

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 *19 20*

RECOMMENDATION

It is recommended that the Board of Zoning Appeals approve a variance to replace an existing sign with a new sign at 1201 N. Scott St.

BACKGROUND

An application for Variance by National Illumination & Sign Corporation on behalf of B. P. Oil Company owners of SOHIO, located at 1201 North Scott Street, to replace an existing sign with a new sign in the same location as the existing. The proposed sign will be within the front yard setback. The Variance shall be to Section 151.37(C)(1) of the City of Napoleon, Ohio, Code of Ordinances. The property is located in an (L.B.) business 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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