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## Board of Zoning Appeals

240 Columbus Ave  
Sandusky, Ohio 44870

419.627.5715

[www.cityofsandusky.com](http://www.cityofsandusky.com)

### Agenda

June 16, 2022

4:30 pm

Virtual Meeting via Microsoft Teams and  
Live Streamed on [www.Youtube.com/CityofSanduskyOH](https://www.Youtube.com/CityofSanduskyOH)

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1. Meeting called to order – Roll Call
2. Review of minutes from the May 18, 2022 meeting
3. Swear in audience and staff members that will offer testimony on any agenda items
4. Adjudication hearing to consider the following:
  - 623 Bennett Avenue Variance Request
  - Parcel 57-05212.000 on Hancock Street Variance Request
  - 3712 Venice Road Variance Request
5. Other Business
6. Adjournment

Next Meeting: July 21, 2022

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

## **Board of Zoning Appeals**

May 19, 2022

### **Minutes**

#### **Meeting called to order:**

Chairman John Feick called the meeting to order. The following voting members were present: John Feick, Dr. Bill Semans, Dan Delahunt, and Gregg Peugeot. Arin Blair and Alec Ochs represented the Community Development Department. Brendan Heil represented the Law Department (attended virtually). City Commission Liaison Dave Waddington and clerk Kristen Barone were also present.

#### **Review of minutes from April 21, 2022:**

Dr. Semans stated that in the minutes there is an extra roll call on the motion for agenda item two. Mr. Delahunt moved to approve the minutes with that correction and Mr. Peugeot seconded. All voting members were in favor of the motion.

#### **Swearing in of audience and staff members offering testimony on any agenda items:**

Mr. Feick swore in everyone wishing to do so.

#### **Adjudication Hearing:**

##### **1) 305 East Water Street**

Ms. Blair stated that Ryan Whaley, owner of the building, is requesting a variance to allow a sign that surpasses the mass factor requirements. He proposes to place an approximately 75' by 17' mural on the western facing building façade. The code has a maximum mass factor standard of 80 sq. ft. for exterior wall signage on the façade. At approximately 75'x17', the mural would encompass nearly the entire side of the building that faces Hancock Street. The mural would cover a maximum of 1,275 square feet. Total coverage depends on the amount of painted surface versus remaining exposed brick. The applicant stated the intention of adding a mural to this location is to bring attention to the outdoor activities and active lifestyle visitors and locals have in Sandusky, while giving off the summer and island vibes found inside Paddle & Climb and Paddle Bar. Staff has determined the proposed mural is appropriate to this structure, in this location, based on the following analysis: 1) The building is non-contributing and has been drastically altered, 2) The secondary elevation on which the mural is proposed is not significant to the character of the building itself, 3) In the time period of our historic district, side walls of buildings would have been covered by attached neighboring structures. When sidewalls were exposed, it was common to paint them with large signage/mural style imagery, 4) For the style and setting of the building, the mural is appropriate and would contribute to the overall character and vibrancy of Downtown Sandusky, 5) The proposed paint is appropriate for the masonry and the long-term health of the building. Staff's interpretation of the sign regulations dictates a mural facing the public right-of-way falls under the definition of "wall sign" and is therefore regulated by the sign requirements for wall signs in chapter 1143 of the zoning code. Planning staff strongly support this proposal for creating a new piece of public art in the city and recommends approval of the requested variance with the following conditions: 1) All necessary permits are obtained through the Building, Engineering, and Planning departments and 2) A Certificate of Appropriateness is granted by the Landmark Commission. Ms. Blair stated that the Landmark Commission did grant approval of the mural at last night's Landmark Commission meeting. Mr. Feick stated that a mural was approved a couple of years ago that went on the

State Theater building and asked what the size comparison is between the two murals. Ms. Blair said she does not have those dimensions on hand but would guess that those murals would be similar in size. Mr. Feick then asked if they are approving size or content of the mural. Ms. Blair responded that they are approving the size. Ryan Whaley, 316 East Water Street, stated that the sign that was on the back of the State Theater received a lot of attention with people taking photos next to it and posting the photos on social media, and he thinks that is good for Sandusky. He said that he spoke with the neighboring residents and they have all communicated that they were in support of the mural and those residents have also communicated that to City staff. Tim Schwanger, 362 Sheffield Way, stated he was not going to speak in favor or against any of the items on the agenda, but wanted to express his concern that five or six months ago, all of a sudden the public is getting a different agenda compared to what the board members are getting. He said that the agenda that is online does not give any explanation of what the properties are doing and the public should know what is going on. Dr. Semans asked if there was a ruling from BZA on the mural at A&B Cycles. Mr. Feick stated that he does not recall but he remembers the State Theater one and the one on a garage on West Monroe Street. Ms. Blair stated that she wanted to confirm what Mr. Whaley stated when he said that staff had received letters of support from others regarding this project. She said there were two letters and three calls of support and there were no negative comments received. Also, said that the A&B Cycles mural did come to BZA for approval as staff reviewed that staff report and used it as a guide for typing up this report. Dr. Semans made a motion to approve the variance and Mr. Peugeot seconded. All voting members were in favor of the motion and the variance was approved.

## **2) 3230 West Monroe Street**

Mr. Ochs stated that applicant Jack Muirhead, is requesting a variance to allow an accessory structure on more than 30% of the rear yard. He proposes to build a 40' x 50' garage, totaling 2,000 sq. ft. in the backyard. The garage would accumulate roughly 61.5 % of the backyard. Staff is not opposed to storage uses on a residential property. However, a 2,000 sq. ft. first floor building footprint is larger than many single family homes in the City limits. The existing home on this lot is approximately 50'x26', which measures approximately 1,300 square feet. Staff would favor a plan for the garage that is more in scale with the existing home. The concrete pad for the total floor coverage of the expected garage appears to have already been placed on the property. It is staff's understanding that neighbor concerns brought the applicant to pursue the variance process. There was a permit application submitted in 2020, but a permit was never issued. A neighbor saw movement on the site and then a stop work order was issued. Staff does not believe that the strict implementation of the zoning code would create a practical difficulty for this property and thus is not able to give a recommendation for the variance. In the case of an approved variance request, staff would like to see the following conditions: 1) All necessary permits are obtained through the Building, Engineering, and Planning departments prior to construction, 2) The structure needs to be a minimum of 10' from the existing residential structure, including the existing attached single car garage, prior to construction and 3) The height is to not exceed an average height of 15'. Jeff Wagner, 1018 Lasalle Street, stated that his property is kiddie corner to 3230 West Monroe Street. He asked if anyone had measured what the height is of what is at the property currently because he thinks the property owner has exceeded the 15 feet height limit. Mr. Ochs stated that no drawings were given to staff so he

does not know what is currently there or what is being proposed as far as height. Mr. Wagner then asked if there were setbacks for constructing next to existing structures. He said that this area is prone to standing water and then showed a picture of such from 2018. He said his wife had started a petition to try to get some catch basins put in back there, but did not get much support from the neighbors because they would all need to pitch in. Mr. Ochs stated that there is a 15 foot requirement from the closest point of an accessory structure to a neighboring main structure. An accessory structure would not fall under this standard. Mr. Wagner then asked if the property would need to be zoned commercial for commercial activity to take place at that location. Mr. Ochs responded that is a little bit of a gray area, but usually yes. Dr. Semans asked what size building the owner could build without needing a variance. Mr. Ochs stated just under 1,000 ft. and that would involve demolishing the current garage. Dr. Semans moved to deny the variance and Mr. Delahunt seconded. All voting members were in favor of the motion and the variance was denied.

**3) 623 Bennett Avenue**

Mr. Ochs stated that applicant Charles Loughlin is requesting a variance to construct a six foot fence in the side yards. The code only permits fences up to four feet in the side yards. The applicant did not state the reasoning for wanting the six foot fence. Staff notes that the south fence proposal would be along the backyard of the southern neighbor. A 6 ft. fence would be permitted to be constructed if the neighbor at 3501 was the applicant. Planning staff supports the requested variance and suggests the following conditions upon approval: 1. All necessary permits are obtained through the Building, Engineering, and Planning departments prior to construction. Mr. Delahunt stated that he thinks there has to be a reason why the rule is a four foot fence on the side yards and it seems that a six foot fence on both sides would be obtrusive. Mr. Delahunt made a motion to deny the variance and Mr. Peugeot seconded. All voting members were in favor of the motion and the variance was denied.

**4) 1022 Camp Street**

Mr. Ochs stated that applicant Nicole Vannucci is requesting a variance to construct a six foot fence in the side yard. The code only permits fences up to four feet in the side yards. The applicant states they would like the six foot fence for privacy and to increase safety as sometimes they have issues with neighbors and get people walking through their yard often. This property is unique and it does not have a neighboring structure to the north. In what is defined as the applicant's side yard, there is a side street, which is used for residential parking and access to neighboring properties. Staff does not consider this lot to be a corner lot because the street does not extend onto Camp Street. The applicant stated the fence would be constructed about 20 feet from the front sidewalk. Staff supports the requested variance and suggests the following conditions upon approval: 1) All necessary permits are obtained through the Building, Engineering, and Planning Departments prior to construction. Nicole Vannucci, owner of 1022 Camp Street, stated that the 7-Eleven is a neighboring business that has a lot of traffic and often has problems. She said that one time an officer tackled someone in their yard that was trying to run away from them, so safety is a big concern and reason why they want a six foot fence. Dr. Semans asked the applicant what type of fence she would like to put in. Ms. Vannucci responded a wooden privacy fence. She said that the fence would be about two to



three feet off of the sidewalk that is parallel to the Monroe Street extension. She said that there is already a chain link fence at the back of her property that her fence would then run up to. Mr. Delahunt made a motion to approve the variance as presented and Dr. Semans seconded. All voting members were in favor of the motion and the variance was approved.

**5) 2901 West Monroe Street**

Mr. Ochs stated that the applicant MRK Real Estate, LLC is requesting a variance to allow building coverage of over 50 percent. RheTech is currently the manufacturing company at this location. They would like to expand the current manufacturing, storage, and warehousing operations at this location by approximately 51,800 square feet. The addition will put the total site coverage at nearly 53.9%, which is 3.9% over the maximum amount allowed. The applicant is seeking a 5% relief to the requirement, which is an extra 1.1% to what is proposed, as a safeguard, in case plans change and more square footage is needed. Staff observed that the parcel is slightly below average in size compared to other general manufacturing parcels. The total parcel is 225,000 sq. ft., only half of which is buildable by the current code requirements. There is no height requirement in a manufacturing zone. The applicant was also aware of this during pre-planning meetings between City staff and the applicant. The applicant is proposing to “build-out” rather than “build-up” in order to not conflict with surrounding residential uses and to avoid causing significant shading on surrounding residential parcels. Staff supports the requested variance and suggests the following conditions upon approval: All necessary permits are obtained through the Building, Engineering, and Planning departments, and any other applicable agency prior to construction. Mr. Feick asked what the current height of the building is. Craig Dunaway, 2901 West Monroe Street, responded that the current height is about 24 feet. Mr. Dunaway stated that they current lease this building, but if the variance gets approved they plan on purchasing the building. Dr. Semans said he wants to make sure the design of the detention basin is adequate for what is needed there. Mr. Ochs stated that the Engineering Department has been involved in the conversations of this addition and most of their concerns have been addressed or will be addressed, as the applicant also needs site plan approval from the Planning Commission at their meeting next week. Mr. Feick stated that when a project affects more than an acre, they would be required to do a storm water pollution protection plan and submit to the City and the EPA. Dr. Semans asked if there has been any comments received from the surrounding properties. Mr. Ochs stated that there have not. Dr. Semans motioned to approve the requested variance as presented and Mr. Peugeot seconded. All voting members were in favor of the motion and the variance was approved.

**Other Business:**

Ms. Blair stated that she wanted to let everyone know that the full agenda that that the board members received is available for the public to view on the City’s website.

**Adjournment:**

Dr. Semans motioned to adjourn and Mr. Peugeot seconded. The meeting ended at 5:17pm.

APPROVED:

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Thomas Horsman, Interim Clerk

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John Feick, Chairman

# BOARD OF ZONING APPEALS REPORT

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APPLICATION TO EXPAND THE EXISTING FRONT  
PORCH AN ADDITIONAL 3 FEET INTO THE  
REQUIRED FRONT YARD SETBACK.  
PARCEL (60-00475.000)

Reference Number: PVAR22-0011

Date of Report: June 8, 2022

Report Author: Alec Ochs, Assistant Planner



## City of Sandusky, Ohio Board of Zoning Appeals Report

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### BACKGROUND INFORMATION

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Applicant/Owner: Charles A. Loughlin  
623 Bennett Ave.  
Sandusky, OH 44870

Site Location: 623 Bennett Ave.  
Sandusky, OH 44870

Zoning: R1-40 – Single Family Residential

Surrounding Zoning: North: R1-40 – Single Family Residential  
East: R1-40 – Single Family Residential  
South: R1-40 – Single Family Residential  
West: R1-40 – Single Family Residential

Surrounding Uses: Residential

Existing Use: Residential

Proposed Use: Residential

Applicable Plans & Regulations: City of Sandusky Zoning Code Section 1145.16 C(1)

Description of proposal: To expand the existing front porch an additional 3 feet into the required front yard setback.

## SITE DESCRIPTION

(Subject Property Outlined in blue)



### Zone Map Setbacks



### PUD - Planned Unit Development



### Parcels



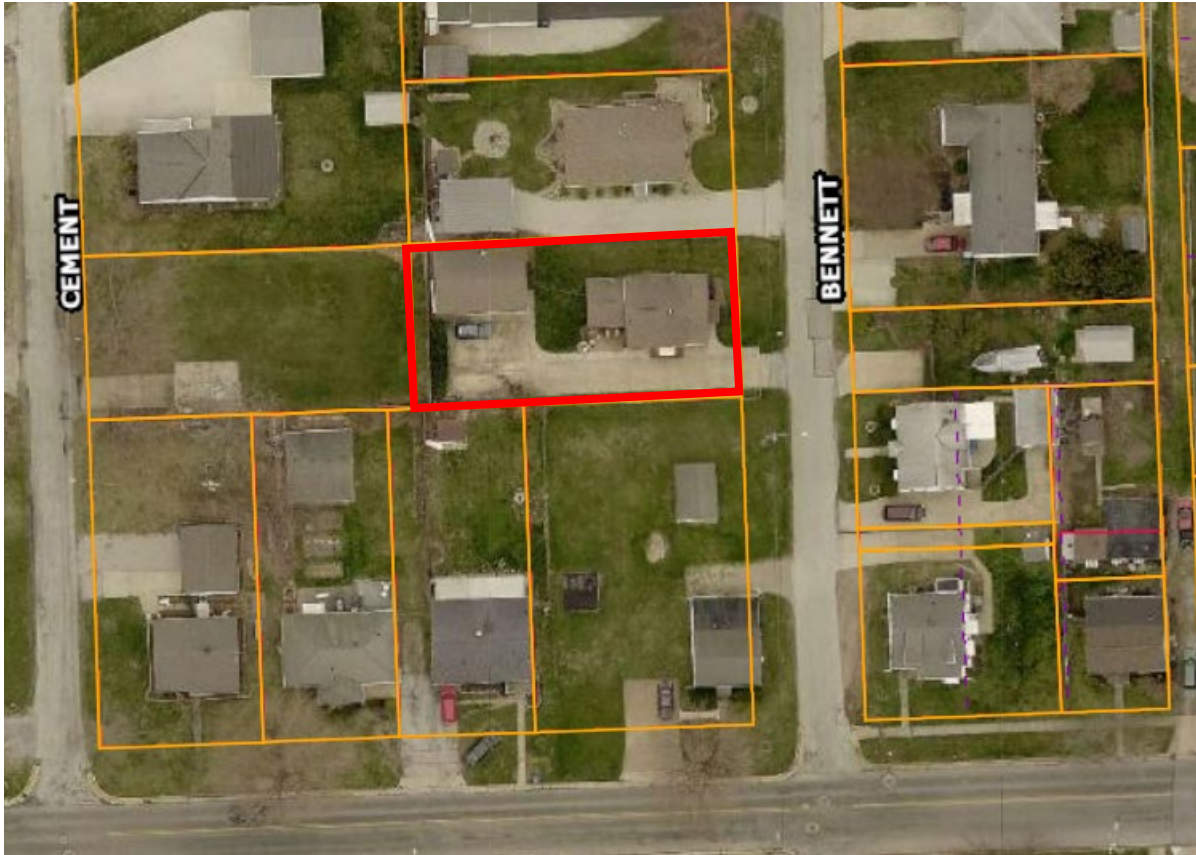
### TRO - Transient Rental Overlay



### Zoning

- AG - Agriculture
- CA - Commercial Amusement
- CR - Commercial Recreation
- CS - Commercial Service
- DBD - Downtown Business
- GB - General Business
- GM - General MANufacturing
- LB - Local Business
- LM - Local Manufacturing
- P - Auto Parking

- PF - Public Facilities
- R1-40 - Single Family Residential
- R1-50 - Single Family Residential
- R1-60 - Single Family Residential
- R1-75 - Single Family Residential
- R2F Two-Family Residential
- RB - Roadside Business
- RMF - Multi-Family Residential
- RRB - Residential/Business
- RS - Residential Suburban



Bird eye photo from (3/14/2021)





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## PROJECT DESCRIPTION

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The applicant wishes to expand the existing front porch an additional 3 feet beyond the existing 5 feet porch into the front yard setback. The front yard set back of the house is currently a legal conforming setback. The zoning code requires a minimum 25 foot setback from the front property line. The house at 623 Bennett Ave. is setback approximately 18 feet. The existing porch is setback approximately 13 feet.

A front porch can project up to 8 feet into the required front yard, allowing a 17 foot front yard setback from the porch to the front property line in R1-40 zoning.

The applicant's porch as proposed would be 10 feet from the front property line, resulting in 7 foot encroachment to the minimum front porch setback requirement. The applicant is asking for a 7 foot relief variance.

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## RELEVANT CODE SECTIONS

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### CHAPTER 1145

#### Supplemental Area and Height Regulations

##### 1145.16 Projections Into Yards.

###### (c) Entrance Features

(1) A platform landing, steps, terrace, or other features not extending above the first floor level of a building, **may project not more than 8 feet into a required front yard**, and not more than 3 feet into a required side yard, provided the projection is at least 2 feet from any side lot line.

### CHAPTER 1129

#### Residential Districts

##### 1129.14 Schedule of Area, Yard, And Height Requirements

		Minimum lot size			Minimum yard dimensions			Max. Height	
			Width at Front building depth line		Side Width		Rear Depth	Main Building	
District	Dwelling or building type	Area per unit (sq. ft.)	(ft.)	(ft.)	Single (ft.)	Total (ft.)	30% or (ft.)	Story	Ft.

R1-40	1 Fam. Dw	4,800	40	25	3	10	40	2	30
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## **1111.06 POWERS OF THE BOARD OF ZONING APPEALS.**

### **1111.06(c)(1)**

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:

**A. Whether the variance is substantial;**

No because it would be setback far from the street.

**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 appear that the proposed porch would not substantially alter the character of the 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 affect the delivery of government services.

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

No, the owners were not aware of the restriction.

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

Without the variance, adding the extra porch will not be allowed. A variance is the only method.

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

Yes, it has a minimal impact.

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

Maybe.



**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.**

No.

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**DIVISION OF PLANNING COMMENTS**

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The house is one of the southernmost parcels on this block. It would not interfere with sightlines from adjacent properties or pedestrians looking north towards the lake. The porch would be approximately 20 feet from the edge of the street if public right-of-way is included in the measurement.

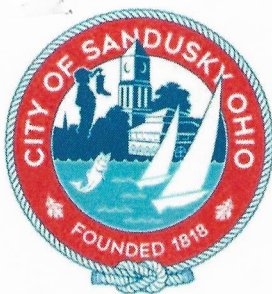
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**CONCLUSION/RECOMMENDATION**

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Planning staff supports the requested variance at 623 Bennett Ave. (parcel 60-00475.000) and suggests the following conditions upon approval:

1. All necessary permits are obtained through the Building, Engineering, and Planning departments prior to construction.



## **BOARD of ZONING APPEALS**

*Application for a Zoning Variance*

Department of Community Development  
240 Columbus Ave Sandusky, Ohio 44870

419.627.5891

[www.cityofsandusky.com](http://www.cityofsandusky.com)

### **Instructions to Applicants**

**MEETINGS:** 3<sup>rd</sup> Thursday of each month at 4:30 P.M.\* – City Commission Chamber, First Floor of City Hall.

*\*Meeting dates are subject to change. Please check [www.cityofsandusky.com/BZA](http://www.cityofsandusky.com/BZA) for an updated schedule.*

**DUE DATE FOR SUBMITTALS:** Applications are due by 5:00 P.M. on the date of the preceding month's Board of Zoning Appeals meeting.

**WHO MUST ATTEND:** The property owner, or the authorized agent of the owner, must be present at the BZA meeting for all variance requests.

**APPLICATION FEE:** \$100

**SUBMISSION REQUIREMENTS:** Please provide either a hard copy or electronic copy of the following:

- 1) Completed application
- 2) Copy of a site plan (drawn to scale and dimensioned) which shows the following items (as applicable):
  - 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) Elevation drawings for height variances
  - g) Setbacks from lot lines for existing & proposed construction
  - h) Location of other pertinent items (signs, outdoor storage areas, gasoline pump islands, etc.)

**Please note that the granting of a variance is not a Building Permit. A separate Building Permit must be issued prior to all construction.**

Submit application and materials to:

City of Sandusky  
Department of Community Development  
240 Columbus Ave.  
Sandusky, OH 44870

Contact Alec Ochs, Assistant Planner, at 419-627-5973 or [aochs@ci.sandusky.oh.us](mailto:aochs@ci.sandusky.oh.us) with any questions.

## Application for Board of Zoning Appeals

### STAFF USE ONLY:

Filing Date: \_\_\_\_\_ Hearing Date: \_\_\_\_\_ Reference Number: \_\_\_\_\_

Address of Property (or parcel number) for Variance Request: 623 Bennett Ave.

Name of Property Owner: Charles A. Loughlin

Mailing Address of Property Owner: same (623 Bennett Ave.)

City: Sandusky State: OH Zip: 44870

Telephone #: 720 385 9377 Email: loughlin.charles@gmail.com

If same as above check here ☒

Name of Applicant: \_\_\_\_\_

Mailing Address of Applicant: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone #: \_\_\_\_\_ Email: \_\_\_\_\_

### Description of Proposal:

To renovate a concrete stoop and construct a 8x20 ft. porch on the front of structure. Cover blight and construct a useful porch. Porch will only extend 3ft past current structure and not hinder views, neighbors, or encroach the right of way.

Variance Requested:

??

Section(s) of Zoning Code:

??



Signature of Property Owner

5/10/22

Date

Signature of Authorized Agent

Date

APPLICATION #BZA-001

## PRACTICAL DIFFICULTIES

(For ALL variance requests)

According to Chapter 1111.06(c)(1) of the Sandusky Code of Ordinances, the Board of Zoning Appeals must determine that a "practical difficulty" exists in order to approve a variance. The Board must consider the following factors. Please completely fill out all sections:

- 1) Would the variance be substantial?  
not so much. would cover existing concrete structure.
- 2) Would the variance substantially alter the character of the neighborhood or would adjoining property owners suffer a substantial detriment because of the variance?  
NO
- 3) Would the variance adversely affect the delivery of government services (e.g. water, sewer, fire, police)?  
NO
- 4) Was the property purchased with the knowledge of the zoning restrictions?  
NO
- 5) Can the property owner's predicament be resolved through some method other than a variance?  
Not Sure.
- 6) Would the spirit and intent behind the zoning requirement would be observed and substantial justice done by the granting of the variance?  
Yes
- 7) Would the property yield a reasonable return or can there be a beneficial use of the property without a variance?  
Maybe
- 8) Would the granting of the variance be contrary to the general purpose, intent and objective of the Zoning Code or other adopted plans of the City?  
NO



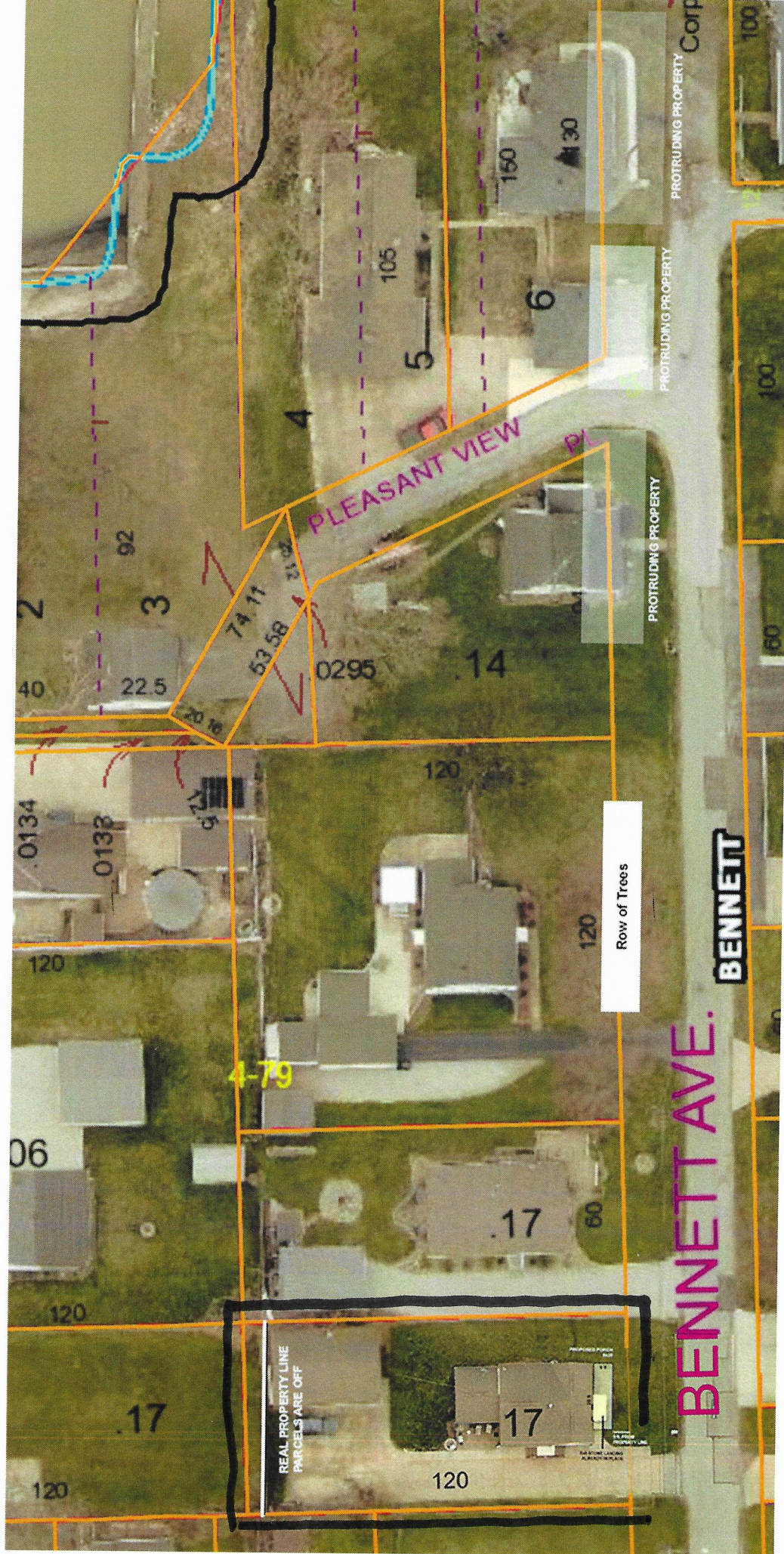
## **UNNECESSARY HARDSHIP**

**(ONLY for variance requests involving a use of the property that is not permitted by the Zoning Code)**

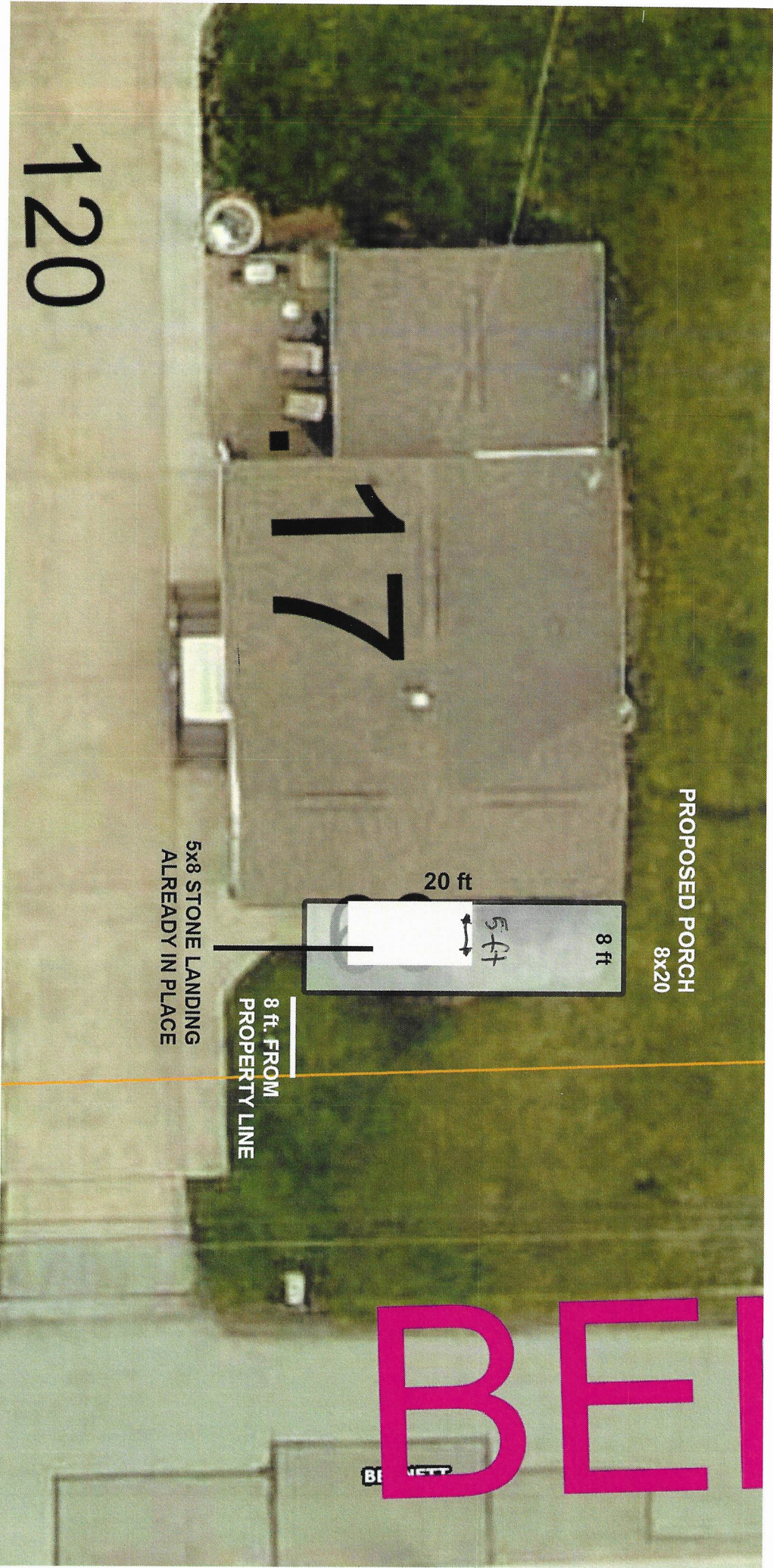
According to Chapter 1111.06(c)(2) of the Sandusky Code of Ordinances, the Board of Zoning Appeals must determine that an "unnecessary hardship" exists in order to approve a use variance. The Board must determine that ALL of the following conditions have been met. Please completely fill out all sections:

- 1) Does the variance request 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 be an action or actions of the property owner or the applicant?
- 2) Would the granting of the variance will adversely affect the rights of the adjacent property owners or residents?
- 3) Does the strict application of the Zoning Code of which the variance is requested constitute unnecessary hardship upon the property owner or the applicant?
- 4) That the variance desired will not adversely affect the public health, safety, morals or general welfare.
- 5) That the granting of the variance desired will not be opposed to the general spirit and intent of the Zoning Ordinance









120

17

PROPOSED PORCH  
8x20

20 ft

8 ft

5 ft

5x8 STONE LANDING  
ALREADY IN PLACE

8 ft. FROM  
PROPERTY LINE

BE

BENNETT



**623 Bennett Ave. 8 ft. Porch**

Kippie Loughlin <kloughlin@eriemetroparks.org>

Wed 5/11/2022 10:36 AM

To: Aochs@ci.Sandusky.oh.us <Aochs@ci.Sandusky.oh.us>; ablair@ci.Sandusky.oh.us  
<ablair@ci.Sandusky.oh.us>; thorsman@ci.sandusky.oh.us <thorsman@ci.sandusky.oh.us>

■ 2 attachments (20 MB)

623 Bennett Ave. Neighborhood.pdf; 623 Bennett Ave.pdf;

Good morning, Alex! I would like to receive a variance form and information regarding the building a porch at 623 Bennett Ave. I have attached a photo of the parcel in question and added my build dimensions for reference (the City has my exact plans). It will only extend a few feet over the concrete pad already in place. I have also included an image of the neighborhood and pointed out several instances where houses have encroached on the right of way and are blocking bay views.

Let me just reiterate that I will not be blocking any views, disrupting any neighbors, nor will I come within 8 ft of the "parcel line." I believe the parcel lines are wrong as well, as my neighbor has a fence that protrudes several feet onto my property according to this parcel map (see map).

I will plead my case in the variance and attend the zoning appeals board meeting, but I'd like to bring this to your attention before we proceed. Thanks for your time. I know you guys are swamped. I would like to get the supplies and start building as soon as possible, because the beautification grant is only valid until the end of August. Let me know what I need to do.

Kippie Loughlin  
Marketing and Information Technology Coordinator  
Erie MetroParks  
3910 Perkins Ave.  
Huron, OH 44839  
Phone: 419-625-7783 ext 240





# BOARD OF ZONING APPEALS REPORT

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APPLICATION FOR AN AREA VARIANCE TO ALLOW  
1.7 FEET (1 FOOT 8.4 INCHES) OF  
ENCROACHMENT INTO THE MINIMUM COMBINED  
SIDE YARD SETBACK AT PARCEL (57-05212.000)

Reference Number: PVAR22-0012

Date of Report: June 7, 2022

Report Author: Alec Ochs, Assistant Planner



## City of Sandusky, Ohio Board of Zoning Appeals Report

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### BACKGROUND INFORMATION

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Applicant/Owner: Piaj Hunter  
1817 Hancock St.  
Sandusky, OH 44870

Site Location: Hancock St.  
Sandusky, OH 44870

Zoning: R2F – Two Family Residential

Surrounding Zoning: North: R2F – Two Family Residential  
East: R2F – Two Family Residential  
South: R2F – Two Family Residential  
West: R2F – Two Family Residential

Surrounding Uses: Residential

Existing Use: Residential

Proposed Use: Residential

Applicable Plans & Regulations: City of Sandusky Zoning Code Section 1129.14

Variance Requested: 1) A variance to allow 1.7 feet (1 foot 8.4 inches) of encroachment into the minimum combined side yard setback at parcel (57-05212.000)

## SITE DESCRIPTION

(Subject Property Outlined in blue)



### Zone Map Setbacks



### PUD - Planned Unit Development



### Parcels



### TRO - Transient Rental Overlay



### Zoning



AG - Agriculture



CA - Commercial Amusement



CR - Commercial Recreation



CS - Commercial Service



DBD - Downtown Business



GB - General Business



GM - General MAnufacturing



LB - Local Business



LM - Local Manufacturing



P - Auto Parking



PF - Public Facilities



R1-40 - Single Family Residential



R1-50 - Single Family Residential



R1-60 - Single Family Residential



R1-75 - Single Family Residential



R2F Two-Family Residential



RB - Roadside Business



RMF - Multi-Family Residential



RRB - Residential/Business



RS - Residential Suburban



Bird eye photo from (3/14/2021)







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#### PROJECT DESCRIPTION

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The parcel is located in the central portion of Sandusky on Hancock street but has no mailing address.

The applicant wishes to build a 31 feet wide house. The current width of the parcel is 39.3'. The code states that there should a minimum 10 foot combined side yard setbacks from the side property lines for a structre in a "R2F" – Two Family Residential zone. The applicant needs a relief of 1.7 feet (1 foot 8.4 inches) to meet the criteria of the zoning code.

The parcel is 194 feet x 39.3 feet, totaling approximetely 7,624 sq. feet of parcel area.

The applicant owns the house to the north of this parcel.

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**RELEVANT CODE SECTIONS**

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**Chapter 1129 Residential Districts**

**1129.13 Area, Yard, and Height Regulations**

(a) The area of a zoning lot shall be not less than the area in square feet required for each unit as set forth in the schedule in Section 1129.14, multiplied by the number of units in the building. In an RRB District, the minimum area per unit in the aforesaid schedule may include one dwelling unit with a retail store or service unit on the same lot.

(d) (1) Two side yards shall be provided for every dwelling and for the stores and services permitted on the zoning lot in an RRB District. The width of either side yard of a lot shall be not less than the width for a single yard, as set forth in Section 1129.14, and the width of both side yards shall be not less than the total width as set forth in Section 1129.14 for the district in which it is located; except that any side yard containing a driveway shall be not less than 10 feet wide, and the other side yard of the lot shall be not less than the minimum yard width designated. 3-152. Passed 10-14-03.)

**1129.14 Schedule of Area, Yard, And Height Requirements**

		Minimum lot size			Minimum yard dimensions			Max. Height	
			Width at Front building depth line		Side Width		Rear Depth	Main Building	
District	Dwelling or building type	Area per unit (sq. ft.)	(ft.)	(ft.)	Single (ft.)	Total (ft.)	30% or (ft.)	Story	Ft.
R2F	1 Fam. Dw.	4,300	33	25	3	10	40	2	30
	2 Fam. Dw.	2,750	40	25	3	10	40	2	30

## **1111.06 POWERS OF THE BOARD OF ZONING APPEALS.**

### **1111.06(c)(1)**

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:

**A. Whether the variance is substantial;**

The variance sought in this case is not 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;**

It would appear that the proposed setback would not substantially alter the character of the 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 affect the delivery of government services.

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

No, the owners were not aware of the restriction.

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

The owner would have to build a house less than 30 feet wide. The current plans would not allow that.

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

A home barely into the required side yard would not impose on these requirements.

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

No.

**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.**

The granting of the variance would not be contrary to the intent and objective of the Zoning Code.

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**DIVISION OF PLANNING COMMENTS**

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The parcel meets the minimum lot size requirements and minimum width requirements. Historic development in Sandusky has minimal setbacks between the structures if any at all. These old developments have been functional for decades. This proposal will exceed these historic development requirements.

There is 8 feet & 3.6 inches of useable side setbacks as proposed. The minimum is 3 feet on one side.

Staff supports new residential development in the city and is happy to see the applicant's investment proposal. The proposal will not substantially impact this neighborhood and is appropriate.

An additional permitting process will be required before construction.

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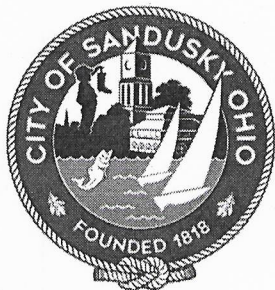
**CONCLUSION/RECOMMENDATION**

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Planning staff supports the requested variance on Hancock St. (parcel 57-05212.000) and suggests the following conditions upon approval:

1. All necessary permits are obtained through the Building, Engineering, and Planning departments prior to construction.





## **BOARD of ZONING APPEALS**

### *Application for a Zoning Variance*

Department of Community Development  
240 Columbus Ave Sandusky, Ohio 44870

419.627.5891

[www.cityofsandusky.com](http://www.cityofsandusky.com)

## **Instructions to Applicants**

**MEETINGS:** 3<sup>rd</sup> Thursday of each month at 4:30 P.M.\* – City Commission Chamber, First Floor of City Hall.

*\*Meeting dates are subject to change. Please check [www.cityofsandusky.com/BZA](http://www.cityofsandusky.com/BZA) for an updated schedule.*

**DUE DATE FOR SUBMITTALS:** Applications are due by 5:00 P.M. on the date of the preceding month's Board of Zoning Appeals meeting.

**WHO MUST ATTEND:** The property owner, or the authorized agent of the owner, must be present at the BZA meeting for all variance requests.

**APPLICATION FEE:** \$100

**SUBMISSION REQUIREMENTS:** Please provide either a hard copy or electronic copy of the following:

- 1) Completed application
- 2) Copy of a site plan (drawn to scale and dimensioned) which shows the following items (as applicable):
  - 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) Elevation drawings for height variances
  - g) Setbacks from lot lines for existing & proposed construction
  - h) Location of other pertinent items (signs, outdoor storage areas, gasoline pump islands, etc.)

**Please note that the granting of a variance is not a Building Permit. A separate Building Permit must be issued prior to all construction.**

Submit application and materials to:

City of Sandusky  
Department of Community Development  
240 Columbus Ave.  
Sandusky, OH 44870

Contact Alec Ochs, Assistant Planner, at 419-627-5973 or [aochs@ci.sandusky.oh.us](mailto:aochs@ci.sandusky.oh.us) with any questions.

## Application for Board of Zoning Appeals

### STAFF USE ONLY:

Filing Date: \_\_\_\_\_ Hearing Date: \_\_\_\_\_ Reference Number: \_\_\_\_\_

Address of Property (or parcel number) for Variance Request: 57-05212.000

Name of Property Owner: Piggy Hunter

Mailing Address of Property Owner: 1817 Hancock St

City: Sandusky State: Oh Zip: 44870

Telephone #: 419 975-1526 Email: Big Kong hunter@gmail.com

If same as above check here ☒

Name of Applicant: \_\_\_\_\_

Mailing Address of Applicant: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone #: \_\_\_\_\_ Email: \_\_\_\_\_

Description of Proposal:

Variance Requested: I need a variance of .7 feet on parcel # 57-05212.000 to complete the build of a 30' wide home.

Section(s) of Zoning Code: 1129.14 Schedule of area, yard, & Height requirement

  
Signature of Property Owner

5-18-22

Date

\_\_\_\_\_  
Signature of Authorized Agent

\_\_\_\_\_  
Date

APPLICATION #BZA-001

UPDATED 12/2/2019

## PRACTICAL DIFFICULTIES

(For ALL variance requests)

According to Chapter 1111.06(c)(1) of the Sandusky Code of Ordinances, the Board of Zoning Appeals must determine that a "practical difficulty" exists in order to approve a variance. The Board must consider the following factors. Please completely fill out all sections:

- 1) Would the variance be substantial? NO
- 2) Would the variance substantially alter the character of the neighborhood or would adjoining property owners suffer a substantial detriment because of the variance? NO
- 3) Would the variance adversely affect the delivery of government services (e.g. water, sewer, fire, police)? NO
- 4) Was the property purchased with the knowledge of the zoning restrictions? NO
- 5) Can the property owner's predicament be resolved through some method other than a variance? NO
- 6) Would the spirit and intent behind the zoning requirement would be observed and substantial justice done by the granting of the variance?
- 7) Would the property yield a reasonable return or can there be a beneficial use of the property without a variance? NO
- 8) Would the granting of the variance be contrary to the general purpose, intent and objective of the Zoning Code or other adopted plans of the City? NO



## UNNECESSARY HARDSHIP

(ONLY for variance requests involving a use of the property that is not permitted by the Zoning Code)

According to Chapter 1111.06(c)(2) of the Sandusky Code of Ordinances, the Board of Zoning Appeals must determine that an "unnecessary hardship" exists in order to approve a use variance. The Board must determine that ALL of the following conditions have been met. Please completely fill out all sections:

- 1) Does the variance request 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 be an action or actions of the property owner or the applicant? NO
  
- 2) Would the granting of the variance will adversely affect the rights of the adjacent property owners or residents? NO
  
- 3) Does the strict application of the Zoning Code of which the variance is requested constitute unnecessary hardship upon the property owner or the applicant? Yes
  
- 4) That the variance desired will not adversely affect the public health, safety, morals or general welfare. NO
  
- 5) That the granting of the variance desired will not be opposed to the general spirit and intent of the Zoning Ordinance NO

5' 10" ↑

← 194 →

57-65213.000

$$\begin{array}{r} 39.3 \\ - 31.0 \\ \hline 8.3 \end{array}$$
  
Need .7 ft

5' 7"

4 ft 2"

10'

← 31' →

Front ← 39.3 →

3' ↑

# BOARD OF ZONING APPEALS REPORT

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APPLICATION FOR AN AREA VARIANCE TO ALLOW  
DWELLING UNITS SMALLER THAN THE MINIMUM  
DWELLING AREA REQUIREMENTS AT  
3712 VENICE RD.  
PARCEL (60-00018.000)

Reference Number: PVAR22-0013

Date of Report: June 8, 2022

Report Author: Alec Ochs, Assistant Planner



## City of Sandusky, Ohio Board of Zoning Appeals Report

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### BACKGROUND INFORMATION

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Applicant/Owner: Views on Venice, LLC - Sean Sprouse  
301 46<sup>th</sup> St.  
Sandusky, OH 44870

Site Location: 3712 Venice Rd.  
Sandusky, OH 44870

Zoning: GM – General Manufacturing

Surrounding Zoning: North: LM – Local Manufacturing  
East: GM – General Manufacturing  
South: GM – General Manufacturing  
West: GM – General Manufacturing

Surrounding Uses: Residential

Existing Use: Residential

Proposed Use: Residential

Applicable Plans & Regulations: City of Sandusky Zoning Code Section 1145.06

Variance Requested: 1) A variance to allow dwelling units smaller than the minimum dwelling area requirements.

## SITE DESCRIPTION

(Subject Property Outlined in red)



### Zone Map Setbacks



### PUD - Planned Unit Development



### Parcels



### TRO - Transient Rental Overlay



### Zoning



AG - Agriculture



CA - Commercial Amusement



CR - Commercial Recreation



CS - Commercial Service



DBD - Downtown Business



GB - General Business



GM - General MAnufacturing



LB - Local Business



LM - Local Manufacturing



P - Auto Parking



PF - Public Facilities



R1-40 - Single Family Residential



R1-50 - Single Family Residential



R1-60 - Single Family Residential



R1-75 - Single Family Residential



R2F Two-Family Residential



RB - Roadside Business



RMF - Multi-Family Residential



RRB - Residential/Business



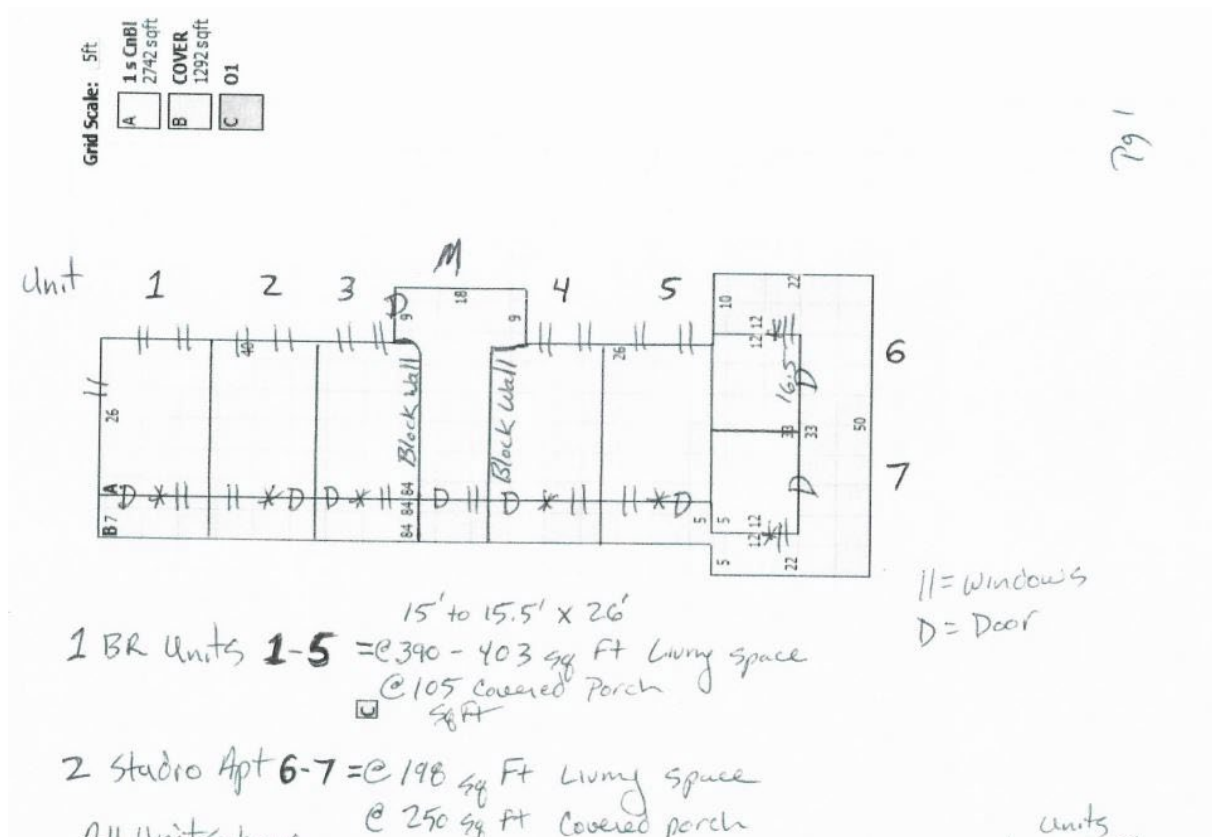
RS - Residential Suburban







Street view from 2019



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## PROJECT DESCRIPTION

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The applicant would like to turn the old Bayview motel into apartments. The motel rooms do not meet the minimum dwelling size of a RMF – Residential multi-family district. The applicant is seeking a variance for the minimum dwelling size allowed in the least restrictive contiguous district in the zoning code (please see staff comments).

Variance requested:

Five 1 bedroom apartments ranging in size from 390-403 sq. feet.

- The applicant is seeking a 10 sq. ft. relief for the units that are below 400 sq. ft.

Two studio apartment efficiency's units at 198 sq. ft.

- The applicant is seeking a 202 sq. ft. relief for these units.

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## RELEVANT CODE SECTIONS

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### CHAPTER 1133

#### Business Districts

##### **1133.06 PERMITTED BUILDINGS AND USES; GENERAL BUSINESS DISTRICT.**

(a) Main Buildings and Uses.

- (1) All stores, services, dwellings, and other uses permitted in Roadside Business Districts;

##### **1133.05 PERMITTED BUILDINGS AND USES; ROADSIDE BUSINESS DISTRICT.**

(a) Main Buildings and Uses.

- (1) All stores, services, dwellings, and other uses permitted in Local Business Districts;

##### **1133.04 PERMITTED BUILDINGS AND USES; LOCAL BUSINESS DISTRICT.**

(a) Main Buildings and Uses.

- (1) Dwellings, of the type permitted and as regulated in the least restrictive contiguous district;

### CHAPTER 1139

#### Manufacturing Districts

##### **1139.04 CONDITIONAL USE PERMIT.**

- (a) Existing dwellings and accessory buildings in a manufacturing district may be expanded or improved by a conditional use permit, providing the dwellings and accessory buildings, when expanded or improved, are of the type permitted and as regulated in the least restrictive contiguous district, and otherwise comply with the terms and provisions of this Zoning Code.

(..)

- (c) In addition to other standards set forth in the Code, it must be also determined that the proposed expansion or improvement to an existing dwelling or accessory building, or the construction of a new

dwelling or accessory building, will not unduly interfere with the assembly of land for industrial development.

## **CHAPTER 1145**

### **Supplemental Area and Height Regulations**

#### **1145.06 DWELLING UNIT AREA REQUIREMENTS.**

In order to promote healthful living conditions, and to preserve the value and character of residential neighborhoods, dwellings shall be erected, altered, moved, maintained, modernized, or used only in accordance with the following standards:

(a) Area of Dwelling Unit. The sum of the gross floor areas above the basement level, including those rooms and closets having a minimum ceiling height of 7 feet, and having the natural light and ventilation as required by the building code; rooms above the first floor may be included which are directly connected by a permanent stairs and hall, and spaces under pitched roofs having a minimum knee-wall height of 4 feet if 2/3 of the room area has a minimum ceiling height of 7 feet. The area shall be measured from the interior face of the enclosure walls at the first floor line, and the interior face of the walls of those rooms which may be included under a pitched roof for one-family dwellings, and measured from the center line of party walls where applicable for two-family or multifamily dwellings. There shall be excluded all areas within garages and porches for all dwellings; utility and general storage rooms in basementless dwellings; and public halls, and utility and general storage rooms in multifamily dwellings.

(b) Minimum Area. The minimum area of a dwelling unit, as defined in this section, shall be not less than set forth in the following schedule:

Multifamily	RMF	400
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#### **1111.06 POWERS OF THE BOARD OF ZONING APPEALS.**

##### **1111.06(c)(1)**

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:

##### **1. Whether the variance is substantial;**

The variance sought in this case is not substantial because the existing structure was used for multi-family since it was built. The new use has less impacts on neighbors than the previous use.

##### **2. 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;**

No. It is currently surrounded by other residential structures. The new one will be less traffic than the old use.

**3. 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. It would be better due to less police calls.

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

No, the owners were not aware of the restriction.

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

No. It would require a lot of time and extra money.

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

Yes it would provide clean, safe and affordable housing

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

No.

**8. 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.**

The granting of the variance would not be contrary to the intent and objective of the Zoning Code.

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 is on a relatively small manufacturing parcel.

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

No, the use is becoming more restrictive.

- 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 determined that strict application of the code would create unnecessary hardships for the applicant. Adhering to the current code would significantly restrict the use of the site and the applicants investment.

**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.

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**DIVISION OF PLANNING COMMENTS**

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Staff has determined a variance to allow the minimum dwelling size to be below the zoning code standard would not interfere with the spirit and intent of the zoning code. The pre-existing use had a higher volume of traffic, turnover of occupants and negative correlation among City residents. Staff see's this proposal as a more restrictive use and better fits the existing residential character of adjacent uses more than a motel.

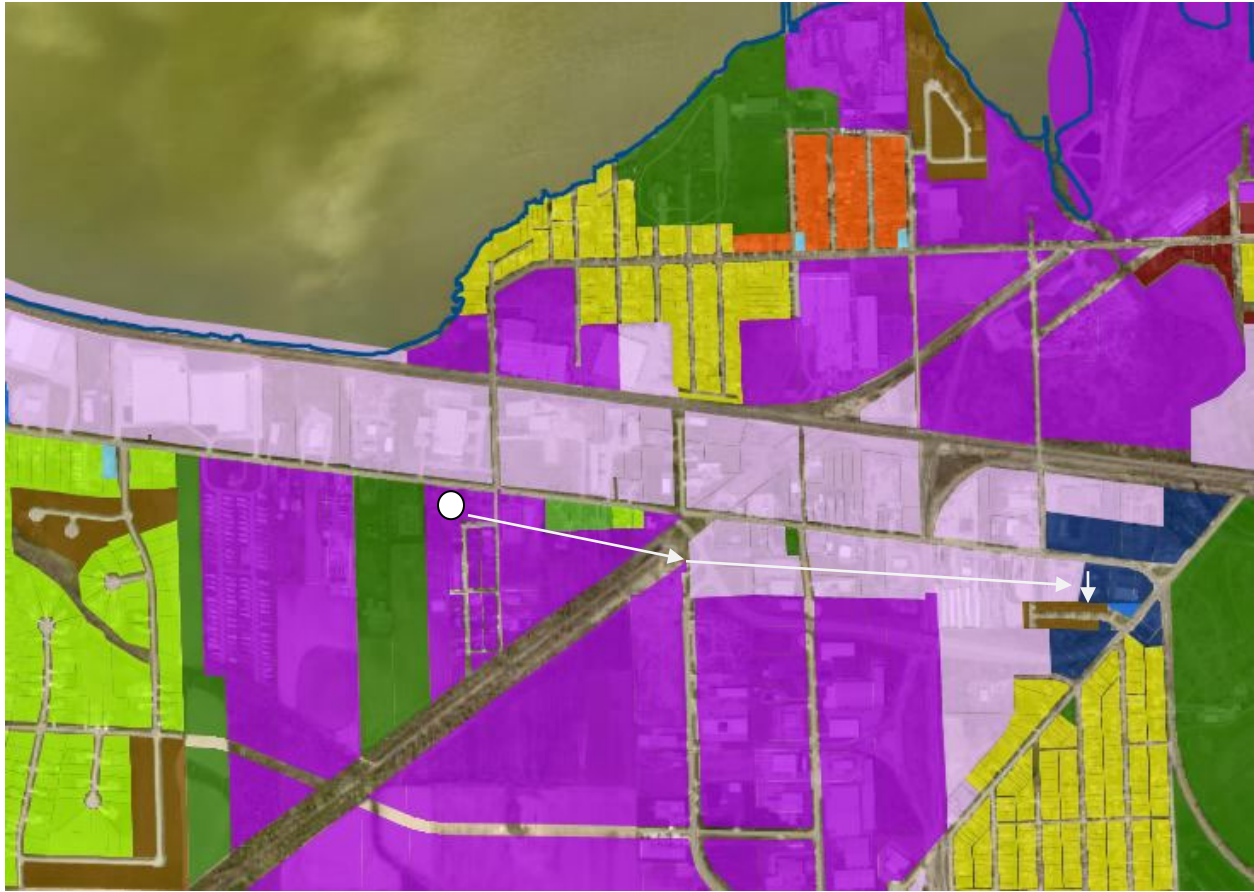
The building department did confirm that this proposal does not exceed state or federal building code requirements for minimum sq. ft. per dwelling.

An additional process through Planning Commission is required for full approval.

- The applicant needs approval at the 6/16 BZA meeting in order to move forward in the process

An additional permit and inspections process through City Departments is required prior to full approval.

Staff has determined the parcel is too small and has too much residential surrounding uses to be used for manufacturing.



GM → LM → GB → RMF

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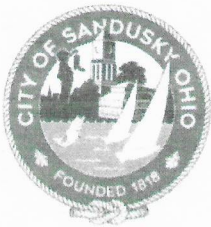
#### CONCLUSION/RECOMMENDATION

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Planning staff supports the requested variance at 3712 Venice Rd. (parcel 60-00018.000) and suggests the following conditions upon approval:

1. All necessary permits are obtained through the Building, Engineering, and Planning departments prior to construction.





## **BOARD of ZONING APPEALS**

*Application for a Zoning Variance*

Department of Community Development  
240 Columbus Ave Sandusky, Ohio 44870  
419.627.5891  
[www.cityofsandusky.com](http://www.cityofsandusky.com)

### **Instructions to Applicants**

**MEETINGS:** 3<sup>rd</sup> Thursday of each month at 4:30 P.M.\* – City Commission Chamber, First Floor of City Hall.  
*\*Meeting dates are subject to change. Please check [www.cityofsandusky.com/BZA](http://www.cityofsandusky.com/BZA) for an updated schedule.*

**DUE DATE FOR SUBMITTALS:** Applications are due by 5:00 P.M. on the date of the preceding month's Board of Zoning Appeals meeting.

**WHO MUST ATTEND:** The property owner, or the authorized agent of the owner, must be present at the BZA meeting for all variance requests.

**APPLICATION FEE:** \$100

**SUBMISSION REQUIREMENTS:** Please provide either a hard copy or electronic copy of the following:

- 1) Completed application
- 2) Copy of a site plan (drawn to scale and dimensioned) which shows the following items (as applicable):
  - 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) Elevation drawings for height variances
  - g) Setbacks from lot lines for existing & proposed construction
  - h) Location of other pertinent items (signs, outdoor storage areas, gasoline pump islands, etc.)

**Please note that the granting of a variance is not a Building Permit. A separate Building Permit must be issued prior to all construction.**

Submit application and materials to:

City of Sandusky  
Department of Community Development  
240 Columbus Ave.  
Sandusky, OH 44870

Contact Alec Ochs, Assistant Planner, at 419-627-5973 or [aochs@ci.sandusky.oh.us](mailto:aochs@ci.sandusky.oh.us) with any questions.

Application for Board of Zoning Appeals

STAFF USE ONLY:

Filing Date: \_\_\_\_\_ Hearing Date: \_\_\_\_\_ Reference Number: \_\_\_\_\_

Address of Property (or parcel number) for Variance Request: 3712 Venice Rd Sandusky, OH

Name of Property Owner: Views on Venice LLC- Sean Sprouse, Member

Mailing Address of Property Owner: 301 46th St

City: Sandusky State: OH Zip: 44870

Telephone #: 614-361-0885 Email: sean@rentnas.com

If same as above check here ☒

Name of Applicant: \_\_\_\_\_

Mailing Address of Applicant: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone #: \_\_\_\_\_ Email: \_\_\_\_\_

Description of Proposal:

We are converting the old Bayview motel into apartments. Requesting variance on room sizes for an existing structure to be used as apartments.

Variance Requested:

- 5- 1 BR Units ranging in size from 390-403 sq ft
- 2- Studio apartment efficacy units that are 198 sq ft

Section(s) of Zoning Code:

1145.06(b)(c) Dwelling unit area

 5/16/22  
Signature of Property Owner Date

APPLICATION #BZA-001

\_\_\_\_\_  
Signature of Authorized Agent Date

## PRACTICAL DIFFICULTIES

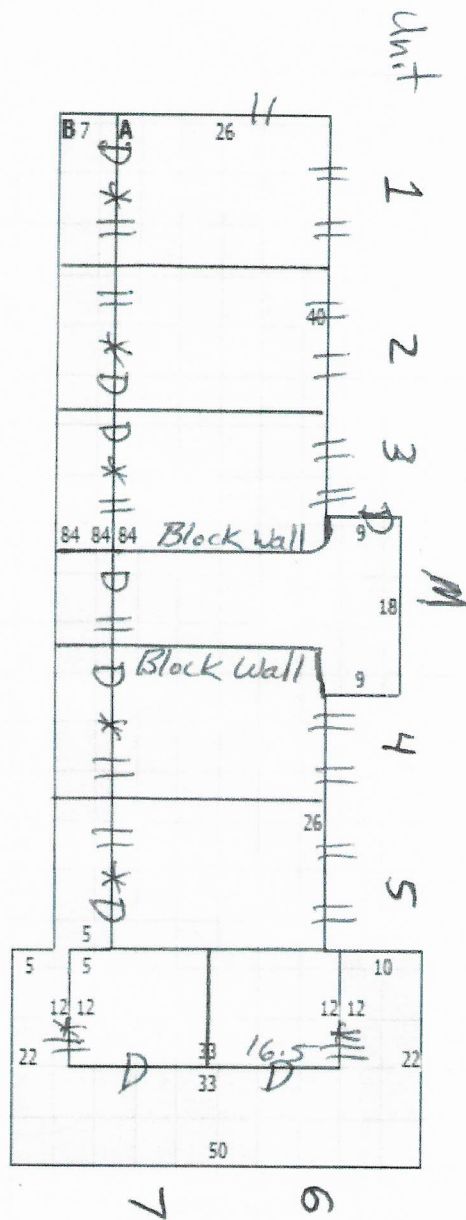
(For ALL variance requests)

According to Chapter 1111.06(c)(1) of the Sandusky Code of Ordinances, the Board of Zoning Appeals must determine that a "practical difficulty" exists in order to approve a variance. The Board must consider the following factors. Please completely fill out all sections:

- 1) Would the variance be substantial?  
No, this is an existing structure that has been used in a multi-family capacity since it was built. The proposed use is less impact to the neighbors than the prior use.
- 2) Would the variance substantially alter the character of the neighborhood or would adjoining property owners suffer a substantial detriment because of the variance?  
No, it is currently surrounded by other residential structures. The new use will be less intense traffic in the neighborhood.
- 3) Would the variance adversely affect the delivery of government services (e.g. water, sewer, fire, police)?  
It will have a positive affect due to the reduced police calls. The prior motel has a record of criminal activity and drug related calls.
- 4) Was the property purchased with the knowledge of the zoning restrictions?  
No, we were not aware of the size restrictions.
- 5) Can the property owner's predicament be resolved through some method other than a variance?  
Not feasibly. It would require substantial construction and expense.
- 6) Would the spirit and intent behind the zoning requirement would be observed and substantial justice done by the granting of the variance?  
Yes, It will help provide clean, safe, and affordable permanant housing.
- 7) Would the property yield a reasonable return or can there be a beneficial use of the property without a variance?  
It was originaly built like apartments. Its highest and best use per the appraisal is apartment use.
- 8) Would the granting of the variance be contrary to the general purpose, intent and objective of the Zoning Code or other adopted plans of the City?  
No, It will help provide clean, safe, and affordable permanant housing.

Grid Scale: 5ft

A	1 s CnBl 2742 sqft
B	COVER 1292 sqft
C	O1



1 BR units **1-5** 15' to 15.5' x 26'  
= 390 - 403 sq ft

= 390 - 403 sq ft living space  
@ 105 covered porch  
sq ft

$W = \text{window}$   
 $D = \text{door}$

2 studio Apt 6-7 = @ 198 sq Ft living space

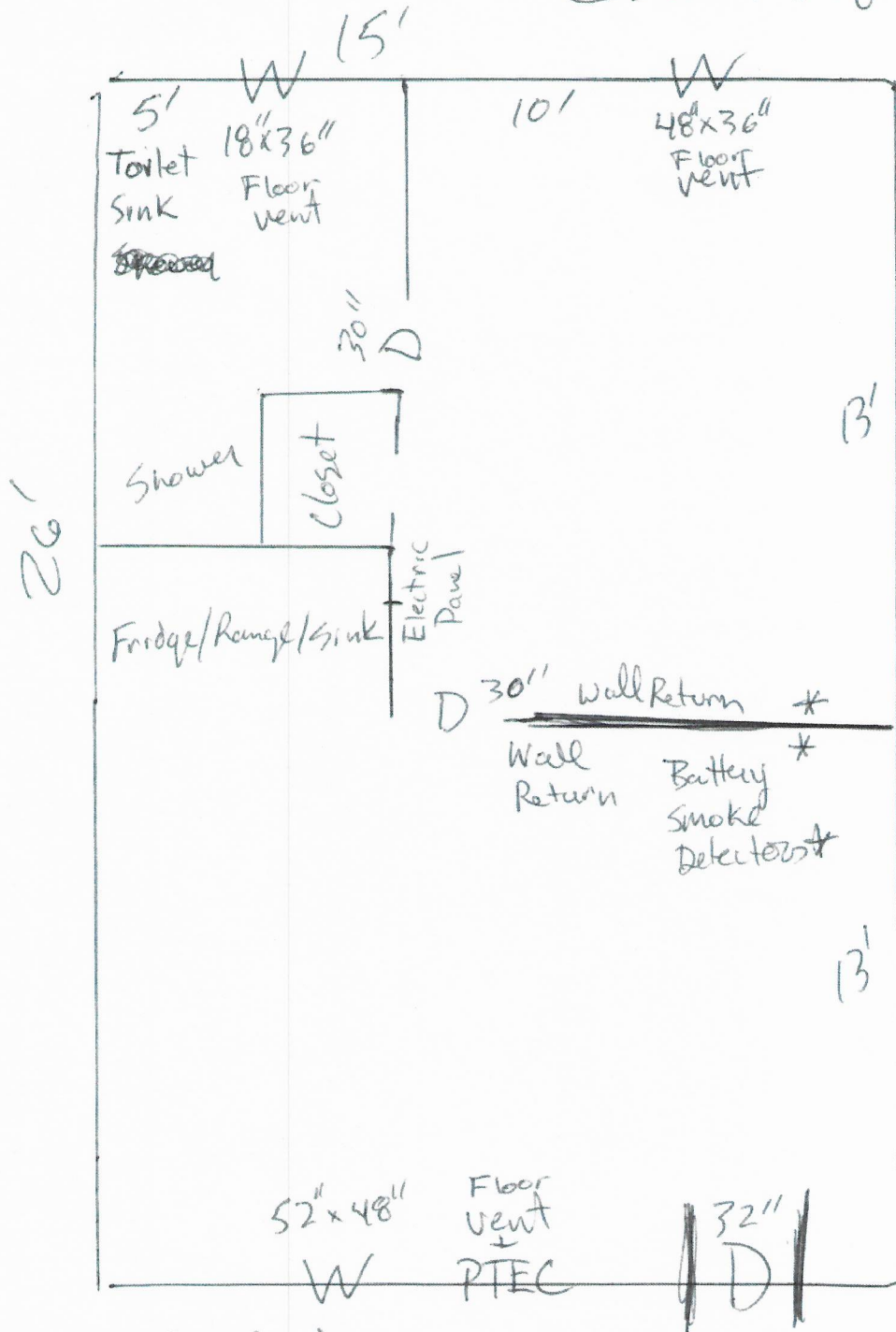
All units have @ 250 sq ft covered porch

- \* PTEC HVAC in addition to Shared Forced Air Furnace
- \* Damper vents and returns in all rooms

$$\text{Furniture 1} = 1 - 3 + \text{pm}$$



typical 1 BR unit @ 390-403 sq ft



D=DOOR W=Window

Pg 2

Typical 1400 sq ft existing  
@ 1985 sq ft

