



Board of Zoning Appeals

240 Columbus Ave
Sandusky, Ohio 44870

419.627.5715

www.cityofsandusky.com

Agenda

October 20, 2022

4:30 pm

Virtual Meeting via Microsoft Teams and
Live Streamed on www.Youtube.com/CityofSanduskyOH

-
1. Meeting called to order – Roll Call
 2. Review of minutes from the August 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:
 - **3201 West Monroe Street**
A variance to Zoning Code Section 1143.08(b) to construct a monument sign which exceeds the maximum sq. ft. requirements and encroaches 10 feet into the required front yard setback in a Residential Zoning District.
 - **615 Anderson Street**
A variance to Zoning Code Section 1145.17(g) to construct a 6 foot high fence in a side yard in a Residential Zoning District.
 - **1131 Erie Boulevard**
A variance to Zoning Code Sections 1145.10 and 1145.17(g) to expand a 4 ft. fence in the required front yard setback in a Residential Zoning District.
 - **630 Cold Creek Boulevard**
A variance to Zoning Code Section 1129.14 to allow 3 foot 10 inches of encroachment into the minimum side yard setback in a Residential Zoning District.
 5. Other Business
 6. Adjournment Next Meeting: November 17, 2022

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

Board of Zoning Appeals

August 18, 2022

Minutes

Meeting called to order:

Chairman John Feick called the meeting to order at 4:30pm. The following voting members were present: Dan Delahunt, and Mr. Matthews. Alec Ochs represented the Community Development Department and Sarah Chiappone represented the Law Department. Also present was City Commission Liaison Dave Waddington, Community and clerk Kristen Barone.

Review of minutes from July 21, 2022:

Mr. Matthews moved to approve the minutes as submitted and Mr. Delahunt 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) 842 North Depot Street- A variance to Zoning Code Section 1139.06 (i)(1) to construct a 10 foot high fence in a Manufacturing Zoning District.

Mr. Ochs presented the staff report to the committee members, which they all received before the meeting and was posted on the City's website for the public. Mr. Ochs ended his remarks stating that given the unique location of this property, Planning staff supports a variance at 842 Depot St. (58-02959.000). Staff recommends one of the following two options for the Board of Zoning Appeals to Consider rather than the variance as proposed by the applicant: 1) The fence remains at 10 feet but the barbed wire is removed or 2) The fence is lowered to a maximum height of 8 feet and the barbed wire remains. Staff suggests the following conditions upon approval: 1. All necessary permits are obtained through the Building, Engineering, and Planning Departments. Applicant Tom Billman attended the meeting to answer any questions the Board of Zoning Appeals members had. Mr. Delahunt moved to approve the application as submitted by the applicant. Mr. Matthews seconded the motion. All voting members were in favor of the motion and the motion was approved.

Adjournment:

Mr. Matthews moved to adjourn the meeting, Mr. Feick seconded, and the meeting ended at 4:49pm.

Next meeting:

September 15, 2022

APPROVED:

Kristen Barone, Clerk

John Feick, Chairman

BOARD OF ZONING APPEALS REPORT

APPLICATION FOR AN AREA VARIANCE TO
CONSTRUCT A MONUMENT SIGN IN A RESIDENTIAL
DISTRICT WHICH EXCEEDS THE MAXIMUM SQ. FT.
REQUIREMENTS AND ENCROACHES IN THE FRONT
SETBACK 10 FEET AT 3201 W. MONROE ST.
PARCEL (59-01180.000)

Reference Number: PVAR22-0019

Date of Report: October 11, 2022

Report Author: Alec Ochs, Assistant Planner



City of Sandusky, Ohio Board of Zoning Appeals Report

BACKGROUND INFORMATION

Applicant/Owner: Erie County Board of Health
420 Superior St.
Sandusky, OH 44870

Site Location: 420 Superior St.
Sandusky, OH 44870

Zoning: R1-40 – Single-Family Residential

Surrounding Zoning: North: R2F– Two-Family Residential
East: LB – Local Business
South: R1-40 – Single-Family Residential
West: R2F– Two-Family Residential

Surrounding Uses: Residential, Business, Health Department

Existing Use: Residential

Proposed Use: Vacant Lot

Applicable Plans & Regulations: City of Sandusky Zoning Code Section 1143.08(b), 1129.14

Variance Requested: 1) An area variance to construct a monument sign in a residential district which exceeds the maximum sq. ft. requirements and encroaches in the front setback 10 feet.

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

Bird eye photo from (3/14/2021)

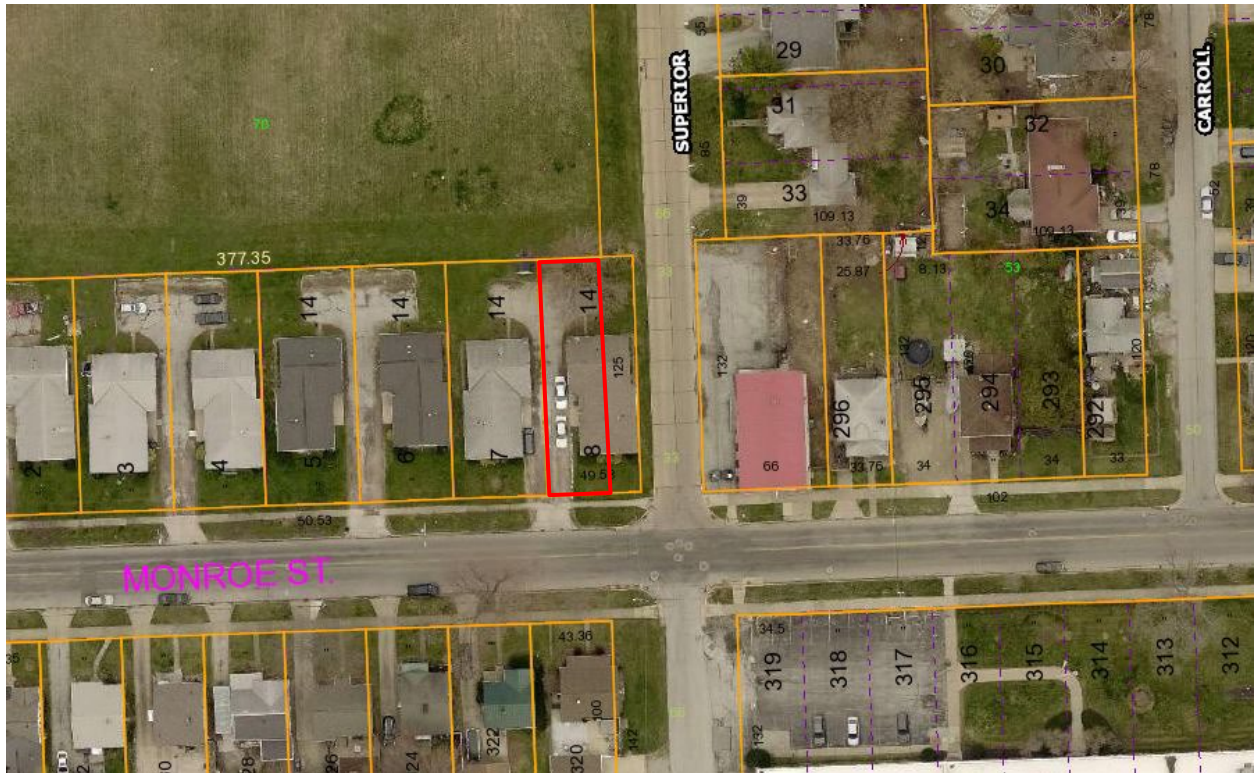


Photo from 9/2016



PROJECT DESCRIPTION

The applicant would like to construct a monument sign in a residential district which exceeds the maximum sq. ft. requirements for a monument sign in a residential district and encroaches in the minimum front yard setback.

The zoning code restricts monument signs 32 sq. ft. per sign and must not exceed a 15 ft. front yard setback. The proposed sign is for the entrance to the Erie County Board of Health's campus. As proposed the sign will have a 5 foot setback, and will be a 60.5 sq. ft. sign with the sign base included.

DEPARTMENT OF PLANNING COMMENTS

The parcel the sign is proposed to be placed is zoned R2F – Two family Residential but will be used by a public organization. The Health Department is zoned PF – Public Facilities. This parcel was recently acquired by the city in partnership with Erie County Board of Health, to be leased by the Board of Health and create a gateway to their entrance on Superior Street. The current house on the site is to be removed to put an entrance monument sign and a sidewalk for the Health Department. Part of this parcel was split and is in the process of being dedicated as city Right-of-Way.

RELEVANT CODE SECTIONS

CHAPTER 1143
Sign Regulations

1143.08 ALLOWABLE SIGNAGE

(a) Public Facilities Districts.

(1) For any permitted use in a public facilities district, with the exception of hospitals or health clinics, forty (40) square feet of signage shall be permitted.

A. Any freestanding sign permitted for the above shall not exceed eight and one half (8½) feet in overall height (monument style).

(2) For hospitals or health clinics, signage shall be determined based upon the development due to the necessity for increased signage to facilitate persons in emergency situations.

(b) Residential Districts.

(1) One (1) subdivision development sign per entrance to subdivision. Sign can be located at the entrance to subdivision only, and cannot exceed thirty-two square feet.

(2) A single-family residential subdivision or multiple-family residential complex may be permitted one monument sign per entrance not to exceed thirty-two square feet per sign.

(3) Any freestanding sign permitted in a residential zoning district shall not exceed eight and one half feet in over all height (monument style).

(4) Signage, other than the above mentioned, exceeding nine (9) square feet shall require a conditional use permit.

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:

The applicant responded:

1. Whether the variance is substantial;

i. No

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;

i. No

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

i. No. The proposed sign would help identify the location / entrance

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

i. Yes

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

i. No

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

i. Yes

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

i. 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.**

i. No

1111.06(c)(2)

Other variances. The Board may authorize a variance, other than a lot area or setback variance, in specific cases, from the strict application of the Zoning Code; provided that it has considered the factors enumerated in subsections (c)(1)A. through H. hereof and further provided that all the conditions enumerated subsections (c)(2)A. through E. hereof have been met:

The applicant responded:

- 1. 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 be an action or actions of the property owner or the applicant;**

- i. Property was just acquired and is zoned residential even though the future land use of the property will be public facilities

- 2. **That the granting of the variance will not adversely affect the rights of the adjacent property owners or residents;**
 - i. No

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

- 4. **That the variance desired will not adversely affect the public health, safety, morals or general welfare; and**
 - i. No, granting a variance should benefit public health and safety – traffic flow

- 5. **That the granting of the variance desired will not be opposed to the general spirit and intent of the Zoning Ordinance.**
 - i. No

CONCLUSION/RECOMMENDATION

Planning staff supports the requested variance at 3201 Monroe St. (parcel 59-01180.000) and suggests the following conditions upon approval:

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

Application for Board of Zoning Appeals

STAFF USE ONLY:

Filing Date: _____ Hearing Date: _____ Reference Number: _____

Address of Property (or parcel number) for Variance Request: 420 Superior St.

Name of Property Owner: Eric County Board of Health

Mailing Address of Property Owner: 420 Superior St.

City: SANDUSKY State: OH Zip: 44870

Telephone #: 419-626-5623 Email: _____

If same as above check here ☐

Name of Applicant: Brady Signs Co

Mailing Address of Applicant: 1721 Hancock St.

City: SANDUSKY State: OH Zip: 44870

Telephone #: 419-626-5112 Email: monica@bradysigns.com

Description of Proposal:

To allow for a monument sign at the corner of Monroe and Superior on a recently acquired parcel that is still zoned residential, even though it will be used for commercial purposes.

Variance Requested:

Setback of 5' requested as well as an increase in allowed square footage to 52.5 sq ft or 60.5 sq ft if the monument base is included in the calculation.

Section(s) of Zoning Code:

1134.03

Pat T. Shale
Signature of Property Owner

09/20/2022
Date

Monica H. Fletcher 9/20/22
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?

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. Proposed Sign would help identify the Location / entrance.

- 4) Was the property purchased with the knowledge of the zoning restrictions?

Yes

- 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?

Yes

- 7) Would the property yield a reasonable return or can there be a beneficial use of the property without a variance?

Yes

- 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? *Property just acquired is zoned residential even though the future use of the property will be Commercial.*
- 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. Granting variance should benefit public Health and Safety.*
- 5) That the granting of the variance desired will not be opposed to the general spirit and intent of the Zoning Ordinance. *No*

BOARD OF ZONING APPEALS REPORT

APPLICATION FOR AN AREA VARIANCE TO
CONSTRUCT A 6 FT. FENCE IN THE SIDE YARD AT
615 ANDERSON ST.
PARCEL (56-00853.000)

Reference Number: PVAR22-0017

Date of Report: October 11, 2022

Report Author: Alec Ochs, Assistant Planner



City of Sandusky, Ohio Board of Zoning Appeals Report

BACKGROUND INFORMATION

Applicant/Owner: Thomas C. and Cynthia L Patterson
615 Anderson St.
Sandusky, OH 44870

Site Location: 615 Anderson St.
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 1145.17(g)

Variance Requested: 1) A variance to allow construction of a 6-foot privacy fence in the side yard. The code only permits a 4 foot fence in the side yard.

SITE DESCRIPTION

(Subject Property Outlined in red)



Zone Map Setbacks



PUD - Planned Unit Development



Parcels



TRO - Transient Rental Overlay



Zoning

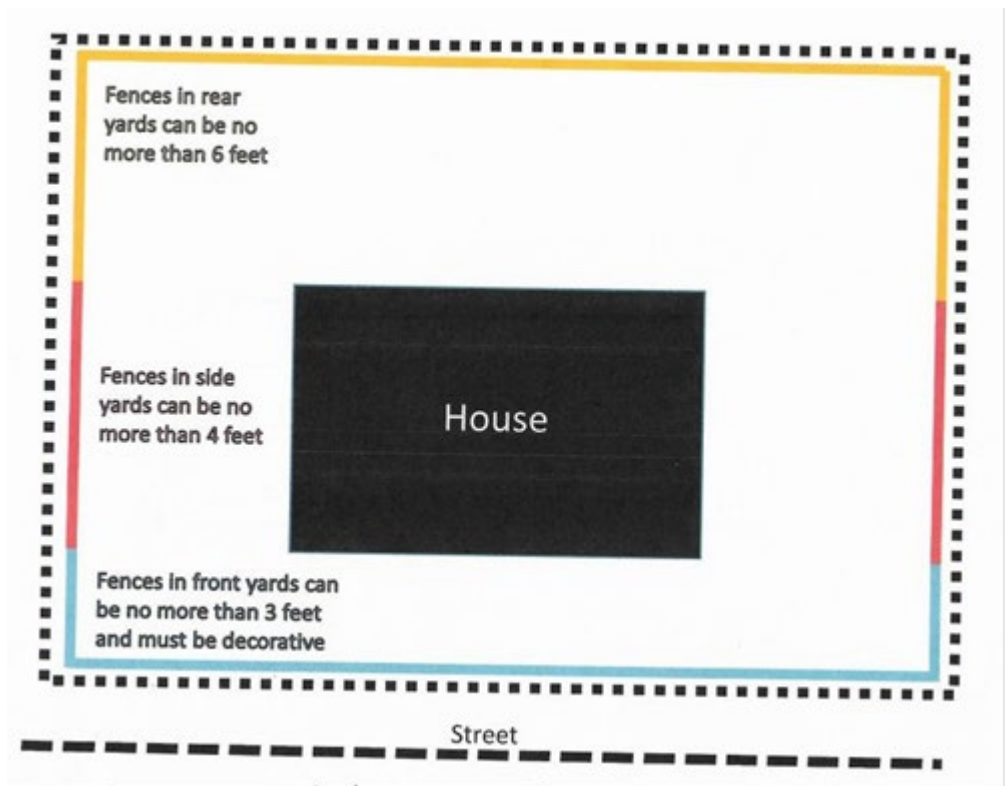
- AG - Agriculture
- CA - Commercial Amusement
- CR - Commercial Recreation
- CS - Commercial Service
- DBD - Downtown Business
- GB - General Business
- GM - General MANufacturing
- LB - Local Business
- LM - Local Manufacturing
- P - Auto Parking

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

Bird eye photo from (3/14/2021)





PROJECT DESCRIPTION

The applicant would like to install 6-foot wood privacy fence in the side yard setback 615 Anderson St. The applicant has stated the property to the south has been a nuisance property for about a decade and they would like to not look at the nuisance property anymore. The applicant also stated that the property to the south has recently been purchased to turn into an air bnb, further solidifying the applicants wish for a privacy fence.

The zoning code restricts fences to a height of 4' in the side yard setback.

DEPARTMENT OF PLANNING COMMENTS

There is a tree on the current property line between the applicant's home and the home to the south. From the street, if the tree remains, it would block pedestrian views of a portion of the proposed fence.

The proposed fence would be setback from both homes by approximately 10 feet from the house to the south and by over 20 feet from the house to the north.

RELEVANT CODE SECTIONS

CHAPTER 1145

Supplemental Area and Height Regulations

1145.17 LANDSCAPE FEATURES AND YARD STRUCTURES.

(g) Fences and Walls.

- (1) Fences and walls may be permitted along the lines of a side yard to a height of not more than four feet above grade and along the lines of a rear yard to a height of not more than six feet above grade, provided that any fence shall be of uniform design, painted and otherwise well maintained. Fences located adjacent to alleys or public rights of way shall be approved by the Director of Planning.
- (2) No barbed wire, spike tips or electrically charged fences shall be permitted in any residential district except where required for public uses.
- (3) On all corner lots, fences and walls proposed for construction within any setback adjacent to a public street shall be submitted to the Director of Planning for approval.
- (4) Where adjacent property lines, due to the configuration of the lots, have different provisions regulating the construction of fencing or walls, the most restrictive provisions shall apply where the fence would interfere with visibility from a driveway.
- (5) Fences shall be permitted in the front yard only as a decorative feature or along a side lot line when adjoining a less restrictive use with approval of the Commission.

1145.10 YARDS ON CORNER LOTS.

The depth of the front yard on a corner lot shall be not less than the required setback from the front lot line as defined in Section 1107.01. The width of the side yard on the side street shall be not less than one-half of the depth of the front yard required from the adjoining lot which abuts on the side street; except, for lots of record, the side yard along the side street may be not less than one-fourth of the

depth required for the adjoining front yards, unless shown otherwise on the Zone Map. The interior side yard shall be not less than the minimum width required for a single side yard of an interior lot.

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:

The applicant responded:

1. Whether the variance is substantial;

i. No

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;

i. No, the house at 621 Anderson St. unoccupied for 10 years.

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

i. No

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

i. No

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

i. No

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

i. Yes

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

i. 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.

i. No

CONCLUSION/RECOMMENDATION

Planning staff is not opposed to the requested variance at 615 Anderson St. (parcel 57-01185.000) and suggests the following conditions upon approval:

1. All necessary permits are obtained through the Building, Engineering, and Planning departments prior to construction.
2. The installed fence is aligned or behind the principal structure of the home (i.e. does not encroach past the front facade into the front yard).

Application for Board of Zoning Appeals

STAFF USE ONLY:

Filing Date: _____ Hearing Date: _____ Reference Number: _____

Address of Property (or parcel number) for Variance Request: 615 Anderson St. Sandusky

Name of Property Owner: Thomas C. and Cynthia K. Patterson

Mailing Address of Property Owner: 615 Anderson St.

City: Sandusky State: OH Zip: 44870

Telephone #: 419-625-9170 (H) Email: TP13 Diver@gmail.com
419-271-3095 (C)

If same as above check here ☒

Name of Applicant: _____

Mailing Address of Applicant: _____

City: _____ State: _____ Zip: _____

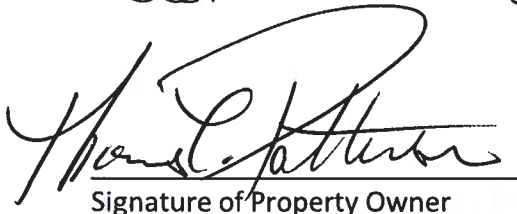
Telephone #: _____ Email: _____

Description of Proposal: Set posts @ least 36" in concrete inground up to the curb, then install metal posts into concrete curb using NS grout, attach wooden privacy fencing to the posts, step down from 6' privacy fence to 3' fence

Variance Requested:

We want a 6 foot privacy fence. The home @ 621 Anderson St. is up for sale and realtor stated it would be used for short-term rental, Air BnB. The house has not been inhabited for more than 10 years except for rodents, birds + stray cats. Code Compliance has been notified + "working on it."

Section 1145.17 (G)(1)


Signature of Property Owner

9/12/22
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? **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 - house at 621 Anderson St. unoccupied for 10 years**
- 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? **Yes**
- 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

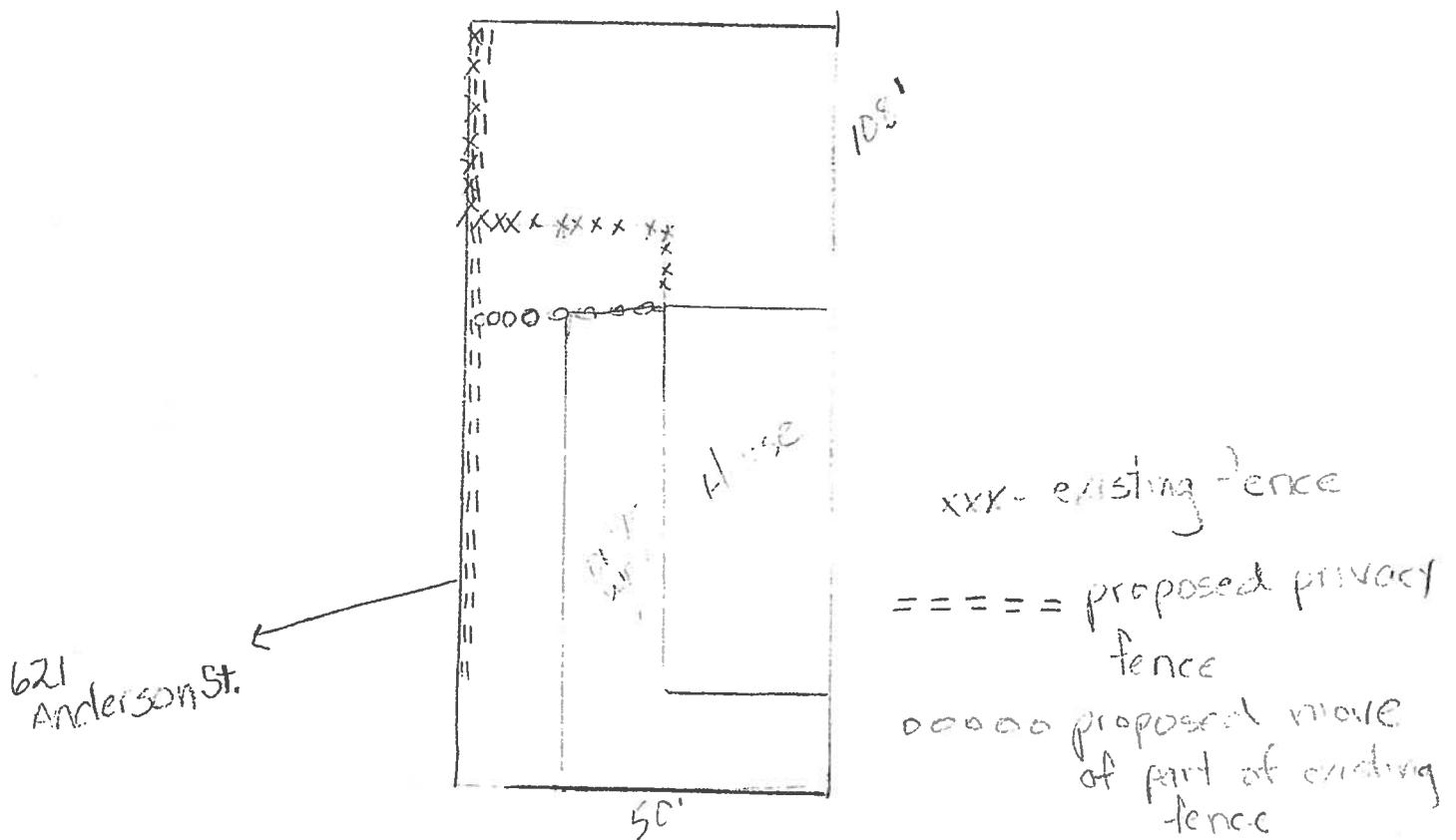
(ONLY for variance requests involving a use of the property that is not permitted by the Zoning Code)

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 - Property has been unoccupied for 10 years. Now for sale + realtor advise us it would be marketed for short-term rental, (Air BNB)**
- 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? **No**
- 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**

Note: all existing fences around the perimeter of the property are located on the curbing that encircles the lot.

615 Anderson St
Sandusky



==== wood privacy fence side yard
step down from 6' to 3'

House @ 621 Anderson St. has been unoccupied for approximate 10 years. During that time, it has become a home for ground hogs, skunks and stray cats. Before an upstairs window was put in, it also housed a lot of birds. The home is now for sale and the seller suggested it would be good for AirBnB etc. We want to maintain our privacy. The existing fence from our house to side yard will be moved forward to align with back of house

↑
621

↑ existing fence
mounted on
curbing

← Curbing inside
property line

615



621
garage

existing fence
on concrete
curb

621

615

— concrete curbing

↖ property line
survey completed
8/15/22

Concrete
curbing
in side
property
line

615

621





621 Anderson St.

621 Anderson
St.



621 Anderson St





TAMMY FRAZIER
330-321-6508
RUSSELL
FOR SALE

621

615

existing
concrete
curbing

Window
boarded in
approx. 2020.
Prior was open
+ birds flew
in & out.

621
Anderson St.

entrance
for groundhogs
etc.

BOARD OF ZONING APPEALS REPORT

APPLICATION FOR AN AREA VARIANCE TO EXPAND
A 4 FT. FENCE IN THE REQUIRED FRONT YARD
SETBACK AT 1131 ERIE BLVD.
PARCEL (57-01185.000)

Reference Number: PVAR22-0018

Date of Report: October 11, 2022

Report Author: Alec Ochs, Assistant Planner



City of Sandusky, Ohio Board of Zoning Appeals Report

BACKGROUND INFORMATION

Applicant/Owner: Todd & Jodi Parish
1131 Erie Blvd.
Sandusky, OH 44870

Site Location: 1131 Erie Blvd.
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 1145.10 1145.17(g)

Variance Requested: 1) A variance to allow construction of a 4-foot privacy fence in the required front yard setback. The code only permits a decorative fence in the front yard.

SITE DESCRIPTION

(Subject Property Outlined in red)



Zone Map Setbacks



PUD - Planned Unit Development



Parcels



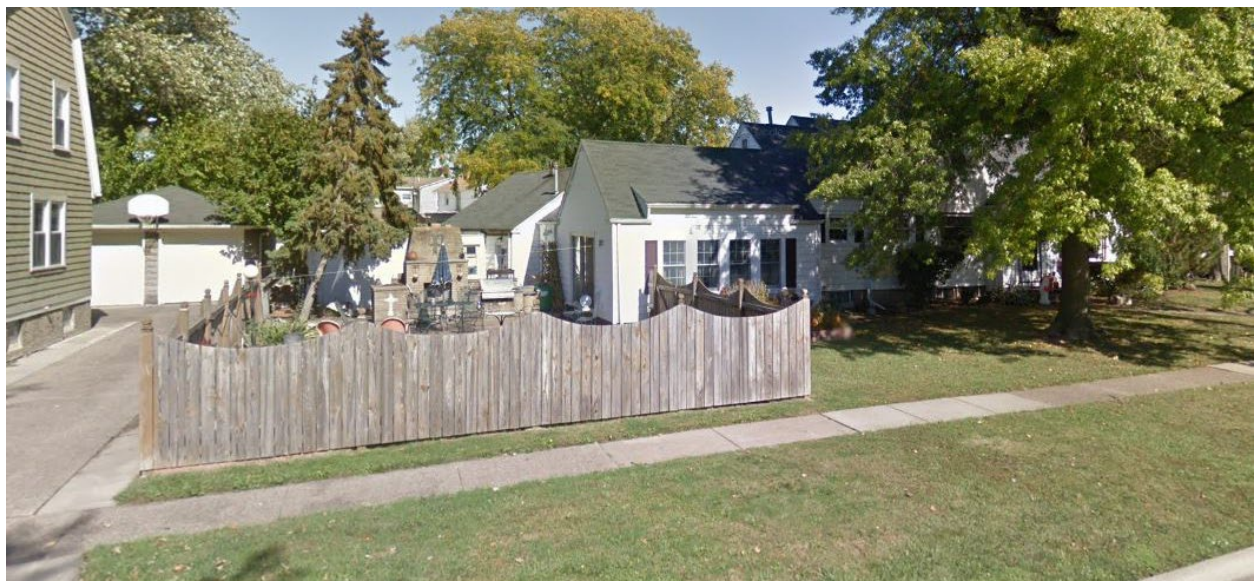
TRO - Transient Rental Overlay

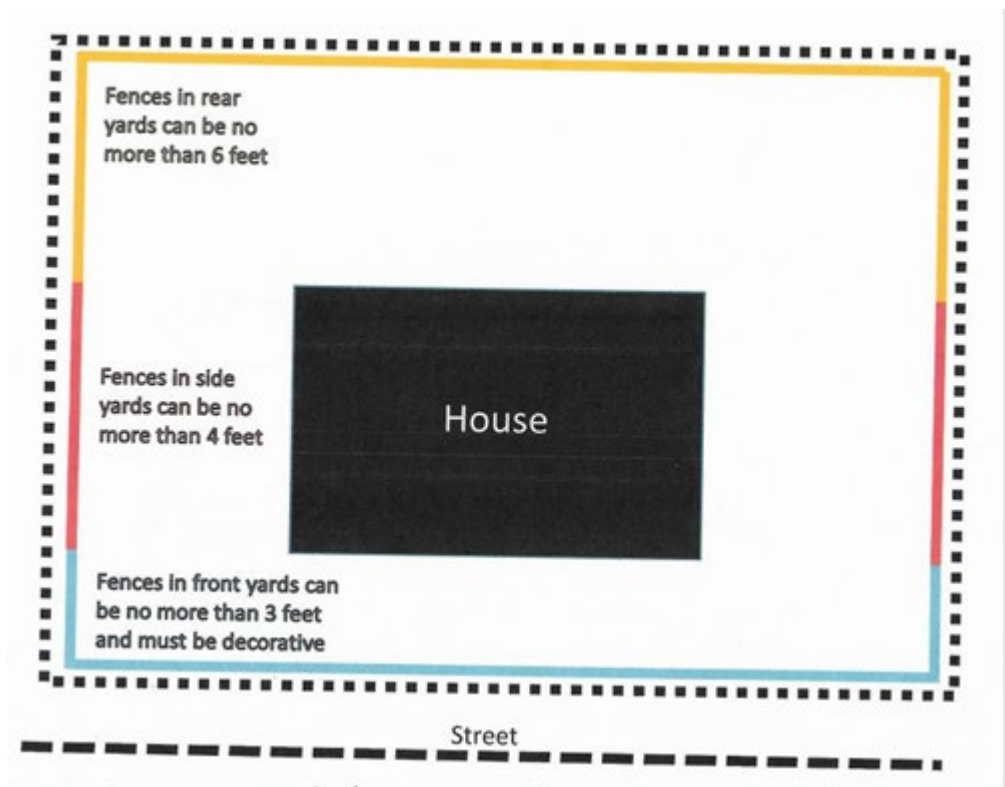


Zoning

- 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





PROJECT DESCRIPTION

The applicant would like to install 4-foot vinyl privacy fence in the required front yard setback at 1131 Erie Blvd. The current fence is convex-scalloped and wood. The fence will be changed to a straight top, no scallop, style fence. The applicant wishes to extend the current fence length from 28 feet adjacent to the sidewalk, to 47 feet adjacent to the sidewalk. The fence as proposed would align with the side segment of the home architecture.

The zoning code restricts fences to a height of 3' in the required front yard setback of a corner lot. The fence in a front yard must also be a decorative style fence.

DEPARTMENT OF PLANNING COMMENTS

The parcel is unique and does have much allowable yard to place the proposed fence. Being on a corner lot further restricts the amount of buildable space.

RELEVANT CODE SECTIONS

CHAPTER 1145

Supplemental Area and Height Regulations

1145.17 LANDSCAPE FEATURES AND YARD STRUCTURES.

(g) Fences and Walls.

- (1) Fences and walls may be permitted along the lines of a side yard to a height of not more than four feet above grade and along the lines of a rear yard to a height of not more than six feet above grade, provided that any fence shall be of uniform design, painted and otherwise well maintained. Fences located adjacent to alleys or public rights of way shall be approved by the Director of Planning.
- (2) No barbed wire, spike tips or electrically charged fences shall be permitted in any residential district except where required for public uses.
- (3) On all corner lots, fences and walls proposed for construction within any setback adjacent to a public street shall be submitted to the Director of Planning for approval.
- (4) Where adjacent property lines, due to the configuration of the lots, have different provisions regulating the construction of fencing or walls, the most restrictive provisions shall apply where the fence would interfere with visibility from a driveway.
- (5) Fences shall be permitted in the front yard only as a decorative feature or along a side lot line when adjoining a less restrictive use with approval of the Commission.

1145.10 YARDS ON CORNER LOTS.

The depth of the front yard on a corner lot shall be not less than the required setback from the front lot line as defined in Section 1107.01. The width of the side yard on the side street shall be not less than one-half of the depth of the front yard required from the adjoining lot which abuts on the side street; except, for lots of record, the side yard along the side street may be not less than one-fourth of the depth required for the adjoining front yards, unless shown otherwise on the Zone Map. The interior side yard shall be not less than the minimum width required for a single side yard of an interior lot.

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;

- i. No.

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;

- i. No, The applicant claims there would be “more curb appeal”.

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

- i. The proposed variance would not affect the delivery of government services.

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

- i. 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;

- i. The owner would have to build a 3-foot decorative fence. If it stayed as presented, a variance is the only resolution.

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

- i. A 4 foot fence in the front yard of a corner lot would not impose on these requirements.

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

- i. The property can still yield a reasonable return without a variance.

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.

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

CONCLUSION/RECOMMENDATION

Planning staff is not opposed to the requested variance at 1131 Erie Blvd. (parcel 57-01185.000) and suggests the following conditions upon approval:

1. All necessary permits are obtained through the Building, Engineering, and Planning departments prior to construction.
2. The fence is decorated with landscaping along the setback from the sidewalk
3. The existing setback between the sidewalk and the fence remains and is followed by the additional fence.

Application for Board of Zoning Appeals

STAFF USE ONLY:

Filing Date: _____ Hearing Date: _____ Reference Number: _____

Address of Property (or parcel number) for Variance Request: 1131 Erie Blvd.

Name of Property Owner: Todd and Jodi Parish

Mailing Address of Property Owner: 1131 Erie Blvd

City: Sandusky State: OH Zip: 44870

Telephone #: 419-621-4904 Email: ebp1131@yahoo.com

If same as above check here ☒

Name of Applicant: _____

Mailing Address of Applicant: _____

City: _____ State: _____ Zip: _____

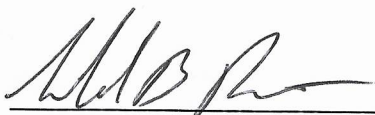
Telephone #: _____ Email: _____

Description of Proposal: replace existing wood fence with white vinyl.
Extend frontage 19' along Erie Blvd sidewalk.

Variance Requested:

Extend front fence length from 28' to 47'

Section(s) of Zoning Code:



Signature of Property Owner

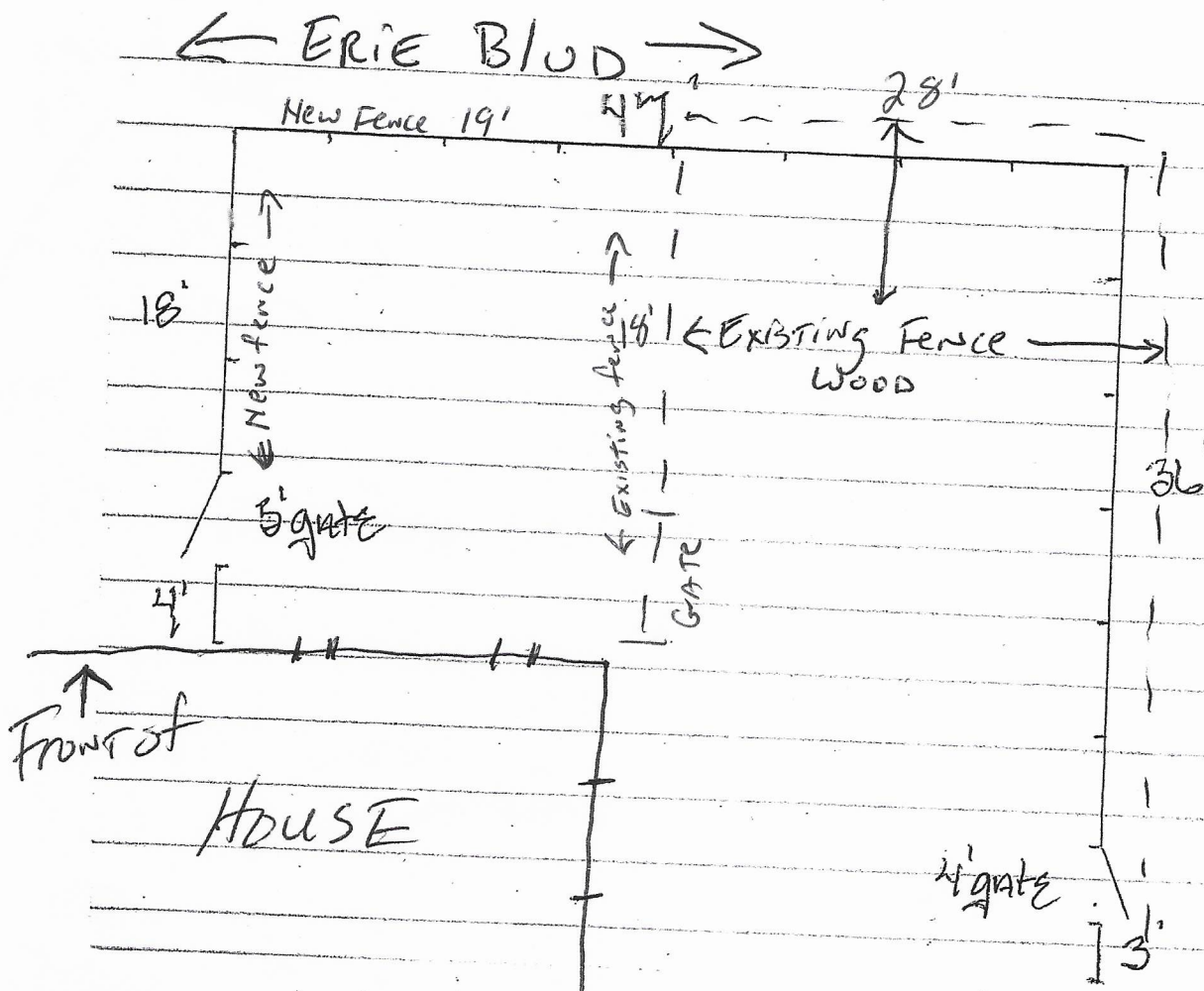
7/6/22

Date

Signature of Authorized Agent

Date

APPLICATION #BZA-001



CUSTOMERS RESPONSIBILITIES

1. Property lines must be clearly marked and grade discussed with workers.
2. **Fremont Fence will call OUPS to have all public underground lines marked.**
3. CUSTOMER IS RESPONSIBLE FOR MARKING ANY PRIVATE LINES, TILES, SEPTIC AND LEACH BED LINES.
4. Owner must have lines cleared of any objects that would interfere with fence lines, such as trees, bushes, etc.
5. Owner must obtain any necessary permits for fence installation.
6. Dirt from holes will be left in piles. Unless arranged at an additional cost to be picked up and hauled away.
7. If there is hand digging or an air compressor or spud bar is needed to dig holes, there will be an extra charge of \$15.00 per hole.
8. THERE IS A 25% RESTOCKING FEE ON CANCELED OR RETURNED POLYVINYL OR ALUMINUM ORDERS!

FREMONT FENCE WILL NOT BE HELD RESPONSIBLE FOR ANY DAMAGE OR REPAIR THAT COULD OCCUR TO ANY GAS, ELECTRIC, WATER, CABLE, PHONE LINES OR TILING.

PLEASE SIGN AND RETURN ONE COPY WITH SIGNED CONTRACT AND KEEP ONE COPY FOR YOUR RECORDS. THANK YOU!

SIGNATURE: _____ 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*
- 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 - Have done many exterior home improvements this year - would like to add more "curb appeal" with new fence.
- 3) Would the variance adversely affect the delivery of government services (e.g. water, sewer, fire, police)? *No - small extension of fence with gate*
- 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?
Yes - can replace existing fence w/o extending.
- 6) Would the spirit and intent behind the zoning requirement would be observed and substantial justice done by the granting of the variance?
Yes - professional installers will keep beautification of property up.
- 7) Would the property yield a reasonable return or can there be a beneficial use of the property without a variance? *yes*
- 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?

unknown

- 2) Would the granting of the variance will adversely affect the rights of the adjacent property owners or residents?

No - neighbors are in agreement
with beautification being done

- 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?

No -

- 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 -

Fremont Fence and Guard Rail Co.

316 North Street • Fremont, Ohio 43420

DISTRIBUTORS and ERECTORS

RESIDENTIAL • INDUSTRIAL

Phone (419) 332-8913 1-800-291-8568 FAX (419) 332-9194

www.fremontfenceco.com • e-mail: fremontfence1@yahoo.com

TELEPHONE NO. _____ DATE OF PROPOSAL August 9, 2022
NAME Todd Parish
STREET 1131 Erie Blvd. CITY Sandusky, OH 44870

Install 4' High White Convex Sterling Polyvinyl Picket Fence With (1) 4' Wide Gate and (1) 5' Wide Gate. ** (2) Panels To Be Straight Top, Not Convex. Choice Of Post Caps.****

- 15 4' High x 6' Wide Panels (#111895WHT)
- 2 4' High Panels (5' 6" Center Of Posts)
- 1 4' High x 4' Wide Panel (Straight Top)
- 1 4' High x 3' Wide Panel (Straight Top)
- 14 6 1/2' Line Posts (#111898WHT)
- 2 6 1/2' Corner Posts (#111904WHT)
- 6 6 1/2' End Posts (#111901WHT)
- 22 Gothic or Ball Caps
- 1 4' High x 4' Wide Convex Gate (#111910WHT)
- 1 4' High x 5' Wide Convex Gate (#111913WHT)
- 2 6 1/2' Aluminum Post Stiffeners (#110048ZZZ)
- 2 White SS Hinge Sets (#110356WHT)
- 2 White SS Latch Sets (#110358WHT)

All Posts Set In Concrete

Total Installed Price: \$8,131.00

****NOTES: We Are Estimating Any New Projects Wouldn't Be Done Until Summer 2023.**

**SEE ATTACHED DIAGRAM & CUSTOMER RESPONSIBILITIES
PRICE BASED ON NORMAL DIRT DIGGING**

**If accepted, please sign and return white copy and Customer
Responsibilities along with your down payment. Thank you!**

Materials Total	_____
Sales Tax	_____
Install. Charge	_____
TOTAL	_____
Deposit	_____
Balance	_____

Customer Sign Off Completion: _____

Employee Initials: _____

TERMS 1/2 Down, Balance on Completion

Accepted By: _____

By Ken Clark II

Date of Acceptance _____

KLF

We Are Not Responsible For Any Type Of Underground Wiring, Cabling, Or Tile. Owner To Obtain Any Necessary Permits.
A FINANCE CHARGE OF 11/2% per month, which is an ANNUAL PERCENTAGE rate of 18%, will be added to all unpaid bills.
All agreements must be in writing. All contracts are subject to strikes or causes beyond our control. Extra charge will be made where there is abnormal digging or necessary removal of existing fence, bushes, trees, etc.
Owner to provide survey or to mark grade and boundary lines; we are not responsible for errors in survey or in marking grade and boundary lines.
Upon acceptance by the owner, a binding contract is created which cannot be countermanded by the owner without forfeiture of 20% of the total purchase price, and cannot be altered in any way except by mutual consent of the parties. "We guarantee for one year against defects due to material furnished by us or our workmanship."
Title To The Goods Sold In Accordance With This Contract Shall Remain With Fremont Fence And Guard Rail Co. Until Contract Price Is Fully Paid.
Upon Default In Any Payment By Purchaser, Fremont Fence And Guard Rail Co. May Enter Upon Purchaser's Premises And Remove Said Goods.
Owner To Do Any Grading Before And After Fence Work. All Quotes only good for 30 days from date of proposal.

BOARD OF ZONING APPEALS REPORT

APPLICATION FOR AN AREA VARIANCE TO ALLOW
3 FOOT 10 INCHES OF ENCROACHMENT INTO THE
MINIMUM SIDE YARD SETBACK AT 630 COLD
CREEK BLVD. PARCEL (60-00043.010)

Reference Number: PVAR22-0016

Date of Report: October 12, 2022

Report Author: Alec Ochs, Assistant Planner



City of Sandusky, Ohio Board of Zoning Appeals Report

BACKGROUND INFORMATION

Applicant/Owner: Gavin Mingus
630 Cold Creek Blvd.
Sandusky, OH 44870

Site Location: 630 Cold Creek Blvd.
Sandusky, OH 44870

Zoning: R1-75 – Single Family Residential

Surrounding Zoning: North: R1-75 – Single Family Residential
East: PF –Public Facilities
South: R1-75 – Single Family Residential
West: R1-75 – Single Family Residential

Surrounding Uses: Residential, agriculture

Existing Use: Residential

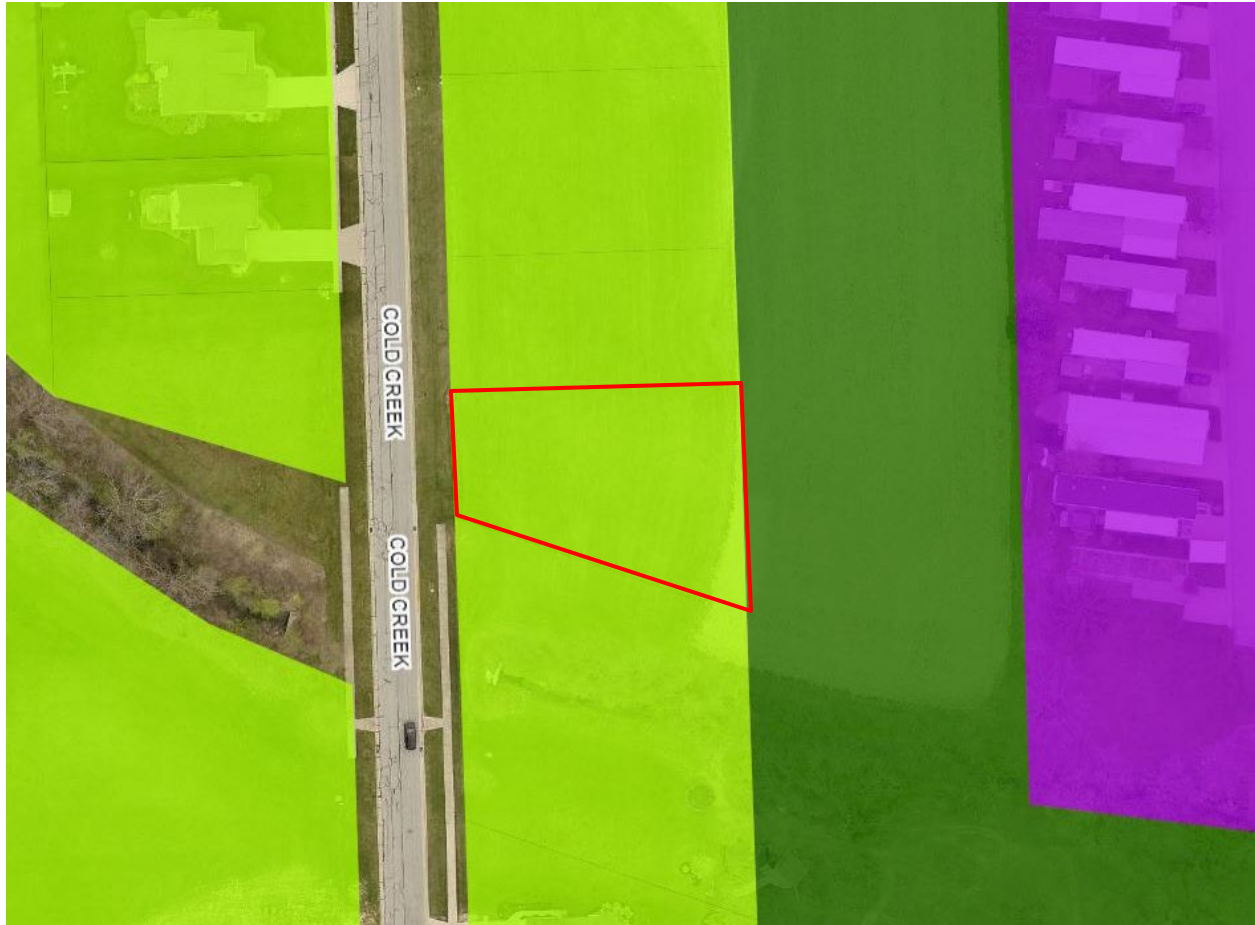
Proposed Use: Residential

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

Variance Requested: 1) A variance to allow foot 10 inches of encroachment into the minimum side yard setback.

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

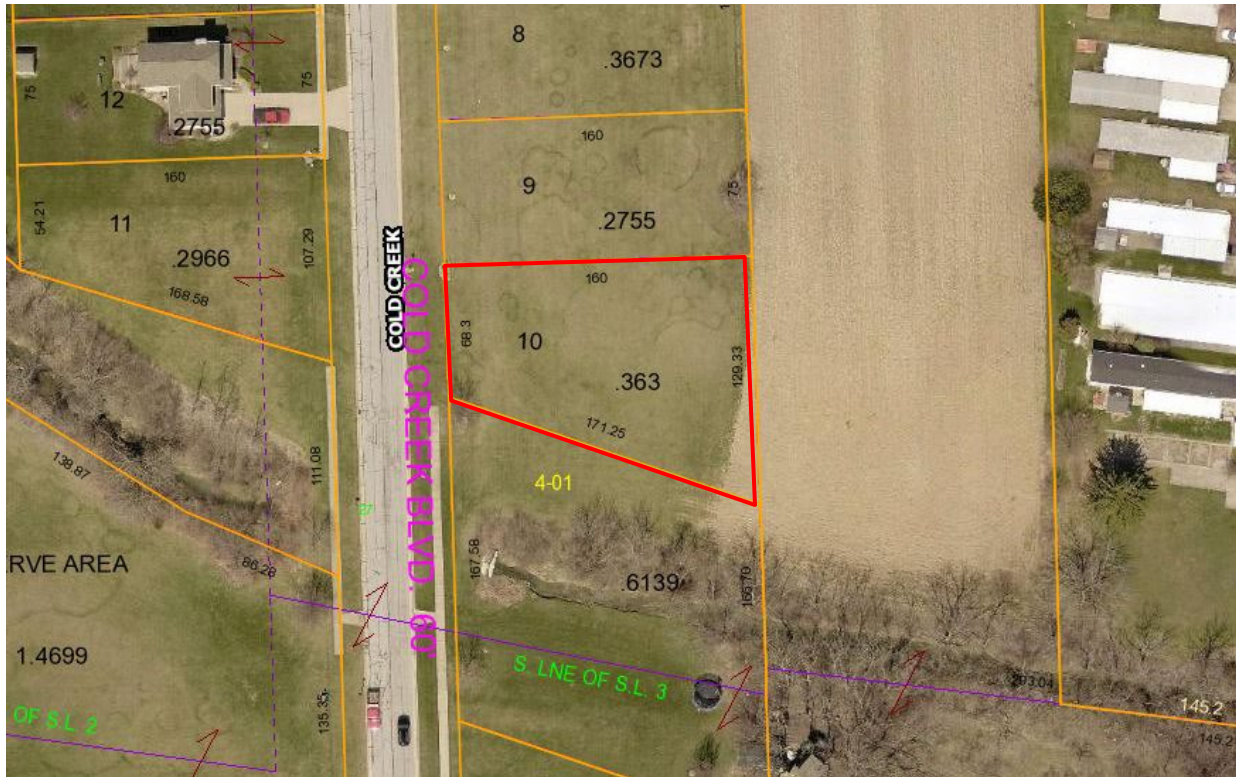


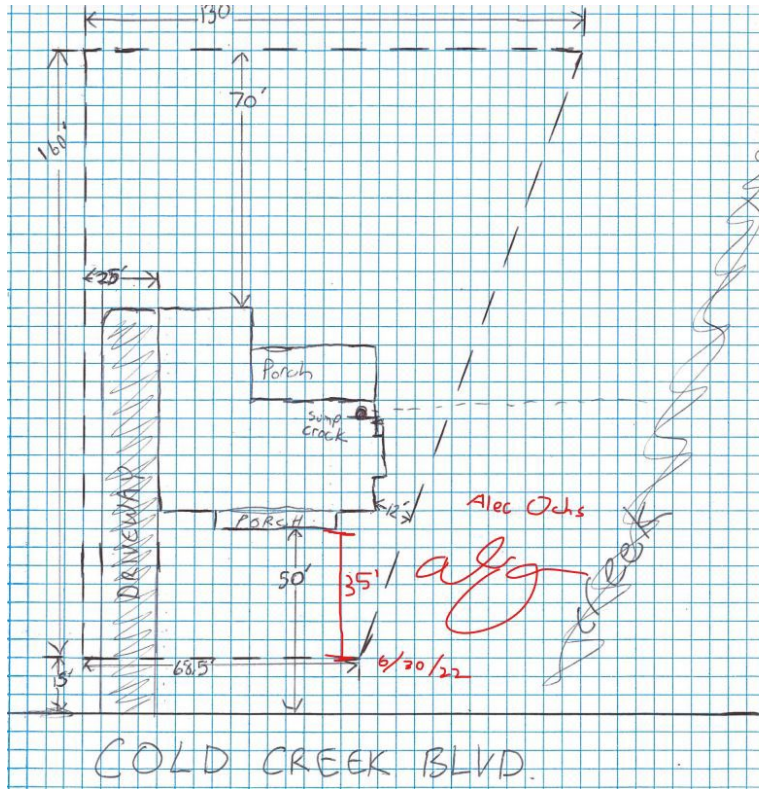
RRB - Residential/Business



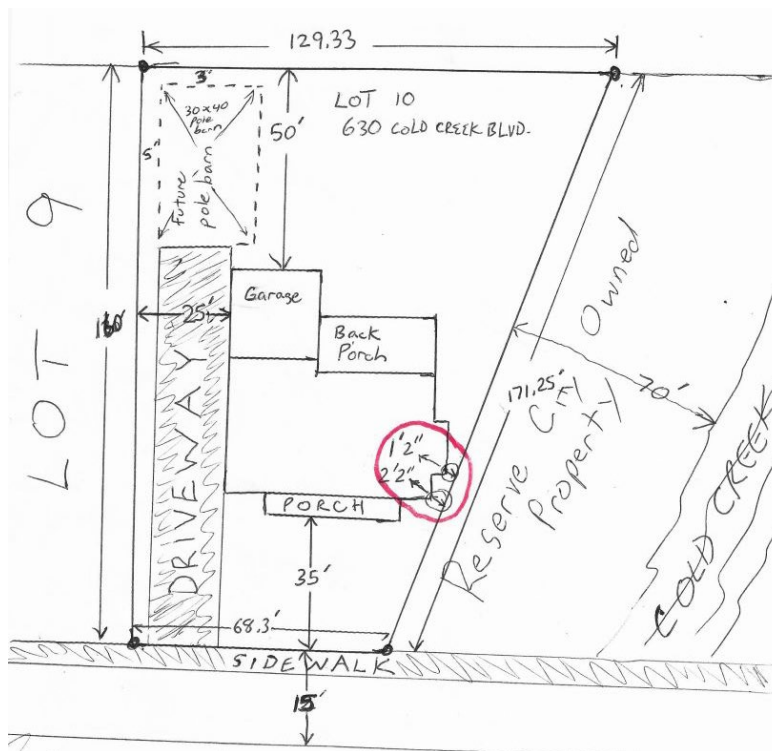
RS - Residential Suburban

Bird eye photo from (3/14/2021)





Approved site plan (above) Variance Request site plan (below)



PROJECT DESCRIPTION

The parcel is located in the Cold Creek Subdivision and is in the process of being developed for a single-family residential home.

The code states that there should a minimum 5 foot side yard setbacks from the side property lines for a structure in a "R1-75" – Single Family Residential zone. The applicant is seeking a relief of 3 foot 10 inches to meet the criteria of the zoning code.

The 6/30/22 approved site plan showed 12 feet of side setback at this location. The variance request shows 1 foot 2 inches of side setback at this location.

The parcel is not squared and is approximately 68 feet wide on the front yard parcel line x 129 feet wide on the back yard parcel line. The parcel length is 160 feet on one side yard and 171 feet on the other. In all, the total sq. feet of the parcel is approximately 16,000 sq. ft.

RELEVANT CODE SECTIONS

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.

(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	
R1-75	1 Fam. Dw.	12,000	75	35	5	15	50	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:

The applicant stated:

1. Whether the variance is substantial;

- i. Applicant statement: Yes, we would have to have an architect draw up how to change the integrity of the lot or we would have to move the structure back and lose 20 or more feet in backyard.

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;

- i. Applicant statement: No, there is absolutely no difference whatsoever as the adjoining property is city owned, is a reserve property, completely unbuildable with a creek in the center.
- ii. Planning division note: considers public access to the adjoining reserve property an essential characteristic of the Cold Creek neighborhood and would not support any encroachment onto the reserve property now or in the future. This variance request does not encroach on the reserve property but is close to the property line. The applicant has already altered the character of the neighborhood by removing the trees along Cold Creek.

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

- i. Applicant statement: No, this is completely out of the question as there is and can never be anything on this side of the property. Also, there is 65' from the new structure to the creek. There are no problems caused.

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

- i. Applicant statement: No, due to the shape a home plan it is tough to fit and maintain enough back yard to accommodate a possible pole barn in the future.

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

- i. Applicant statement: Purchase of reserve or lot split by city to straighten the lot side line or lot split required corner to maintain the 5' setback.
- ii. Planning division note: Planning division does not support privatization of the reserve area. The foundation can be altered to fit into the parcel.

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

- i. Applicant statement: It would not, it is a lot shaped based problem and other lots are not affected or similar to this case.
- ii. Planning division note: No, The parcel has a large sq. ft. footprint. The house and future pole barn can be placed properly without a variance if the plans were followed. The parcel to the north is approx. 4,800 sq. ft. smaller than the applicants.

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

- i. Applicant statement: No, it is a ranch home on an awkward lot which it serves absolutely no purpose as the angle and use of the property.
- ii. Planning division note: This is a buildable lot according to the zoning code without the requested variance.

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.

- i. Applicant statement: No, the shape of the lot is the issue and the granting of the variance hinders or does nothing to the overall of the neighborhood development or property line. We are still on our property line.
- ii. Planning division note: The requested variance is contrary to the general purpose, intent, or objective of the Zoning Code or other adopted plans of the City. Building permits were not issued prior to construction.

DIVISION OF PLANNING COMMENTS

The parcel meets the minimum lot size requirements and minimum width requirements. There is over 25 feet of useable side setbacks as proposed, most of which will be on the northern side yard of the parcel. The minimum is 5 feet on one side and a combination of 15 feet. The approved site plan showed 12 feet of side setback at this location. The variance request shows 1 foot 2 inches of side setback at this

location, while other dimensions on the drawing remain the same. Staff reached out to the application for an explanation of this discrepancy and did not receive an answer.

The parcel is irregularly shaped but the applicant has substantial room to the north (25 foot approved setback – 15 foot required combined side yard setback) and the backyard (70 foot approved setback - 50 foot requirement) to fit a house and pole barn without the variance.

The adjoining parcel to the south is not buildable since it is a natural area reserved for the creek and public access. If this request is approved at 1 foot 2 inches of setback, the home is at risk of access issues if a fence is installed on the property line by the city. Planning staff is also concerned that the proposed building corner that is 1 foot 2 inches from the property line is intended to be a walk out porch. If this is true, the applicant will have a walk door within 2 feet of public land, causing further public access conflicts by the applicant. Staff is concerned about encroachment of the site as it sits. After a staff site visit, it is unclear if the 1 foot 2 inch setback is being met by the current foundation placement.

Planning staff was told by the applicant that the contractor for the foundation messed up the location, requiring a variance to allow the foundation to be so close to the natural area. Planning staff learned from the Building Department that the contractor who poured the foundation was Mingus Builders. The foundation was not placed properly based on the approved site plan by Planning staff.

Trees Removed



OTHER DEPARTMENT COMMENTS

Engineering Staff:

No stormwater permit was issued to the applicant prior to:

1. The basement construction
2. Tree removal along Cold Creek - City Codified Ordinances 937.12

The applicant improperly installed the silt fence.

Building Staff:

A stop work order was issued by the Building Department on August 11th, 2022 and was closed on October 11, 2022. During this time, work continued to happen on the structure at 630 Cold Creek Blvd. and work continues to happen prior to permits being issued.

The foundation was built without permits issued from the Building Department.

CONCLUSION/RECOMMENDATION

The application fails to provide a sufficient rationale for the granting of the variance. Furthermore, the granting of the variance would have negative impact on the adjacent city owned reserve area. Therefore, Planning staff opposes the requested variance at 630 Cold Creek Blvd. parcel (60-00043.010). If the variance is approved, staff requires the following conditions upon approval:

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

Application for Board of Zoning Appeals

STAFF USE ONLY:

Filing Date: _____ Hearing Date: _____ Reference Number: _____

Address of Property (or parcel number) for Variance Request: 60-00043.010

Name of Property Owner: Gavin MINGUS

Mailing Address of Property Owner: 708 Cold Creek Blvd.

City: Sandusky State: OH Zip: 44870

Telephone #: 419 366-1503 Email: GMAN708@me.com

If same as above check here ☒

Name of Applicant: _____

Mailing Address of Applicant: _____

City: _____ State: _____ Zip: _____

Telephone #: _____ Email: _____

Description of Proposal: Lot is not square and on an angle. Property next to Lot is unbuildable and considered "reserve" property. This property can never be built on. Due to the angle and depth of lot we would like to request this variance as to maintain as much backyard as possible. Thank you.

Variance Requested: Side Setback

Section(s) of Zoning Code: _____

Signature of Property Owner

Date

ERIC MINGUS

Eric

Signature of Authorized Agent

Date

9/14/22

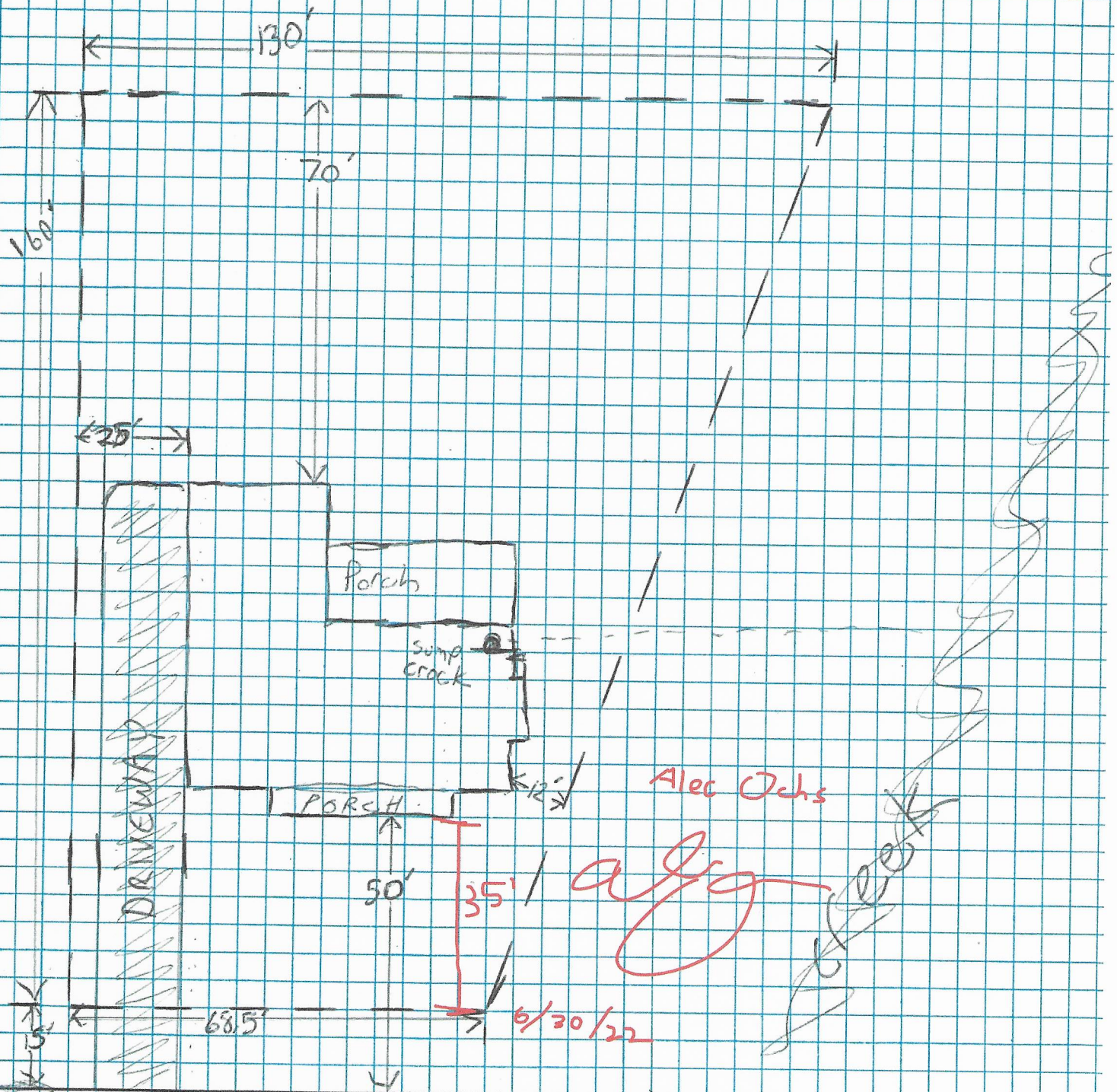
PRACTICAL DIFFICULTIES

(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?
Yes we would have to have an architect draw up how to change the integrity of the lot or we would have to move structure back and lose 20 or more feet in backyard
- 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. There is absolutely no difference whatsoever as the adjoining property is city owned, is a reserve property, completely unbuildable with a creek in the center.
- 3) Would the variance adversely affect the delivery of government services (e.g. water, sewer, fire, police)? No, This is completely out of the question as there is, and can never be anything on this side of property. Also There is 65' from new structure to creek. There is no problems caused.
- 4) Was the property purchased with the knowledge of the zoning restrictions?
No, due to the shape and home plan it is tough to fit and maintain enough back yard to accomodate a possible pole barn in future.
- 5) Can the property owner's predicament be resolved through some method other than a variance?
Purchase of Reserve or lot split by city to straighten the lot side line or lot split required corner to maintain the 5' setback.
- 6) Would the spirit and intent behind the zoning requirement would be observed and substantial justice done by the granting of the variance? It would not, it is a lot shaped based problem and other lots are not affected or similar to this case.
- 7) Would the property yield a reasonable return or can there be a beneficial use of the property without a variance? No, it is a Ranch home on an Ackward lot which it serves absolutely no purpose as to the angle and use of the property.
- 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, The shape of the lot is the issue and the granting of the variance hinders or does nothing to the overall of the neighborhood, development or property line. We are still in our property line.

All storm water to be piped to creek
Downspouts to 8" 3034 to creek



COLD CREEK BLVD.

Gavin Minkus
Lot 10 Cold Creek BLVD. Sandusky OH.

SAVIN MINGUS
630 Cold Creek Blvd.

— = Variance request

