/structure.

Cashman (sworn in) explained the lot in the back of the subject property has been used as a parking lot up until this point by the neighbor. They feel storage units is a better use for the space. They believe the storage units will be an asset to the community.

Parking space count was questioned. The existing building is 4,536 square feet. Code requires 1 space for each 150 square feet of retail space, which is 31 spaces. The owners estimated there to be 23 spaces currently. Broeren believes the use and parking are grandfathered, as it was in place before the Zoning Code, so the existing parking or lack thereof is grandfathered and shouldn't be a factor in this case. Parking in the back shouldn't be counted because the area is not paved. The proposed use will not have any employees on site.

Cashman believes the building was originally a Volkswagen car dealership. It has been retail since they have owned it.

Y. Patel (sworn in) believes the proposed storage units will create security issues by bringing criminal activity. He said the building will affect the wildlife. There are many deer in the area. The traffic entering the subject property use his hotel property's driveway. The storage units will increase the amount of traffic using his driveway.

Percy asked Blankenhorn if the Code requires any fencing or other security measures for storage units. Blankenhorn does not think there are any requirements.

Carr (sworn in) read from §1155.24 General Standards applicable to all Conditional Uses b) will be harmonious with and in accordance with the general objectives of the zoning ordinance, will be harmonious and appropriate in appearance with existing or intended character of general vicinity. Percy explained storage units are a listed Conditional Use in the GB district, implying they are harmonious to GB. Carr continued to read, shall find adequate evidence showing that such use at the proposed locations. He believes these are standards that need to be met. c) use will not change the initial character of the area, will not be hazardous or disturbing to existing or future neighboring uses. He thinks the owners of the neighboring hotel are concerned about all of that. Addressing h) Carr talked about traffic on Coshocton. He described the turn lane at the Lowe's traffic light for eastbound traffic to enter Harbor Freight and Starbucks. It is a double yellow line creating the middle lane. Westbound traffic trying to turn into the subject property or the motel have to either enter the turn lane opposing them or go beyond it and almost make a U turn to get into the common driveway. Carr believes the additional traffic that this proposal will generate should be considered. He went on to say this development, if approved, will offer no new employees to the tax roll to Mount Vernon. Carr said there are very few storage units in the limits of Mount Vernon. He detailed where units are located throughout the area. His opinion is that storage units should be at the edge of the City and not in the heart of the retail district on Coshocton Avenue.

Blankenhorn read the Staff Report: October 19, 2022 Case: 2022-BZA-36 1002 Coshocton AVE Parcel # 66-06206.000 Shane Heald requests for Building 36 LLC a Conditional Use Permit for a mini-storage building in the General Business District. The size of the remaining lot limits the use. Any proposed use would be limited by the area available for parking. §1167.02(b)(6) (General Business) Conditional Uses including Mini-storage buildings Should the Conditional Use Permit be granted, the size of the proposed structure would require a variance because it is larger than 35% of the gross floor of the primary structure. §1173.06(a) accessory structures shall be 35% or less of the gross floor area of the principal use or structure. Primary Structure: 4,536-sf x 35% = 1,587.60-sf Proposed Accessory Structure: 30' x 120' = 3,600-sf The proposed siting meets the Development Standards of the District for side and rear setbacks.

Smith made a motion to approve the Conditional Use Permit as proposed.

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

- 2022-BZA-36A : 1002 Coshocton AVE - Variance for Mini-Storage Building Size

Testimony for an accessory structure to be 3,600 sf when Code calls for it to be limited to 35% of the gross floor area of the primary structure (1,587 sf).

Cashman said given the size of the lot and the use this is the optimal use and it still gives ample parking a driving room.

Y. Patel said he is paying rent for the lot. Currently motel guests are not allowed to park in front of the retail building. This area provides an area for parking at night.

Carr expressed his disagreement with the decision to grant the Conditional Use Permit. He thinks it sets a precedence that anybody on Coshocton AVE from Walmart all the way down to Yauger RD and around the corner to the CES Credit Union can come before the BZA with the same type of request. Broeren told Carr the discussion is about the size of the building. Carr said he has the mic. Carr went on describing his disagreement. He then said the size of the building is too large for the space and parking is not adequate.

There was no further testimony.

Percy explained the proposed structure is considered an accessory structure and the Code limits its size to 35% of the gross floor area of the primary structure. The primary structure is 4,536 square feet. The maximum accessory structure that is permitted by Code is 1,587 sf. The request is for a 3,600-sf structure, nearly 80% larger.

RESULT:	DENIED [0 TO 4]
MOVER:	Tonya Boucher, Member
SECONDER:	Kate Aryanata, Alt. Member
NAYS:	Percy, Smith, Boucher, Aryanata
ABSTAIN:	Cunningham
EXCUSED:	Simpson, Eyster

ADJOURN

- Adjourn Motion

Smith made a motion to adjourn the meeting, Cunningham seconded and the meeting was adjourned at 6:17 PM



Board of Zoning Appeals Meeting: 12/07/22 5:30 PM
City of Mount Vernon Dept: Board of Zoning Appeals
Mount Vernon, OH 43050

DEFEATED

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

BZA FILE (ID # 3680)

DOC ID: 3680

2022-BZA-38 : 125 MANSFIELD AVE - VARIANCE FOR ACCESSORY STRUCTURE SIZE

Item Number	2022-BZA-38
Site Address	125 Mansfield AVE
Parcel Number	66-04047.000
Zoning District	R-1
Presented By	Gary Sharp

Quick Guide to Codified Ordinance Sections (may not be inclusive):
 1173.06 General Requirements (accessory building or use)
 1173.14 Parking & Storage of Vehicles and Trailers
 1160 R-1 Single Family District

Request: a variance to build a 26' wide by 50' long, 16' high building to store new RV and utility trailer.

COMMENTS - Current Meeting:

G. Sharp (sworn in) - explained his request for a variance to build a building large enough to house his motorhome and utility trailer. The proposed building is 26' wide x 50' long and 14' at the eave. The motorhome is 8 ½ feet wide, 40' long and 13 ½ feet tall. Percy verified the request for a variance is for the size, because based on the Code the size of his home determines the allowable size of the garage, being 609 square feet, which is 35% of the size of the dwelling. No other variances are needed. The request is 72-73% of the size of the home. The property is a double lot. Sharp explained the property runs from Mansfield AVE to Mulberry ST. The lot is 88 feet wide, 260 feet deep. He plans to put the building at the end of his driveway. He stated there is plenty of space. Percy confirmed that no setback variances are needed.

Carr (sworn in) described the variance request as extreme, but not unusual. He described a 609 square feet building as pretty substantial. He said there is an attached garage on the property. Carr said the double car garage adequately holds vehicles. He said there doesn't appear to be any hardship expressed in the application. Carr said accessory buildings should always be subordinate to the home. He said an accessory building over twice the size of that allowable seems to be extreme. Carr said the Code says accessory buildings need to be harmonious. He provided a definition from the dictionary for harmonious, being pleasant, agreeable, matching, congruent, or similar. He said putting in storage for a trailer is not

necessary or provided for in the Code, saying RV's can be placed in the back yard. Carr said many of the homes along North Mulberry do not meet the current standard of 1,200 square feet. He further explained many of the homes in the area are smaller than the accessory building being requested. He noted there is already an existing 20' x 10' shed in the subject properties back yard.

There was no one else in attendance to speak about the request.

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Blankenhorn explained she receive a number of voicemails. She learned that an anonymous letter was distributed to a number of residents in the area surrounding the subject property.

Voicemails: Hi Lacie this is Jo Pullins. I actually got a letter, I'm not sure who sent these out, I don't think it was you, I don't know. This is concerning the property at 125 Mansfield Avenue owned by Gary Sharp and him wanting to build a 26' x 50' x 16' high storage building. I live at 1307 N. Mulberry, which isn't far from that property and I just want to voice that I don't want that to happen. I guess I would not want the zoning to change to allow that. My understanding is that right now the code doesn't permit it and I would like it to stay that way.

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buildings in residential areas are there for a reason. I fear that it will also detract from the property values of my neighbors who live in close proximity to that property. Please do give all due consideration thank you have a good day.

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Phone Conversation: Mathew Black owns 121 Mansfield AVE which is next door to the subject property. He is supportive of Mr. Sharp's request to build a garage on the property.

Smith made a motion to permit Mr. Sharp to have the variance as requested.

Discussion: Smith said it concerns him that the square footage of the proposed building is so far out of wack to what the neighborhood deserves. The open lot is flanked by ranch homes. He thinks the requested size is way out of the ball park and he intends to vote no.

There was no further discussion.

RESULT: DENIED [0 TO 4]

MOVER: William Smith, Member

SECONDER: Kate Aryanata, Alt. Member

NAYS: Michael Percy, William Smith, Kate Aryanata, Cynthia Cunningham

EXCUSED: Susie L. Simpson, Otho Eyster, Tonya Boucher



Mount Vernon

City of Mount Vernon, Ohio Board of Zoning Appeals

Request for Hearing

Applicant's Information

Owner's Name, Address and Phone

GARY Sharp 419-618-1950 125 Mansfield Ave. Mt. Vernon Ohio

Agent's Name, Address and Phone

—

Site Information

Site Address

125 Mansfield Ave. Mt. Vernon

Legal Description

Lot #10 of Swingle Addition also 28-1/2 ft. off the South side of Lot #9 of Swingle Addition 3 ft. of North end of Lot #11 inside Swingle Ad

Parcel Number

66-04047.000

Deed Volume and Page Number

BK 1834 pg. 574-575

Zoning District

R-1

Existing use of property

Single family

Proposed use of property

Single family

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: A variance to build a 26' wide by 50' long, 16' high building
 Purpose to store new R.V. and utility trailer.

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: 10/19/22

By:

Gary Sharp

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: 2022-BZA-38 Application Packet (3680 : 2022-Bza-38) 04

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 current zoning states the accessory building can only be 35% of existing residence. Our residence is 1740 sq. ft. 35% of that would be 609 sq. ft.

The R.V. is 40 ft. long! the utility trailer is 21 ft. long. The structure needs to be 26 ft. wide by 50 ft. long to accommodate these units.

We have sufficient property to accommodate a building of this size and not interfere with the neighbors properties.

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

New R.V. : utility trailer needs to be under cover to protect them from the environment and other circumstances.

✓ 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.



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

Knox County Ohio, GIS
Jonette Curry



Attachment: 2022-BZA-38 Application Packet (3680 : 2022-Bza-38)



40ft
2021-09-28

[Click here for Legal Disclaimer](#)

Additional Information

The RV is 40' long by 8.5' wide by 13.5' tall. The utility trailer is 21' long by 8.5' wide by 12' tall. A building 26' wide by 50' long is needed to accommodate these units.

Our property extends from Mansfield Ave to Mulberry St. The property is 88.5' wide by 266' deep. The building will be located at the end of the current driveway and extended into the back yard. The building will be 5' from the north property line, 55' from the west property line and 57' from the south property line.

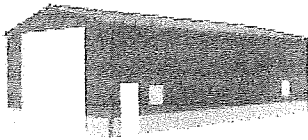
Also note, there is no home to the north or west of building. The closes home will be 90' to the south and that home faces to the west.

The building colors will be such as to blend with the current home.

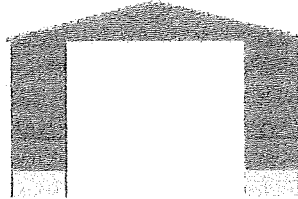
City _____ State OH _____ Zip Code _____
 Email _____ Phone # _____ Mobile # _____

Style:	Standard	Roof:	Black ☒ Charcoal ☐	Installation Surface
Roof Style:	Vertical Style	Trim:	White ☒ Charcoal ☐	Power Available
Gauge:	14-Gauge Framing	Siding:	Ivy Green ☐	Site Ready
Leg Style:	Standard	Wainscot:	Saddle Tan ☐	Jobsite Level
Brace:	Standard Brace			

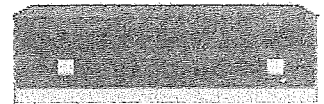
26' X 51' X 14'
 Width X Length X Leg Height



Perspective View



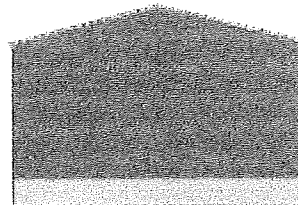
Front



Left Side



Right Side



Back

Attachment: 2022-BZA-38 Application Packet (3680 : 2022-Bza-38)



Board of Zoning Appeals Meeting: 12/07/22 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 # 3667)

DOC ID: 3667

2022-BZA-36 : 1002 COSHOCTON AVE - CONDITIONAL USE PERMIT

Item Number	2022-BZA-36
Site Address	1002 Coshocton AVE
Parcel Number	66-06206.000
Zoning District	GB
Presented By	Shane Heald for Building 36 LLC

Quick Guide to Codified Ordinance Sections (may not be inclusive):
 1167.02(b)(6) (GB) Conditional Uses: Services: Mini-storage buildings
 1155.24 General Standards Applicable to all Conditional Uses
 1167.03 Development Standards for Free-Standing Use on Individual Lots
 1173.11 Principal Building per lot
 1173.06 General Requirements (Regulation of Accessory Uses & Buildings)
 1173.09 Retail Sales and Services as an Accessory Use

Request: Build secured storage units to better utilize the space.

COMMENTS - Current Meeting:

Boucher arrived prior to this case being heard. Cunningham abstained from this case.

Heald (sworn in) explained they have a retail building at 1002 Coshocton AVE and there is a large space out back that is an empty lot area currently. They have been kicking around ideas on how to better utilize and maximize their property. They came up with the idea of storage units. They have drawn up to have a 30' x 120' building with 20 9' x 8' storage units in the space.

Percy reviewed the requesting explaining storage units requires a Conditional Use Permit in the General Business District. Should the Conditional Use Permit be granted, then a variance is needed for the size of the structure because it is larger than 35% of the gross floor area of the primary use/structure.

Cashman (sworn in) explained the lot in the back of the subject property has been used as a parking lot up until this point by the neighbor. They feel storage units is a better use for the space. They believe the storage units will be an asset to the community.

Parking space count was questioned. The existing building is 4,536 square feet. Code requires 1 space for each 150 square feet of retail space, which is 31 spaces. The owners estimated

there to be 23 spaces currently. Broeren believes the use and parking are grandfathered, as it was in place before the Zoning Code, so the existing parking or lack thereof is grandfathered and shouldn't be a factor in this case. Parking in the back shouldn't be counted because the area is not paved. The proposed use will not have any employees on site.

Cashman believes the building was originally a Volkswagen car dealership. It has been retail since they have owned it.

Y. Patel (sworn in) believes the proposed storage units will create security issues by bringing criminal activity. He said the building will affect the wildlife. There are many deer in the area. The traffic entering the subject property use his hotel property's driveway. The storage units will increase the amount of traffic using his driveway.

Percy asked Blankenhorn if the Code requires any fencing or other security measures for storage units. Blankenhorn does not think there are any requirements.

Carr (sworn in) read from §1155.24 General Standards applicable to all Conditional Uses b) will be harmonious with and in accordance with the general objectives of the zoning ordinance, will be harmonious and appropriate in appearance with existing or intended character of general vicinity. Percy explained storage units are a listed Conditional Use in the GB district, implying they are harmonious to GB. Carr continued to read, shall find adequate evidence showing that such use at the proposed locations. He believes these are standards that need to be met. c) use will not change the initial character of the area, will not be hazardous or disturbing to existing or future neighboring uses. He thinks the owners of the neighboring hotel are concerned about all of that. Addressing h) Carr talked about traffic on Coshocton. He described the turn lane at the Lowe's traffic light for eastbound traffic to enter Harbor Freight and Starbucks. It is a double yellow line creating the middle lane. Westbound traffic trying to turn into the subject property or the motel have to either enter the turn lane opposing them or go beyond it and almost make a U turn to get into the common driveway. Carr believes the additional traffic that this proposal will generate should be considered. He went on to say this development, if approved, will offer no new employees to the tax roll to Mount Vernon. Carr said there are very few storage units in the limits of Mount Vernon. He detailed where units are located throughout the area. His opinion is that storage units should be at the edge of the City and not in the heart of the retail district on Coshocton Avenue.

Blankenhorn read the Staff Report: October 19, 2022 Case: 2022-BZA-36 1002 Coshocton AVE Parcel # 66-06206.000 Shane Heald requests for Building 36 LLC a Conditional Use Permit for a mini-storage building in the General Business District. The size of the remaining lot limits the use. Any proposed use would be limited by the area available for parking. §1167.02(b)(6) (General Business) Conditional Uses including Mini-storage buildings Should the Conditional Use Permit be granted, the size of the proposed structure would require a variance because it is larger than 35% of the gross floor of the primary structure. §1173.06(a) accessory structures shall be 35% or less of the gross floor area of the principal use or structure. Primary Structure:

4,536-sf x 35% = 1,587.60-sf Proposed Accessory Structure: 30' x 120' = 3,600-sf The proposed siting meets the Development Standards of the District for side and rear setbacks.

Smith made a motion to approve the Conditional Use Permit as proposed.

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



City of Mount Vernon, Ohio
Board of Zoning Appeals

Request for Hearing

Applicant's Information			
Owner's Name, Address and Phone Building 36 LLC, 1290 US Highway 42 N Delaware OH 43015			
Agent's Name, Address and Phone Shane Heald, 1290 US Highway 42 N Delaware OH 43015			
Site Information			
Site Address 1002 Coghocton Ave		Legal Description 12 7 3 PT SE NE OF ZS 1.017A	
Parcel Number 66-06206.000	Deed Volume and Page Number	Zoning District 447	
Existing use of property RETAIL		Proposed use of property RETAIL + Storage units	
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: we have a large section of land behind our retail building which is otherwise unusable. we end up with cars sitting there and would like to build secured storage units to better utilize our space.			
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: 9/28/22		By: <i>Shane Heald</i>	
Status of Application			
Filing Date		Case Number	
		Hearing Date	
		Fee deposit \$75.00	Date Paid
Status of Board's Action ☐ Approved ☐ Denied			

Attachment: 2022-BZA-36 Application Packet (1) (3667 : 2022-Bza-36)

Narrative statements

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

5th 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.

5th 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.

We happen to have a large section of land behind our retail center we would like to do something with. It is out of view from the road and wouldn't affect our neighbors. We have had people ask about storing vehicles on site which brought us to thinking about building the storage units.

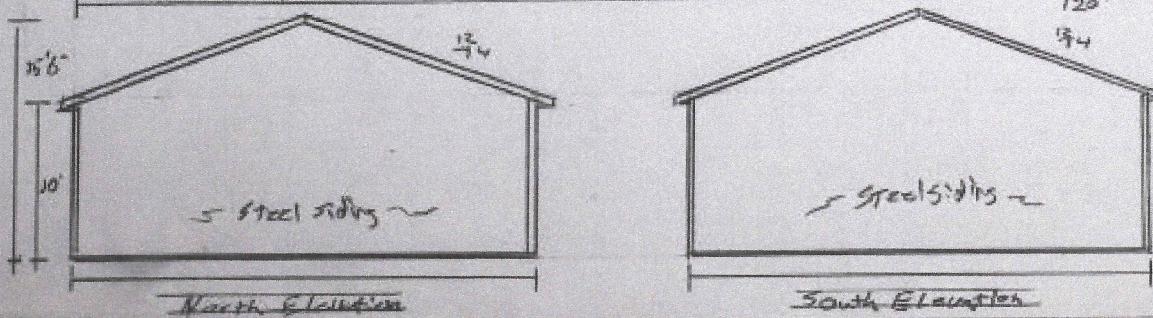
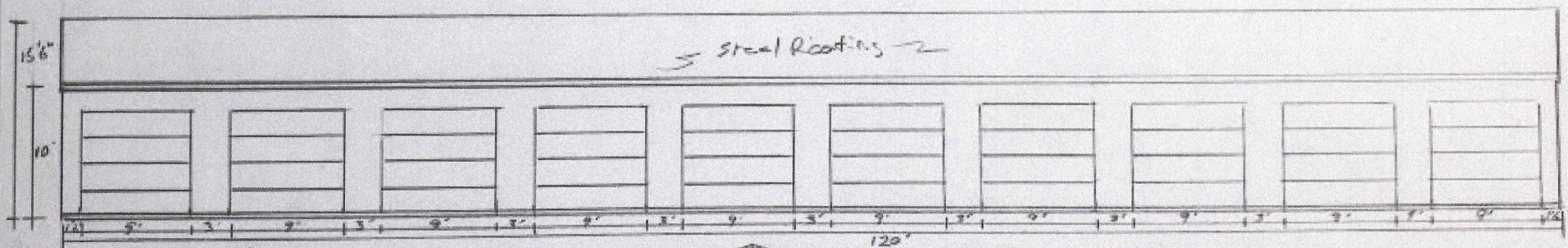
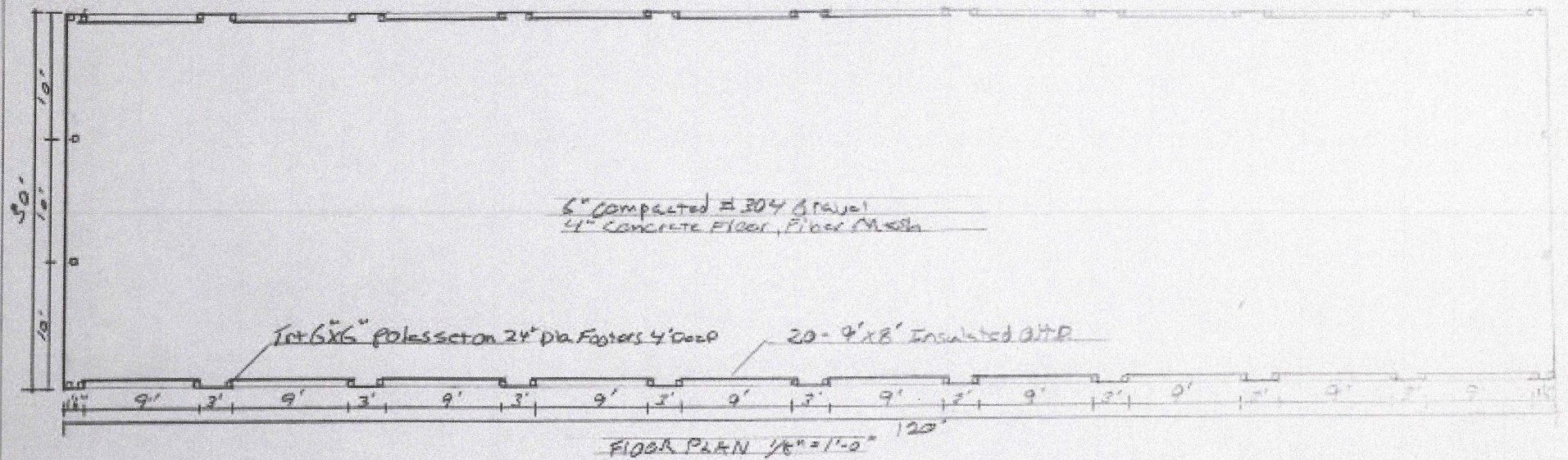
4) Explain the proof of hardship created by the strict application of this Zoning Ordinance.

~~the~~ ~~variance~~ ~~is~~
After being unable to rent a few of our retail spot for a few years, we are trying to do what we can to maximize our investment in the property.

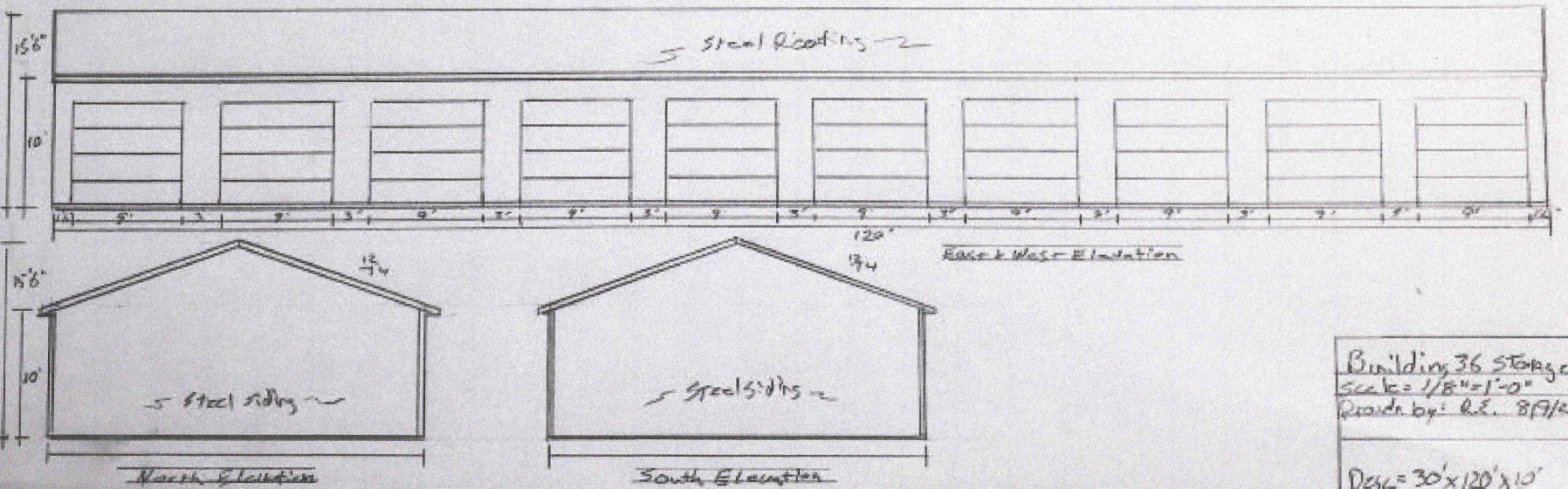
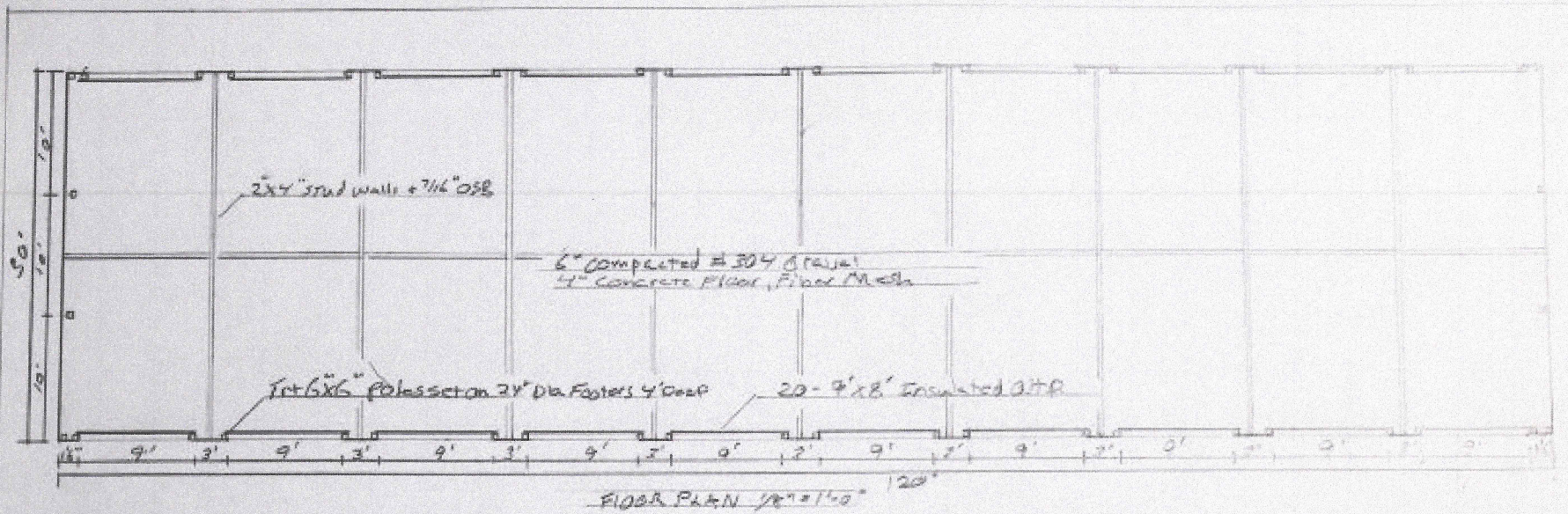
5th 5) The granting of the variance is necessary for the reasonable use of the land or building, and the variance as granted is the minimum variance that will accomplish this purpose.

5th 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.

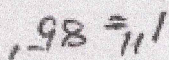
5th 7) The granting of the variance requested will not confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district.



Buildings 36 Storage
Scale = 1/8" = 1'-0"
Drawn by: R.E. 8/9/22
Dwg = 30' x 120' x 10'



Building 36 Storage
 Scale = 1/8" = 1'-0"
 Drawn by: R.L. 8/9/22
 Desc = 30'x120'x10'



OWNERS WITHIN 300 FT

CLEARVIEW INVESTMENTS

875 S WASHINGTON ST MILLERSBURG OH 44654

CES CREDIT UNION INC

PO BOX 631 MOUNT VERNON OH 43050

LOWE'S HOME CENTERS INC

1000 LOWES BLVD MOORESVILLE NC 28117

REALTY INCOME CORPORATION

6920 POINTE INVERNESS WAY STE 301 FORT WAYNE IN 46804

R & J CAR CARE INC

875 S WASHINGTON ST MILLERSBURG OH 44654

NARAYAN INC

1000 COSHOCTON AVE MT VERNON OH 43050

ZSORG INVESTMENTS LLC

968 JAMES ST SYRACUSE NY 13203

KJR MT VERNON LLC

3900 PARK EAST DR #200 BEACHWOOD OH 44122

SRIRAM ASSETS LLC

605 SE 164TH AVE STE 105 VANCOUVER WA 98684

VALLEY ONE OWNER LLC; VALLEY TWO OWNER LLC; VALLEY THREE OWNER LLC

1829 E FRANKLIN ST STE 800F CHAPEL HILL NC 27514



Board of Zoning Appeals Meeting: 12/07/22 5:30 PM
City of Mount Vernon Dept: Board of Zoning Appeals
Mount Vernon, OH 43050

DEFEATED

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

BZA FILE (ID # 3710)

DOC ID: 3710

**2022-BZA-36A : 1002 COSHOCTON AVE - VARIANCE FOR MINI-STORAGE
 BUILDING SIZE**

Item Number	2022-BZA-36A
Site Address	1002 Coshocton AVE
Parcel Number	66-06206.000
Zoning District	GB
Presented By	Shane Heald for Building 36 LLC

Quick Guide to Codified Ordinance Sections (may not be inclusive):
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Request: Build secured storage units to better utilize the space.

COMMENTS - Current Meeting:

Testimony for an accessory structure to be 3,600 sf when Code calls for it to be limited to 35% of the gross floor area of the primary structure (1,587 sf).

Cashman said given the size of the lot and the use this is the optimal use and it still gives ample parking a driving room.

Y. Patel said he is paying rent for the lot. Currently motel guests are not allowed to park in front of the retail building. This area provides an area for parking at night.

Carr expressed his disagreement with the decision to grant the Conditional Use Permit. He thinks it sets a precedence that anybody on Coshocton AVE from Walmart all the way down to Yauger RD and around the corner to the CES Credit Union can come before the BZA with the same type of request. Broeren told Carr the discussion is about the size of the building. Carr said he has the mic. Carr went on describing his disagreement. He then said the size of the building is too large for the space and parking is not adequate.

There was no further testimony.

Percy explained the proposed structure is considered an accessory structure and the Code limits its size to 35% of the gross floor area of the primary structure. The primary structure is 4,536 square feet. The maximum accessory structure that is permitted by Code is 1,587 sf. The request is for a 3,600-sf structure, nearly 80% larger.

RESULT:	DENIED [0 TO 4]
MOVER:	Tonya Boucher, Member
SECONDER:	Kate Aryanata, Alt. Member
NAYS:	Michael Percy, William Smith, Tonya Boucher, Kate Aryanata
ABSTAIN:	Cynthia Cunningham
EXCUSED:	Susie L. Simpson, Otho Eyster