

MEMORANDUM

TO: Members of the Board of Zoning Appeals
FROM: Brent N. Damman, Zoning Administrator
SUBJECT: Variance to front setback for constructing an addition to the existing structure by Ialee R. Davis Schroeder 514 Monroe St.
HEARING DATE: November 9th, 1993 at 4:30 PM
HEARING #: BZA 93/12

BACKGROUND

An application by Ialee R. Davis Schroeder 514 Monroe St. Napoleon, Ohio, requesting variance to the 25' front yard setback requirement for principal buildings. The variance is to section 151.33 (D)(1) of the City of Napoleon Ohio Code of General Ordinances, and is located in a "GB" General Business Zoning District and is subject to "C" Residential Zoning District standards.

RESEARCH AND FINDINGS

1. The purpose of this request is to allow construction of an addition to the north end of the existing dwelling structure.
2. The front yard setback for a principal building in this zoning district is 25'.
3. The existing dwelling structure is 15' feet into the front setback.
4. Monroe street right of way is 82.5 feet wide which is the reason the front yard is so minimal. If the right of way were 60' the dwelling would be in compliance with the 25' front setback requirement.
5. The proposed new addition will cause no further front yard encroachment.

ADMINISTRATIVE OPINION

I believe this request meets the standards for variation listed below. Therefore I am recommending approval of the request as it is reasonable, in light of the wide right of way.

CONSIDERATIONS

The Board shall not render a decision on this request until it has reviewed the following standards for variation.

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 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.

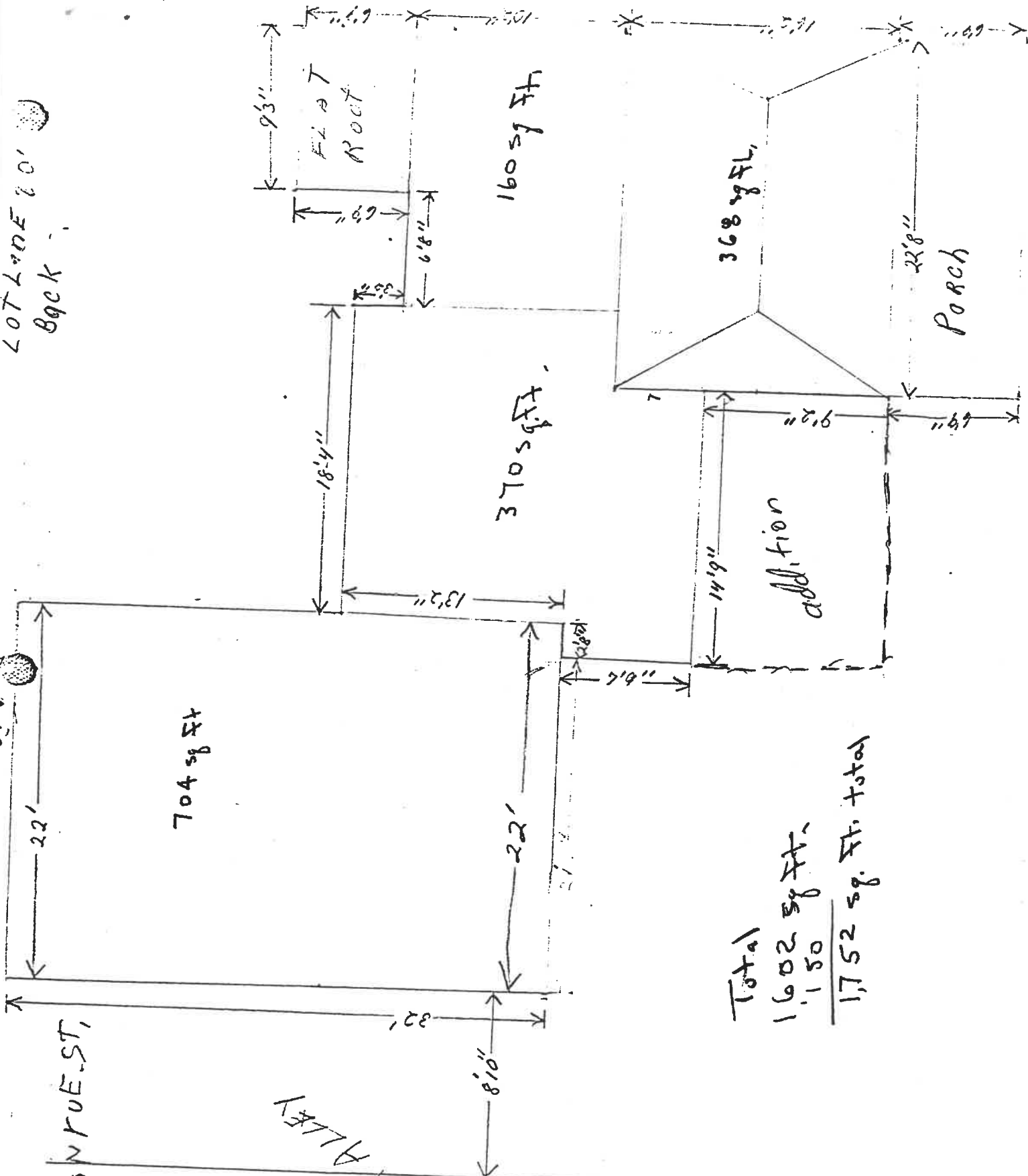
LOT LINE 12'4"

LOT LINE 20' BACK

W.P.

514 MONROE ST.

CENTER ALLEY



704 sq ft

370 sq ft.

160 sq ft

368 sq ft.

addition

Porch

Total
 1,602 sq ft.
 1,150
 1,752 sq. ft. total

37%