

MEMORANDUM

TO: Members of the Board of Zoning Appeals
FROM: Brent N. Dammman, Zoning Administrator
SUBJECT: Variance to lot width and side yard setback by Robert Beck.
HEARING: August 13th, 1991 at 4:30 PM
HEARING #: BZA 91/07

BACKGROUND

An application for Variance by Robert Beck 11-622 Co. Rd. M Napoleon, Ohio on behalf of Thomas Hardy Rt. 2 P.O. Box 61T. Liberty Center, Ohio. for side yard setback and lot width minimum at 621 Stout St. for the purpose of constructing a new home on this lot of record. The Variance is to section 151.35 (C)(1) & 151.35 (D)(1) of the City of Napoleon, Ohio Code of Ordinances. The property in request is located in a "C" Residential District.

RESEARCH AND FINDINGS

1. That the above mentioned is a lot of record but lacks the minimum width criteria for "C" residential district for a single dwelling.
2. The existing dwelling has been a constant nuisance problem for the last 10 years and been costly to the City of Napoleon, this would be a permanent solution to this nuisance situation, and would be a great improvement for this area.

ADMINISTRATIVE OPINION

I would highly recommend approval of this request for the reasons stated.

CONSIDERATIONS

The standards for variation to be considered are as follows:

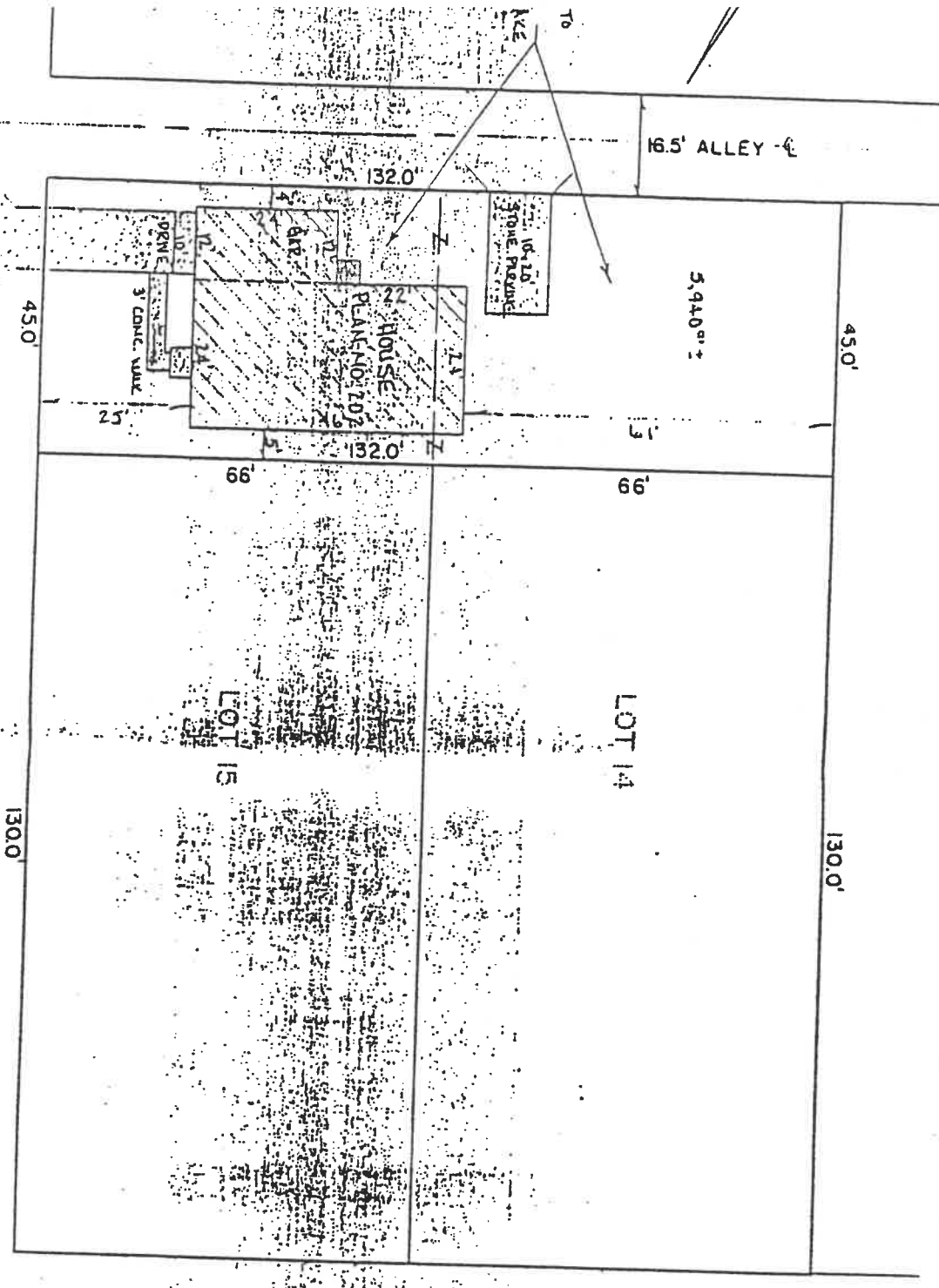
- (a) That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to the other property or use in the same vicinity or district.
- (b) That such Variance is necessary for the preservation and enjoyment of a substantial 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.

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SITE PLAN FOR
BECK CONSTRUCTION CO.

R.K. SCOTT'S FIRST ADDITION
NAPOLEON TWP, HENRY CO.
CITY OF NAPOLEON, OHIO



STOUT STREET
33' R/W

WASHINGTON STREET
66' R/W

STOUT STREET
66' R/W

R/W