MEMORANDUM

TO: Members of the Board of Zoning Appeals
FROM: Roger O. Freytag, Zoning Administrator _ROF_
SUBJECT: Request for Variances - Senior Housing
         Development
DATE: February 23, 1988

BZA 88-01

RECOMMENDATION

It is recommended that the Board of Zoning Appeals
approve Variances to allow the construction of a Senior
Housing Development at 120 East Maumee Street.

BACKGROUND

A request has been received from Weatherby, Goodman,
Trick Architects, Inc., Columbus, for Riverview Terrace,
Inc., Napoleon, Ohio requesting Variances to Section
151.45 of the City of Napoleon, Ohio Code of Ordinances
as a condition of approval for a Special Use Permit by
the Planning Commission.

The request for Variance are for the following:

(a) Section (C)(1) permissible zone.
(b) Section (C)(2)(a) 3600 s.f. of lot for each
     dwelling unit.
(c) Section (C)(3)(b) 30' all yard setback desired.
     (cannot get because of sanitary sewer)
(d) Section (C)(3)(d) parking not allowed within the
 .   front yard setback.
(e) Section (C)(3)(e) parking areas shall be screened
     with shrubbery, trees or a decorative fence.

The Staff has reviewed the request. The Senior Housing
Development is a planned apartment development which
requires a Special Use Permit. Because of its unique
use and location, the Staff does recommend in favor of
granting the Variances.

The request meets the Standard of Variation in the
following manner:

(a) That there are extraordinary circumstances that
     apply because of the location of the sanitary sewer
     and that the fact that HUD will not allow changing
     the shape of the building. These conditions do not
     apply to other buildings in the same vicinity.

(b) That such Variances are necessary for the enjoyment
     of a planned apartment development and right
     possessed by other property in the same vicinity.

(c) That the granting of such Variances will not be materially detrimental to the public welfare or injurious to the property in the vicinity.

(d) That granting such Variances may alter the land use characteristics of the vicinity, but will not diminish the value of adjacent land.

ROF:skw