

APPROVED

MEMORANDUM

TO: Members of the Board of Zoning Appeals  
FROM: Brent N. Dammman, Zoning Administrator  
SUBJECT: An application for Variance  
DATE: 16 August, 1990  
MEETING: 21 August, 1990 at 4:30 PM  
MEETING NO.: BZA 90/18 *1719*

RECOMMENDATION

It is recommended that the Board of Zoning Appeals approve a variance to enclose an area on the south east corner of #818 W. Riverview.

BACKGROUND

An application for Variance by Richard Alvord, to enclose and make part of the dwelling an area approximately 4' x 10' on the south east corner of #818 West Riverview, the proposed addition will be within the front yard setback. The Variance shall be to Section 151.33(D)(1) of the City of Napoleon, Ohio Code of Ordinances. The property is located in an "A" residential district.

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.

The City Staff believes that a Variance for this situation would meet the above criteria.

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