



Board of Zoning Appeals
Board Meeting

Minutes

April 3, 2024
5:30 PM

VIDEO BROADCASTING & RECORDING

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

CALL TO ORDER

Attendee Name	Title	Status
Michael Percy	Chairman	Present
Susie Simpson	Vice-Chair	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; Beaux Hord; Sam Filkins

MINUTES APPROVAL

- Board of Zoning Appeals - Board Meeting - Mar 6, 2024 5:30 PM

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

BZA FILES

- 2023-BZA-22 : Bylaws

Broeren explained the final decision that needs to be made concerning the bylaws is in Article, letter J: The Board of Zoning Appeals (shall/may) allow time for public comments during the meeting. The Chair may limit the length of time of any individual speaker.

Percy asked if there should be a time limit in the bylaws. Broeren said the proposal specifically says ‘may limit the length of time of any individual speaker.’ The chair has the ability to set a time limit either at the beginning of any remarks being allowed or to cut the speaker of during, for purposes of brevity.

Percy asked the Law Director for his recommendation regarding shall or may. Broeren suggested may, with the understanding that, if possible, the Board will allow it. This will prevent people from abusing the authority granted by coming and talking about either irrelevant or things that aren't particularly relevant to the matters before the Board that day.

Simpson suggested limiting public speaking to 3 to 4 minutes per person. Broeren said the chair can adopt that as a rule after the Bylaws are adopted. Simpson said limiting will be at the discretion of the Chair.

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

- select 'may' for Article 7, letter J of the Bylaws

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

- 2024-BZA-07 : 721 N Sandusky ST - Conditional Use Permit for Mini-Storage Buildings

The applicant was not available to attend the hearing; therefore it was tabled until the next regularly scheduled meeting of the BZA.

RESULT:	TABLED	Next: 4/17/2024 5:30 PM
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- 2024-BZA-08 : 807 N Mulberry ST - Variances to Build a Two-Family Dwelling

Percy recused himself from this case.

Hord (sworn in) explained he would like to build a duplex at 807 N Mulberry ST. Code requires a minimum corner lot with of 80'. This lot is 66' wide. He is requesting a variance for the minimum lot area per dwelling unit from 4,500 sf to 4,345 sf per unit. He is requesting variances for the side setbacks, 8' for the interior side and 10' on the exterior side along Calhoun ST. He said the major of the other homes on Calhoun ST are close to the same requested setback. He is requesting a variance for the square footage per living unit from 900 sf to 864 sf, a total reduction of 36 sf per unit. This changes the dimension from 25' wide to 24' wide on each unit. The final variance request is to not provide a covered or enclosed parking space. Hord explained he is trying to value engineer in order to add more living spaces. He and his wife own around 20 properties in Mount Vernon, 4 within 2 blocks of this site. They are working to revitalize the neighborhood, and provide nice places for people to live. Their main focus is women who need help, or anyone that needs help. The ultimate game plan for this project is to build it and use it as a model to work with the younger generation to buy it, live in one side and rent out the other side.

Filkins (sworn in) representing the Knox County Land Bank, owner of the property, explained Hord has the intent to apply and purchase the property from the Land Bank. The Board wants to ensure the plan can be built before selling the property. Filkins explained this property was purchased by the Land Bank. There had been upwards of 90 police calls to it. The house was removed. The Land Bank sold the property to Habitat for Humanity to build a single-family home. When it was realized the property is zoned R-2 plans changed.

Habitat does not build duplexes so the Land Bank swapped properties with them with the intent of this property being sold to someone to build a duplex. Filkins explained, no matter if it is Hord or someone else, the intend for a duplex to be built on this lot, to maximize living units, knowing there is a housing shortage. Filkins explained even though it is zoned R-2, it is not shaped to accommodate the current R-2 development standards. To rebuild the structure what was there would require variances.

Broeren asked about the design showing parking in the front yard area. He asked if there was any thought about putting parking in the back off of the alley and saving the front yard. Filkins said the alley is unimproved. Hord said he thought about putting the parking along Calhoun ST. He is not opposed to that. Broeren said he didn't realize the alley was unimproved.

There were no communications received by the Development Services Manager for this case.

Blankenhorn read the Staff Report - Dated: April 1, 2024 Case: 2024-BZA-08 807 N Mulberry ST Parcel # 66-05689.000 The subject property is zoned R-2 Single and Two-Family District. The vacant corner parcel measures 66' wide along Mulberry ST x 132' deep along Calhoun ST, totaling 8,712 square feet. These measurements, platted in 1839, are consider substandard by current zoning code development standards, which require a minimum 90' wide corner lot and 4,500 square feet per living unit. The proposal to locate a new 2-unit dwelling structure 10' from the exterior side property line and 8' from the interior side property line will correspond with many developed properties throughout the neighborhood which do not align with current zoning code setback requirements of a 20' exterior side setback and 10' interior side setback. Additionally the proposal to not provide covered or enclosed parking is not uncommon, not only in the surrounding neighborhood, but City wide. While the square footage of the lot provides 4,356 square feet of total land area per proposed dwelling unit, 144 square feet short of code requirements, the proposed site plan, with open parking in the front, will allow for approximately 4,554 square feet of open back yard area.

There is a mix of single, two-unit, and multi-unit structures throughout the area on similarly sized parcels.

Cunningham made a motion to accept the proposed variances as presented.

RESULT:	ACCEPTED [4 TO 0]
MOVER:	Cynthia Cunningham, Member
SECONDER:	Tonya Boucher, Member
AYES:	Simpson, Boucher, Aryanata, Cunningham
EXCUSED:	Smith, Eyster
RECUSED:	Percy

ADJOURN

- Adjourn Motion

Cunningham made a motion to adjourn the meeting, Boucher seconded and the meeting was adjourned at 5:46 PM

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Percy, Simpson, Boucher, Aryanata, Cunningham
EXCUSED:	Smith, Eyster



Board of Zoning Appeals Meeting: 04/03/24 5:30 PM
City of Mount Vernon Dept: Board of Zoning Appeals
Mount Vernon, OH 43050

Category: N/A

AMENDED

Prepared By: Lacie Blankenhorn

Initiator: Lacie Blankenhorn

BZA FILE (ID # 3890)

DOC ID: 3890

2023-BZA-22 : BYLAWS

Item Number	2023-BZA-22
Site Address	N/A
Parcel Number	N/A
Zoning District	N/A
Presented By	Matthew T. Starr, Chairman

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

1155.05(b) Board of Zoning Appeals: The Board of Zoning Appeals may adopt rules and regulations governing the conduct of its affairs that are consistent with this Zoning Ordinance.

Request: Review proposed bylaws for adoption

HISTORY:

11/01/23 Board of Zoning Appeals TABLED Next: 02/21/24

Blankenhorn explained that the City Administration would like each Board & Commission to have Bylaws. The draft proposed by the Mayor is in the agenda packet for this Board to review and provide feedback and discuss during a future meeting.

Boucher made a motion to table the Bylaws review and discussion. Aryanata seconded and voting was AIF.

02/21/24 Board of Zoning Appeals TABLED Next: 04/03/24

Blankenhorn explained that the bylaws were introduced in November 2023 and then tabled. The mayor is proposing bylaws for all committees of the City. Essentially, they look very similar from one board to the next. There are a couple of clarifications that are needed based on your preferences. The first edit is in Article 6, letter A, the link is inaccurate and Blankenhorn proposed Section 1155.10 which goes over the requirements for an appeal. The second item is wording that needs a decision in Article 7, Letter J. Shall or may is proposed.

Percy asked if there was any communication regarding the proposed bylaws.

Blankenhorn explained the Law Director brought attention to the mentioned link.

An email from Mike Hillier was read: Please share this with the zoning board in a timely manner prior to tonight's meeting. (Blankenhorn chose not to forward the email prior to the meeting, knowing not every member would see it in time.) At tonight's meeting you are asking the board of zoning appeals to approve bylaws for this commission. Although I understand the reason for

bylaws I do think there should be two changes prior to passage. Article 7 Section (J) The Board of Zoning Appeals shall/may allow time for public comments during the meeting. The Chair may limit the length of time of any individual speaker. I feel it is very important you do not eliminate the public from participating in your meeting. It is for the public's good that you have zoning appeals. Although your intentions may be different than some may interpret, I think you and this board need to strike out the word may (shall/may) and set an allotted time for the person to speak. Similar to city council. They allow 4 minutes and the person speaking may ask the board for more time if needed. It is very important that we do not take away the voice of the public. Those you represent. Feel free to call with any questions or concerns. Thank you for your consideration in this matter. Mike Hillier

An email from Bob and Linda Beck was read: Lacie & Todd, I would like the following read at tonight's, Feb 21 Zoning Appeals Board Meeting for the permanent record. I am very concerned by the Mayor's proposed bylaws, specifically ARTICLE 7. Meetings Line J text as follows : (J) The Board of Zoning Appeals shall/may allow time for public comments during the meeting. The Chair may limit the length of time of any individual speaker. I strongly believe everyone who has a concern or comment about a specific zoning change request MUST be heard. How else can this Board rationally vote on the proposed change. The 'people' being affected must have the opportunity to voice additional facts and their opinion on any requested change.

Percy conveyed his opinion, stating the way he reads this section of the bylaws, is not to limit comments on a case, but on comments not related to a case. There have been instances of people complaining rather than addressing the business before the Board at the time. Percy said he is fully on board with giving people time, but not to be scolded. Percy does not agree with limiting time on a case or not allowing comments on a case. General public comments have gotten excessive.

Hillier (sworn in) spoke of City Council adding a time limit to those speaking on matters pertaining to the City. Hillier thinks limiting comment to case matter could be written into the bylaws. He thinks issues could arise by allowing the chairman to limit speaking time versus City Council's allotted 4 minutes. Percy said he agrees with including a time limit. Percy said he would not limit speaking time on a case, but rather on general public comments. Hillier said he thinks the bylaw needs to be written in a way that clearly states anyone in attendance that wants to speak about the case has that ability.

Cunningham said she thinks they agree. They will likely go with shall, then divide the bylaw into two parts; one for case public comment, and one for general issues. The latter will probably have a time limit.

Hillier asked, when the word shall is used, does that mean you will. Cunningham said yes. Broeren said it's mandatory. Eyster said there's no choice, it's mandatory. Cunningham said that they have to.

Percy said he agrees with shall. He thinks case comments should have a larger time limit. Broeren said it sounds like item J needs more work and suggested tabling the matter to be revisited. Percy suggested limiting general comments to 4 minutes and comments specific to a

case to be limited to 10 minutes. Eyster wasn't sure a differentiation is necessary. Cunningham said she doesn't want a half hour lecture on how to do her job on the BZA. Eyster suggested the chair allow the same amount of time to anyone wanting to speak.

Cunningham made a motion to table. Smith seconded. Voting was AIF.

03/06/24 Board of Zoning Appeals TABLED

Cunningham made a motion to table this case to the next BZA meeting, TBD. Boucher seconded the motion. Vote: AIF

COMMENTS - Current Meeting:

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



BYLAWS OF THE

Board of Zoning Appeals for the City of Mount Vernon, Ohio

ARTICLE 1. NAME

The name of the board is *BOARD OF ZONING APPEALS*. (Ordinances 1155)

ARTICLE 2. PURPOSE AND DUTIES (1155.08)

- (A) The Board of Zoning Appeals may adopt rules and regulations governing the conduct of its affairs that are consistent with the Zoning Ordinance of the City of Mount Vernon. All rules and regulations shall be filed with the Clerk of Council and made available for public inspection. The Board of Zoning Appeals shall annually choose from its membership a chairman and vice-chairman. (Ord. 2014-08. Passed 4-28-14.)
- (B) In exercising its duties, the Board may, as long as such action is in conformity with the terms of the bylaws and the Zoning Ordinance from which they were developed reverse or affirm, wholly or partly, or modify the order, requirements, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made. At such time, to that end shall have the powers of the Zoning Enforcement Officer from whom the appeal is taken. For the purpose of the bylaws according to the Zoning Ordinance the Board has the following specific responsibilities:
- (a) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, interpretation, or determination made by the Zoning Enforcement Officer.
 - (b) To authorize such variances from the terms of the bylaws as will not be contrary to the public interest, where, owing to the special conditions, a literal enforcement of the bylaws and/or zoning ordinance will result in unnecessary hardship, and so that the spirit of the bylaws and/or zoning ordinance shall be observed and substantial justice done.

- (c) To grant conditional use permits as specified in the Schedule of District Regulations and under the conditions specified in Section [1155.22](#) and such additional safeguards as will uphold the intent of the bylaws.
- (d) To hear and decide requests for the interpretation of the Zoning Map.
- (C) Members of the Board of Zoning Appeals shall serve without pay. (Ord. 1990-11. Passed 4-16-90.)
- (D) An individual board member may not act in an official capacity except through the action of the board.
- (E) Members are expected to let the City Clerk know if there are any conflicts of interest regarding the business set forth on the agenda or that may arise in a meeting.

ARTICLE 3. MEMBERSHIP

- (A) The Board of Zoning Appeals shall consist of five (5) members to be appointed by the Mayor, and approved by City Council. The term of all members shall be five (5) years and their terms shall be so arranged that the term of one (1) member shall expire each year.
- (B) The Mayor shall also appoint two alternate members, with the approval of City Council, who may be called upon by the chairman to hear appeals if a member is unavailable or has a conflict of interest.
- (C) Each member shall serve until his successor is appointed and qualified.
- (D) Members of the Board shall be removable for nonperformance of duty, misconduct in office, or other reasonable cause by the Mayor upon written charges and after a public hearing has been held regarding such charges, a copy of the charges having been served upon the member so charged at least ten (10) days prior to the hearing either personally or by registered mail, or by leaving the same at his place of residence. The member shall be given an opportunity to be heard and answer such charges.
- (E) Vacancies shall be filled by appointment by the Mayor, with the approval of council, and shall be for the unexpired term.
- (F) Attendance - members are expected to let the City Clerk know if they are not able to attend the meetings.

- (G) The Board of Zoning Appeals may adopt rules and regulations governing the conduct of its affairs that are consistent with the bylaws and the zoning ordinances from which they were drawn. All rules and regulations shall be filed with the Clerk of Council and made available for public inspection.
- (H) The chair, or in his absence the vice-chair, shall advise Council by letter if any Board of Zoning Appeals member has absented himself from all meetings held during any period of ninety consecutive days or who has absented himself from a total of one-fourth of the regular meetings during a calendar year. Council shall consider removing such a member.
- (I) A member who seeks to resign from the Commission shall submit a written resignation to their appointing authority. If possible, the resignation should allow for a thirty day notice so the appointing authority can appoint a replacement.

ARTICLE 4. OFFICERS

- (A) The officers of the board shall consist of the Chair and the Vice-chair.
- (B) The Board of Zoning Appeals shall annually choose from its membership a chairman and vice-chairman.

ARTICLE 5. DUTIES OF OFFICERS

- (A) The Chair shall preside at board meetings and approve each final meeting agenda.
- (B) In the absence of the Chair, the Vice-chair shall perform all duties of the Chair.

ARTICLE 6. AGENDAS

- (A) Upon receipt of an application for a zoning appeal, which is accompanied by the material required by the provisions of subsection [1172.1155.23](#) of the codified ordinances of the City of Mount Vernon, the Zoning Enforcement Officer or his designee shall place the application on the agenda for the Board of Zoning Appeals at its next regular meeting following 30 days from the date the application is filed. The Zoning Enforcement Officer (or designee) shall further cause to be published in a newspaper of general circulation in the City, a public notice of the scheduled hearing of the application together with a general description of the nature of the application. The applicant shall be notified by

mail of the date of the hearing.

(B) Agendas are published on the City's website.

ARTICLE 7. MEETINGS

(A) Board meetings shall comply with the Ohio Open Meetings Act (ORC 121.22).

(B) Board meetings shall be governed by Robert's Rules of Order.

(C) Board may not conduct an executive session without the approval of the Law Director.

(D) The Board shall meet monthly on the first and third Wednesday of the month at 5:30 p.m. in Council Chambers (40 Public Square) or when it is required to meet in order to comply with a legal deadline.

(E) No later than December of each year, the Board shall adopt a schedule of the meetings for the upcoming year, including makeup meeting dates for the holidays and canceled meetings.

(F) The Chair may call a special meeting, and the Chair shall call a special meeting if requested by three or more members. The call for the meeting shall state the purpose of the meeting.

(G) Four members constitute a quorum.

(H) If a quorum for a meeting does not convene within twenty (20) minutes of the posted time for the meeting, then the meeting may not be held.

(I) To be effective, a board action must be adopted by an affirmative vote of the majority of the members present.

(J) The Board of Zoning Appeals shall/may allow time for public comments during the meeting. The Chair may limit the length of time of any individual speaker.

(K) The Zoning Enforcement Officer (or designee) shall prepare the Board meeting minutes. The minutes of each Board meeting must include the vote of each member on each item before the Board and indicate whether a member is absent or failed to vote on an item.

(L) The city shall retain documents of the Board of Zoning Appeals pursuant to its written records retention policy as approved by the Ohio History Connection.

(M)Each person and Board member attending a Board meeting should act appropriately and professionally.

ARTICLE 8. PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Robert's Rules of Order shall govern the board in all cases to which they are applicable, except when inconsistent with these bylaws.

ARTICLE 9. AMENDMENT OF BYLAWS

A bylaw amendment is not effective unless approved by a majority of the members of the Board of Zoning Appeals. Furthermore, amendments may not apply to statutory requirements of the Ohio Revised Code.

The Board of Zoning Appeals bylaws were approved by the Board of Zoning Appeals meeting held on _____(date/time) at CITY HALL, 40 PUBLIC SQUARE, MOUNT VERNON, OHIO (location) .

(Signature of Board of Zoning Appeals Chair)

Board of Zoning Appeals members present:

Attachment: Board of Zoning Appeals Bylaws 04122023 - Google Docs DRAFT (3890 : 2023-Bza-22)



Board of Zoning Appeals Meeting: 04/03/24 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 # 3996)

DOC ID: 3996

2024-BZA-07 : 721 N SANDUSKY ST - CONDITIONAL USE PERMIT FOR MINI-STORAGE BUILDINGS

Item Number	2024-BZA-07
Site Address	721 N Sandusky ST
Parcel Number	66-00579.000
Zoning District	GB
Presented By	Rick Bergman

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

1167.02 Conditional Uses (General Business District)
 (b)(6) Mini-storage buildings

1173.11 Principal Building Per Lot (Supplementary District Regulations)

1173.04 Regulation of Accessory Uses and Buildings (Supplementary District Regulations)

1173.06 General Requirements (Supplementary District Regulations)

Request: Applicant applied for a Zoning Permit to build a (third) mini-storage building.

Background: During the Zoning Permit Review, it was discovered this property was annexed from Clinton Township in 1998. The 2 existing mini-storage buildings were constructed in 1987 & 1980.

Mini-storage buildings require a Conditional Use Permit in the GB – General Business District.

COMMENTS - Current Meeting:

The applicant was not available to attend the hearing; therefore it was tabled until the next regularly scheduled meeting of the BZA.

RESULT: TABLED

Next: 4/17/2024 5:30 PM



City of Mount Vernon, Ohio
Board of Zoning Appeals

Request for Hearing

Applicant's Information

Owner's Name, Address and Phone

Agent's Name, Address and Phone

Site Information

Site Address

Legal Description

Parcel Number

Deed Volume and Page Number

Zoning District

Existing use of property

Proposed use of property

Hearing Request

Type of Hearing Requested

Variance 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 hereby certify that the information submitted on this application and on any sketches, drawings or other documents submitted with this application is true and exact.

Date:

By:

Status of Application

Filing Date

Case Number

Hearing Date

Fee deposit

Date Paid

Receipt Number

\$100.00

Status of Board's Action

Approved Denied

Attachment: BZA-Hearing-Application-Packet--Store More (3996 : 2024-Bza-07)

Narrative statements

*establishing and substantiating that the variance conforms to the following standards:
(initial beside the number to signify agreement; provide narrative for #3 & 4)*

_____ 1) The granting of the variance shall be in accord with the general purpose and intent of the regulations imposed by this Zoning Ordinance on the district in which it is located, and shall not be injurious to the area or otherwise detrimental to the public welfare.

_____ 2) The granting of the variance will not permit the establishment of any use which is not otherwise permitted in the district.

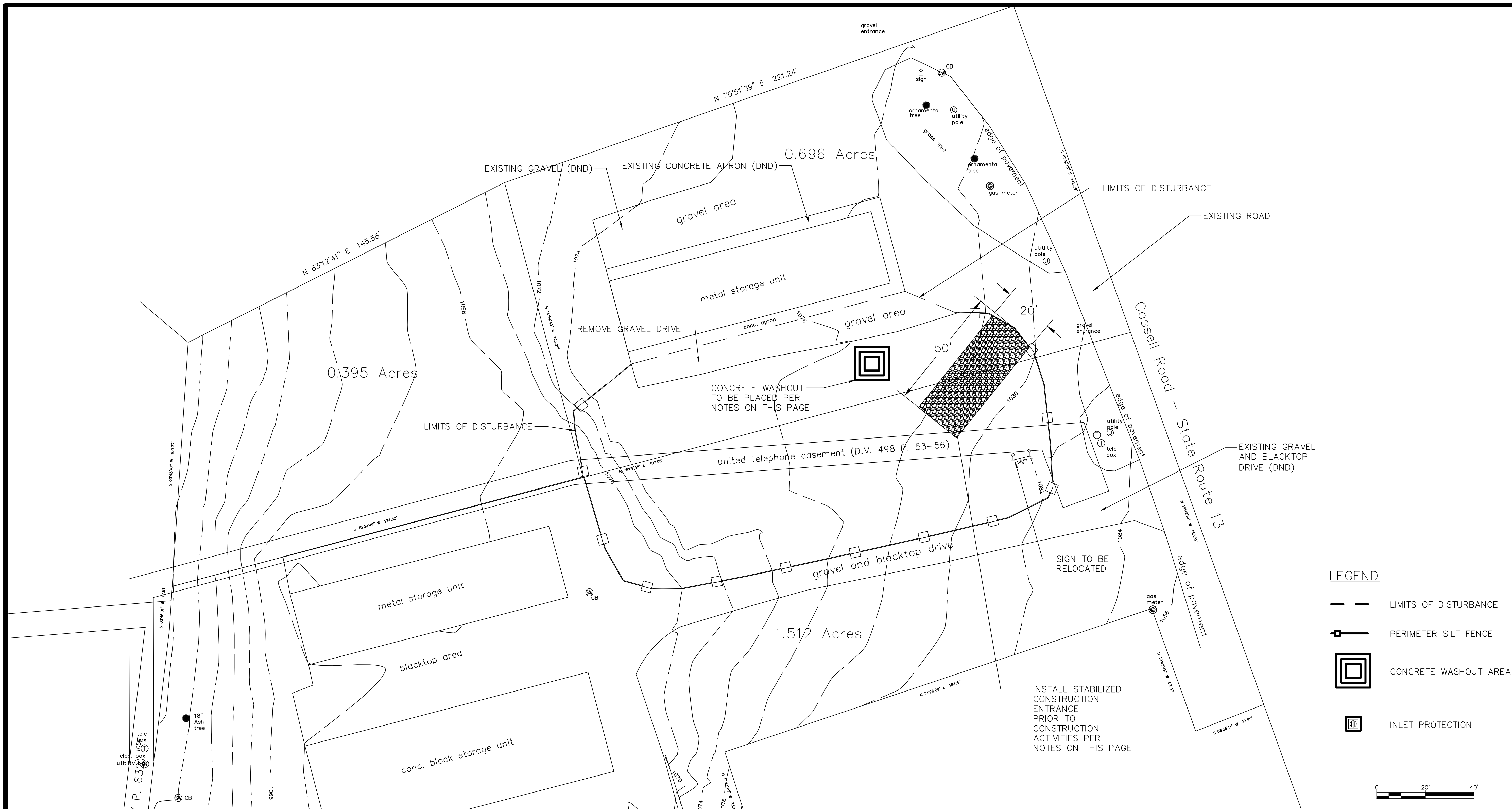
3) Describe the special circumstances or conditions, applicable to the land or buildings for which the variance is sought, which are peculiar to such land or buildings and do not apply generally to land or buildings in the area, and which are such that the strict application of the provisions of this Zoning Ordinance would deprive the applicant of the reasonable use of such land or building. There must be deprivation of beneficial use of land.

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

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

_____ 6) The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values of the adjacent area.

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



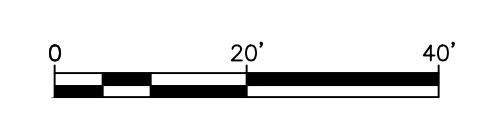
EROSION CONTROL NOTES

1. STABILIZED CONSTRUCTION ENTRANCE
 - 1.1. INSTALL STABILIZED CONSTRUCTION ENTRANCE AT 20' WIDE X 50' LONG WITH 6" OF #2 STONE OVER GEOTEXTILE FABRIC. FLARE THE ENTRANCE AT ENTRY TO PUBLIC ROADWAYS WITH A 10' RADIUS TO ACCOMMODATE DUMP TRUCKS TURNING ONTO STREETS.
 - 1.2. INSTALL A 12" MINIMUM CULVERT UNDER THE STABILIZED CONSTRUCTION ENTRANCE IF A STORM DITCH OR DRAINAGE SWALE EXISTS AT THE PROPOSED ENTRANCE. THE CULVERT PIPE SHALL MATCH THE EXISTING DITCH AT BOTH SIDES OF THE ENTRANCE.
 - 1.3. INSPECT STONE PAD ON CONSTRUCTION ENTRANCE WEEKLY AND AFTER ANY 1/2 RAIN OR GREATER STORM EVENT.
 - 1.4. TOP DRESS AND CLEAN #2 STONE AS NEEDED TO MITIGATE TRACKING OF MUD ON PUBLIC ROADWAYS.
 - 1.5. IMMEDIATELY REMOVE MUD OR SEDIMENT TRACKED OR WASHED ONTO PUBLIC ROADS. REPAIR ANY BROKEN ROAD PAVEMENT IMMEDIATELY.
2. SILT FENCE
 - 2.1. FURNISH SILT FENCE AT 30" WIDE GEOTEXTILE FABRIC WITH SOUND WOODEN SUPPORTS ON A 10' MAXIMUM CENTER TO CENTER SPACING. USE GEOTEXTILE FABRIC CONFORMING TO 712.09, TYPE C.
 - 2.2. INSTALLATION INSTRUCTIONS FOR SILT FENCE:
 - 2.2.1. EXCAVATE A 6"x6" TRENCH ALONG PROPOSED FENCE LINE.
 - 2.2.2. PLACE FABRIC AND SUPPORT STAKES AND EXTEND FABRIC INTO THE TRENCH WITH A 6" BURY OF THE BOTTOM OF THE FENCE INTO THE TRENCH.
 - 2.2.3. BACKFILL AND COMPACT THE EXCAVATED SOIL AROUND THE FENCE.
3. CONCRETE WASHOUT AREA
 - 3.1. CONCRETE TRUCKS SHALL UTILIZE AREAS TO WASHOUT TRUCKS. ACCUMULATED CONCRETE SHALL REMOVED FROM THE SITE AND DISPOSED OF PROPERLY.
 - 3.2. CONCRETE WASHOUT AREA SHALL BE CONSTRUCTED OF A 10' X 10' WIDE STONE BERM AGAINST HAY BALES PLACED IN A RECTANGULAR PATTERN WITH A 100 SQUARE FOOT INSIDE AREA. AS AN ALTERNATE THE CONTRACTOR MAX USE A ROLL OFF BOX WITH A LINER.

Note: easements to Ohio Cumberland Gas in D.V. 374 P. 19, D.V. 390 P. 449 and D.V. 472 P. 670 are all Blanket Easements.

LEGEND

- LIMITS OF DISTURBANCE
- PERIMETER SILT FENCE
- CONCRETE WASHOUT AREA
- INLET PROTECTION



EXISTING CONDITIONS AND EROSION CONTROL PLAN
SCALE: 1"=20'



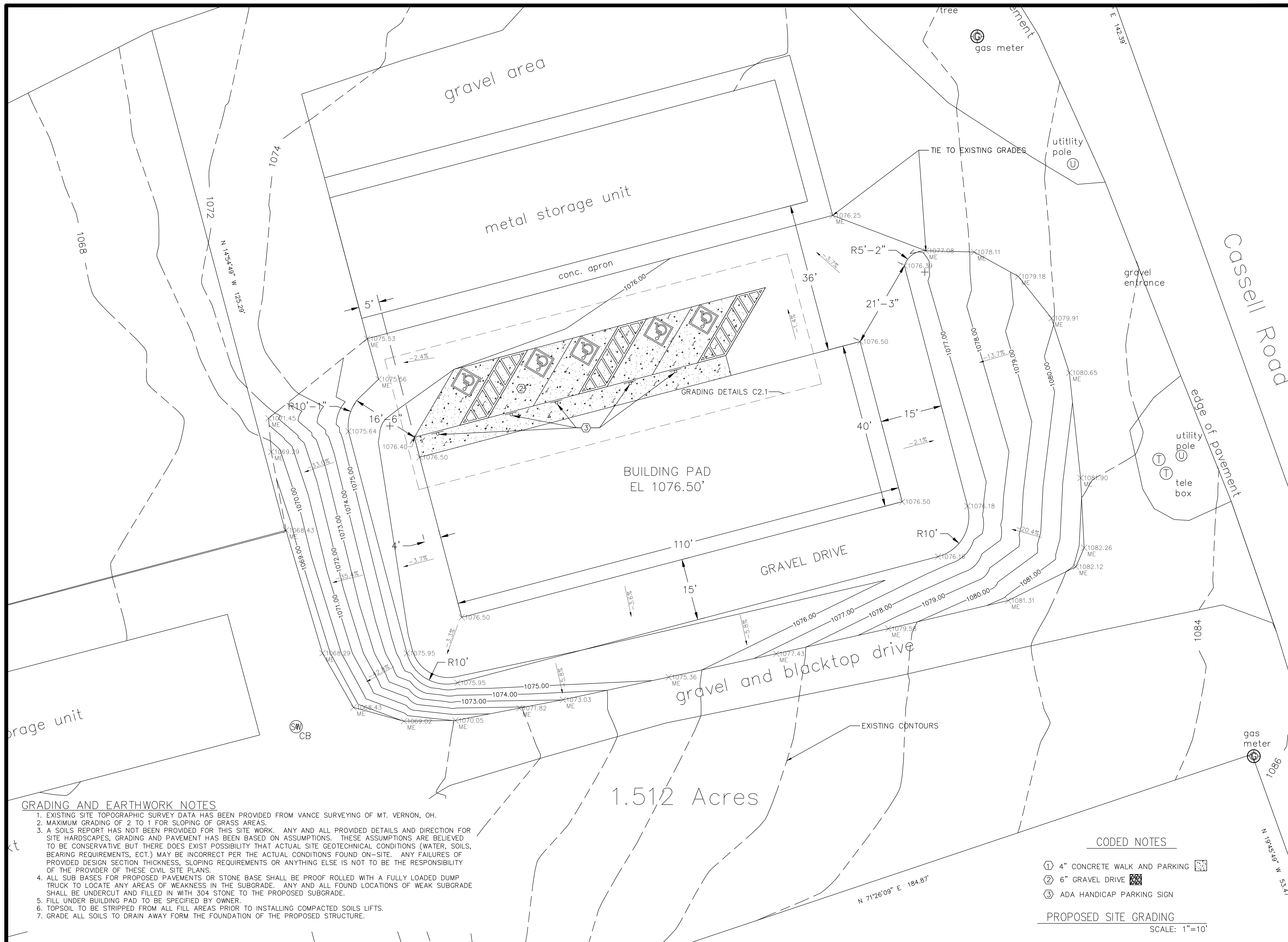
Project
 PROPOSED STORAGE BUILDING
 715 N SANDUSKY ST
 MOUNT VERNON, OH 43050

DESIGN COMPLETED BY:
Structured
 DESIGN AND CONSULTING LLC

Project No.: _____
 DATE: 02/27/2024
 DRAWN BY: JRS 02/27/2024
 DESIGNED BY: DAC 03/01/2024
 REVISED: _____

Sheet Title
DEMOLITION AND EROSION CONTROL

C1.0



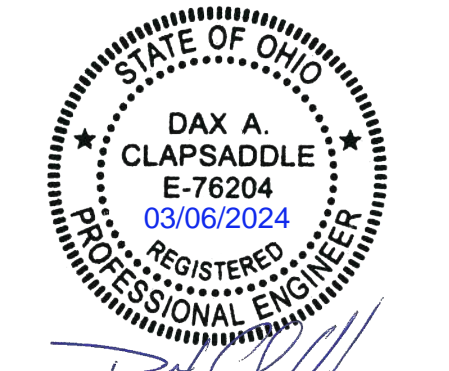
GRADING AND EARTHWORK NOTES

1. EXISTING SITE TOPOGRAPHIC SURVEY DATA HAS BEEN PROVIDED FROM VANCE SURVEYING OF MT. VERNON, OH.
2. MAXIMUM GRADING OF 2 TO 1 FOR SLOPING OF GRASS AREAS.
3. A SOILS REPORT HAS NOT BEEN PROVIDED FOR THIS SITE WORK. ANY AND ALL PROVIDED DETAILS AND DIRECTION FOR SITE HARDSCAPES, GRADING AND PAVEMENT HAS BEEN BASED ON ASSUMPTIONS. THESE ASSUMPTIONS ARE BELIEVED TO BE CONSERVATIVE BUT THERE DOES EXIST POSSIBILITY THAT ACTUAL SITE GEOTECHNICAL CONDITIONS (WATER, SOILS, BEARING REQUIREMENTS, ECT.) MAY BE INCORRECT PER THE ACTUAL CONDITIONS FOUND ON-SITE. ANY FAILURES OF PROVIDED DESIGN SECTION THICKNESS, SLOPING REQUIREMENTS OR ANYTHING ELSE IS NOT TO BE THE RESPONSIBILITY OF THE PROVIDER OF THESE CIVIL SITE PLANS.
4. ALL SUB BASES FOR PROPOSED PAVEMENTS OR STONE BASE SHALL BE PROOF ROLLED WITH A FULLY LOADED DUMP TRUCK TO LOCATE ANY AREAS OF WEAKNESS IN THE SUBGRADE. ANY AND ALL FOUND LOCATIONS OF WEAK SUBGRADE SHALL BE UNDERCUT AND FILLED IN WITH 304 STONE TO THE PROPOSED SUBGRADE.
5. FILL UNDER BUILDING PAD TO BE SPECIFIED BY OWNER.
6. TOPSOIL TO BE STRIPPED FROM ALL FILL AREAS PRIOR TO INSTALLING COMPACTED SOILS LIFTS.
7. GRADE ALL SOILS TO DRAIN AWAY FORM THE FOUNDATION OF THE PROPOSED STRUCTURE.

CODED NOTES

- ① 4" CONCRETE WALK AND PARKING
- ② 6" GRAVEL DRIVE
- ③ ADA HANDICAP PARKING SIGN

PROPOSED SITE GRADING
SCALE: 1"=10'



Project
 PROPOSED STORAGE BUILDING
 715 N SANDUSKY ST
 MOUNT VERNON, OH 43050



Project No.: _____
 DATE: 02/27/2024
 DRAWN BY: JRS 02/27/2024
 DESIGNED BY: DAC 03/01/2024
 REVISED: _____

Sheet Title
SITE GRADING

C2.0



[Signature]

PROPOSED STORAGE BUILDING
715 N SANDUSKY ST
MOUNT VERNON, OH 43050

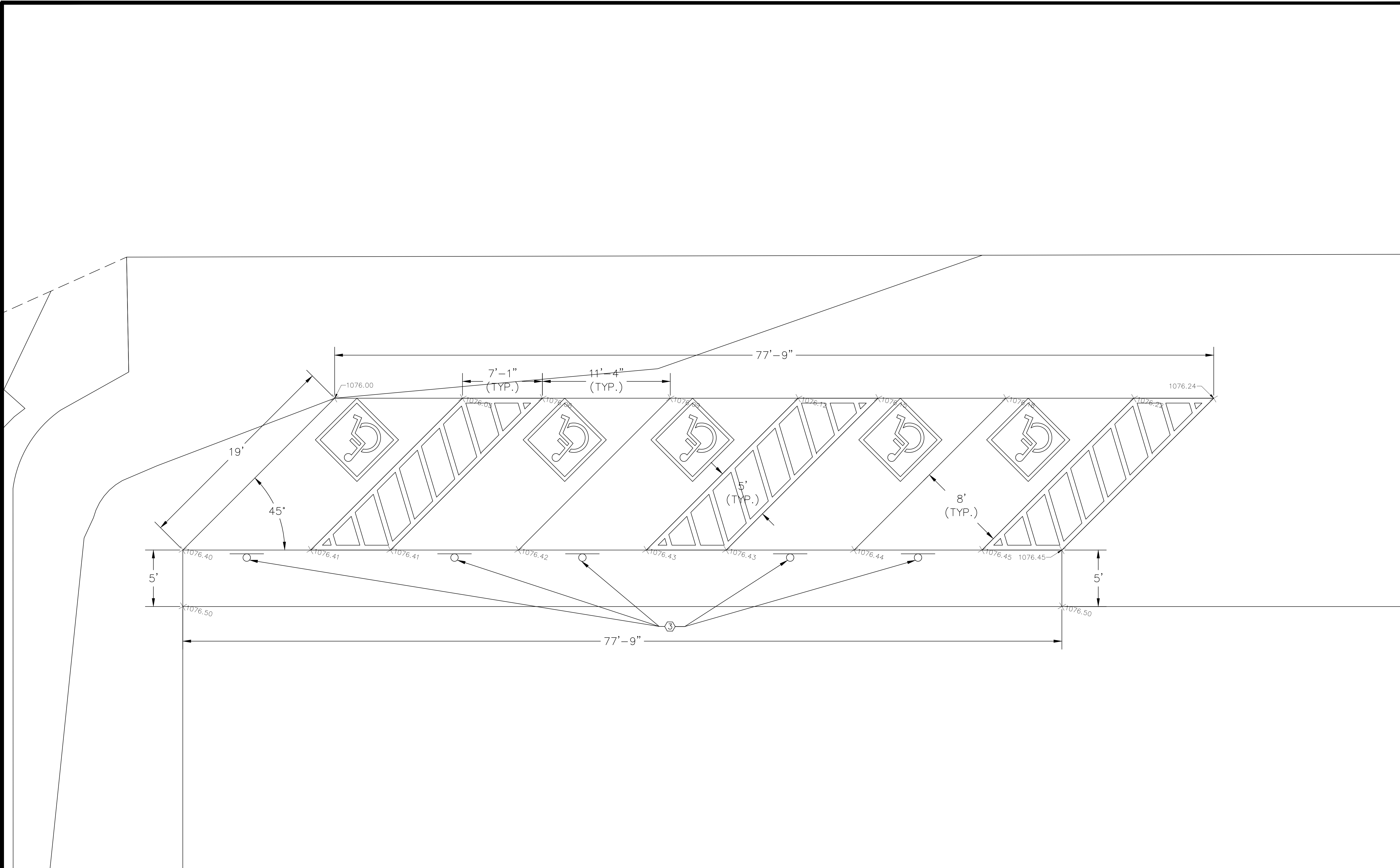
Project

DESIGN COMPLETED BY:
Structured
DESIGN AND CONSULTING LLC

Project No.: _____
DATE: 02/27/2024
DRAWN BY: JRS 02/27/2024
DESIGNED BY: DAC 03/01/2024
REVISED: _____

Sheet Title
GRADING DETAIL

C2.1

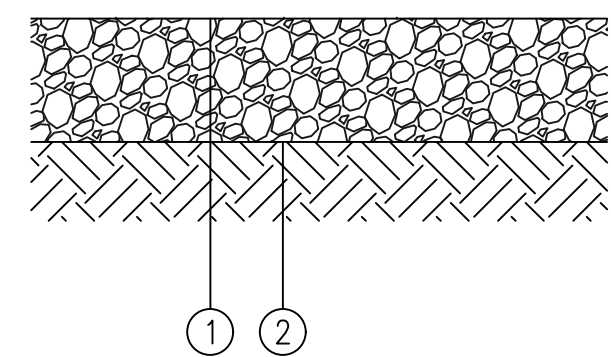


GRADING AND EARTHWORK NOTES

1. EXISTING SITE TOPOGRAPHIC SURVEY DATA HAS BEEN PROVIDED FROM VANCE SURVEYING OF MT. VERNON, OH.
2. MAXIMUM GRADING OF 2 TO 1 FOR SLOPING OF GRASS AREAS.
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7. GRADE ALL SOILS TO DRAIN AWAY FORM THE FOUNDATION OF THE PROPOSED STRUCTURE.

ADA PAVEMENT GRADING
SCALE: 1"=4'



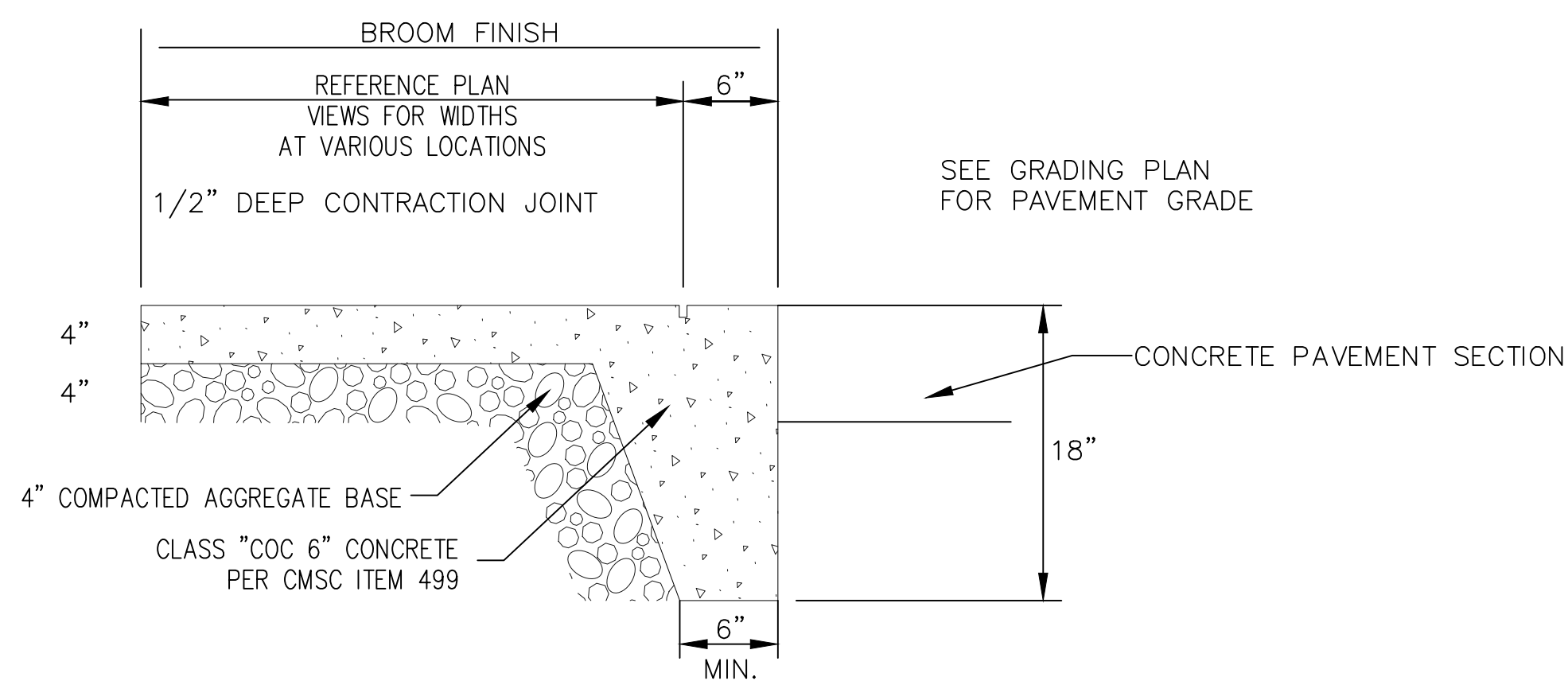


- ① ITEM 304, 6" CRUSHED AGGREGATE BASE
- ② SUBGRADE COMPACTION

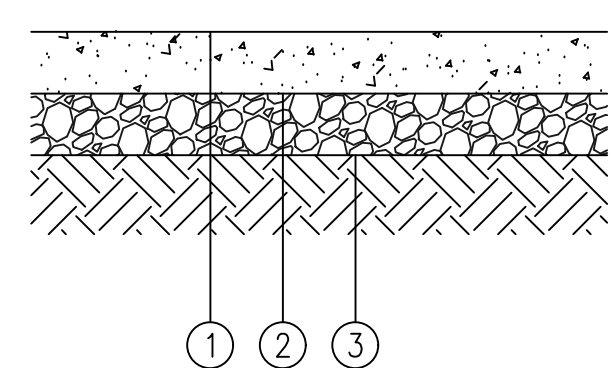
ALL MATERIALS SHALL CONFORM TO THE OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION AND MATERIAL SPECIFICATIONS.

GRAVEL ROADWAY SECTIONS PROVIDED FOR REFERENCE ONLY. CONTRACTOR SHALL VERIFY SECTION THICKNESS TO BE USED WITH OWNER. STRUCTURED DESIGN AND CONSULTING DOES NOT WARRANT PAVEMENT OR HARDSCAPES DESIGN.

GRAVEL ROADWAY SECTION
SCALE: NTS



SIDEWALK SECTION
SCALE: NTS

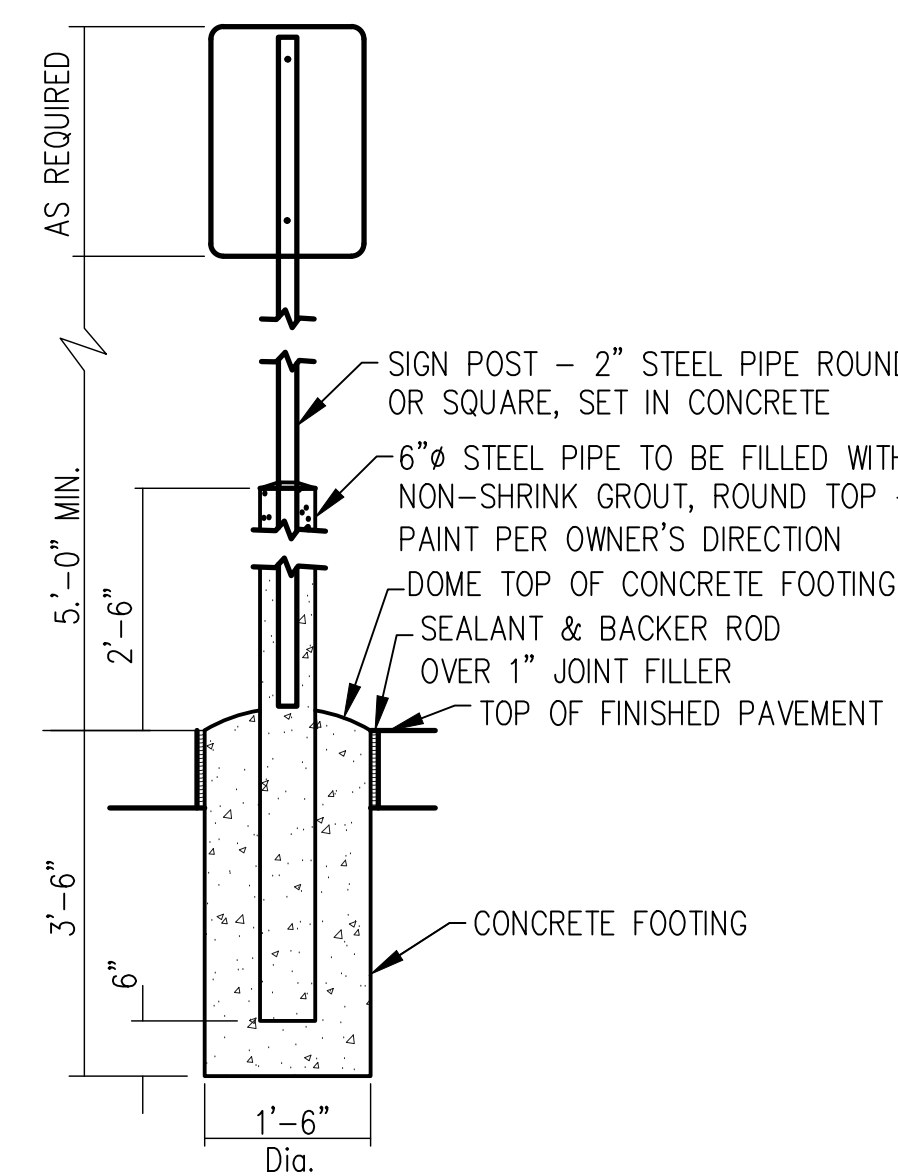


- ① ITEM 608, 4" CONCRETE (CLASS "COC 6" CONCRETE)
- ② ITEM 304, 4" CRUSHED AGGREGATE BASE
- ③ SUBGRADE COMPACTION

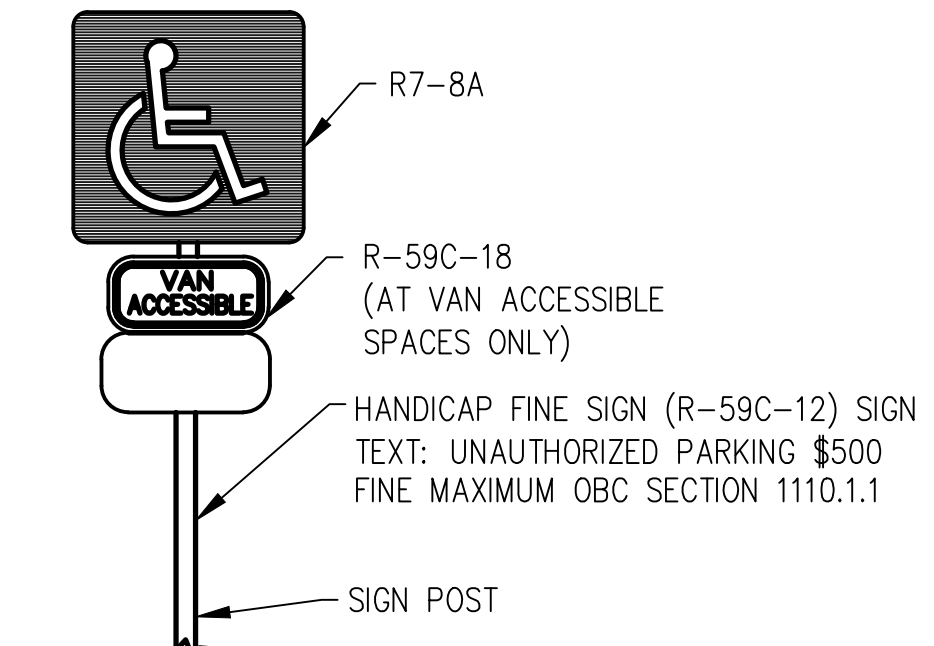
ALL MATERIALS SHALL CONFORM TO THE OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION AND MATERIAL SPECIFICATIONS.

CONCRETE SECTIONS PROVIDED FOR REFERENCE ONLY. CONTRACTOR SHALL VERIFY SECTION THICKNESS TO BE USED WITH OWNER. STRUCTURED DESIGN AND CONSULTING DOES NOT WARRANT PAVEMENT OR HARDSCAPES DESIGN.

CONCRETE PARKING SECTION
SCALE: NTS

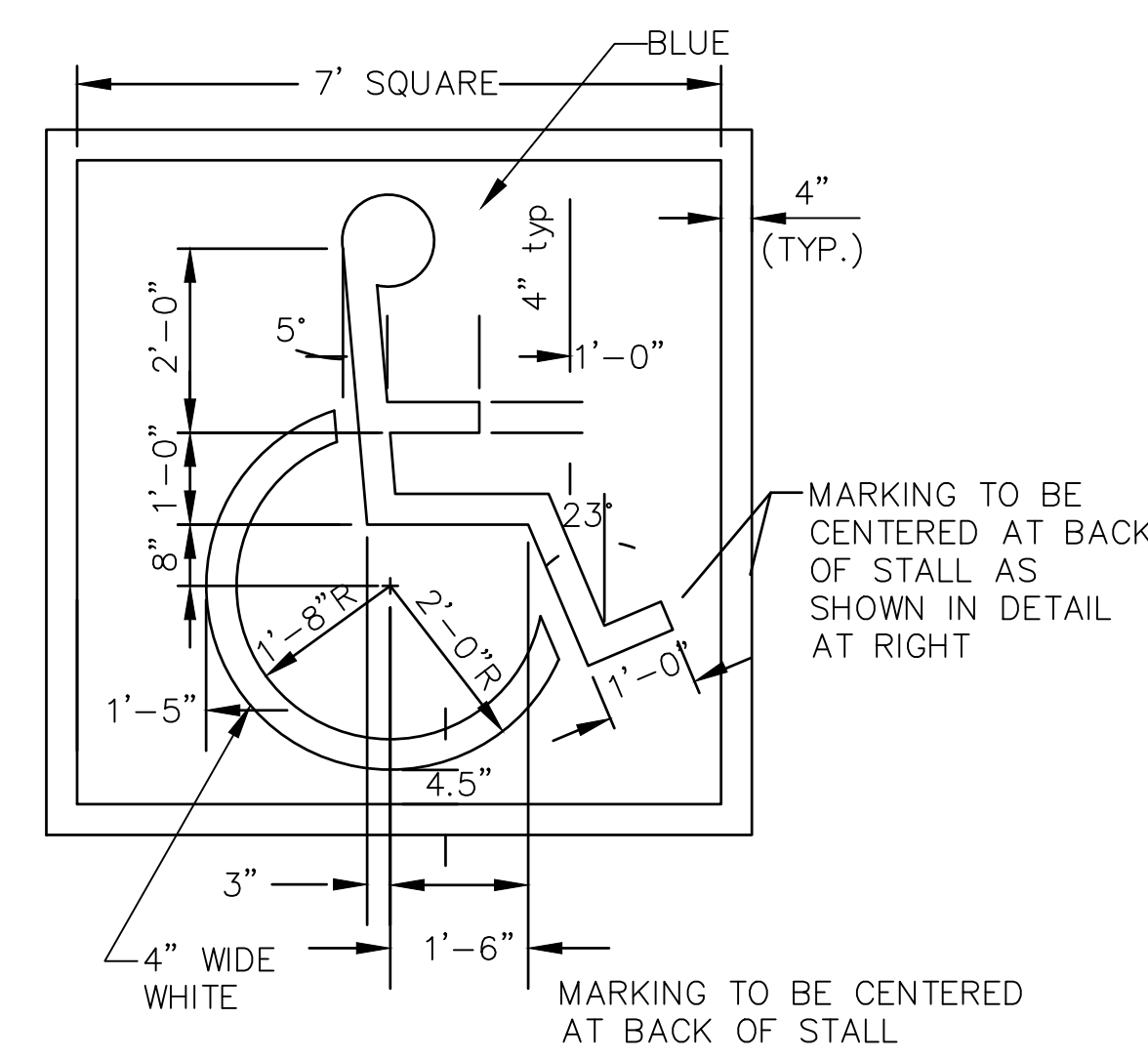


TYPICAL SIGN POST IN PAVEMENT
SCALE: NTS

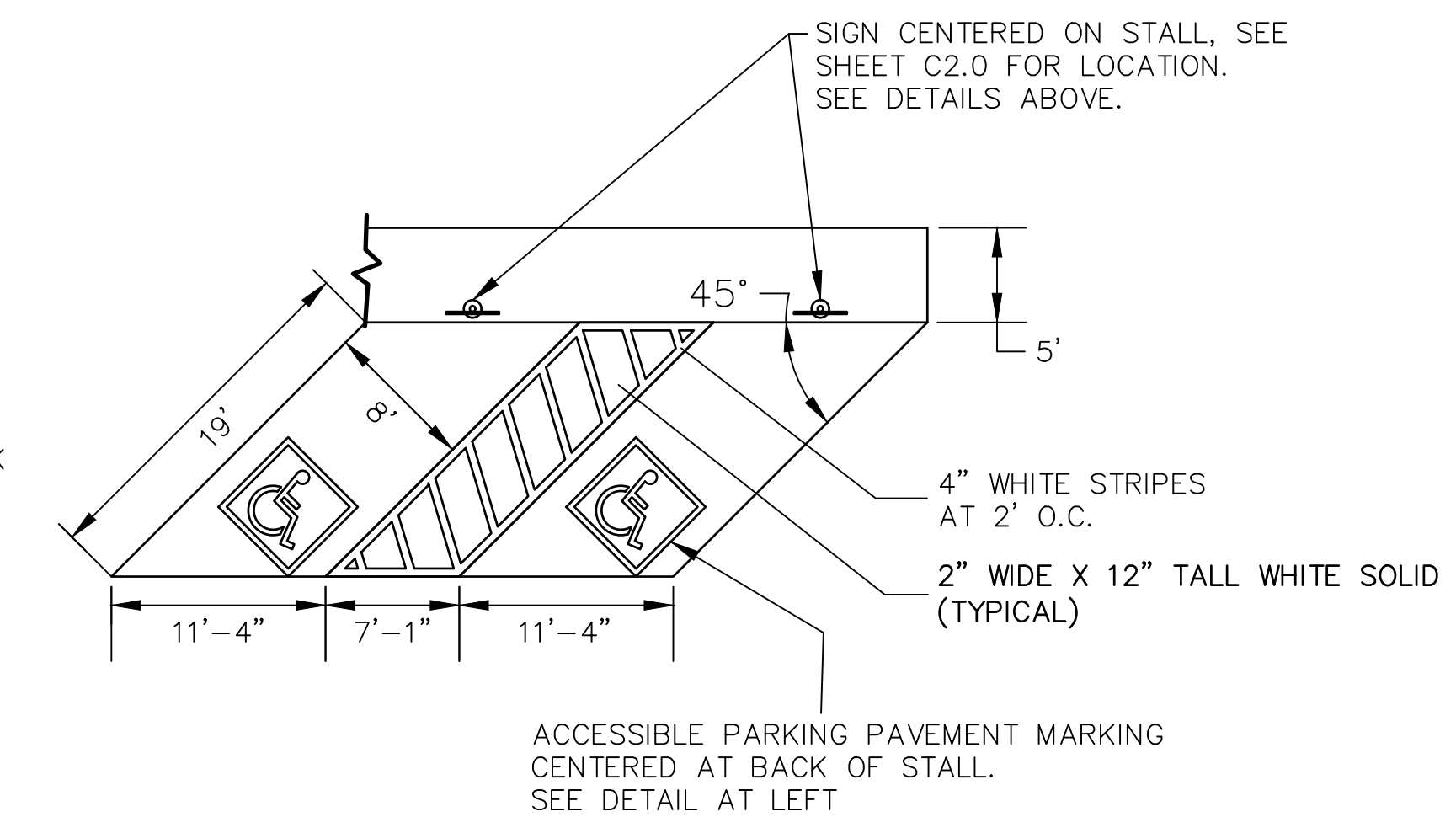


NOTE: HANDICAP PARKING SIGN SHALL CONFORM WITH CURRENT STATE AND LOCAL CODES AND REGULATIONS.

HANDICAP PARKING & VAN ACCESSIBLE SIGN
SCALE: NTS



HANDICAP & ACCESSIBLE STALL DETAIL
SCALE: NTS



ACCESSIBLE PARKING PAVEMENT MARKING CENTERED AT BACK OF STALL. SEE DETAIL AT LEFT



PROPOSED STORAGE BUILDING
715 N SANDUSKY ST
MOUNT VERNON, OH 43050

Project

DESIGN COMPLETED BY:
Structured
DESIGN AND CONSULTING LLC

Project No.: _____
DATE: 02/27/2024
DRAWN BY: JRS 02/27/2024
DESIGNED BY: DAC 03/01/2024
REVISED: _____

Sheet Title

SITE DETAIL

C3.0



Board of Zoning Appeals Meeting: 04/03/24 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 # 3997)

DOC ID: 3997

2024-BZA-08 : 807 N MULBERRY ST - VARIANCES TO BUILD A TWO-FAMILY DWELLING

Item Number	2024-BZA-08
Site Address	807 N Mulberry ST
Parcel Number	66-05689.000
Zoning District	R-2
Presented By	Beaux Hord

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

1161.02 Development Standards (R-2 Single and Two Family District)

1173.17 Setback Requirements for Corner Buildings (Supplementary District Regulations)

Request:

Construct a two-family dwelling on a 66' wide, 8,712 sf corner lot,

- 4,356 sf lot area per dwelling unit
- 864 sf floor area per dwelling unit
- 10' from the exterior side property line
- 8' from the interior side property line
- No covered or enclosed parking

COMMENTS - Current Meeting:

Percy recused himself from this case.

Hord (sworn in) explained he would like to build a duplex at 807 N Mulberry ST. Code requires a minimum corner lot with of 80'. This lot is 66' wide. He is requesting a variance for the minimum lot area per dwelling unit from 4,500 sf to 4,345 sf per unit. He is requesting variances for the side setbacks, 8' for the interior side and 10' on the exterior side along Calhoun ST. He said the major of the other homes on Calhoun ST are close to the same requested setback. He is requesting a variance for the square footage per living unit from 900 sf to 864 sf, a total reduction of 36 sf per unit. This changes the dimension from 25' wide to 24'

Updated: 3/20/2024 3:49 PM by Lacie Blankenhorn

Page 1

Packet Pg. 19

wide on each unit. The final variance request is to not provide a covered or enclosed parking space. Hord explained he is trying to value engineer in order to add more living spaces. He and his wife own around 20 properties in Mount Vernon, 4 within 2 blocks of this site. They are working to revitalize the neighborhood, and provide nice places for people to live. Their main focus is women who need help, or anyone that needs help. The ultimate game plan for this project is to build it and use it as a model to work with the younger generation to buy it, live in one side and rent out the other side.

Filkins (sworn in) representing the Knox County Land Bank, owner of the property, explained Hord has the intent to apply and purchase the property from the Land Bank. The Board wants to ensure the plan can be built before selling the property. Filkins explained this property was purchased by the Land Bank. There had been upwards of 90 police calls to it. The house was removed. The Land Bank sold the property to Habitat for Humanity to build a single-family home. When it was realized the property is zoned R-2 plans changed. Habitat does not build duplexes so the Land Bank swapped properties with them with the intent of this property being sold to someone to build a duplex. Filkins explained, no matter if it is Hord or someone else, the intend for a duplex to be built on this lot, to maximize living units, knowing there is a housing shortage. Filkins explained even though it is zoned R-2, it is not shaped to accommodate the current R-2 development standards. To rebuild the structure what was there would require variances.

Broeren asked about the design showing parking in the front yard area. He asked if there was any thought about putting parking in the back off of the alley and saving the front yard. Filkins said the alley is unimproved. Hord said he thought about putting the parking along Calhoun ST. He is not opposed to that. Broeren said he didn't realize the alley was unimproved.

There were no communications received by the Development Services Manager for this case.

Blankenhorn read the Staff Report - Dated: April 1, 2024 Case: 2024-BZA-08 807 N Mulberry ST Parcel # 66-05689.000 The subject property is zoned R-2 Single and Two-Family District. The vacant corner parcel measures 66' wide along Mulberry ST x 132' deep along Calhoun ST, totaling 8,712 square feet. These measurements, platted in 1839, are consider substandard by current zoning code development standards, which require a minimum 90' wide corner lot and 4,500 square feet per living unit. The proposal to locate a new 2-unit dwelling structure 10' from the exterior side property line and 8' from the interior side property line will correspond with many developed properties throughout the neighborhood which do not align with current zoning code setback requirements of a 20' exterior side setback and 10' interior side setback. Additionally the proposal to not provide covered or enclosed parking is not uncommon, not only in the surrounding neighborhood, but City wide. While the square footage of the lot provides 4,356 square feet of total land area per proposed dwelling unit, 144 square feet short of code requirements, the proposed site plan, with open parking in the front, will allow for approximately 4,554 square feet of open back yard area.

There is a mix of single, two-unit, and multi-unit structures throughout the area on similarly

sized parcels.

Cunningham made a motion to accept the proposed variances as presented.

RESULT: ACCEPTED [4 TO 0]
MOVER: Cynthia Cunningham, Member
SECONDER: Tonya Boucher, Member
AYES: Susie Simpson, Tonya Boucher, Kate Aryanata, Cynthia Cunningham
EXCUSED: William Smith, Otho Eyster
RECUSED: Michael Percy



City of Mount Vernon, Ohio
Board of Zoning Appeals

Request for Hearing

Applicant's Information

Owner's Name, Address and Phone

Beaux Hord 9455 Camp Road, Mount Vernon Ohio 43050

Agent's Name, Address and Phone

Site Information

Site Address

807 N Mulberry

Legal Description

Parcel Number

66-05689.000

Deed Volume and Page Number

Zoning District

Existing use of property

Vacant Land

Proposed use of property

Duplex

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:

Change required setback, Minimum sf per unit, and garage or covering

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.

3/19/24

Date:

By: **Beaux Hord**

Status of Application

Filing Date

Case Number

Hearing Date

Fee deposit

\$100.00

Date Paid

Receipt Number

Status of Board's Action

Approved Denied

Attachment: BZA 3.19.24 (3997 : 2024-Bza-08)

Narrative statements

*establishing and substantiating that the variance conforms to the following standards:
(initial beside the number to signify agreement; provide narrative for #3 & 4)*

bh 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.

bh 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 Building is set to have two units at 864 SF which means I would need to have 4500 SF per unit, while the lot is 8712 SF which brings it down to 4356 Per Unit so we are missing 144SF per unit and 288 SF in total.

Whichever direction we place the building we are over the setbacks, preferably placing the building front on Mulberry we are at 48' Wide and with a 66' frontage and 30' setbacks we are over 12', if you look at it on Calhoun you have 38' deep in which I need 50' deep in just set backs. Now requirements also state that lot widths have to be 80' wide (1161.02)

Remove Garage/Covered area for 1 parking spot per unit. I have it set up for more than 2 parking spaces per unit, but I do not have a covered parking space as it will only make the lot smaller, and increase cost of construction which only increases rent.

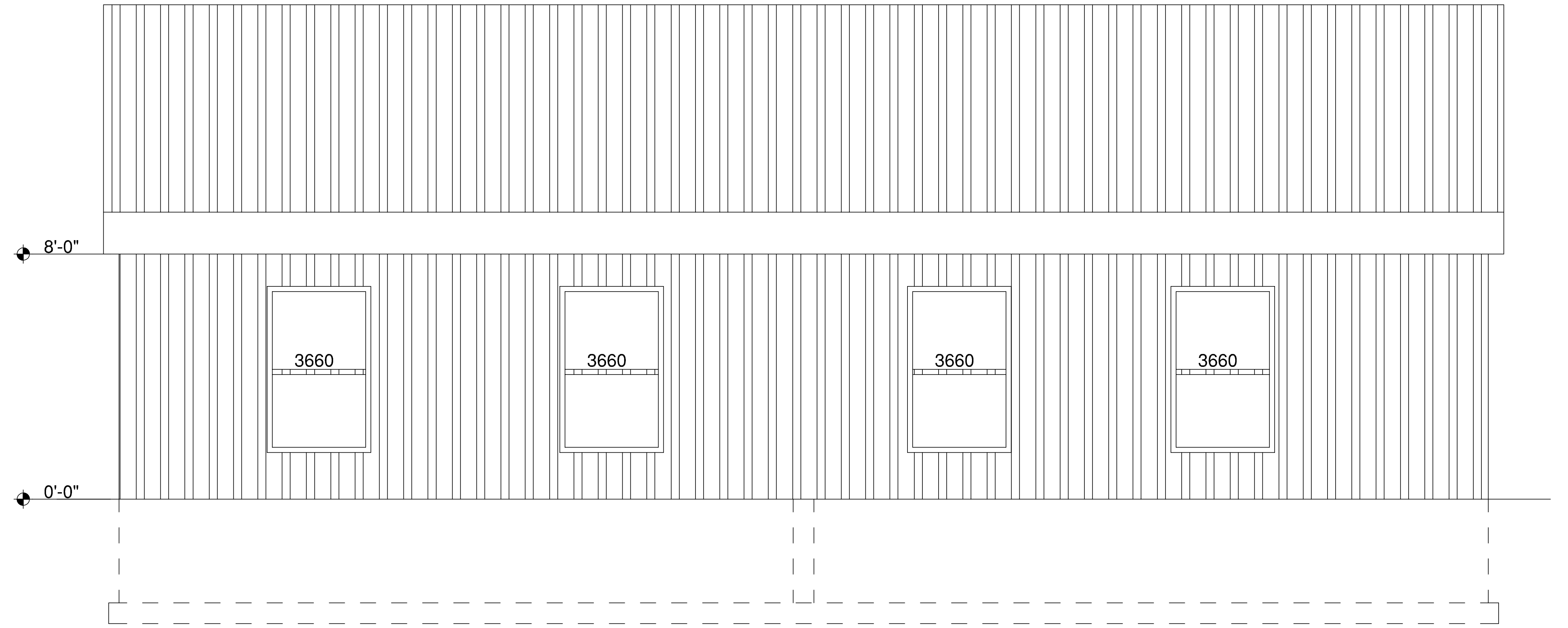
4) Explain the proof of hardship created by the strict application of this Zoning Ordinance.

The lot is extremely narrow, which is causing set back and coverage issues. The Design of the building is value engineered to give us the best value for the dollar to keep rent at affordable prices. If we were to change square footage or footprint we would be removing open area for the renter.

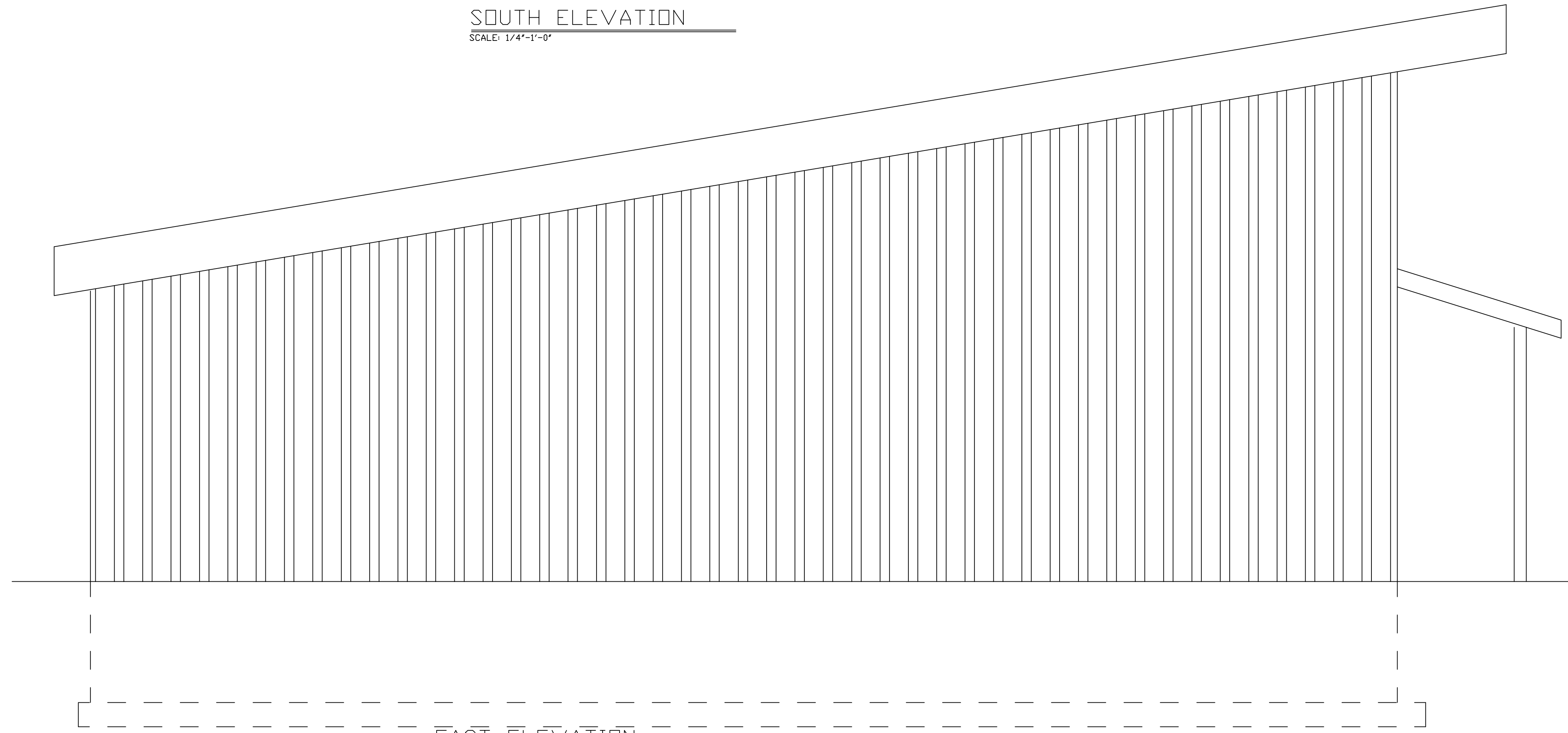
BH 5) The granting of the variance is necessary for the reasonable use of the land or building, and the variance as granted is the minimum variance that will accomplish this purpose.

BH 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.

BH 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.



SOUTH ELEVATION
SCALE: 1/4"=1'-0"



EAST ELEVATION
SCALE: 1/4"=1'-0"

REVISIONS	DATE
PRELIMINARY	Date
DRAFT	Date
00	1-24
01	3-18-24

DRAWN BY: BH

CHECKED BY: _____

DATE: _____

SCALE: _____

JOB NO.: _____

PLAN NO.: _____

_____ of _____

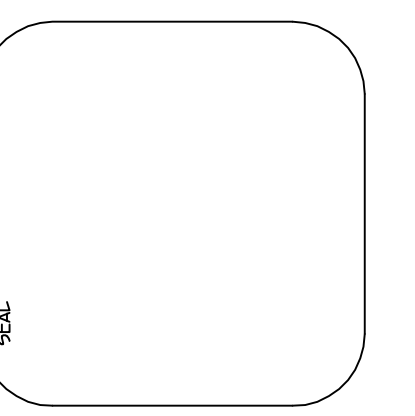
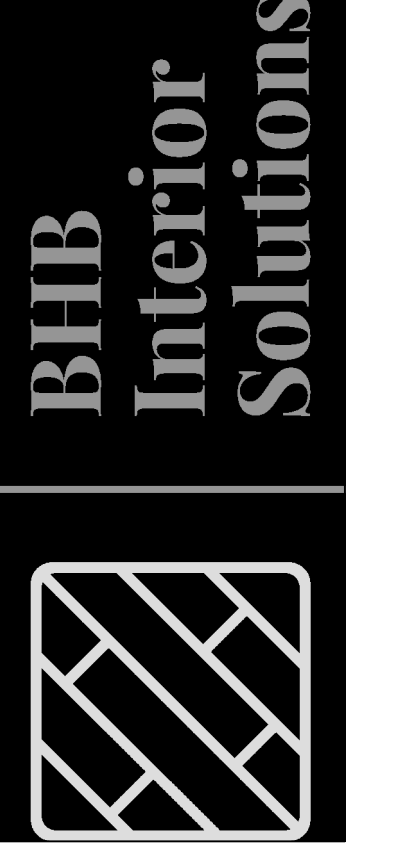
PROJECT: MULBERRY/CALHOUN

OWNER: _____

ADDRESS: _____

SIGNATURE: _____ DATE: _____

I HEREBY APPROVE THIS PLAN(S) FOR CONSTRUCTION AND/OR PURCHASE. THESE DRAWINGS AND THIS SERVICE ARE THE EXCLUSIVE PROPERTY OF BHB & INTERIOR SOLUTIONS. NO PART OF THIS DOCUMENT OR THE INFORMATION CONTAINED HEREIN IS TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BHB & INTERIOR SOLUTIONS.



ELEVATIONS

A 3