

MEMORANDUM

TO: Board of Zoning Appeals
FROM: Roger O. Freytag, Zoning Administrator RCF
SUBJECT: Variance to construct parking spaces in the front yard setback.
DATE: April 13, 1989
MEETING: April 19, 1989 at 4:30 P.M.

RECOMMENDATION

It is recommended that the Board of Zoning Appeals approve a Variance for the construction of parking spaces in the front yard setback at 603 Avon Place along West Main Street.

BACKGROUND

An application for Variance has been received from Lee Dietrich to construct parking spaces in the front yard setback at 603 Avon Place. The Variance shall be to Section 151.49(C)(7) of the City of Napoleon, Ohio, Code of Ordinances. The location is in a "B" Residence District.

Lee Dietrich owns the house along West Main Street and has recently purchased the house at 603 Avon Place. The house at 603 Avon Place has been used as a duplex in the past. Both of the houses cover a large portion of both lots. By adding this parking area in the front yard setback; there will be fewer cars parked along the narrow West Main Street. There is not much room on the lot beyond the front yard setback for parking. I believe the Variance would be an improvement and in this circumstance should be granted.

City Staff does recommend in favor of this request considering the circumstances as long as there are not complaints from the neighbors.

The standards for variation to be considered are as follows:

- a) That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to the other property or use in the same vicinity or district.
- b) That such Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity or district but which is denied to the property in question.

- c) That the granting of such Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity or district in which the property is located.
- d) That the granting of such Variance will not alter the land use characteristics of the vicinity or district, diminish the value of adjacent land and improvements or increase the congestion in the public streets.

ROF:skw

