

MEMORANDUM

TO: Members of the Board of Zoning Appeals
FROM: Richard A. Hayward, City Manager
SUBJECT: Request for Variance - Keith Keller
DATE: June 18, 1987

BZA 87-14

RECOMMENDATION

It is recommended that the Board of Zoning Appeals approve a Variance for Keith Keller to allow the construction of a garage in the front yard setback of his house at 383 Front Street.

BACKGROUND

A petition has been received from Keith Keller, 170 Wayne Park Drive, Napoleon, Ohio requesting that he be allowed to construct a garage in the front yard setback at his property located at 383 West Front Street. The property is located along the old canal, and the house itself is built into the canal right-of-way. The proposed garage will be located on the property line which will violate the 40 foot front yard setback for accessory buildings.

Because of the location of the canal right-of-way and the river bank, it would be impossible to build the garage or to improve the property without gaining a Variance from the Board. Staff has no problem with the request and it does improve the neighborhood to some extent.

The request meets the Standards for Variation in the following manner:

- 1) The canal right-of-way and the river bank are such that no improvement to the property can take place without a Variance which creates an exceptional situation.
- 2) The Variance is needed to allow construction on the property which is a right enjoyed by others in the district.
- 3) Granting the Variance will not be materially detrimental to the public welfare.
- 4) Granting the Variance will not alter the land use characteristics of the district.

RAH:skw