



# City of Napoleon, Ohio

## Code Enforcement

*Kevin Schultheis, Inspector/Zoning Administrator*

*255 West Riverview Avenue*

*Napoleon, OH 43545*

*Telephone: (419) 592-4010 Fax: (419) 599-8393*

*www.napoleonohio.com*

BZA-21-02

Variance to the Property Setback

Location: 143 W. Maumee Ave. Napoleon, Ohio

### **Memorandum**

**To:** Members of the Board and Zoning Commission

**From:** Kevin L. Schultheis, Zoning Administrator/Code Enforcement Officer

**Subject:** Variance to the Property Setback

**Meeting Date:** May 11, 2021 4:30 PM

**Hearing #:** BZA-21-02

### **Background:**

An application for public hearing has been filed by Mark Crandall of 146 W. Maumee Ave. Napoleon, Ohio 43545. The applicant is requesting approval a variance to section 1147 regarding the building setbacks in an R-3 Moderate-Density Residential District. The Applicant is requesting a variance to the rear of a new home and garage structure from 15 feet to 7 feet.

### **Research and Findings**

1. A variance is needed to allow the new home and garage building to move inside the setback requirement of 15 feet of the property line. The move would create a better space and clearance from the front setback of 25 feet to accommodate better parking accessibility and to minimize street side parking.
2. Scope of Project: (see attached)

### **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 the general purpose and intent of the Planning and Zoning Code, and the Board finds all of the following:

- (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 the property in question.

- (c) That granting such variance will not be materially detrimental to the public welfare or injurious to the property of improvement in the vicinity or district in which the property is located;
- (d) That granting such variance will not alter the land used characteristics of the vicinity or district, diminish the value of the adjacent land and improvements, or increase the congestion in the public street. (Ord. 69-01. Passed 7-2-01)

Kevin Schultheis, Zoning Administrator / Code Enforcement Officer.

# Application for Public Hearing

City of Napoleon, Ohio

I/We hereby request a public hearing to consider the following:

**Planning Commission**

(MZON 100.1700.46690)

- Conditional Use  
\$125.00
- Amendment  
\$125.00
- Subdivision in City  
\$75.00 + \$5.00 each, after two
- Preliminary Plat of Development  
\$125.00
- Alley Vacation  
\$25.00 + publication cost

**Preservation Commission**

MZON 100.1700.46690)

- Certificate of Appropriateness  
\$25.00

**Board of Zoning Appeals**

(MZON 100.1700.46690)

- Certificate of Zoning  
\$25.00
- Re-Zoning  
\$125.00
- Variance  
\$125.00
- Administrative Appeal  
\$50.00

Address of property:

143 W. Maumee Ave.

Description of request:

Variance of back lot line to 7 feet.

Mark Crandall

OWNER(S) NAME (PRINT)

146 W. Maumee Ave. Napoleon, OH 43545

ADDRESS- CITY, STATE, ZIP

419-784-6269

PHONE NUMBER

SIGNATURE

**\*\*\*Public hearings are held on the second Tuesday of each month; this petition must be filed with the Zoning Administrator thirty (30) days before the public hearing date. All plans, plats, deeds and other requested information must accompany this application before the hearing will be scheduled.\*\*\***

**APPLICANT MUST BE AN OWNER OR AN AUTHORIZED REPRESENTATIVE EVIDENCED BY LETTER OF APPOINTMENT.**

Mark Crandall

APPLICANT NAME (PRINT)

146 W. Maumee Ave.

ADDRESS

APPLICANT SIGNATURE

Napoleon, OH 43545

CITY, STATE, ZIP

419-784-6269

PHONE

Hearing #:

Hearing Date:

Zoning District:

**Office Use Only**

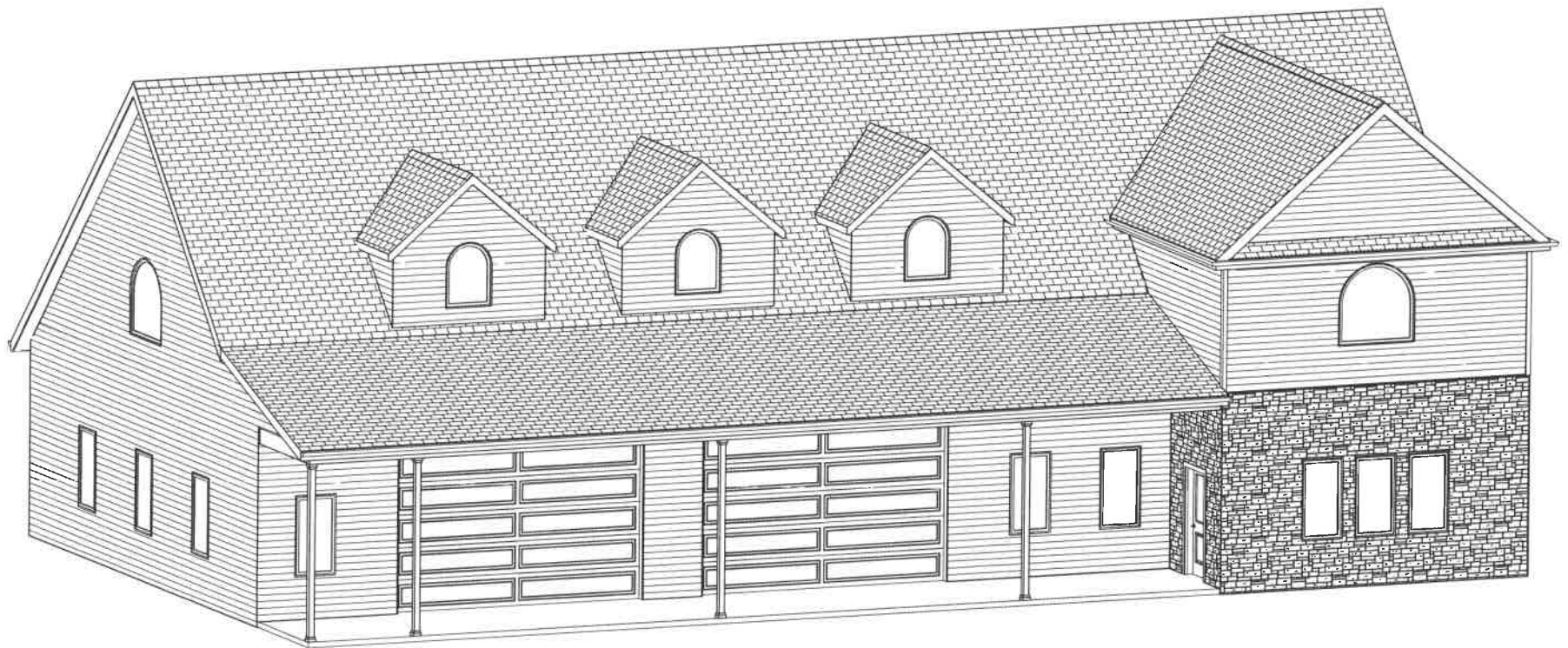
Batch #

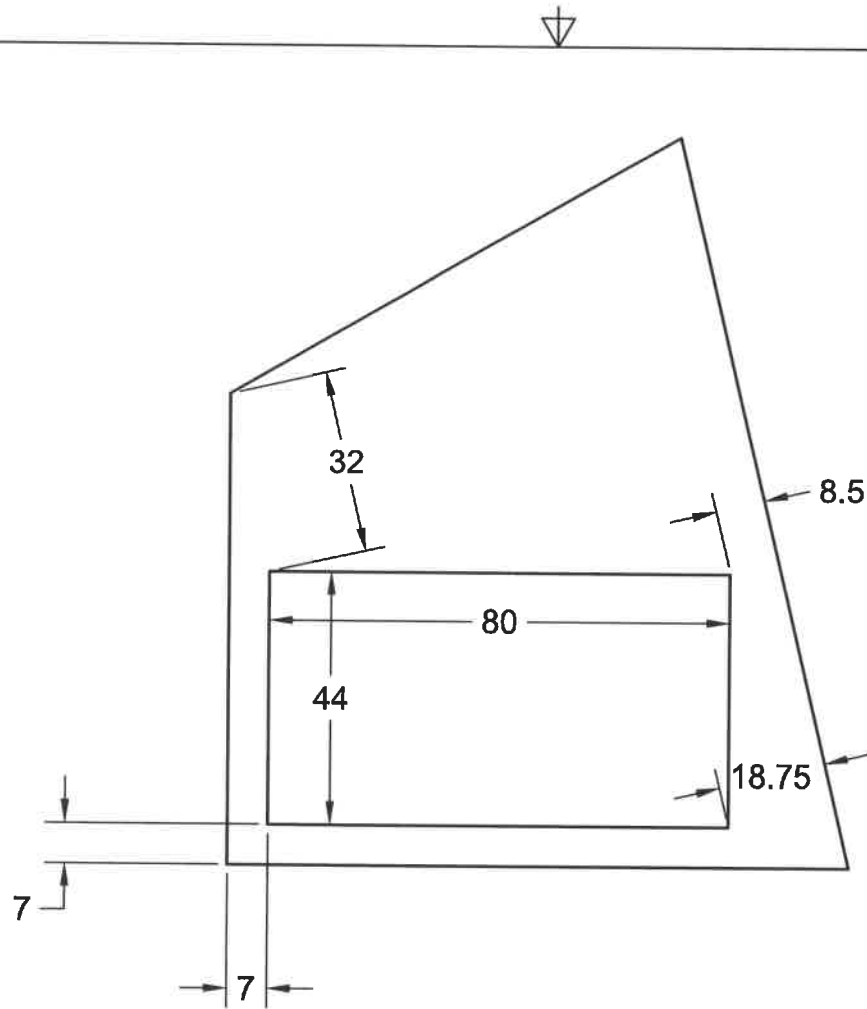
Check #

Date

25' Front

Zone District	Description	Permissible Use	Minimum Lot Area For Two and Multi-Family Dwelling (Sq. Ft.)	Maximum Lot Coverage	Maximum Lot Width (Ft.)	Maximum Building Height (Ft.)	Principle Building						Accessory Buildings				
							Minimum Floor Area Per Dwelling Unit (Sq. Ft.)		Front Yard Setback (Ft.)	Rear Yard Setback (Ft.)	Side Yard Setback (Ft.)	Maximum Building Height (Ft.)	Front Yard Setback (Ft.)	Rear Yard Setback (Ft.)	Side Yard Setback (Ft.)		
							Single Story	Two Story Or More									
R-1	Suburban Residential	Single Family	12,000	30%	100	40	1,300	1st 960 2nd 720		40	20	15	18	75	10	10	
R-2	Low Density Residential	Single Family	7,000	35%	60	40	1,200	1st 720 2nd 600		30	15	7	18	50	10	7	
R-3	Moderate Density Residential	Single Family	5,000	45%	50	40	1,000	1st 720 2nd 500		25	15	7	18	40	10	7	
		Two Family	2,500	45%	75	40	800	1st 500 2nd 300		25	15	7	18	40	10	7	
		Planned Apartment Development	3,500	Determined By PC	Determined By PC	40	Determined By PC	Determined By PC		25	15	7	18	40	10	7	
		Planned Cluster Development Planned Residential Development	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC
R-4	High Density Residential	Single Family	5,000	45%	50	45	960	1st 720 2nd 400		25	15	7	18	40	10	7	
		Two Family	2,500	45%	65	45	800	1st 500 2nd 300		25	15	7	18	40	10	7	
		Multi Family	2,000	60%	80	45	800	1st 500 2nd 300		25	15	10	18	40	10	7	
		Planned Apartment Development Planned Cluster Development Planned Residential Development	3,600 Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC
		Single Family	6,000	45%	50	60	1,000	1st 720 2nd 500		25	15	7	18	25	15	7	
		Two Family	2,500	45%	65	60	800	1st 300 2nd 300		25	15	7	18	25	15	7	
C-1	General Commercial	Multi Family (2 to 4)	2,500	60%	85	60	800	1st 300 2nd 300		25	15	7	18	25	15	7	
		Planned Apartment Development	3,600	60%	Determined By PC	60	800	1st 300 2nd 300		25	25	10	18	40	25	10	
		All Permissible Commercial Uses Not Otherwise Classified	None	None	30	90	None	None	None	None	None (7 ft. When Abutting A Residential District)	None (7 ft. When Abutting A Residential District)	None	None	None (7 ft. When Abutting A Residential District)	None (7 ft. When Abutting A Residential District)	
		Single Family	6,000	45%	50	45	1,000	1st 720 2nd 500		25	15	7	18	25	15	7	
C-2	Community Commercial	Two Family	2,500	45%	60	45	800	1st 500 2nd 300		25	15	7	18	25	15	7	
		Multi Family (2 to 4)	2,500	60%	80	45	800	1st 500 2nd 300		25	25	10	18	25	25	10	
		All Permissible Commercial Uses Not Otherwise Classified	4,000	80%	50	45	None	None	None	None	None (7 ft. When Abutting A Residential District)	None (7 ft. When Abutting A Residential District)	18	10	None (7 ft. When Abutting A Residential District)	None (7 ft. When Abutting A Residential District)	
		Single Family	6,000	45%	50	40	1,000	1st 720 2nd 400		25	15	7	18	25	15	7	
		Two Family	2,500	45%	60	40	800	1st 720 2nd 400		25	15	7	18	25	15	7	
C-3	Local Commercial	Multi Family (2 to 4)	2,500	60%	80	40	800	1st 300 2nd 300		25	25	10	20	25	25	10	
		All Permissible Commercial Uses Not Otherwise Classified	5,000	60%	50	40	None	None	None	None	None (7 ft. When Abutting A Residential District)	None (7 ft. When Abutting A Residential District)	20	15	None (7 ft. When Abutting A Residential District)	None (7 ft. When Abutting A Residential District)	
		Planned Commercial Development	Determined By PC	Determined By PC	Determined By PC	Determined By PC	Determined By PC	Determined By PC	Determined By PC	Determined By PC	Determined By PC	Determined By PC	Determined By PC	Determined By PC	Determined By PC	Determined By PC	
		Planned Apartment Development Planned Cluster Development Planned Commercial Development	3,601 Determined By PC Determined By PC	160% Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC	Determined By PC Determined By PC Determined By PC
C-4	Planned Commercial	All Permissible Commercial Uses Not Otherwise Classified	6,000	60%	60	45	None	None	40 (60 When Abutting Federal Or State Highways)	10	10	20	40 (60 When Abutting Federal Or State Highways)	10	10		
		Planned Cluster Development Planned Commercial Development	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	Determined By PC Determined By PC	
		All Permissible Commercial Uses Not Otherwise Classified	10,000	60%	100	60	None	None	40 (60 When Abutting Federal Or State Highways)	20	20	75	40 (60 When Abutting Federal Or State Highways)	20	20		
C-5	Highway Commercial	All Permissible Commercial Uses Not Otherwise Classified	10,000	60%	100	60	None	None	40 (60 When Abutting Federal Or State Highways)	20	20	75	40 (60 When Abutting Federal Or State Highways)	20	20		
I-1	Enclosed Industrial	All Permissible Industrial Uses	10,000	60%	100	60	None	None	60	10 (40 ft. When Abutting A Residential District And 5 ft. Of Screening)	10 (40 ft. When Abutting A Residential District And 5 ft. Of Screening)	40	60	10 (40 ft. When Abutting A Residential District And 6 ft. Of Screening)	10 (40 ft. When Abutting A Residential District And 6 ft. Of Screening)		
I-2	Open Industrial	All Permissible Industrial Uses	40,000	70%	150	100	None	None	40 (60 ft. When Abutting A Residential District And 6 ft. Of Screening)	None (30 ft. When Abutting A Residential District And 6 ft. Of Screening)	None (30 ft. When Abutting A Residential District And 6 ft. Of Screening)	100	40 (60 ft. When Abutting A Residential District And 6 ft. Of Screening)	None (30 ft. When Abutting A Residential District And 6 ft. Of Screening)	None (30 ft. When Abutting A Residential District And 6 ft. Of Screening)		





	PROJECT			
	TITLE <b>143 W maumee ave</b>			
APPROVED	SIZE	CODE	DWG NO	REV
CHECKED	A			
DRAWN	Conner Crandall	2/12/2021	SCALE .0025	WEIGHT
				SHEET 1/1





W MAUMEE AV

W MAUMEE AV

90.25

137

-005

131

179.86

307.5

16.5

82.3

-003

130.97

-004

02

107.9

108.05

SIDE WAY CALLED DIMESS ALLEY EXTENSION

16

157

3

4

5

1