

MEMORANDUM

TO: Members of the Board of Zoning Appeals
FROM: Brent N. Dammmman, Zoning Administrator
SUBJECT: Variance to front setback for Henry County Bank.
HEARING: October 1st, 1991 at 4:30 PM
HEARING #: BZA 91/09

BACKGROUND

An application for Variance by The Henry Co. Bank (branch office) at 1416 N. Scott St. Napoleon, Ohio to the front setback of N. Scott Street to allow installation of an automatic teller station. The Variance is to section 151.39 (D)(1) of the City of Napoleon, Ohio Code of Ordinances. The property in request is located in a "PB" Planned Business District.

RESEARCH AND FINDINGS

1. That the above mentioned lot is located in an "PB" Planned Business District which fronts State Route 108 and requires a 20' front setback for accessory uses such as signs, gas pumps, flag poles, etc.
2. The purpose of this variance is to construct an automatic teller station within the required front setback, but no further into it than the average sign along N. Scott street and would be designed for drive up use.
3. The fact that this lot fronts a State Route limits expansion to the front without variance.

ADMINISTRATIVE OPINION

I believe this request would not be detrimental to or endanger the public health or welfare and should be compatible with its environment.

CONSIDERATIONS

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.