

MEMORANDUM

TO: Members of the Board of Zoning Appeals  
FROM: Brent N. Dammman, Zoning Administrator  
SUBJECT: Variance to front yard fence height, facing  
Haley St. by Kenneth Krueger.  
HEARING: July 9th, 1991 at 4:30 PM  
HEARING #: BZA 91/06

BACKGROUND

An application for Variance by Kenneth & Marilyn Krueger 546 W. Washington Napoleon Ohio. The request is to allow construction of a six (6) foot high fence within the front setback to Haley St. The variance is to section 151.27 (A) of the City of Napoleon, Ohio Code of Ordinances. The property in request is located in a "B" Residential District.

RESEARCH AND FINDINGS

1. That the above mentioned lot is located on the corner of Haley & W. Washington creating two front yard setbacks.
2. The purpose of this variance is to fence in an area to retain a large dog, using a six (6) foot high welded wire fencing material.

ADMINISTRATIVE OPINION

1. Do to the nature of this request, it is likely to generate a negative reaction from the surrounding property owners.
2. If the board decides to grant this variance, I would request that we attach conditions.

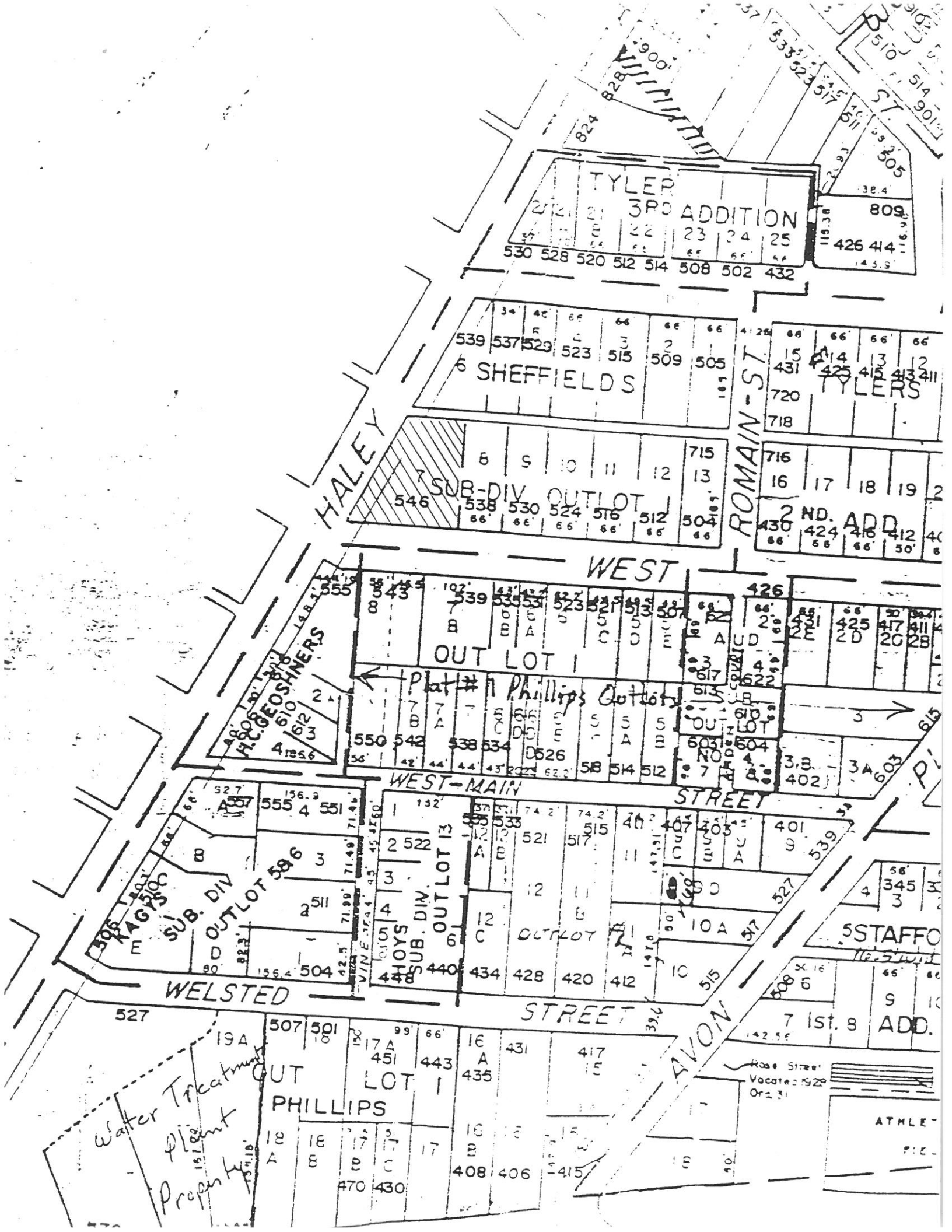
CONSIDERATIONS

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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TYLER  
21 21 3RD ADDITION  
22 23 24 25  
530 528 520 512 514 508 502 432

539 537 529 523 515 509 505  
6 SHEFFIELDS

7 SUB-DIV OUTLOT  
546 538 530 524 516 512 504  
6 9 10 11 12 13

ROMAIN-ST  
15 14 13 12  
431 425 415 411  
720 TYLERS  
718  
716 16 17 18 19 2  
2 ND. ADD  
430 424 416 412 406

WEST  
OUT LOT I  
539 535 531 527 523 519 515 511 507  
B B B A C D E F G H  
426  
431 425 417 411  
2E 2D 2C 2B  
OUT LOT  
550 542 538 534 526 518 514 512  
B A C D E F G H  
PHILLIPS OUTLOTS  
OUT LOT  
NO 7  
3, B 3A 603  
402

H.C. GEOSHNERS  
4806 4710 4618 4526 4434 4342 4250 4158 4066 3974 3882 3790 3698 3606 3514 3422 3330 3238 3146 3054 2962 2870 2778 2686 2594 2502 2410 2318 2226 2134 2042 1950 1858 1766 1674 1582 1490 1398 1306 1214 1122 1030 938 846 754 662 570 478 386 294 202 110 18 9 2 1

WEST-MAIN STREET  
527 555 4 551 156.9 71.45 71.45 45.4750  
2 522  
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4 HOYS SUB. DIV. OUTLOT 13  
448 440 434 428 420 412 10A 517 527 539  
5 STAFFO  
345 3  
3

WELSTED STREET  
527 19A 507 501 150 99 66 16 A 431 417 15  
451 443 435  
PHILLIPS  
18 A 18 B 17 B 17 C 17 10 B 15  
470 430 408 406 415  
AVON STREET  
7 1st. 8 ADD.  
ATHLETIC

Water Treatment Plant Property

Road Street  
Vacated 1920  
Or 2.31  
ATHLETIC

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TYLER  
 21 22 23 24 25  
 3RD ADDITION  
 530 528 520 512 514 508 502 432

SHEFFIELDS  
 539 537 529 523 515 509 505

SUB-DIV OUTLOT  
 546 538 530 524 516 512 504

TYLERS  
 431 425 413 411  
 720 718  
 2 ND. ADD  
 430 424 416 412 406

OUT LOT I  
 539 535 527 521 513 507  
 426  
 550 542 538 534 526 518 514 512  
 603 604  
 3.B. 3A 603  
 402

H.C. GEOSHNER'S  
 610 612 613  
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WEST-MAIN STREET  
 555 4 551  
 596 3  
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 448 440 434 428 420 412  
 10A 517 527 539  
 401 9  
 345 3  
 5 STAFFORD

WELSTED STREET  
 507 501  
 17A 451 443  
 16 A 435  
 16 B 408 406  
 17 C 470 430  
 17 D 415

Water Treatment Plant Property  
 PHILLIPS  
 18 A 18 B 17 C 17 D  
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AVON STREET  
 7 1st. 8 ADD.  
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