



# City of Napoleon, Ohio

## Kevin Schultheis, Zoning Admin.

### Code Enforcement

255 West Riverview  
Napoleon, OH 43545  
Telephone: (419) 592-4010 Fax: (419) 599-8393  
www.napoleonohio.com

JULY 21, 2020

**TO:** MEMBERS OF THE BOARD OF ZONING APPEALS  
**FROM:** KEVIN SCHULTHEIS, ZONING ADMINISTRATOR/ CODE ENFORCEMENT OFFICER  
**SUBJECT:** VARIANCE TO THE FRONT AND SIDE SETBACKS  
**MEETING DATE:** SEPTEMBER 8, 2020 @ 4:30 PM.  
**HEARING NUMBER:** BZA-20-04

#### **Background:**

An application for a public hearing has been filed by Kyle Vondeylen of 19-901- Cr. X Ridgeville, Ohio 43555. The applicant is requesting a variance to Section 1147 regarding the building setbacks in an R-1 Suburban Residential District provides for the development of moderate and low-density, single family residential development, and is adaptable to urban or suburban locations, located at lot 86 of Williamsburg Ave. Napoleon, Ohio 43545. The applicant is requesting the variance to reduce the front building set back from 70' feet from center of the roadway to 60' and the side set back from Lot 85 Williamsburg Ave. from 15' to 10'.

#### **Research and Findings:**

Upon approval of this variance and issuance of a zoning permit, a building permit from Wood County Building Inspection shall be required followed by a Certificate of Occupancy.

#### **Standards for a Variance:**

The Board, after a hearing may grant a variation from the regulations of the City's Planning and Zoning Code, but only when such variation is in harmony with General purpose and intent of the Planning and Zoning, and the board finds the following:

- (a) That there are exceptional or extraordinary circumstances or conditions applicable to the 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 granting such variance will not be materially detrimental to the public welfare or injurious to the property of improvements in the vicinity or district in which the property is located;
- (d) That granting such 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 street. (Ord. 69-01. Passed 7-2-01.)