

MEMORANDUM

TO: Members of the Board of Zoning Appeals
FROM: Brent N. Damman, Zoning Administrator *BND*
SUBJECT: Side & rear yard variance at 714 Monroe.
HEARING DATE: February 14th, 1995 at 4:30 PM
HEARING #: BZA 95/02

BACKGROUND

Not Present

An application by Gerald Westhoven S-254 Co. Rd. 3 Liberty Center, Ohio and Paul Westhoven 14-056 Rd. Z Napoleon, Ohio, owners of property at 714 Monroe Napoleon Ohio, requesting variance to the side yard and rear yard setback requirements at said location. The request is for the purpose of constructing a car port and utility shed. The variance request is to section 151.35 (D)(1) of the City of Napoleon Ohio Code of General Ordinances, and is located in an "C" Residential Zoning District.

RESEARCH AND FINDINGS

1. The proposed location of the carport and utility shed is over an area that was once occupied by a garage.
2. The placement of the proposed would certainly be an improvement to this property.

ADMINISTRATIVE OPINION

I am recommending the Board grant the setback variance as request.

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.

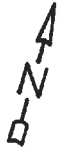
- (c) That the granting of such Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity or district in which the property is located.
- (d) That the granting of such a Variance will not alter the land use characteristics of the vicinity of district, diminish the value of adjacent land and improvements or increase the congestion in the public streets.

Drawing of proposed car-port & storage area on lot at 714 Monroe Street

Owners: Gerald & Paul Westhoven

Tenants: Alberto & Beatriz Castillo

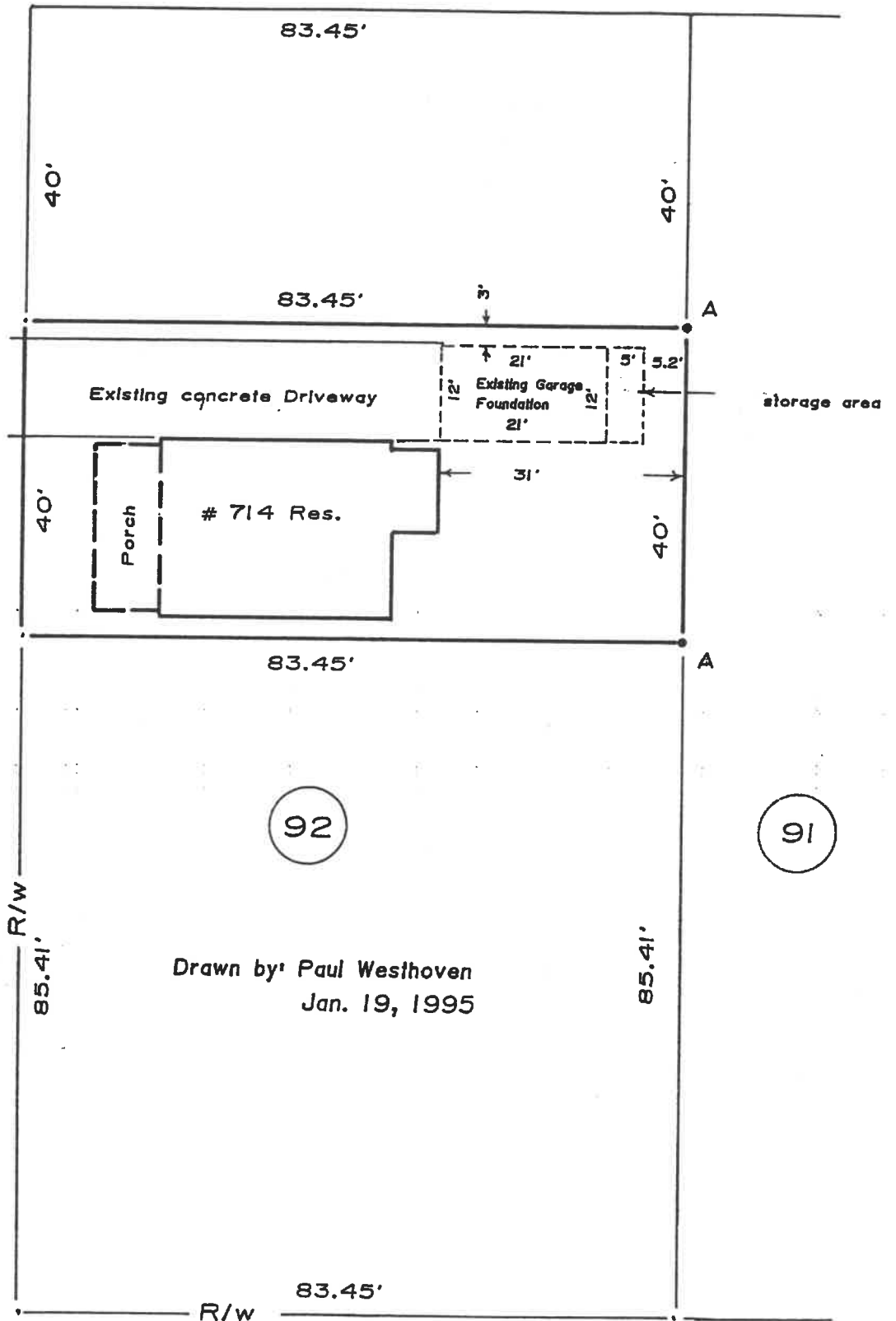
16.5' ALLEY



Scale 1" = 20'

Legend
A- Iron pin

Monroe Street, 82.5'



E. Washington Street, 82.5'