

MEMORANDUM

TO: Members of the Board of Zoning Appeals
FROM: Brent N. Damman, Zoning Administrator
SUBJECT: Front yard parking setback variance @ 840
 Scott St. Napoleon.
HEARING DATE: June 11, 1996 at 4:30 PM
HEARING #: BZA 96/05

BACKGROUND

An application for public hearing has been filed by W. Lear Snyder (Dba) Snyder-Wesche Funeral Home 830 N. Scott Napoleon, Ohio. The applicant is requesting variance to the required front yard parking setback of twenty (20) feet on the now vacant parcel north of their business location. The variance request is the City Code section 151.57.7 and the property is located in a "C-3" Local Commercial Zoning District.

RESEARCH AND FINDINGS

1. The owner intends to utilize the vacant lot for parking purposes using a stone base until such time he is able to pave it.
2. The owner is requesting a 14 foot deduction to the required 20 foot setback to the front property line.
3. The owner is also proposing to plant a green belt in the 6 foot wide strip of land left between the City sidewalk and the parking lot curbing.

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 or district, diminish the value of adjacent land and improvements or increase the congestion in the public streets.

