

MEMORANDUM

TO: Members of the Board of Zoning Appeals
FROM: Roger O. Freytag, Zoning Administrator *rof*
SUBJECT: An application for Variance to construct a deck
and a 5' high fence within the Broadmore Street
Front yard setback.
DATE: 6 July 1990
MEETING: 10 July 1990 at 5:30 PM
MEETING NO.: BZA 90/08

RECOMMENDATION

It is recommended that the Board of Zoning Appeals approve a variance to construct a deck and a 5' high fence within the Broadmore Street Front yard setback located at 1095 Westmont Ave.

BACKGROUND

An application for Variance by John A. & Joyce E. Benedict, Napoleon, to construct a deck and a 5' high fence within the Broadmore Street Front yard setback. The Variance shall be to Sections 151.33(D)(1) and 151.27(A) of the City of Napoleon, Ohio, Code of Ordinances. The proposed development is located at 1095 Westmont Ave. in an "A" Residential 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.

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APPLICATION FOR PUBLIC HEARING
BOARD OF ZONING APPEALS
CITY OF NAPOLEON, OHIO

TO: Department of Building and Zoning
FOR: Chairman and Members of the Board of Zoning Appeals

I/We hereby file a petition for: (check the box applicable)

1. Variance \$50.00
2. Administrative Appeal No Fee

Address of property: 1095 Westmont Ave

Legal description of property:

Lot sixty-two (62) and the west twenty (20) feet of lot sixty-one (61) in Westwood Addition to the City of Napoleon, Henry County, Ohio.

Brief description of request: Variance to existing non-compliance (permit 5-19-70). Remove existing covered patio and replace with deck no. closer to R.O.W. than existing structure. Also erect 5' wood fence on west & south boundaries within the 30' building setback line (Broadmore Ave).

Note: All petitions require a minimum of 15 days notice for Public Hearing.

The owners of the premises is(are): Name John A & Joyce E Benedict
(legal or beneficial owner)

Address 1095 Westmont Ave

Phone (419) 599-3400

This application is filed on behalf of the owner by:

Name _____

Address _____

Phone () _____

RECEIVED: _____ 19 _____

PAID

JUN 14 1990

CITY OF NAPOLEON

