

MEMORANDUM

TO: Members of the Board of Zoning Appeals  
FROM: Roger O. Freytag, Zoning Administrator *ROF*  
SUBJECT: An application for Variance to construct a deck  
on the front of the house located at 402 W.  
Maumee Drive in the front yard setback.  
DATE: 7 July 1989  
MEETING: 11 June 1989 at 4:30 PM  
MEETING NO.: 89/12

RECOMMENDATION

It is recommended that the Board of Zoning Appeals approve the Variance to construct a deck on the front of the house located at 402 W. Maumee Drive in the front yard setback.

BACKGROUND

An application for Variance by Marvin Buchholz, Napoleon, to construct a deck on the front of the house located at 402 W. Maumee Drive in the front yard setback. The Variance shall be to Section 151.33(D)(1)(2) of the City of Napoleon, Ohio, Code of Ordinances. The proposed development is located in an "A" Residence District.

After reviewing this request, the City staff does recommend in favor of granting this request for the following reasons:

1. The deck will not extend beyond the existing house.
2. The deck will not be in the way of future construction for any street construction.
3. The deck will be a good improvement to the site.
4. The house has existed in this location before now and has not caused a problem yet.

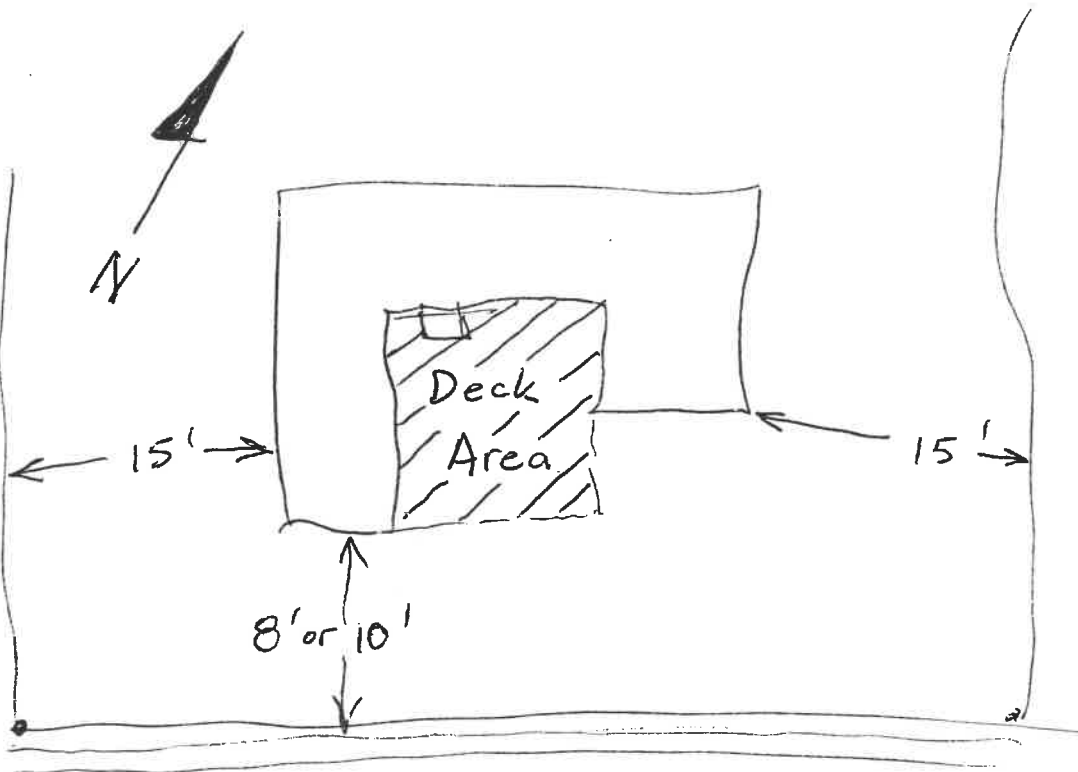
The standards for variation to be considered are as follows:

- 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 of 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 a Variance will not alter the land use characteristics of the vicinity of district, diminish the value of adjacent land and improvements or increase the congestion in the public streets.





West Maumee