

MEMORANDUM

TO: Members of the Board of Zoning Appeals.
FROM: Richard A. Hayward, City Manager ^{BZA}
SUBJECT: Request for Variance - Douglas M. Rudolph
DATE: February 9, 1987

BZA 87-02

RECOMMENDATION

It is recommended that the Board of Zoning Appeals approve a Variance for Douglas M. Rudolph of 611 Jahns Road, Napoleon, Ohio for the purpose of constructing an addition to an existing house.

BACKGROUND

An application has been received from Douglas M. Rudolph requesting a Variance to Sections 151.33(D)(1) and 151.49(C)(7) of the City of Napoleon, Code of Ordinances to allow him to construct an addition on an existing structure located at 611 Jahns Road, Napoleon, Ohio. The Code sections in question require a 30 foot front yard and 7 foot side yard setback in an "A" Residential District, and prohibits the location of a required parking space in the side yard setback.

The property owner would like to construct a 12 foot wide addition to his existing house. In order to do so, one edge of the new addition would be violating the 30 foot front yard setback, one edge would be violating the 7 foot side yard setback, and one of the two required parking spaces would have to be located in the 7 foot side yard setback. Attached you will find a site plan of the proposed addition with the amounts of the violations.

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

1. This is an exceptional circumstance due to the shape of the lot.
2. The Variance is necessary in order for building the addition thus enjoying a property 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.

Staff has reviewed the request and finds no problems with it. Unless there are protests from the neighbors, staffs recommendation is to approve the request.