



**CITY OF SANDUSKY
BOARD OF ZONING APPEALS MEETING**

**November 15th, 2018
4:30 pm
1ST FLOOR CONFERENCE ROOM, CITY BUILDING
AGENDA**

Meeting called to order – Roll Call

Review of minutes from the October 18th, 2018 meeting

Swear in audience and staff members that will offer testimony on any agenda items

Adjudication hearings to consider the following:

1. David Makkos has filed an application for a use variance to allow for a transient rental use at the property located at 1119 Fourth Street.
2. Chris Gibson, on behalf of Cedar Point, has applied for a 2-foot variance for a proposed fence around the property at 2026 Second Street.
3. Monica and Mike Powers, on behalf of RLR Properties have applied for a use variance to build a storage facility on three residentially zoned parcels between First and Second Street along Wildman Street.
4. Michael Waddle has applied for a variance to the provisions of the Zoning Code that prohibits first-floor residential uses in the Downtown Business District for the property located at 300 Central Ave.

THIS ITEM WAS TABLED AT A PREVIOUS MEETING

5. Larry and Angel Cunningham have submitted an application for a variance to construct a fence on a lot without a main structure on Parcel 58-00236.000.

Other Business

Next Meeting: December 20th, 2018

Adjournment

Please notify staff at least 2 days in advance of the meeting if you cannot attend.

Board of Zoning Appeals
October 18th, 2018
"DRAFT" Minutes

The Chairman called the meeting to order at 4:30PM. The following members were present: Dr. William Semans, Mr. Dan Delahunt, Mr. Kevin Zeiher, and Mr. Walter Matthews. Ms. Angie Byington, Tom Horsman, and Greg Voltz represented the Planning Department; Mr. Trevor Hayberger represented the Law Department.

Dr. Semans moved to approve the minutes from the August 16th, 2018 meeting as written. Mr. Delahunt seconded the motion. The motion carried with a unanimous vote.

Mr. Zeiher swore in those giving testimony.

Mr. Horsman presented that John Critchfield, as the authorized agent for Robert Critchfield, has applied for multiple variances for the property at 731/ 733 Cedar Point Road for the purposes of building a structure on the proposed 735 Cedar Point Road lot. The current zoning of the properties are R1-75 Single- Family Residential. The applicant currently owns all the parcels. The purposes of the variances are to combine and split the lots that would coordinate with three different addresses. The following variances are requested:

1. A variance of 17 feet for the width of a new lot at 735 Cedar Point Road currently the site of the water tower.
2. A variance of 3,000 square feet for the area of the lot at 733 Cedar Point Road.
3. A variance of 35 feet for the width and 7,520 square feet for the area of the lakeside lot of 733 Cedar Point Road.
4. A variance of 40 feet for the width and 8,080 fee for the area of the lakeside lot of 731 Cedar Point Rd.

Mr. Horsman stated that staff recommends approval of the requested variances. Staff recognizes that the lot split/ combination will create non-conforming lots, however the result will create more uniform parcels and allow for the lot located at 735 Cedar Point Road to be built upon. Staff also recognizes that the creation of the nonconforming lots would not be out of the character of the residential lots in the zoning district on Cedar Point Road.

Mr. Horsman stated that per Public Works the water tower is not set to come down until sometime in 2019.

John Critchfield, stated the lots are currently a hodgepodge of parcels, this layout would be more of a common sense layout. The proposed layout would be beneficial for the owners and the neighbors.

Mr. Zeiher stated that as he understands it we will have six lots into one.

Mr. Horsman stated that no, it will be three lots on one side and three on the other side.

Mr. Delahunt ask if the lot located at 733 Cedar Point Road on the south side stays the same.

Mr. Horsman stated that it will be reduced in size, the lot line will be heading to the south to give more room to 735 Cedar Point lot.

Mr. Matthews ask what the applicants intentions are for these lots.

Mr. Critchfield stated that he is renovating the Ridder home, once the water tower lot is approved he would like to build a home on it.

Dr. Semans asked if there had been an issue with the beach usage between the different owners on this property.

Mr. Critchfield stated that he had received an easement for the beach with the former owners, each home will have beach usage once this is split.

Dr. Semans ask if they currently live on the property.

Mr. Critchfield stated that they live at 733 Cedar Point Road.

Mr. Delahunt ask if the applicant would be required to build a certain size home on the property.

Ms. Byington stated that the code does not set minimum sized for the house, it only sets certain setbacks. Ms. Byington stated that the setbacks are 5' and 10' on the side for a total of 15'. Fifty foot for rear yard, or 30% of total lot length and 35' on front.

Mr. Semans stated the only restriction would be on the side, leaves you a 43' wide building without having to get a variance.

Mr. Semans made a motion to approve four variances for the properties at 733/ 731 Cedar Point Road; Mr. Mathews seconded the motion.

With no additional discussion the motion was approved with a 4/0 vote.

Mr. Horsman presented that the applicant, Esther Colvin has applied for a variance to split her lot at 1316 Pierce Street. The current zoning of the property is RMF Multi- Family Residential. The applicant is looking to split her lot into two lots, similar to the property on the right. The structure is one row house structure with four separate units. The applicant currently owns the parcel. The survey of the proposal has been submitted within the packet. The following variance is requested, relief from the requirements in Section 1129.13(b) that a zoning lot have street frontage. Planning staff has recommended approval of the variance for the proposed lot split with the condition that the applicant grant an unobstructed 10-foot easement across the northern end of the eastern parcel to allow access to the new western parcel and submit documentation of the easement to the Planning Department before it is recorded.

Mr. Zeiher ask if there was a commercial lot on lot 37, as referenced in the survey.

Mr. Horsman stated that all the immediate lots are multi-family residential.

Mr. Semans asked what the parking situation is within the neighborhood.

Ms. Colvin stated that there is a parking area and a car port on the site. The tenants also park on the parking lot off Buchanan Street.

Mr. Matthews ask the applicant why she is requesting the variance.

Ms. Colvin stated that she would like to get her will and everything in order for her children and grandchildren in case something happens to her. She also stated that this has been done before within the neighborhood and she would like to get this done as soon as possible.

Mr. Delahunt ask if she had any issues with granting the ten foot easement along the property.

Mr. Horsman stated that the easement is along the northern edge of the property.

Ms. Colvin stated that they have no issue with this condition.

Mr. Voltz stated that they would need to have a legal description created for the easement.

Mr. Matthews moved to approve the variance at 1316 Pierce Street; Mr. Delahunt seconded the motion.

Mr. Zeiher stated that they do have a tabled item from the previous meeting.

Mr. Voltz stated that staff has reached out the applicant regarding their intent for the application however they were not successful for this meeting. Mr. Voltz recommended that they continue to carry the tabled item.

Mr. Semans ask if City Commission denied the applicants request for rezoning.

Mr. Voltz stated that they are requesting a fence to protect the trees, however they may request a use variance as well.

Ms. Byington stated that if the variance is substantially different than what was submitted a new application would be required.

Mr. Semans moved to adjourn the meeting; Mr. Matthews seconded the motion.

The meeting was adjourned at 4:50pm.

APPROVED:

Casey Sparks, Clerk

Kevin Zeiher, Vice Chairman

BOARD OF ZONING APPEALS REPORT

APPLICATION FOR A USE VARIANCE TO
OPERATE A TRANSIENT RENTAL AT 1119 4TH
STREET.

Reference Number: BZA-27-18

Date of Report: November 7, 2018

Report Author: Tom Horsman, Assistant Planner



City of Sandusky, Ohio Board of Zoning Appeals Report

BACKGROUND INFORMATION

David Makkos, has submitted an application for a use variance to allow for transient rental use at the property located at 1119 4th Street.

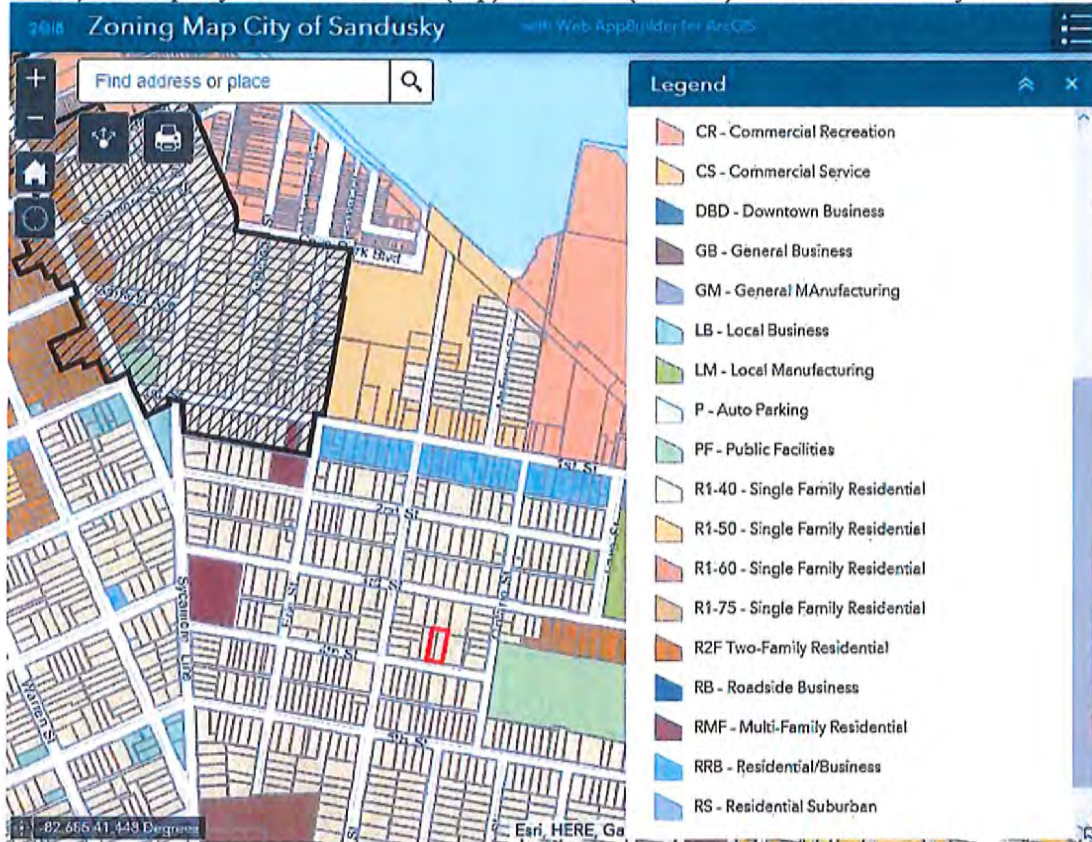
The following information is relevant to this application:

Applicant:	David Makkos 1113 4 th Street Sandusky, Ohio 44870
Site Location:	1119 4 th Street
Zoning:	"R1-40"/ Single-Family Residential District
Surrounding Zoning:	"R1-40" Single-Family Residential District / Uses: Residential
Existing Use:	Single-Family Dwelling
Proposed Use:	Transient Rental
Applicable Plans & Regulations:	City of Sandusky Zoning Code Section 1129.03 Schedule of Permitted Building and Uses:
Variance Requested:	1) A variance to permit transient rental within the R1-40 zoning district.
Variance Proposed:	2) The applicant proposes transient rental at 1119 4 th Street.

SITE DESCRIPTION

The subject property is currently located within the “R1-40” Single Family Residential District. The subject property is adjacent to single family residential districts and the surrounding uses are all single-family residential. The parcel of the subject property is pointed out:

Subject Property Outlined in Red (top) and Blue (bottom). Transient Overlay in Black.



PLANNING DEPARTMENT COMMENTS

The applicant was granted a temporary 6-month use variance by the Board of Zoning Appeals in June 2018 in order to operate this property as a transient rental. According to the adopted minutes of the June 21, 2018 BZA meeting, the applicant stated that the subject property was intended to be used as a rental property only temporarily and that the applicant would eventually move into the property. The applicant is applying for a full use variance for the property, but has also indicated to staff that another temporary extension would be agreeable. The approval from the BZA in June 2018 included the following condition: "The variance shall be granted for a period of six months to allow the property to be rented for the summer while the applicant contacts staff to review the process for approval of an overlay district within this area." Since that time, the process for developing an overlay district has not been initiated by staff.

The 2017 Neighborhood Initiative Annual Report found the median household income for the 1st-5th Street Neighborhood (the location of the subject property) is \$52,326, the median housing value is \$91,410, and the vacancy rate is 13.9%. The report found that the median household income for the Cove District (the location of the transient rental district) is \$22,698, the median housing value is \$76,744, and vacancy rate is 34.5%. One of the intentions behind designating the Cove District as a transient rental district was to assist in increasing housing values and reducing housing vacancy. The 1st-5th Street Neighborhood has a higher median income, higher housing values, and fewer vacancies. Also, the Cove District is immediately adjacent to a commercial recreation zoning district, which allows for transient rentals and where many are operating. The neighborhood containing the subject property is not immediately adjacent to zoning districts that allow for transient rentals.

Section 1129.03 only permits single family dwellings by right as the primary use within the R1-40 Single Family Residential District.

In the application, the applicants state the following as to the necessity of the variance:

"I have invested a substantial amount of time and money into this property to operate it as a transient rental. I have recently decided to get out of the contracting business and start purchasing transient and vacation rentals as my means of income and continuing to operate this home as such is imperative for this career change to succeed."

The applicant has also submitted a written statement, a copy of the petition from his neighbors in support of the use variance, as well as comments from guests who stayed at the property as transient renters. Those are provided as attachments to this report.

The Code states that no variance to the provision or requirements of the Zoning Code shall be granted by the Board unless the Board has determined that a practical difficulty does exist or will result from the literal enforcement of the Zoning Code. The factors to be considered and weighed by the Board in determining whether a property owner has proved practical difficulty include: Section 1111.06(c)(1)

A. Whether the variance is substantial;

The variance sought in this case is substantial, as the proposed variance would allow a prohibited use within this residential area. However, it is important to note that there is a proposed transient rental overlay district in a neighborhood in close proximity.

B. Whether the essential character of the neighborhood would be substantially altered or whether adjoining property would suffer a substantial detriment as a result of the variance;

The immediate adjacent properties are zoned as R1-40 Single Family Residential, allowing this one property to have transient rental may alter the character of the neighborhood. At this point, only the Cove District Transient Overlay Zone allows for transient rentals in a residential district.

C. Whether the variance would adversely affect the delivery of government services (i.e. water, sewer, garbage, fire, police or other);

The proposed use variance would not affect the delivery of government services, and would not impact a right-of-way, utility line or block access for emergency vehicles.

D. Whether the property owner purchased the property with the knowledge of the zoning restriction;

Before applying for the original variance, the applicant stated he was not aware of the current zoning regulations.

E. Whether the property owner's predicament can be resolved through some method other than a variance;

At this time, a variance is the only way to resolve the owner's predicament and operate as a transient rental, unless the area were to become part of a transient overlay district.

F. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by the granting of the variance;

It is the opinion of the Planning staff that allowing a use variance for one specific property could cause a precedent to be set. It could possibly open the door for

approval of other use variances in areas in which a transient rental uses would not be appropriate, although the applicant has support from nearby property owners and residents. Staff does not believe that granting a special use variance for one property is in keeping with the spirit and intent of the Zoning Code.

- G. Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without a variance; and**

The applicant has indicated that the existing property would not be able to yield a reasonable rate of return if the use variance is not granted. The applicant has stated that there is substantial renovation cost associated with the property.

- H. Whether the granting of the variance will be contrary to the general purpose, intent and objective of the Zoning Code or other adopted plans of the City.**

It does appear that the proposed variance would be contrary to the general purpose, intent or objectives of the Zoning Code or the Comprehensive Plan. As stated allowing a single property within a neighborhood, and away from a main corridor, or other zoning districts that permit transient rental, to operate as a transient rental use could set a precedent for other properties.

Other conditions that the Zoning Board of Appeals must determine have been met include the following:

Section 1111.06(c)(2):

- A. That the variance requested arises from such a condition which is unique and which is not ordinarily found in the same zoning district and is created by the Zoning Code and not by an action or actions of the property owner or the applicant;**

The variance does not arise from a unique situation.

- B. That the granting of the variance will not adversely affect the rights of the adjacent property owners or residents;**

In Planning Staff's opinion, permitting a use variance for one single property could adversely affect the rights of adjacent property owners or residents.

- C. That the strict application of the Zoning Code of which the variance requested will constitute unnecessary hardship upon the property owner or the applicant;**

The applicant has communicated that without the use variance it would be difficult to recoup the cost to make the renovations, and furnish the property, which would make it difficult for the applicant to continue to upgrade and invest further in the property.

- D. That the variance desired will not adversely affect the public health, safety, morals or general welfare; and**

The single proposed use variance would not appear to adversely affect the public health, safety, morals or general welfare of the neighborhood. The applicant has indicated that the use variance would assist him in bringing this home back to a condition that would benefit the neighborhood. However, by setting a precedent, additional homes in the area may convert to transient rental could change the character of the neighborhood.

E. That the granting of the variance desired will not be opposed to the general spirit and intent of the Zoning Ordinance.

Granting a use variance for one specific property does appear to be contrary to the general spirit, intent or objectives of the Zoning Code. However, the Comprehensive Plan does speak to reinvesting in housing stock, as a way to stabilize a neighborhood, the applicant has stated that granting of the variance would increase his ability to invest in the property.

CONCLUSION/RECOMMENDATION

Staff recognizes that the applicant has supplied positive feedback about the use of the property as transient rental over the past six months and that neighbors surrounding the property signed a petition of support before the previous variance was granted. Staff also is supportive of investing to improve the housing stock in the city's neighborhoods and staff believes that the transient rental property could help to spur investment in surrounding properties in the neighborhood.

The city recently approved a transient rental district, which is the only residentially-zoned location where transient rentals are a permitted use. Since this property is in a R1-40 Single-Family District, transient rentals are not a permitted use at this time. The property is also more than 1,000 feet from the nearest boundary of the transient rental district. Staff believes that there should be consistency with city policy regarding transient rentals, and that current policy dictates such properties should be within an overlay district. Staff is concerned with granting a single use variance for a transient rental property outside of the overlay district and that it may set a precedent for other properties in which transient rental may not be appropriate. At this time, the only property owner in this area that has approached the City to create a new transient rental district is the applicant.

Staff does not believe that the variance application sufficiently meets the above conditions, and as such, would recommend against granting the variance.



CITY OF SANDUSKY
PLANNING DIVISION
APPLICATION FOR BOARD OF ZONING
APPEALS APPROVAL

_____ Variance to Regulations of the City of Sandusky Zoning Code

APPLICANT/AGENT INFORMATION:

Property Owner Name:

David Makkos

Property Owner Address:

1113 4th St.

Sandusky, OH. 44870

Property Owner Telephone:

419-202-8523

☒ Check if okay to Text

Email

Pike33@bex.net

Contact Person:

Authorized Agent Name:

Authorized Agent Address:

Authorized Agent Telephone:

☐ Check if okay to Text

Email

Contact Person:

Meeting with Staff

LOCATION AND DESCRIPTION OF PROPERTY:

Municipal Street Address: 1119 4th St. Sandusky, OH. 44870

Legal Description of Property (check property deed for description):

Single family residence

Permanent Parcel Number: 57-03205,000

Zoning District: Single family residential (R1-40)

VARIANCE INFORMATION:

Section(s) of Zoning Code under which a variance is requested:

Variance(s) Requested (Proposed vs. Required):

Applying to Continue operating a transient
rental.

DETAILED SITE INFORMATION:

Land Area of Property: 7252 sq. ft. (sq. ft. or acres)

Total Building Coverage (of each existing building on property):

Building #1: 1456 (in sq. ft.) Building #2: 64-shed

Building #3: _____ Additional: _____

Total Building Coverage (as % of lot area): 20.5%

Proposed Building Height (for any new construction): —

Number of Dwelling Units (if applicable): 1

Number of Accessory Buildings: 1 shed

DESCRIPTION OF DEVELOPMENT PROPOSAL (Describe your development plans in as much detail as possible):

Please see attached statement.

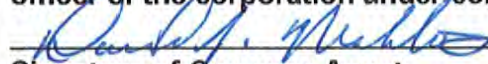
I have also attached 7 pages of guest feedback and guest book comments from guests stating how much they loved the neighborhood + home, and how they loved it's proximity to Sports Force Complex and Cedar Point, and their desire to rent the home again.

NECESSITY OF VARIANCE (Describe why not obtaining this variance would cause you hardship or practical difficulty and what unique circumstances have caused you to file for a variance):

I have invested a substantial amount of time and money into this property to operate it as a transient rental. I have recently decided to get out of the contracting business and start purchasing transient + vacation rentals as my means of income and continuing to operate this home as such is imperative for this career change to succeed

APPLICATION AUTHORIZATION:

If this application is signed by an agent, authorization in writing from the legal owner is required. Where owner is a corporation, the signature of authorization should be by an officer of the corporation under corporate seal.


Signature of Owner or Agent

10-22-18
Date

PERMISSION TO ACT AS AUTHORIZED AGENT:

As owner of _____ (municipal street address of property, I hereby authorize _____ to act on my behalf during the Board of Zoning Appeals approval process.

Signature of Property Owner

Date

REQUIRED SUBMITTALS:

10 copies of a site plan (drawn to scale and dimensioned) which shows the following items:

- a) Property boundary lines
- b) Building(s) location
- c) Driveway and parking area locations
- d) Location of fences, walls, retaining walls
- e) Proposed development (additions, fences, buildings, etc.)
- f) Location of other pertinent items (signs, outdoor storage areas, gasoline pump islands, etc.)

\$100.00 filing fee

APPLICATION MUST BE COMPLETELY FILLED OUT!

NOTE: Applicants and/or their authorized agents are strongly encouraged to attend Board of Zoning Appeals meetings.

STAFF USE ONLY:

Date Application Accepted: _____ Permit Number: _____

Date of Board of Zoning Appeals Meeting: _____

Board of Zoning Appeals File Number: _____

City Of Sandusky
Planning Division
222 Meigs St. Sandusky, Ohio 44870
419.627.5873

I am applying for a Full Use/Permanent Variance to continue operating a transient rental at my property located at 1119 4th Street.

At the June meeting I was given a 6 month variance in order to give the city time to create an overlay which covered my property or to extend the Core District up to cover my property, as was suggested by the commissioners at the meeting.

I have met with Greg Vottz in city planning several times, and have been informed that this new overlay or extension is probably at least a year away yet so I am applying for a variance so I may continue to operate the transient rental.

Everything went flawless this summer with the transient rental. No complaints or issues of any sort, and the neighbors have expressed they actually liked it better than being stuck with a full-time renter or renters.

I live right next door and I screen guests very strictly. I make sure they know I am next door to help deter any problem guests. I direct it towards families, and ended up with about 90% family bookings.

The home is very close to Cedar Point and the Sports Force Complex. Most guests stated

that they booked due to the location of the home to the Sports Force Park and Cedar Point, secondly because of the neighborhood it is in, about $\frac{1}{2}$ want to rent next summer.

About 60% of the guests were here for the Sports Force Park, about 30% for Cedar Point, and the remaining 10% was a mix of weddings and church retreats mostly - Exactly what I hoped and worked for.

Like I mentioned, I live next door, and I can honestly say I never heard one loud noise from any guests. I make sure I am here when there are guests, and if I am out of town I block the dates so there are no guests if I am not here to supervise the property.

All of my neighbors are still in full support of this, and there are several people in the neighborhood who are interested in doing transient rentals also if the Cove district is extended up to 4th Street.

I am personally ready to purchase 2 more transient rental properties as soon as possible. I would prefer my neighborhood if possible but have been looking in the Cove area and there has been nothing available. It is such a small area, and there is a very high

demand for transient rental properties right now. This is partially why it would be ideal to extend the Core District overlay up to 4th Street, between Sycamore Line and Ontario St. as I proposed, it's perfect for the parks.

It is to the point where myself and others I have spoke with are ready to invest our money in other cities such as Huron or Port Clinton especially where they are more flexible and open to this, so there are many properties available for transient rentals,

I am currently looking for 2 transient properties to purchase immediately, but am aiming to purchase several more over the next couple years, I am really hoping to invest here in Sandusky not elsewhere, but this is going to require help from the city, and that is what I am here asking for.

I feel that I have proven that this can be done in a manner in which it is a positive for a neighborhood rather than a negative, and therefore hope I may continue doing so,

Date

Name + Address

Comments

June 26-27

(weekend)

Great place! Thanks Dave!

Joe, Destiny, Lukas, Katie, Andy, Ashlee, Lance, Nick

2.6/28 - 7/2 Here for Ball Tournaments w/ 5 grandkids
Room for everyone. So nice to cook grill every night. House
was beautiful and very reasonable (campus Jackson OH)

4. July 6-8 (Plainfield, IL) GREAT PLACE + VERY COMFORTABLE
Thanks again - ALEC, ZACH, NATE, ANGEL

5. July 9-11 (Livonia, MI) Owen, Joe, Riley, Brandon
Dana, Seb) - great place loved the rules. Thanks!

6. July 14-21 - Northridge, CA. Great location to Sports Force & Cedar
Point. House was very cozy & comfortable. Thanks! MEDALL JASON COLLINS

7. July 14-21 - Sunbury, PA Great house! Very close to Cedar Point +

Sports Force Park. Thanks for everything! Tommy, Doug, Bradley + Hayley

8. July 21-28 Las Vegas, NV. Tim, Joanne, Tyler + Jan. Great place!

Our first Air BnB & it was wonderful & comfortable. Thanks for being
a great host & offering a beautiful, clean home!

Date Name + address

Comments

May 25, 2018 - May 28, 2018 Great Stay - Great Place
1. Brandi Gail, Keith, Mickey, Hobart, Michael, Erin & Di

2. May 31, 18 - June 3, 18

Lauren, Devin, Dee, James, Mike, Say, Janine you have a
3. 6/6 - 6/8/2018 we had a blast! It was lovely!

Jeff, Angie, Rory, Kindra, Steve, & Tracy

-Thanks!!

4. June 8 - 10th 2018 (from Columbus) lovely place & we had a
Jeffrey, Wana, Bryce, Annan + Riv great stay! G

5. June 13th - 14th; Turkeys were here! Stay was great - Than

6. June 16th - 17th; Ali, Zach, Colby, & Joe. Love the
house - Great stay!

7. June 20th - 22nd - Thank you, lovely home! We were
so comfortable! Cynthia, Todd, Kathleen, Bryan

8. June 22 - 24th Kerry, Paul, Avery, & Nolan - Columbus, OH

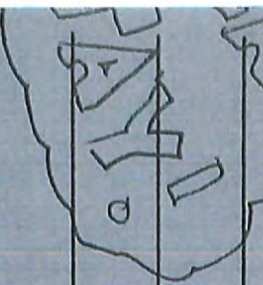
We had a great stay! wonderful home you have here.

Thanks

7/29/18 New from Holly, Michigan. lovely stay.

8/4/18 Visiting from Raleigh, NC + Cindy & D
Tony Shanna Devon & Lee Margaret
Bailee, Michelle, Ryan & Cotton
Great time & lovely stay!

7/18 - Visiting from Pittsburgh, PA (Ben, Brett, Jackson
& Jackson & Jerry). Had a blast at Cedar Point
& the shores. We hope to visit again soon! ☺



8-11-18 Thanks for A Perfect Place to
Stay ~~we~~ for our 2 Families!
So convenient & clean!
The staff & hosts!

Enjoyed our stay - the house was clean and comfy. Thank!
A.T.

Enjoyed my stay! Now off to Cedar Point! - Sam East

~~The Thunder Bunches~~ Come to Cedar Point!
Michael, Chelsea, Robin, Terrence, & Ashley

Thank you for the lovely house stay!

Had a blast. Cedar Point Rocks!

LAREN, WENDY, GREGG, & DON! (THE CHICKEN N
yummies GIVE

- THIS PLACE WAS AWESOME! FANTASTIC ADDITION TO A FANTASTIC WEEKEND.

- IAN, EVAN, NICK, DILLON, BRANDON, WYATT

5- We absolutely loved your place! So beautiful +
comfy! S! - Brittany, Chris, Ann, Amanda + Lance

Public feedback

We had a great experience! Dave was friendly and quick to respond to any questions we had. Also, the place was very clean and actually had even more space than we could tell from the photos. There are lots of travel brochures also for anyone looking for some alternate things to do in the Sandusky area. We felt safe and had a blast at Cedar Point, which was only about a 5 minute drive away!

Private feedback

Dave, you were a great host, and we appreciate the space being in tip top shape for us. Also, we were pleasantly surprised that there's even more space than we could tell from the photos. I also appreciated your quick responses to my questions, and the little thoughtful details in the house (tour brochures/pamphlets, travel guides, etc.). This was a great experience for us, and if we ever return, we'll definitely check your place for availability first. The proximity to Cedar Point was fantastic! Thanks again!

Public feedback**Public feedback**

Dave was as perfect host. Clean house, much bigger than the pictures would leave you to believe. Plenty of closet space. Hot water for 5 people as a day. A lot of shade on the back patio. Close to downtown and Cedar Point. If you visit we also recommend the local Restaurant called Red Gabels!! Both 5 stars

Private feedback

We are home, thank you again. We wanted to leave a hand written thank you note, but out of all six of us we couldn't come up with one piece of paper. Only thought to add to our experience is maybe add a mirror in the front bedroom. Other than that minor thought, it was perfect. Good luck with your investment. Job well done.

This home is immaculate, much more space then expected, very comfortable.

I absolutely love this little home, it made our vacation so much better! Dave answered questions immediately! It will definitely be our home away from home when we visit Sandusky in the future!

Public feedback

Beautiful home, great quiet neighborhood, great interaction with Dave!

Public feedback

We had a wonderful time. The house was very clean and larger than expected. The neighborhood was quiet and close to the downtown area and cedar point. Highly recommend this place :)

Private feedback

Thanks so much for such a clean and comfortable stay. We felt so comfortable in the house after 5 hrs of travel and the next night after 10 hrs in the park.

Public feedback

Perfect for what we needed. The house was so cute and cozy and accommodated our two families very well for our trip to cedar point. Check In was easy (and we were coming late at night after a long day at the park so this was very appreciated). House was clean and plenty large enough for us to hang out together. Would definitely stay again!

Public feedback

I highly recommend Dave's place for anyone visiting Cedar Point, or really anyplace in the Sandusky area. The location was great, the place was spotless, and as many others have mentioned, there's a lot more room than the pictures suggest. Felt very much at home, and Dave was incredibly quick to respond to the few inquiries that I did have. If you're looking for a place in Sandusky, no need to look any further. This should be your choice. Thanks Dave

Private feedback

We enjoyed your place! Thanks again for making our first Airbnb experience a great one! We would love to stay again next summer! We didn't spend too much time at the house, but maybe next time we can get out and enjoy that awesome back deck!

Public feedback

Great little house to stay at for a cedar point getaway! Quiet and cozy, very clean and well taken care of. We would definitely stay there again

Private feedback

I don't think there was anything missing, the place was great and it worked out perfectly being only half a mile from where the wedding was. We didn't have any issues at all.

Public feedback

Dave's place was everything we expected and more. Huge deck off the back was a plus. Highly recommend if you are heading to cedar point. Quick and easy route.

Public feedback

The house is a great location for visiting Cedar Point - a quiet relaxing neighborhood and exceptionally clean. Would pick this place again every time we visit.

Public feedback

Dave is a fantastic host and is very responsive. His home is extremely cozy and there was enough seating for everyone in our family. We will definitely be back and I would recommend Dave's home to anyone staying in the Sandusky area!

Private feedback

We had a great stay as well and hope to be back soon!

Public feedback

Lovely home, very spacious and super clean! Highly recommend it. We would definitely stay again if we go to Sandusky.

Public feedback

The house was exceptionally clean. Close to cedar point and spacious enough to let 4 ten year olds move about. I'd highly recommend this rental and we will definitely be back.

Private feedback

Dave, thanks again for everything. Will probably contact you again next year.

Public feedback

Dave was a great host! If we had any needs or questions he responded quickly and took care of any issues immediately. I told him why we were traveling and he told us that the complex was only a few minutes away. It was actually less than five minutes from the house and the amusement park was just a short drive as well! Great location and we would definitely come back!

Public feedback

The place was wonderful!, Right down the street from cedar point.

Public feedback

The comfy yellow door house was perfect for our group of 6. It was more spacious than we expected. Kitchen was well stocked, the deck was enjoyable, and the neighborhood was quiet (except for the expected Independence Day fireworks). Lots of charm and relaxation at this home!

Public feedback

Very spacious and nice house. Our host Dave was great and responded fast to any questions we had. Highly recommend especially if going to Cedar Point which is conveniently close.

Private feedback

This is just for you. It won't appear on your listing or profile.

Thanks for everything Dave. Good luck and keep up the good work

Neighborhood petition of support for
David Makkos to operate a transient rental
at 1119 4th St. in Sandusky Ohio.

1. Randy Stewart 920 Ontario St
Sandusky Ohio 44870
2. Ted Tiggli 1109 4th St - Ted Tiggli
Sandusky Oh 44870
3. Derrick Grobe 1118 4th St.
Sandusky Oh. 44870
4. Justin & Nickie Keetzel 1102 4th St
5. Dustin Smith 1114 4th St *Dustin Smith*
6. STEVE KERN 913 ONTARIO *Steve Kern*
7. Tara Webb 1110 4th St. *Tara Webb*
8. Walter Bayman 1130 4th St. *Walter Bayman*
9. Dave Kunsy 1126 4th *Dave Kunsy*
10. Lisa Edmon 1122 4th *Lisa Edmon*
11. *Lisa Edmon* 1127 4th St

Signed by every homeowner on my block

CITY OF SANDUSKY, OHIO
PLANNING DEPARTMENT

BOARD OF ZONING APPEALS REPORT

APPLICATION FOR A HEIGHT VARIANCE TO
BUILD A FENCE AT 2026 SECOND STREET

Reference Number: BZA-28-18

Date of Report: November 7, 2018

Report Author: Tom Horsman, Assistant Planner



City of Sandusky, Ohio Board of Zoning Appeals Report

BACKGROUND INFORMATION

Chris Gibson of John G. Johnson Construction, as an authorized agent for Cedar Point, has applied for a 2-foot variance for a proposed fence around a property at 2026 Second Street. The following information is relevant to this application:

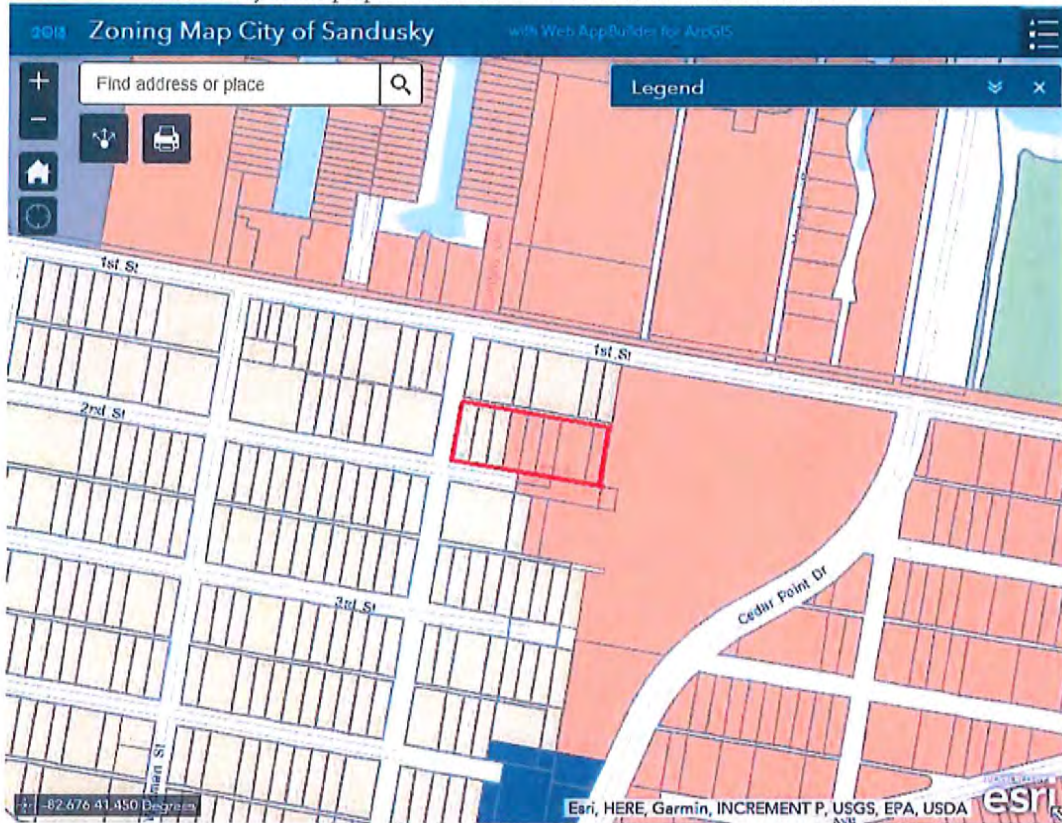
Applicant:	Chris Gibson John G. Johnson Construction 1284 Riverbend Street Cleveland, Ohio 44113
Site Location:	2026 Second Street
Zoning:	"CR" Commercial Recreation
Surrounding Zoning:	North- "R1-40" Single-Family Residential District / Use: Residential East- "R1-40" Single-Family Residential District / Use: Residential South- "R1-40" Single-Family Residential District / Use: Residential West- "CR" Commercial Recreation / Use: Vacant
Existing Use:	Vacant Lot
Proposed Use:	Basketball Court and Soccer Field for Cedar Point Employees
Applicable Plans & Regulations:	City of Sandusky Zoning Code Section 1137.06 Performance Standards
Variance Requested:	1) A 2-foot variance to the regulation that fences shall not exceed 6-feet in commercial districts.
Variance Proposed:	2) The applicant proposes an 8-foot fence around the property at 2026 Second Street.

SITE DESCRIPTION

The subject property is currently located within a CR Commercial Recreation District. The subject property is adjacent to a R1-40 Single Family Residential District and a CR Commercial Recreation District. The parcel of the subject property is pointed out:

Subject Parcels Outlined in Red (Top) and Blue (Bottom):

*Residentially-zoned properties outlined in red were re-zoned as Commercial Recreation



Photos Taken November 6, 2018

Looking East from Second Street



Looking West From Second Street



Looking East from (former) Austin Street



Looking Southeast from (former) Austin Street



PLANNING DEPARTMENT COMMENTS

An 8-foot high fence does not comply with the regulations in Chapter 1137.06 of the Zoning Code that requires fences to not exceed 6-feet. The site previously contained a soccer field with a 6-foot fence and a 16-foot ball net surrounding the parcels. The proposal is to extend the length of the soccer field and basketball courts onto parcel 57-02667.000 and build an 8-foot tall black vinyl coated chain link fence around the northern, western, and southern borders of this portion of the property. The intent is to ensure that any balls from the playing field are kept on the property and not projected onto adjacent residential properties. A site plan is provided in the attachments.

In the application, the applicants state the following as to the necessity of the variance:

‘Intent of the 8’ tall fence would be to lower the overall height of 16’ while providing adequate protection to surrounding properties from balls leaving the playing field.’

The Code states that no variance to the provision or requirements of the Zoning Code shall be granted by the Board unless the Board has determined that a practical difficulty does exist or will result from the literal enforcement of the Zoning Code. The factors to be considered and weighed by the Board in determining whether a property owner has proved practical difficulty include: Section 1111.06(c)(1)

A. Whether the variance is substantial;

The height variance sought in this case is 2 ft. higher than permitted. The 8 ft. height sought out by the applicant is not a standard fence height in any commercial district in the City of Sandusky. The requested variance is substantial

B. Whether the essential character of the neighborhood would be substantially altered or whether adjoining property would suffer a substantial detriment as a result of the variance;

Staff does not believe that the proposed fencing would substantially alter the character of the neighborhood. The applicant's proposal has the intent of protecting adjacent properties.

C. Whether the variance would adversely affect the delivery of government services (i.e. water, sewer, garbage, fire, police or other);

The proposed fence variance would not affect the delivery of government services, and would not impact a right-of-way, utility line or block access for emergency vehicles.

D. Whether the property owner purchased the property with the knowledge of the zoning restriction;

Staff is unaware if the property owner purchased the property with the knowledge of the zoning restriction.

E. Whether the property owner's predicament can be resolved through some method other than a variance;

The owner would not need a variance if the height of the fence were only 6-feet, but the applicant believes this would not be sufficient to keep recreational materials from leaving the premises.

F. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by the granting of the variance;

It is the opinion of the Planning staff that allowing the variance would still be observing the spirit and intent behind the zoning requirement.

- G. Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without a variance; and**

In this instance, the property can still yield a reasonable return as the recreational facilities themselves would not be affected.

- H. Whether the granting of the variance will be contrary to the general purpose, intent and objective of the Zoning Code or other adopted plans of the City.**

It does not appear that the proposed fence would be contrary to the general purpose, intent or objectives of the Zoning Code or Comprehensive Plan.

Other conditions that the Zoning Board of Appeals must determine have been met include the following:

Section 1111.06(c)(2):

- A. That the variance requested arises from such a condition which is unique and which is not ordinarily found in the same zoning district and is created by the Zoning Code and not by an action or actions of the property owner or the applicant;**

The site does create a unique situation as it is adjacent to Cedar Point's employee residential facilities as well as adjacent to single-family residences.

- B. That the granting of the variance will not adversely affect the rights of the adjacent property owners or residents;**

In Planning Staff's opinion, the variance would not adversely affect the rights of adjacent property owners or residents.

- C. That the strict application of the Zoning Code of which the variance requested will constitute unnecessary hardship upon the property owner or the applicant;**

The applicant would not necessarily face a hardship without a variance, but allowing for a taller fence would allow for better use of the property as balls from the soccer field and basketball courts would be better contained to the property and not affect adjacent homeowners.

- D. That the variance desired will not adversely affect the public health, safety, morals or general welfare; and**

The proposed use variance would not appear to adversely affect the public health, safety, morals or general welfare of the neighborhood.

- E. That the granting of the variance desired will not be opposed to the general spirit and intent of the Zoning Ordinance.**

Granting a use variance for one specific property does not appear to be contrary to the general spirit, intent or objectives of the Zoning Code.

CONCLUSION/RECOMMENDATION

Staff recommends that approval of the variance. The intent of the proposal is to ensure that recreation equipment from the fields on the site are contained to the site itself and do not project into adjoining residential property. Due to the nature and location of the property, particularly that it is not situated on or visible from a main thoroughfare, staff does not believe that the proposed fence would adversely affect the community and it would be within the spirit of the Zoning Code and Comprehensive Plan.



**CITY OF SANDUSKY
PLANNING DIVISION
APPLICATION FOR BOARD OF ZONING
APPEALS APPROVAL**

_____ Variance to Regulations of the City of Sandusky Zoning Code

APPLICANT/AGENT INFORMATION:

Property Owner Name:

Cedar Point

Property Owner Address:

1 Cedar Point Drive Sandusky, OH 44870

Property Owner Telephone:

419-656-4489

☒ Check if okay to Text

Email

adam.pooch@cedarpoint.com

Contact Person:

Adam Pooch

Authorized Agent Name:

John G. Johnson Construction
Chris Gibson, Sr. PM

Authorized Agent Address:

1284 Riverbed Street Cleveland, OH 44113

Authorized Agent Telephone:

216-310-5935

☒ Check if okay to Text

Email

John G. Johnson Construction
Chris Gibson, Sr. PM

Contact Person:

Meeting with Staff

LOCATION AND DESCRIPTION OF PROPERTY:

Municipal Street Address: 2026 2nd Street Sandusky, OH 44870

Legal Description of Property (check property deed for description):

Permanent Parcel Number: 5705499000, 5705994000, 5702667000

Zoning District: _____

VARIANCE INFORMATION:

Section(s) of Zoning Code under which a variance is requested:

Section 1137.06 of the planning code -

Variance(s) Requested (Proposed vs. Required):

Requesting a two foot height variance to the maximum height set forth in the planning code.

DETAILED SITE INFORMATION:

Land Area of Property: 46,570 SF (sq. ft. or acres)

Total Building Coverage (of each existing building on property):

Building #1: NA (in sq. ft.) Building #2: NA

Building #3: NA Additional: NA

Total Building Coverage (as % of lot area): NA

Proposed Building Height (for any new construction): NA

Number of Dwelling Units (if applicable): NA

Number of Accessory Buildings: NA

DESCRIPTION OF DEVELOPMENT PROPOSAL (Describe your development plans in as much detail as possible):

Existing soccer field located on parcels 5705499000 and 5705994000 had an existing 6' tall galvanized chain link fence with a 16' tall ball net surrounding the parcels, the soccer field was extended into parcel 5702667000 and we would like the variance to install an 8' tall black vinyl coated chain link fence around the northern and western borders, returning on the southern property line to the existing gate at the east end of 2nd Street.

NECESSITY OF VARIANCE (Describe why not obtaining this variance would cause you hardship or practical difficulty and what unique circumstances have caused you to file for a variance):

Intent of the 8' tall fence would be to lower the overall height of 16' while providing adequate protection to surrounding properties

- from balls leaving the playing field.

APPLICATION AUTHORIZATION:

If this application is signed by an agent, authorization in writing from the legal owner is required. Where owner is a corporation, the signature of authorization should be by an officer of the corporation under corporate seal.

Signature of Owner or Agent

Date

PERMISSION TO ACT AS AUTHORIZED AGENT:

As owner of Cedar Point (municipal street address of property, I hereby authorize John G. Johnson Const. to act on my behalf during the Board of Zoning Appeals approval process.

Signature of Property Owner

Date

NECESSITY OF VARIANCE (Describe why not obtaining this variance would cause you hardship or practical difficulty and what unique circumstances have caused you to file for a variance):

Intent of the 8' tall fence would be to lower the overall height of 16' while providing adequate protection to surrounding properties

- from balls leaving the playing field.

-

-

-

APPLICATION AUTHORIZATION:

If this application is signed by an agent, authorization in writing from the legal owner is required. Where owner is a corporation, the signature of authorization should be by an officer of the corporation under corporate seal.

Signature of Owner or Agent

Date

PERMISSION TO ACT AS AUTHORIZED AGENT:

As owner of _____ (municipal street address of property, I hereby authorize _____ to act on my behalf during the Board of Zoning Appeals approval process.

Signature of Property Owner

Date

REQUIRED SUBMITTALS:

10 copies of a site plan (drawn to scale and dimensioned) which shows the following items:

- a) Property boundary lines
- b) Building(s) location
- c) Driveway and parking area locations
- d) Location of fences, walls, retaining walls
- e) Proposed development (additions, fences, buildings, etc.)
- f) Location of other pertinent items (signs, outdoor storage areas, gasoline pump islands, etc.)

\$100.00 filing fee

APPLICATION MUST BE COMPLETELY FILLED OUT!

NOTE: Applicants and/or their authorized agents are strongly encouraged to attend Board of Zoning Appeals meetings.

STAFF USE ONLY:

Date Application Accepted: _____ Permit Number: _____

Date of Board of Zoning Appeals Meeting: _____

Board of Zoning Appeals File Number: _____

City Of Sandusky
Planning Division
222 Meigs St. Sandusky, Ohio 44870
419.627.5873



Imagery ©2018 Google, Map data ©2018 Google 50 ft



Set a home address



Set a work address

Updated just now

Light traffic in this area
Typical conditions

Search this area



Restaurants



Hotels



Bars



Coffee



More

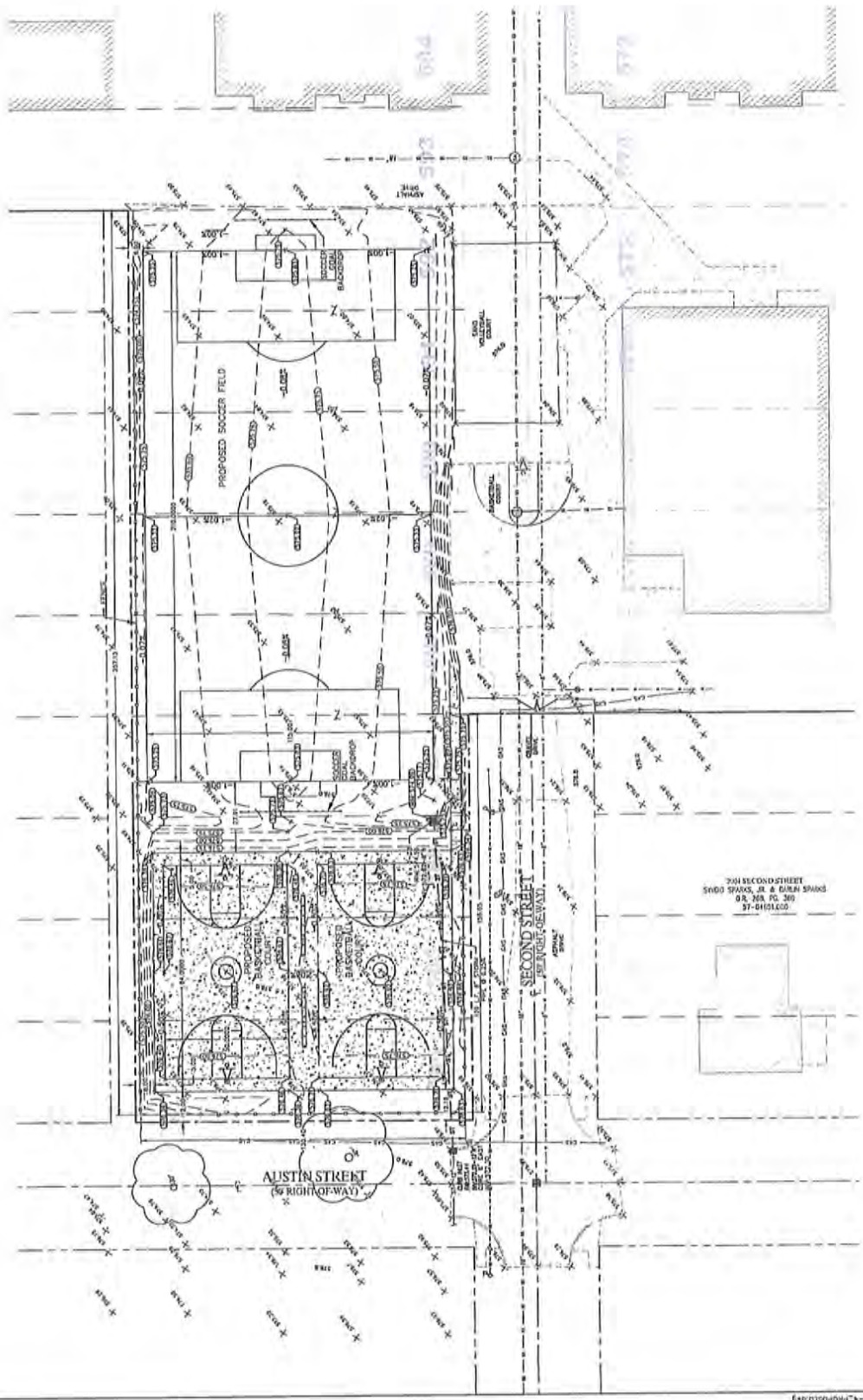
Hide

DATE	08/17/18
BY	0004-JEC
PROJECT NO.	18-01
SHEET NO.	1 OF 2

Cedar Fair
TOPOGRAPHIC MAPPING
 DORMS - ATHLETIC FIELDS
 CITY OF SANDUSKY, ERIE COUNTY, OHIO

John Hancock & Associates, Inc.
 ENGINEERS - SURVEYORS
 208 E. Main St. • Sandusky, Ohio 44870 • 419.483.0100

**PRELIMINARY
 NOT FOR CONSTRUCTION**



CITY OF SANDUSKY, OHIO
PLANNING DEPARTMENT

BOARD OF ZONING APPEALS REPORT

APPLICATION FOR A USE VARIANCE TO
BUILD A STORAGE FACILITY ON FIRST
STREET

Reference Number: BZA-29-18

Date of Report: November 7, 2018

Report Author: Tom Horsman, Assistant Planner



City of Sandusky, Ohio

Board of Zoning Appeals Report

BACKGROUND INFORMATION

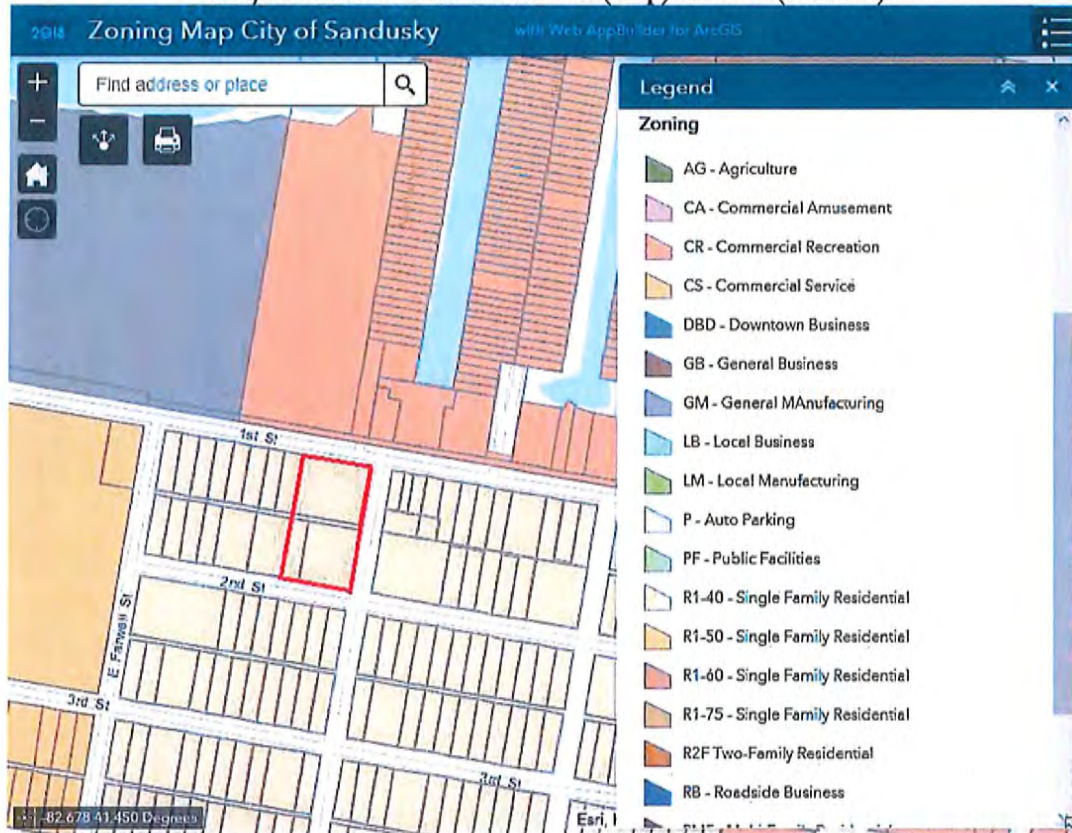
Monica and Mike Powers, as authorized agents of RLR Properties, have applied for a use variance to build a storage facility on three residentially-zoned parcels between First and Second Streets along Wildman Street. The following information is relevant to this application:

Applicant:	Monica and Mike Powers 16 Gerard Dr. Norwalk, Ohio 44857
Site Location:	Parcels 57-03841.00, 57-03858.00, and 57-03857.00
Zoning:	"R1-40" Single-Family Residential
Surrounding Zoning:	North- "CR" Commercial Recreation / Use: Residential East- "R1-40" Single-Family Residential District / Use: Residential South- "R1-40" Single-Family Residential District / Use: Vacant West- "R1-40" Single-Family Residential District / Use: Residential
Existing Use:	Vacant Lot
Proposed Use:	Two-story, 9600 square foot storage facility
Applicable Plans & Regulations:	City of Sandusky Zoning Code Section 1129.03 Schedule of Permitted Buildings and Uses
Variance Requested:	1) A use variance for relief from the prohibition of storage facilities in a R1-40 zoning district.
Variance Proposed:	2) The applicant proposes building a two-story, 9600 square foot storage facility.

SITE DESCRIPTION

The subject property is currently located within an R1-40 Single-Family Residential District. The subject property is adjacent to a R1-40 Single Family Residential District and a CR Commercial Recreation District. The parcel of the subject property is pointed out:

Subject Parcels Outlined in Red (Top) or Blue (Bottom):



Photos Taken November 6, 2018

Looking East on First Street



Looking West on First Street



Looking Northwest on Second Street



Looking Northeast on Second Street



PLANNING DEPARTMENT COMMENTS

The applicants propose a variance to utilize the vacant lots to build a storage facility, diagrams of which are provided in the attachments. The dimensions of the site and building would be in accordance with zoning regulations, with the exception of the use not being permitted. The applicant would also need to do lot combination in order to construct the facility.

The lots are mostly adjacent to other R1-40 residential districts, and across the street from a Commercial Recreation district. A block to the west is a Commercial Services district, as well as a General Manufacturing District.

According to the City's Bicentennial Vision Comprehensive Plan, the vacant land in the eastern neighborhoods along First Street is called to be residential and mixed-use infill. Since the adoption of that plan, there have been residential projects in development, as well as investments in infrastructure such as the Sandusky Bay Pathway. The plan described this area as a great opportunity for residential development within close proximity of recreation areas.

In the application, the applicants state the following as to the necessity of the variance:

"We currently have a place on Nantucket [Dr.]. In the next few years we plan to move there full time. In order to make this more a reality, we are in need of storage room for bikes, vehicles, ATV's, and overflow of personal belongings. No housing or occupants. Awaiting formal plans from A.V. Lake Construction..."

The Code states that no variance to the provision or requirements of the Zoning Code shall be granted by the Board unless the Board has determined that a practical difficulty does exist or will result from the literal enforcement of the Zoning Code. The factors to be considered and weighed by the Board in determining whether a property owner has proved practical difficulty include: Section 1111.06(c)(1)

A. Whether the variance is substantial;

The variance sought in this case is for a significant change in use which is currently not permitted by the existing zoning of the parcel. The requested variance is substantial

B. Whether the essential character of the neighborhood would be substantially altered or whether adjoining property would suffer a substantial detriment as a result of the variance;

The property is unique in that it is in close proximity to a manufacturing district that contains large structures, however, for these parcels specifically, allowing a storage facility would indeed change the essential character of the surrounding neighborhood.

C. Whether the variance would adversely affect the delivery of government services (i.e. water, sewer, garbage, fire, police or other);

The proposed variance would not likely affect the delivery of government services, and would not impact a right-of-way, utility line or block access for emergency vehicles.

D. Whether the property owner purchased the property with the knowledge of the zoning restriction;

The applicant has not yet purchased the property.

E. Whether the property owner's predicament can be resolved through some method other than a variance;

The applicant's other option would be to seek a rezoning of the property, or to look for vacant property properly zoned for the proposed storage use.

F. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by the granting of the variance;

It is the opinion of the Planning staff that allowing the variance would not honor the spirit and intent behind the zoning requirement, as it would be significantly different than the surrounding residential housing.

- G. Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without a variance; and**

In this instance, the property can still yield a reasonable return if it were developed as residential.

- H. Whether the granting of the variance will be contrary to the general purpose, intent and objective of the Zoning Code or other adopted plans of the City.**

It does appear that the proposed storage facility use would be contrary to the general purpose, intent or objectives of the Zoning Code and Comprehensive Plan.

Other conditions that the Zoning Board of Appeals must determine have been met include the following:

Section 1111.06(c)(2):

- A. That the variance requested arises from such a condition which is unique and which is not ordinarily found in the same zoning district and is created by the Zoning Code and not by an action or actions of the property owner or the applicant;**

The variance requested does not arise from a unique condition. The applicant can store boats and vehicles on property zoned appropriately, still in close proximity to their future residence.

- B. That the granting of the variance will not adversely affect the rights of the adjacent property owners or residents;**

The variance would not likely adversely affect the rights of adjacent property owners.

- C. That the strict application of the Zoning Code of which the variance requested will constitute unnecessary hardship upon the property owner or the applicant;**

The applicant has not yet purchased the property, so the code is not imposing an unnecessary hardship.

- D. That the variance desired will not adversely affect the public health, safety, morals or general welfare; and**

The proposed use variance would not appear to adversely affect the public health, safety, morals or general welfare of the neighborhood.

- E. That the granting of the variance desired will not be opposed to the general spirit and intent of the Zoning Ordinance.**

Granting a use variance for this property would be opposed to the intent of the general spirit of the Zoning Ordinance as well as the Comprehensive Plan.

CONCLUSION/RECOMMENDATION

Staff acknowledges the need for storage facilities to store recreational items, especially in close proximity to Sandusky's waterfront. However, after reviewing the Bicentennial Vision Comprehensive Plan, and understanding the planned investment in this area, it is apparent that the city has come to view this part of the east neighborhood along First Street as a place for infill residential investment. There are properties zoned appropriately for such facilities to the west and south of this site, still in close proximity. As the property owner has not yet purchased the property, the strict application of the Zoning Code would not appear to impose an undue hardship. Considering all of those factors, staff does not recommend the approval of the variance.



CITY OF SANDUSKY
PLANNING DIVISION
APPLICATION FOR BOARD OF ZONING
APPEALS APPROVAL

Variance to Regulations of the City of Sandusky Zoning Code

APPLICANT/AGENT INFORMATION:

Property Owner Name:

RLR Properties, Jeffery Rengel

Property Owner Address:

421 Jackson Street

Sandusky, Ohio 44870

Property Owner Telephone:

(419) 627-0400

☐ Check if okay to Text

Email

jrengel@rengellaw.com

Contact Person:

Jeff Rengel

Authorized Agent Name:

Monica & Mike Powers

Authorized Agent Address:

16 Gerard Dr

Norwalk, OH 44857

Authorized Agent Telephone:

Monica & Mike Powers

☒ Check if okay to Text

(419) 681-2441 (419) 681-0092

Email

or thopowers@hotmail.com

Contact Person:

Monica or Mike Powers

Meeting with Staff

Spoke with Greg Volz & Thomas
Thorsman

LOCATION AND DESCRIPTION OF PROPERTY:

Municipal Street Address: Corner of 1st Street & Wildman (2nd St)

Legal Description of Property (check property deed for description):

Lots 401-407 First Street

Permanent Parcel Number: 57-03858.000 ; 57-03857.000,
57-03841.000

Zoning District: Currently R1 , proposed commercial
recreation.

VARIANCE INFORMATION:

Section(s) of Zoning Code under which a variance is requested:

Chapter 11 29 Zoning code

Variance(s) Requested (Proposed vs. Required):

Commercial Recreation for a storage
building to be utilized by owner only.

~~Storage~~ Storage building only - no
housing, appliances, or occupants.
no rental or business usage.

DETAILED SITE INFORMATION:

Land Area of Property: 1 acre (43,200 ft²) (sq. ft. or acres)

Total Building Coverage (of each existing building on property): empty lot,
Building #1: (in sq. ft.) Building #2:
Building #3: Additional: no existing buildings.

Total Building Coverage (as % of lot area): 25%
9,600 ft² = (80 x 120)

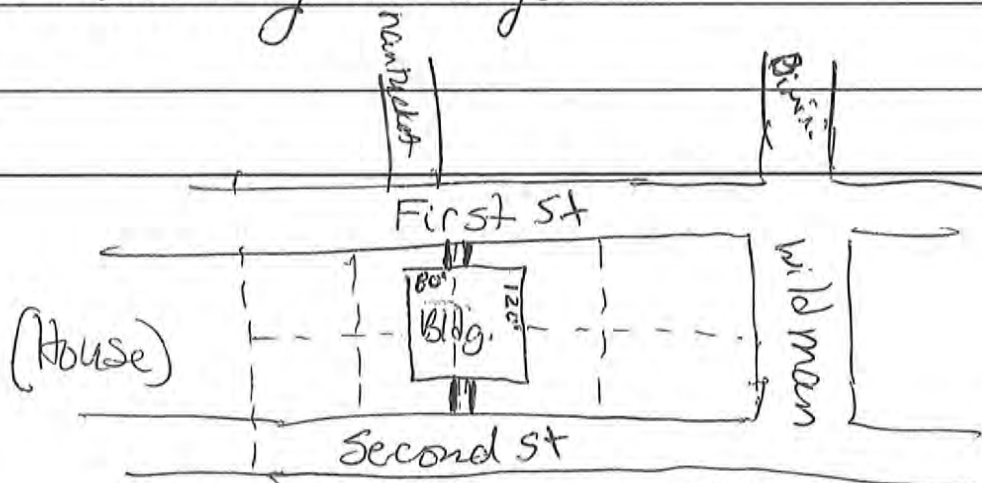
Proposed Building Height (for any new construction): 20-23 ft plus peak
of roof. (30-32 peak pitch of roof)

Number of Dwelling Units (if applicable): 0

Number of Accessory Buildings: 0

DESCRIPTION OF DEVELOPMENT PROPOSAL (Describe your development plans in as much detail as possible):

Plan to build a 2 story, 80 x 120 feet
Storage building. Plan to run it North to
South with a driveway on 1st street and
a driveway on 2nd street. Would like to fence
the perimeter of lot, open to height and material
acceptable by the city.



NECESSITY OF VARIANCE (Describe why not obtaining this variance would cause you hardship or practical difficulty and what unique circumstances have caused you to file for a variance):

We currently have a place on Nantucket. In the next few years we plan to move there full time. In order to make this move a reality, we are in need of storage room for bikes, vehicles, ATV's, and overflow of personal belongings. No housing or occupants. Awaiting formal plans from A.V. Lake Construction & Morton Buildings.

APPLICATION AUTHORIZATION:

If this application is signed by an agent, authorization in writing from the legal owner is required. Where owner is a corporation, the signature of authorization should be by an officer of the corporation under corporate seal.

Signature of Owner or Agent

Monica Powers
Agent

10/12/18
Date

PERMISSION TO ACT AS AUTHORIZED AGENT:

As owner of *LOTS 400-407*
FIRST ST (municipal street address of property, I hereby authorize *Monica Powers* to act on my behalf during the Board of Zoning Appeals approval process.

Signature of Property Owner

Jeff Rengel

Date

10/12/18

Jeff Rengel RLB Properties

REQUIRED SUBMITTALS:

10 copies of a site plan (drawn to scale and dimensioned) which shows the following items:

- a) Property boundary lines
- b) Building(s) location
- c) Driveway and parking area locations
- d) Location of fences, walls, retaining walls
- e) Proposed development (additions, fences, buildings, etc.)
- f) Location of other pertinent items (signs, outdoor storage areas, gasoline pump islands, etc.)

\$100.00 filing fee

APPLICATION MUST BE COMPLETELY FILLED OUT!

NOTE: Applicants and/or their authorized agents are strongly encouraged to attend Board of Zoning Appeals meetings.

STAFF USE ONLY:

Date Application Accepted: _____ Permit Number: _____

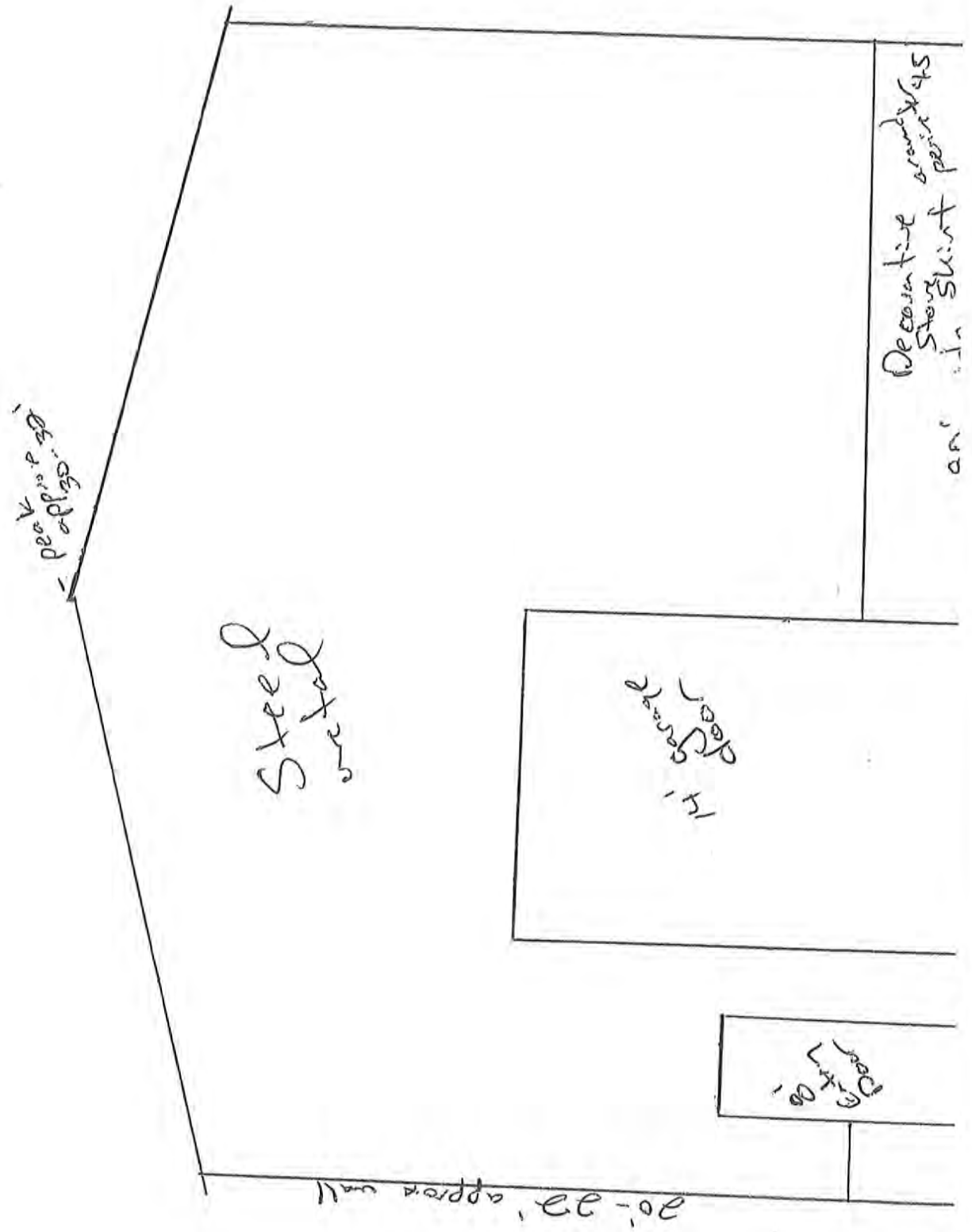
Date of Board of Zoning Appeals Meeting: _____

Board of Zoning Appeals File Number: _____

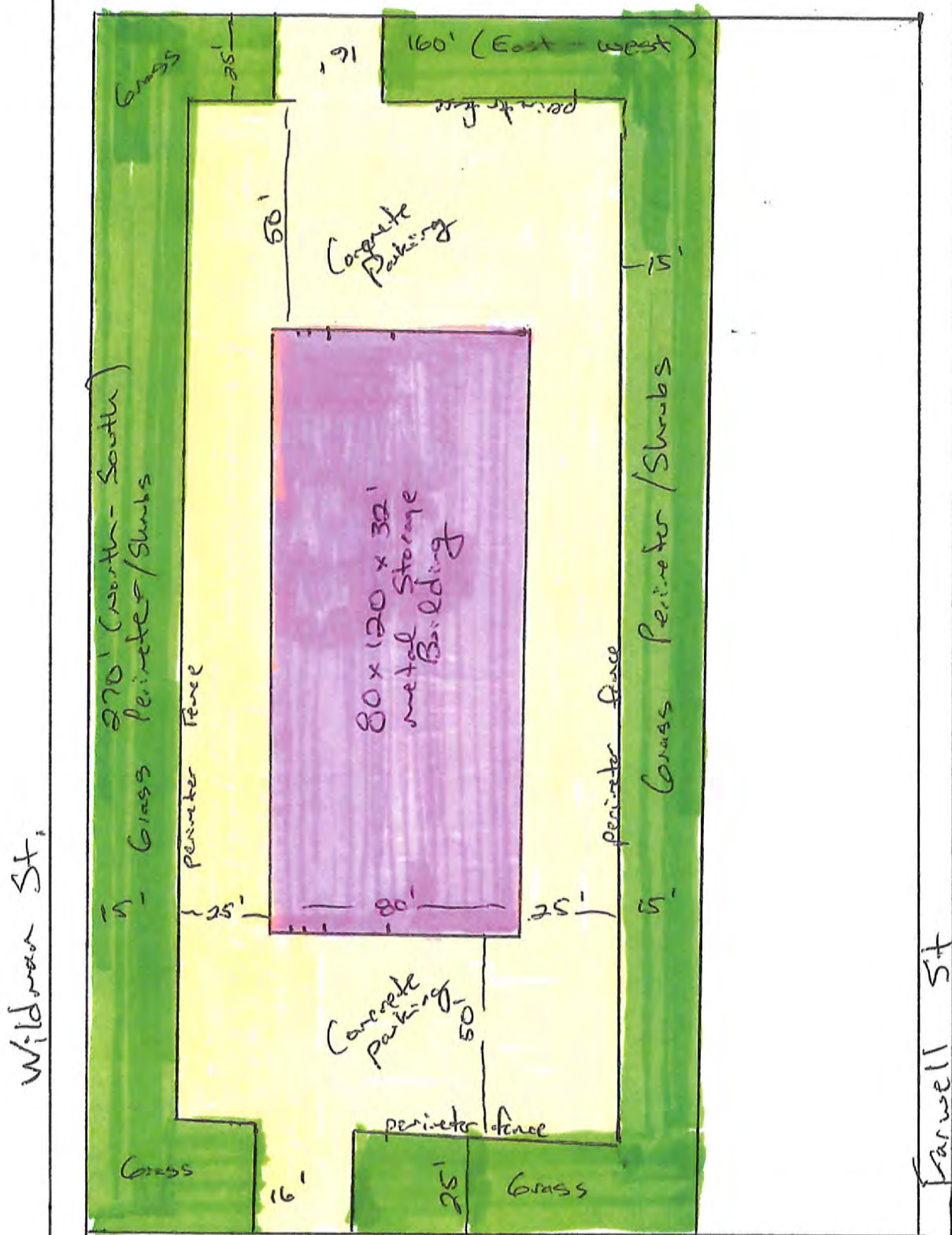
City Of Sandusky
Planning Division
222 Meigs St. Sandusky, Ohio 44870
419.627.5873

Mike : Monica Towers
414-681-0092
414-681-2441

Front view (Rear view to be same reciprocal)



Lot
43,200 sq
Building
9,600 sq

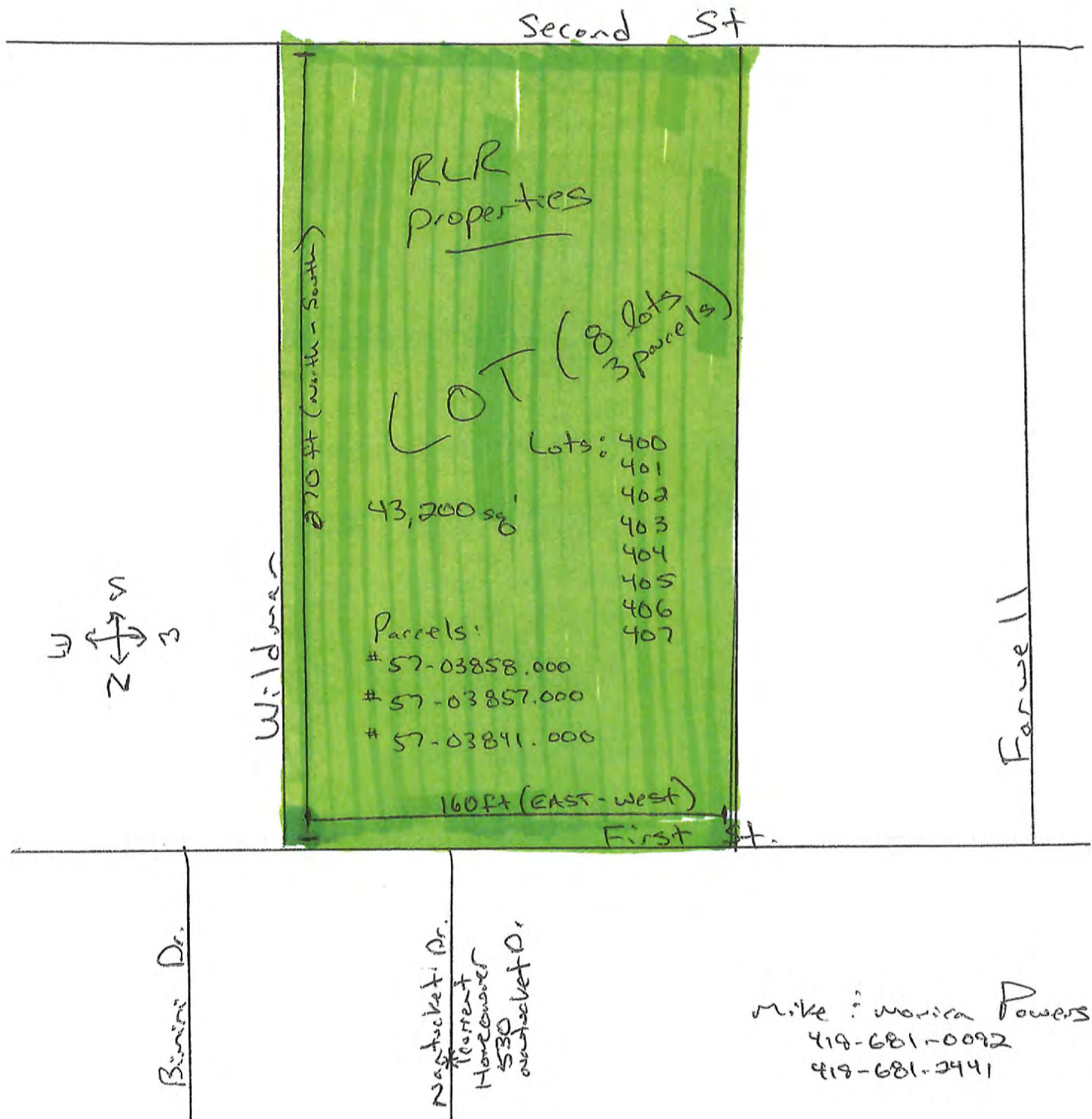


By: D

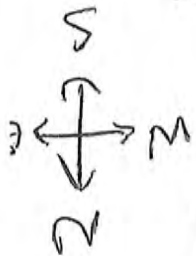
Contract
*D.
Current
over
530
reverted

Mike : Monica Powers
418-681-0092
418-681-2441

Aerial View Lots



Aerial View

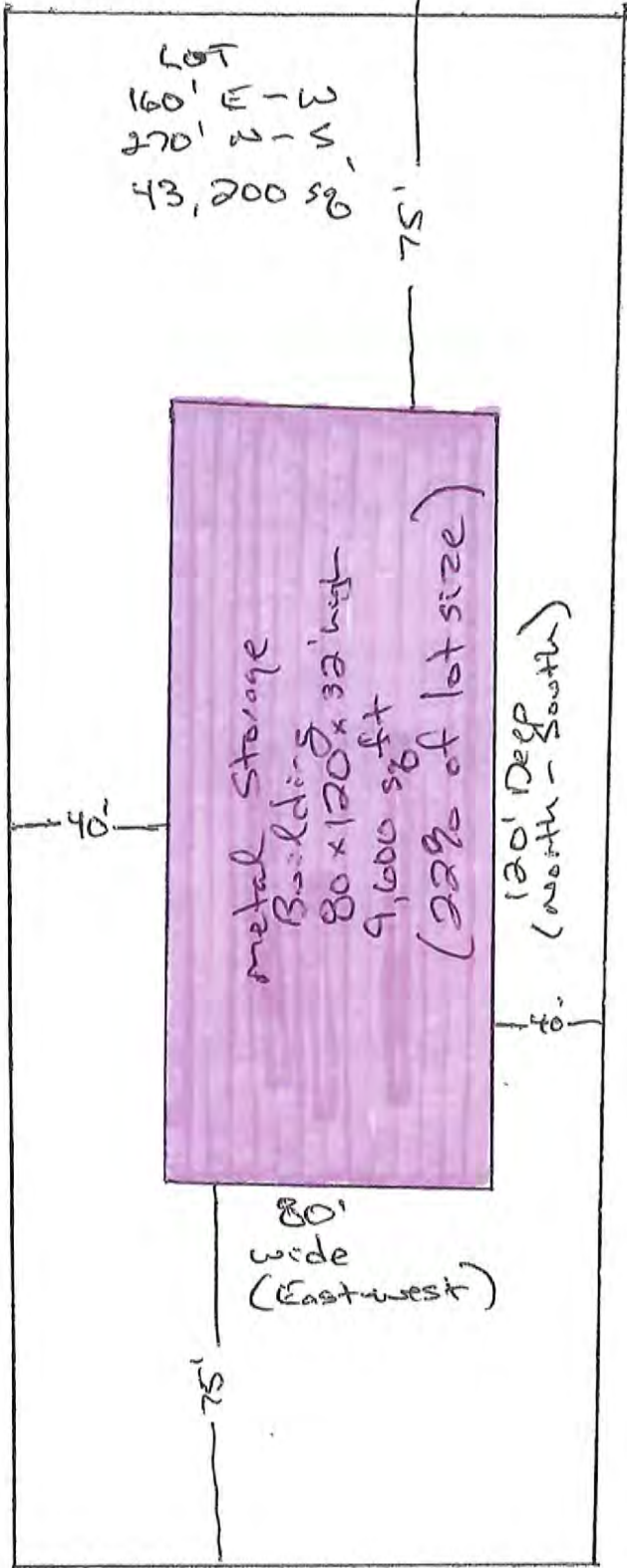


Bimini Dr

Wildman

Longstreet Dr

530
N. street



Second St

Farwell

First St

Mike & Maria Powers
419-681-0092
419-681-2441

CITY OF SANDUSKY, OHIO
PLANNING DEPARTMENT

BOARD OF ZONING APPEALS REPORT

APPLICATION FOR VARIANCE TO USE
REGULATIONS AT 300 CENTRAL AVE.

Reference Number: 30-18

Date of Report: November 6, 2018

Report Author: Tom Horsman, Assistant Planner



City of Sandusky, Ohio Board of Zoning Appeals Report

Michael Waddle has applied for a variance to the provision of the Zoning Code that prohibits first-floor residential uses in the Downtown Business District. The following information is relevant to this application:

Applicant:	Michael Waddle 300 Central Ave. Sandusky, Ohio 44870
Property Owner:	Michael Waddle 300 Central Ave. Sandusky, Ohio 44870
Site Location:	300 Central Ave. Sandusky, Ohio 44870
Zoning:	"DBD"/ Downtown Business District
Surrounding Zoning:	"DBD"/ Downtown Business District on all sides
Surrounding Uses:	North: Parking, Institutional, and Commercial South: Multi-Family Residential East: Park West: Single-Family Residential
Existing Use:	Office
Proposed Use:	Mixed-use: single-family residential & office
Applicable Plans & Regulations:	City of Sandusky Zoning Code Section 1133.08 (a) Permitted Buildings and Uses; Downtown Business District
Variance Requested:	1) Relief from the requirement that residential uses are only permitted above the first floor in the Downtown Business District.
Variance Proposed:	2) The applicant proposes allowing the first floor of part of the structure at 300 Central Ave to be used as a private residence.

SITE DESCRIPTION

The subject property is located within a DBD Downtown Business District. It is currently developed with one two-story office building. The subject property is surrounded by a three-story multi-family apartment building, three single-family residences, and parking lots for a bank and museum. Location maps and photos of the subject property are found below. The parcel of the subject property is pointed out:

300 Central Ave (Site Outlined in Red)





The site is zoned "DBD"/ Downtown Business District by the Sandusky Zoning Code which permits single, two, and multi-family residential uses above the first floor, all stores and services permitted in the General Business District, and public uses: governmental, civic, educational, religious, welfare, recreational, and transportation as set forth in section 1123.02 of the Zoning Code.

Photos taken November 6th, 2018

Looking Southwest from Central Ave



Looking Northwest from Central Ave



PLANNING DEPARTMENT COMMENTS

The applicant proposes to allow a residential use on the first-floor of their building in the Downtown Business District (DBD). The DBD prohibits residential use on the first floor with the intent to create active first floor uses in the downtown. However, this property is not in a prominent commercial storefront area. The applicant stated that the part of the first and second floors have been occupied as a residence since the property was purchased by the applicant in December 2017. A general floor plan of the property is provided in the attachments.

The use of the first floor for residential is not a permitted use of the Section 1133.08 (a) of the City of Sandusky Zoning Code which requires residences shall be above the first floor.

In the application, the applicants state the following as to the necessity of the variance:

"We bought the building to reside in the home and to have a small business in home. Currently occupying all residential areas since purchased December 20, 2017."

It should be noted that a residential use will create less traffic and parking needs than additional office/business space would.

The Code states that no variance to the provision or requirements of the Zoning Code shall be granted by the Board unless the Board has determined that a practical difficulty does exist or will result from the literal enforcement of the Zoning Code. The factors to be considered and weighed by the Board in determining whether a property owner has proved practical difficulty include:

Section 1111.06(c)(1)

A. Whether the variance is substantial;

The variance sought in this case would allow for a residential use on the first floor of the building. The portion of the first floor residence facing the right-of-way is opaque, without any windows or doors.

B. Whether the essential character of the neighborhood would be substantially altered or whether adjoining property would suffer a substantial detriment as a result of the variance;

It would not appear that the residential use would substantially alter the character of the neighborhood nor substantially impact adjoining properties. The multi-family apartment building immediately to the south also has residential uses on the first floor.

C. Whether the variance would adversely affect the delivery of government services (i.e. water, sewer, garbage, fire, police or other);

The proposed variance would not affect the delivery of government services, as the proposed residential use would not impact a right-of-way, utility line or block access for emergency vehicles.

- D. Whether the property owner purchased the property with the knowledge of the zoning restriction;**

The applicant told staff that they were not aware of the zoning restriction.

- E. Whether the property owner's predicament can be resolved through some method other than a variance;**

The applicant would not be able to use the first floor of the property without a variance, with the exception of rezoning the property.

- F. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by the granting of the variance;**

It is the opinion of the Planning staff that the residential use would be in keeping with the spirit and intent of the Zoning Code as many of the surrounding properties on this block in the zoning district have residences on the first floor. This block is also immediately adjacent to two-family and multi-family residential districts.

- G. Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without a variance; and**

In this instance, there could still be beneficial use of the property without a variance, however, the amount of residential space available would be significantly limited without it.

- H. Whether the granting of the variance will be contrary to the general purpose, intent and objective of the Zoning Code or other adopted plans of the City.**

It does not appear that the proposed use would be contrary to the general purpose, intent or objectives of the Zoning Code or the Comprehensive Plan.

Other conditions that the Zoning Board of Appeals must determine have been met include the following:

Section 1111.06(c)(2);

- A. That the variance requested arises from such a condition which is unique and which is not ordinarily found in the same zoning district and is created by the Zoning Code and not by an action or actions of the property owner or the applicant;**

The structure on the subject property appears to have been originally constructed as a multi-family residential building, and then converted into office space with some additions. The property is also unique in that it sits at the edge of the Downtown Business District and is in close proximity to multi-family and two-family zoning districts, as well as being immediately adjacent to properties that have residential use on the first floor.

- B. That the granting of the variance will not adversely affect the rights of the adjacent property owners or residents;**

In Planning Staff's opinion, the residential use will not adversely affect the rights of adjacent property owners or residents.

- C. That the strict application of the Zoning Code of which the variance requested will constitute unnecessary hardship upon the property owner or the applicant;**

Staff does believe that strict application of the code would create unnecessary hardship for the applicant. Adhering to the current code would significantly restrict the amount of space usable for residential purposes, despite the likelihood that the structure was originally constructed for such a purpose.

That the variance desired will not adversely affect the public health, safety, morals or general welfare; and

The proposed variance would not appear to adversely affect the public health, safety, morals or general welfare of the neighborhood.

- D. That the granting of the variance desired will not be opposed to the general spirit and intent of the Zoning Ordinance.**

It does not appear that the residential use would be contrary to the general spirit, intent or objectives of the Zoning Code or the Comprehensive Plan.

CONCLUSION/RECOMMENDATION

Understanding that the structure on the subject property is immediately adjacent to other single and multi-family residential structures, and that this block is adjacent to residential zones, staff believes the variance would keep with the spirit of the Zoning Code and not adversely affect the public health, safety, morals, or general welfare of the community, staff has no objection to the proposed variance.



CITY OF SANDUSKY
PLANNING DIVISION
APPLICATION FOR BOARD OF ZONING
APPEALS APPROVAL

_____ Variance to Regulations of the City of Sandusky Zoning Code

APPLICANT/AGENT INFORMATION:

Property Owner Name: Michael Waddle

Property Owner Address: 300 Central Ave.

Property Owner Telephone: 330-592-3614 ☒ Check if okay to Text

Email: duckcanvas@yahoo.com

Contact Person: same as above

Authorized Agent Name: _____

Authorized Agent Address: _____

Authorized Agent Telephone: _____ ☐ Check if okay to Text

Email: _____

Contact Person: _____

Meeting with Staff: _____

LOCATION AND DESCRIPTION OF PROPERTY:

Municipal Street Address: 300 Central Ave

Legal Description of Property (check property deed for description): 3 parcels

Permanent Parcel Number: 56-60786.000

Zoning District: Business downtown

VARIANCE INFORMATION:

Section(s) of Zoning Code under which a variance is requested:

Request change from commercial zoned to mixed zone
for Residential ground floor living

Variance(s) Requested (Proposed vs. Required):

REQUIRED SUBMITTALS:

10 copies of a site plan (drawn to scale and dimensioned) which shows the following items:

- a) Property boundary lines
- b) Building(s) location
- c) Driveway and parking area locations
- d) Location of fences, walls, retaining walls
- e) Proposed development (additions, fences, buildings, etc.)
- f) Location of other pertinent items (signs, outdoor storage areas, gasoline pump islands, etc.)

\$100.00 filing fee

APPLICATION MUST BE COMPLETELY FILLED OUT!

NOTE: Applicants and/or their authorized agents are strongly encouraged to attend Board of Zoning Appeals meetings.

STAFF USE ONLY:

Date Application Accepted: _____ **Permit Number:** _____

Date of Board of Zoning Appeals Meeting: 11/15/18

Board of Zoning Appeals File Number: 38-16

City Of Sandusky
Planning Division
222 Meigs St. Sandusky, Ohio 44870
419.627.5873

NECESSITY OF VARIANCE (Describe why not obtaining this variance would cause you hardship or practical difficulty and what unique circumstances have caused you to file for a variance):

We bought the building to reside in the home
and to have a small business in home.
Currently occupying all residential Areas
since purchased Dec 20 2017

APPLICATION AUTHORIZATION:

If this application is signed by an agent, authorization in writing from the legal owner is required. Where owner is a corporation, the signature of authorization should be by an officer of the corporation under corporate seal.

Michael C. Waddle
Signature of Owner or Agent

10-24-18
Date

PERMISSION TO ACT AS AUTHORIZED AGENT:

As owner of _____ (municipal street address of property, I hereby
authorize _____ to act on my behalf during the Board of Zoning
Appeals approval process.

Signature of Property Owner

Date

DETAILED SITE INFORMATION:

Land Area of Property: 26 acres (sq. ft. or acres)

Total Building Coverage (of each existing building on property):

Building #1: 8600 (in sq. ft.) Building #2: _____

Building #3: _____ Additional: _____

Total Building Coverage (as % of lot area): _____

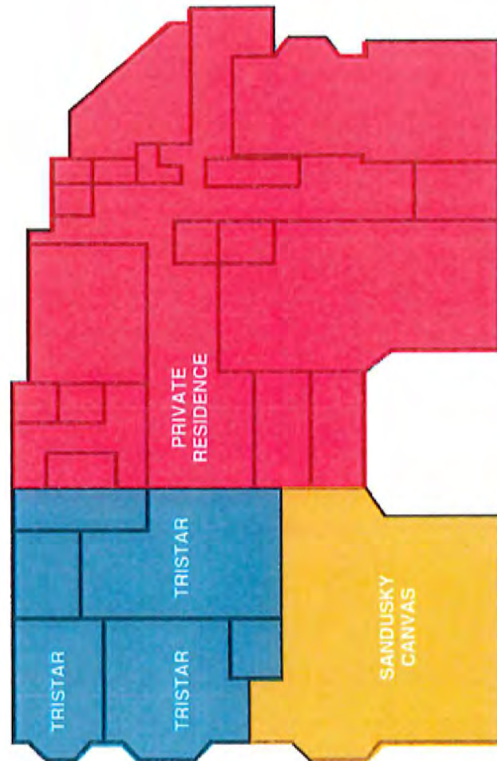
Proposed Building Height (for any new construction): _____

Number of Dwelling Units (if applicable): _____

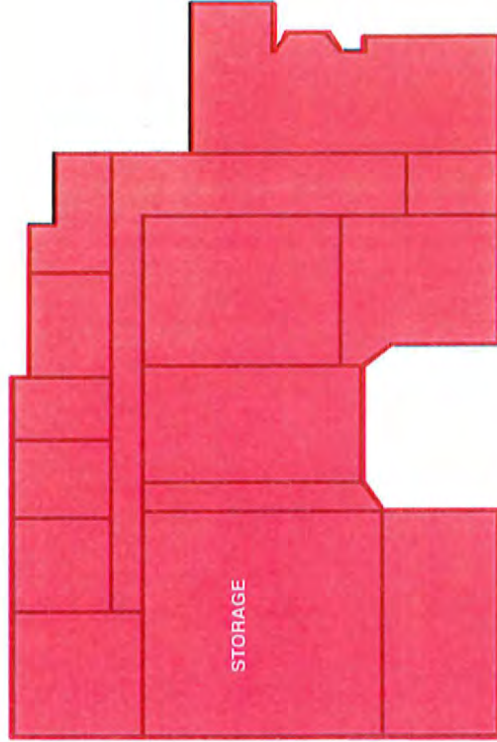
Number of Accessory Buildings: _____

DESCRIPTION OF DEVELOPMENT PROPOSAL (Describe your development plans in as much detail as possible):

300 Central Ave, Sandusky, OH 44870
 Home Renovation
 Construction Documents



FIRST FLOOR



SECOND FLOOR

USE	TENANT	SF
OFFICE	TRISTAR	810.00
F-I	SANDUSKY CANVAS	729.00
RESIDENTIAL	HOMEOWNER	7,061.00
TOTAL		8,600.00

OVERALL PLAN

NOT TO SCALE

October 24th, 2018

Grace Construction LLC.

GENERAL CONTRACTOR - BUILDER - DESIGN/BUILD SERVICES