



Board of Zoning Appeals

September 6, 2017

Board Meeting

Minutes

5:30 PM

CALL TO ORDER

| Attendee Name | Title | Status |
|----------------------|---------------|---------|
| Michael Percy | Vice-Chairman | Present |
| Christopher Menapace | Chairman | Present |
| Mary-Anne Pomputius | Member | Present |
| Steve Rhoades | Member | Excused |
| Todd Burson | Alt. Member | Present |
| Phil Herald | Member | Excused |
| Jim Sulzer | Alt. Member | Present |

Others in attendance: Lacie Blankenhorn, Development Services Manager; P. Robert Broeren, Law Director; Zachary DiMarco; James Garland; Chuck Martin, Mount Vernon News

MINUTES APPROVAL

- Board of Zoning Appeals - Board Meeting - Jul 19, 2017 5:30 PM

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| RESULT: | ACCEPTED [UNANIMOUS] |
| MOVER: | Mary-Anne Pomputius, Member |
| SECONDER: | Michael Percy, Vice-Chairman |
| AYES: | Percy, Menapace, Pomputius, Burson, Sulzer |
| EXCUSED: | Rhoades, Herald |

PUBLIC PORTION

BZA Files

- 2017-BZA-11 : Gambier Street, 901 East - Variance for Setbacks

Zachary DiMarco (sworn in) - representing applicant, Oak Hill Renovations LLC, explained his client specifically selected the property at 901 East Gambier Street as a lot to purchase to improve the neighborhood. The previous home that sat on the lot was demolished in May 2017 with the intention to rebuild a new attractive home in the neighborhood. The idea is to create a home that would attract a younger family closer to downtown Mount Vernon, which is something the town is lacking a little bit of. The applicant has selected a 1,920 square foot home which includes 3 bedrooms and 2 baths. The square footage includes a 2-car garage. The footprint of the house is 40 feet wide by 48 feet deep including the garage. The prior home that was destroyed was 35 feet wide and 43 feet deep at the widest points. The planned home is about 5 feet larger in width and depth than the last home. The lot was platted in 1881, long before the zoning ordinances were passed. The lot is 53-1/2 feet wide. Strictly enforcing the literal

terms of the zoning code would only allow a 23-1/2 feet wide home. A similar application was heard by the Board of Zoning Appeals on Curtis Street in December. Balcom Rentals requested a variance for setbacks on a 39 feet wide lot. The lot in question today is smaller than many of the other lots on the street. The request for the side yard is a 5 feet setback on west side of the home and a 6.8 feet setback on the east side of the home. The code calls for 10 feet on the east and 20 feet on the west because it is a corner lot. The front yard, because the lot is not square, southwest corner is 25 feet away from Gambier Street while the southeast corner is 35.5 feet. This location was chosen to keep it uniform and in line with the rest of the homes for a visual effect. A 5 feet variance is requested for the front southwest corner of the home. The goal is to replace a poor visual property and dilapidated building with something that is attractive to the neighborhood and visually appealing to motorists going down Gambier Street.

Mr. Menapace called for anyone in the audience to speak for and/or against the request. There was no one. He then asked Lacie if there were any written submissions. Lacie said the only thing was the email that was sent out to all the BZA member from Safety-Service Director, Joel Daniels in support of the request. She read it aloud:

“Lacie and the Board of Zoning Appeals, You may or may not know that this particular property known as 901 E. Gambier St. has been an eyesore and problem property for many years. Fortunately, the dilapidated structure on the property was recently removed and now comes the desire to build a new home on the site. We welcome such use of the lot and "in fill" of an existing residential property. I encourage the BZA to look favorably upon this request and I'm hopeful that there is a way to grant a reasonable variance that will satisfy all parties. Thank you for your consideration and good work, Joel Daniels

Mr. Menapace called for a motion. **Mr. Percy** made a motion to grant a variance to the development standards, specifically allowing the development of a lot that is less than 8,500 square feet and that has a minimum lot width of less than 75 feet, as well as to the minimum front yard and side yard requirements.

Mr. Menapace referred to Zoning Code Chapter 1160.02. This is a non-standard lot. The insight wasn't present in 1881 of what today's home sizes would be. The size of the lot can't be changed. The minimum width can't be changed. The front setback is being met on 1 corner. **Mr. Percy** added the requested placement will keep it in line visually with the next two properties so it makes sense to locate it there. **Mr. Menapace** agreed the proposed placement would keep it in line with 903, 905 and 807. As for the side setbacks, many of the homes in this neighborhood don't comply with the current regulations. Many set very near the sidewalk. A variance was granted to 501 Oak Street for the front porch to be extended to the sidewalk. There is no compliance issue at the rear of the lot, like 903 and 905 whose garages are on the alley. Coverage is about 30-31%. **Mr. Broeren** made mention, Gambier Street is probably considered a major thoroughfare so the front setback regulation would be 40 feet. **Mr. Menapace** said he thinks the proposed home will improve the lot and positively impact each of the neighbors. This is a very reputable builder so it's going to be a nice home. I encourage you guys to support this variance. There was no further discussion.

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| RESULT: | ACCEPTED [UNANIMOUS] |
| MOVER: | Michael Percy, Vice-Chairman |
| SECONDER: | Mary-Anne Pomputius, Member |
| AYES: | Percy, Menapace, Pomputius, Burson, Sulzer |
| EXCUSED: | Rhoades, Herald |

ADJOURN