



AGENDA
BOARD OF ZONING APPEALS
TUESDAY, October 22, 2024
6:30 P.M.

MEMBERS

Philip Russo, Chair

Baljinnyam Dashdorj
Matt Wyatt

D. Chadwick Smith, Vice Chair
Steve Chaffin, Secretary

STAFF

Sam Perry, Director, Community Development
Zachary Moore, City Planner/GIS Coordinator
Christopher Conard, Law Director

MEETING PROCEDURE: The Board of Zoning Appeals is a quasi-judicial board. Our primary function is to hear testimony and issue decisions. Unlike other City boards and commissions, we only hear relevant, sworn testimony from the Applicant, his/her duly appointed agent or attorney, and any other person with standing to testify in a particular matter. The Applicant has the right to cross-examine any testimony given. Our hearings are open to public attendance, but public comment, opinion and discussion are not considered testimony and will not be heard.

Please wait until you are recognized by the Chair, state your name and address so that your comments may be properly recorded. Applicants are to limit their testimony to fifteen (15) minutes, including any information presented by his/her duly appointed agent or attorney. This time limit may be extended if the Board requests or approves further testimony. Other persons with standing are encouraged to testify and ask questions about the nature of the appeal, but must be acknowledged by the Chair prior to speaking.

- I. Call to Order
- II. Approval of August 27, 2024 Minutes of the Regular Meeting 1
- III. New Business
 - BZA-2024-03, 417 E Withrow Street, VARIANCE** to Section 1143.07(c) maximum lot coverage, **Scott Webb Architect, Applicant/Agent** 5
 - BZA-2024-05, 315 University Avenue, VARIANCE** to Section 1143.07(d)(5)(B) minimum roof pitch, **Scott Webb, Architect, Applicant/Agent** 27
- IV. Adjournment



OXFORD BOARD OF ZONING APPEALS

Meeting Minutes

Tuesday, August 27, 2024

[Link for website video here](#)

Meeting procedure: The Board of Zoning Appeals is a quasi-judicial Board. Our primary function is to hear testimony and issue decisions. Unlike other City boards and commissions, we only hear relevant, sworn testimony from the Applicant, his/her duly appointed agent or attorney, and any other person with standing to testify in a particular matter. The Applicant has the right to cross-examine any testimony given. Our hearings are open to public attendance, but public comment, opinion and discussion are not considered testimony and will not be heard.

Please wait until you are recognized by the Chair, state your name and address so that your comments may be properly recorded. Applicants are to limit their testimony to fifteen (15) minutes, including any information presented by his/her duly appointed agent or attorney. This time limit may be extended if the Board requests or approves further testimony. Other persons with standing are encouraged to testify and ask questions about the nature of the appeal, but must be acknowledged by the Chair prior to speaking.

Roll Call

Philip Russo, Chair

D. Chadwick Smith, Vice Chair

Matt Wyatt

Steve Chaffin, Secretary

Baljinnyam Dashdorj

[Time: 10:23](#)

A regular meeting of the Oxford Board of Zoning Appeals was called to order by Secretary D. Chadwick Smith on Tuesday, August 27, 2024 at 6:30 p.m.

Members in attendance were D. Chadwick Smith, Baljinnyam Dashdorj, Steve Chaffin and Matt Wyatt

Members excused: Philip Russo

Staff Members in Attendance

Mr. Zachary Moore, City Planner/GIS Coordinator, Mr. Benjamin Mazer, Assistant Law Director, Ms.

Rebecca Kolb, Administrative Assistant

Staff Members Excused

Mr. Sam Perry, Director, Community Development, Ms. Eunike Miller, Administrative Assistant

Election of Officers and Swearing in New BZA Members

[Time: 10:32](#)

Election of Officers

Motion 1 – To nominate Mr. Smith for BZA Chair Pro-Tem

(Voice Vote) 1st Mr. Chaffin

2nd Mr. Wyatt

AYE: (4)

NAY: (0)

ABS: (0)

Motion 2 – To nominate Mr. Smith for BZA Chair

(Voice Vote) 1st Mr. Chaffin

2nd Mr. Wyatt

Mr. Smith declined the nomination and nominated Mr. Russo for BZA Chair.

(Roll Call) 1st Mr. Smith

2nd Mr. Wyatt

AYE: Mr. Dashdorj, Mr. Wyatt, Mr. Chaffin, Mr. Smith (4)

NAY: None (0)

ABS: None (0)

Motion 3 – To nominate Mr. Smith for Vice-Chair of BZA

(Roll Call) 1st Mr. Chaffin

2nd Mr. Wyatt

AYE: Mr. Dashdorj, Mr. Wyatt, Mr. Chaffin, Mr. Smith (4)

NAY: None (0)

ABS: None (0)

Motion 4 – To nominate Mr. Chaffin for Secretary of BZA

(Roll Call) 1st Mr. Dashdorj

2nd Mr. Smith

AYE: Mr. Dashdorj, Mr. Wyatt, Mr. Chaffin, Mr. Smith (4)

NAY: None (0)

ABS: None (0)

Approval of April 23, 2024 Minutes of the Regular Meeting

[Time: 18:28](#)

Mr. Chaffin had a question about the BZA-2024-01 case which was on the April Agenda. Mr. Moore commented the case is indeed pending and being postponed voluntarily by the applicant awaiting on a full Board. Mr. Chaffin inquired how long this case is pending. Mr. Webb, representing the owner, pointed out the case has been pending due to the alley moratorium. The moratorium is ending next month, so the case maybe heard at the October meeting, or the owner may decide to withdraw, added Mr. Webb.

Motion – To approve the minutes as written

(Roll Call) 1st Mr. Chaffin

2nd Mr. Wyatt

AYE: Mr. Dashdorj, Mr. Wyatt, Mr. Chaffin, Mr. Smith (4)

NAY: None (0)

ABS: None (0)

New Business

BZA-2024-02

[Time: 20:29](#)

Page 4 of the Agenda Packet

1. BZA-2024-02, 131 Willow Lane, VARIANCE, to Section 1149.06(c)(1) limit to front yard parking, Scott Webb, Architect, Applicant/Agent

Mr. Moore, City Planner / GIS Coordinator, was sworn in and presented the staff report, and answered the board members' questions.

Mr. Chaffin presented the floor plan of the house at this location. This floor plan had been provided to Mr.

Chaffin by Mr. Moore. Mr. Chaffin requested that the floor plan be added to the records.

Mr. Webb, Architect, spoke on behalf of the property owner and answered the questions the Board members had.

Motion – To Close Adjudication Hearing and Open Deliberation

(Voice Vote) 1st Mr. Chaffin

2nd Mr. Wyatt

AYE: (4)

NAY: (0)

ABS: (0)

Comments from the Public

There were no comments from the public.

Motion – To Close Deliberation

(Voice Vote) 1st Mr. Smith

2nd Mr. Wyatt

AYE: (4)

NAY: (0)

ABS: (0)

Motion – To Grant the variance request based on Criterion B, C, D, F, G, H

(Roll Call) 1st Mr. Wyatt

2nd Mr. Dashdorj

AYE: Mr. Dashdorj, Mr. Wyatt, Mr. Smith (3)

NAY: Mr. Chaffin (1)

ABS: None (0)

Motion to Adjourn Meeting at 7:39 p.m.

[Time: 1:19:37](#)

(Voice Vote) 1st Mr. Chaffin

2nd Mr. Wyatt

AYE: (4)

NAY: (0)

ABS: (0)

STAFF REPORT

Community Development | Board of Zoning Appeals

APPLICATION DETAILS

Applicant	Scott Webb, Architect
Location	417/419 E Withrow Street
Owner	Tres Walnut LLC, c/o Tom Kacachos
Action Request	Variance to Section 1143.07(c) , maximum overall lot coverage
Lot Size	8,940 square feet / 0.21 acres
Lot Width	60 feet
Current Use	Three-Family Dwelling
Current Zoning	R3MS Single-, Two-, and Three-Family Mile Square Residential District
Surrounding Land Uses	Fraternity houses to the south; combination of single-family & two-family uses in all other directions

BACKGROUND

On behalf of the property owner, Architect Scott Webb has submitted a Variance request for the purpose of allowing an increase in lot coverage on property located at 417 E Withrow Street. This property previously supported a single-family dwelling which was demolished in 2023 to make way for redevelopment. A brand new three-family structure – addressed as 417 E Withrow, 419 E Withrow Unit 101, and 419 E Withrow Unit 201 – now occupies the property.

Construction plans for the new structure were approved and issued by the City in July 2023; the architect had designed these plans such that approximately half of the pre-existing, double-stacked rear parking area was to be excavated away and replaced with seeded ground. The apparent purpose of modifying the parking area was to stay within the Zoning Code’s restriction limiting overall lot coverage to no more than 45%, while also accommodating an increase to the overall building footprint to support two additional units.

Post-construction, the owner now desires to retain the original “pre-construction” parking configuration, as opposed to embracing the re-configuration previously submitted and approved through the permitting process. The approved plan had provided for a total of 6 parking spaces situated in a single row along the rear alley. In order for the pre-existing parking area (containing 14 spaces) to be found legal, a Variance is necessary to allow an increase in net coverage above the usual Code limit.

DESCRIPTION

The applicant's requested variance can be summarized as follows:

Requirement	Code Section	Standard	Proposal
Maximum Overall Lot Coverage	1143.07(c)	45% max	54.8%
The architect reports the proposed coverage area to be 4,907 sq ft, which is 54.8% of the 8,940 sq ft lot. <u>Section 1143.07(c)</u> of the Oxford Zoning Code prescribes site development regulations for properties being developed in the R3MS District. Such regulations include maximum lot coverage standards, with separate figures pertaining to the overall lot (45% max) as well as for the front yard portion only (15% max for lots with alley access). The previously approved site plan took advantage of the maximum allowable lot coverage by proposing 4,026 square feet of covered/developed area ($4,026 \text{ sq ft} \div 8,940 \text{ sq ft} = 45\%$); thus, a Variance was not required for the resulting development. In pursuit of densifying the subject property from a one-family use to a three-family use (an endeavor which the Zoning Code allows by-right for this property), the building footprint previously totaling approx. 1,400 sq ft ended up increasing to 2,500 sq ft, a net increase of 1,100 sq ft. In its previous single-family condition with a 1,400 sq ft building footprint together with a double row of parking spaces in the rear, it is estimated the overall coverage percentage was around 41.5% ($3,710 \text{ sq ft} \div 8,940 \text{ sq ft}$).			

PUBLIC COMMENTS

Notification was mailed to property owners within 200 feet and a sign was placed on the property. No official public comments have been received as of this writing.

DEPARTMENT COMMENTS

Below are comments from City departments:

Department	Respondent	Response
Economic Development	Seth Copenbaker, Economic Development Specialist	Not Returned
Engineering	Scott Otto, City Engineer	Returned without Comments
Fire	John Detherage, Fire Chief	Returned with Comments
See attached memo.		
Police	John Jones, Police Chief	Returned with Comments
<i>Allowing the double stacking of parking will create issues of cars blocking one another in. With the new building, the cars are now being parked within a few feet of the building and create an access issue. I believe the variance should be denied, the pavement restored to grass, as in the original submitted plan.</i>		

BZA SITE HISTORY

There is no prior BZA case history available in City records for this property.

DECISION CRITERIA

In accordance with **Section 1139.02(c)(1)**, the burden of proof is upon the Applicant to present reliable and substantial evidence that supports the request for Variance. Furthermore, per **Section 1139.02(c)(2)** the BZA must find that **practical difficulties** exist that would render strict application of the Code unreasonable. In determining whether such difficulties exist which are sufficient to warrant the Variance, the Board shall use the attached eight decision criteria (A-H) in its deliberation. See the enclosed narrative addressing the review criteria from Mr. Webb.

If the BZA determines that difficulties exist which are sufficient to warrant the Variance, staff recommends that the BZA cite any new or different specific evidence not yet identified and approve the Variance request. If the BZA does approve the Variance it can make separate findings and attach any appropriate conditions it deems necessary as permitted by **Section 1139.02(d)(2)**.

Staff's review of the criteria is outlined in the table below:

Criterion A	Whether the property in question will yield reasonable return or whether there can be any beneficial use of the property without the variance
Does not support granting the Variance	If the Variance were denied, the property owner could continue to yield financial return from the new three-family dwelling which was recently constructed on the property. The consequence for the owner would simply be a mandate to remove the back row of non-conforming off-street parking spaces from the property. By coming into compliance with the maximum lot coverage, the property would still be able to provide the minimum of six (6) off-street spaces required by the Zoning Code (i.e., the max. coverage and min. parking space standards do not compete with one another in this instance).
Criterion B	Whether the variance is substantial
Supports granting the Variance	Within the past 5 years, the BZA has granted lot coverage variances of a similar magnitude for properties in the R3MS District – see Appendix A. Staff also performed a GIS analysis of existing coverages across all R3MS properties, finding that 80% of all parcels sized between 8,000 and 10,000 sq ft in size possess up to 53.73% coverage, with the remaining 20% possessing greater coverage. These findings indicate a serious need to evaluate the appropriateness of a 45% limit imposed on Mile Square residential properties; until a wide-sweeping amendment is considered through the legislative process, the BZA has authority to consider variation on a case-by-case basis.
Criterion C	Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance
Supports granting the Variance	The approval of the Variance would enable a pre-existing feature/amenity of the property to remain in place. While the rear parking area is considered non-conforming due to: (1) pavement straddling property lines (lack of 3-foot setbacks); and (2) the presence of more than one double-stacked space; this peculiar parking arrangement along this particular block has been a fixture of the area for decades. Furthermore, the removal of additional pavement could worsen violation activity with vehicles parking on grass, creating mud ruts, etc.

Criterion D	Whether the variance would adversely affect the delivery of governmental services (i.e. water, sewer, garbage)
Mixed evidence	As evidenced in the comments provided by the Fire Chief, the review of a potential Variance has led to the discovery of apparent violations to the Ohio Fire Code (OFC). While the position of the northern edge of the parking pad meets the zoning setback (a minimum of 3 feet from any principal structure), it seems the closer proximity of parking to the new structure has created an issue with respect to adequate egress and availability of space for placing ground ladders. The Fire Chief suggests the situation can be remedied by removing the back row of parking, as well as one space within the first row to accommodate a walkway. The Police Chief has also expressed concerns similar to those of the Fire Chief's. While it is not the BZA's responsibility to administer, interpret, or enforce the provisions of the OFC, the Board may certainly take comments from public safety officials into account when rendering a decision on a zoning Variance. It is the opinion of Community Development staff that although the Chiefs' comments identify important issues that should be adequately addressed moving forward, there is not a direct connection to the consideration of extra covered surface on the subject lot. To this end, the approval of a Variance may actually help to facilitate a solution that best benefits all.
Criterion E	Whether the property owner purchased the property with knowledge of the zoning restriction
Does not support granting the Variance	The subject property has been in the same ownership for decades. During an on-site visit on August 19, a representative of the owner revealed they were not initially aware that the architect's site plan would result in the elimination of half the existing off-street parking spaces. Had the owner become aware of this potential loss in parking earlier, perhaps a decision on a coverage Variance could have been rendered by the BZA prior to the redevelopment of the lot.
Criterion F	Whether the property owners' predicament feasibly can be obviated through some method other than a variance
Mixed evidence	The predicament at hand is that a pre-existing number of off-street parking spaces cannot feasibly continue while also complying with the Zoning Code's stipulation for maximum overall lot coverage. Ultimately, the Board must decide which potential characteristic should preside/dominate over the other. In other words, additional off-street parking spaces above and beyond the Code minimum (6 are required for a three-family use) will not be possible to implement on this site without approval of a Variance; however, the Code does not confer a guaranteed right to provide parking in excess of minimums. Should the Variance be denied, tenants with cars would likely need to locate other long-term parking accommodations in town, or resort to utilizing on-street parking.

Criterion G	Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance
Supports granting the Variance	The general policy intent behind lot coverage standards is to help preserve green space, prevent over-development, and help facilitate storm water infiltration as opposed to exacerbating runoff. Even with approval of the Variance, a significant degree of the lot would still remain devoted to green space (4,033 sq ft of green space ÷ 8,940 sq ft total lot size = 45.11%), which would not meet the letter of the law but still serve its general intents and purposes. Additionally, a well-utilized – albeit nonconforming – feature of the property would be permitted to remain and thus continue to relieve parking demand pressures on nearby public streets.
Criterion H	Any other relevant factor
Supports granting the Variance	Objectives from the Oxford Tomorrow Comprehensive Plan with some relevance to the case at hand include the following: (1) Objective L3, to <i>promote development and redevelopment in targeted areas</i> ; and (2) Objective H4, to <i>maintain an adequate capacity of student housing</i> ; (3) Objective M4, to <i>ensure parking facilities in the Mile Square are adequate and effective in meeting demand</i> ; and (4) Objective C4, to <i>provide high quality, coordinated public safety services</i> . Being less than a block away from the edge of campus, the project at 417/419 E Withrow exemplifies positive contributions toward the first two Objectives, L3 and H4. It appears in this case, the interests of Objectives M4 and C4 are in competition with one another.

CONCLUSION

At the time of this report, staff believes **there is substantial evidence** to support the Variance request. To ensure public safety is adequately addressed, the Board may approve the Variance request on condition that an appropriate solution to Fire Code issues is reached to the satisfaction of the Fire Chief.

SUBMITTED BY:



Zachary Moore, AICP
City Planner / GIS Coordinator

DATE: October 15, 2024

APPENDIX A

ANALYSIS OF PREVIOUS LOT COVERAGE VARIANCES

Note: The standard maximum lot coverage in all Mile Square Districts (R-1MS, R-2MS, and R3MS) is 45%. The table below lists the outcomes of all cases reviewed by the BZA for ***overall lot coverage*** in the past 5 years. ***Front yard coverage*** cases are excluded.

Case No.	Address	District	Proposal	Decision	Description
BZA-2023-02	10/12 N Elm Street	R-2MS	52%	Granted, 5-0	Porch addition
BZA-2023-01	211 S Beech Street	R3MS	66.13%	Granted, 5-0	Church parking
BZA-2021-02	407 N Campus Avenue	R3MS	55.2%	Granted, 5-0	New Three-Family
BZA-2020-07	650 S Campus Avenue	R-2MS	50.4%	Granted, 5-0	New Two-Family
BZA-2019-07	114 W Collins Street	R-2MS	83.3%	Denied, 5-0	Two-Family Conversion

BZA MOTION FOR VARIANCES

In the case of **BZA-2024-03** ...

1) Regarding the variance requested to *Section 1143.07(c)* for maximum lot coverage ...

Mr./Ms. _____ hereby moves that the Board adopt and make the following findings of fact:

- A. The property in question (**will / will not**) yield a reasonable return or (**can / cannot**) be used beneficially without the variances because:_____
- B. The variance (**is / is not**) substantial because:_____
- C. The essential character of the neighborhood (**would / would not**) be substantially altered by the variance and adjoining properties (**would / would not**) suffer a substantial detriment as a result of the variance because:_____
- D. The variance (**would / would not**) adversely affect the delivery of governmental services (i.e. water, sewer, garbage, etc.) because:_____
- E. The property owner (**did / did not**) purchase the property with knowledge of the zoning restriction because:_____
- F. The property owner's predicament (**can / cannot**) feasibly be obviated through some method other than a variance because:_____
- G. The spirit and intent behind the zoning requirement (**would / would not**) be observed and substantial justice done by granting the variance because:_____
- H. Other relevant factors, if any, considered include:_____

It is further moved that after considering and weighing these factors, the Board should find that practical difficulty (**is/is not**) shown sufficient to warrant granting the Variance requested, and that the Variance should be accordingly (**APPROVED / DENIED / APPROVED WITH THE FOLLOWING CONDITIONS**). The conditions for approval, if any, include:

Motion Seconded by: Mr. / Ms. _____.

Vote: Aye: _____ Nay: _____

Aerial Map

 Site

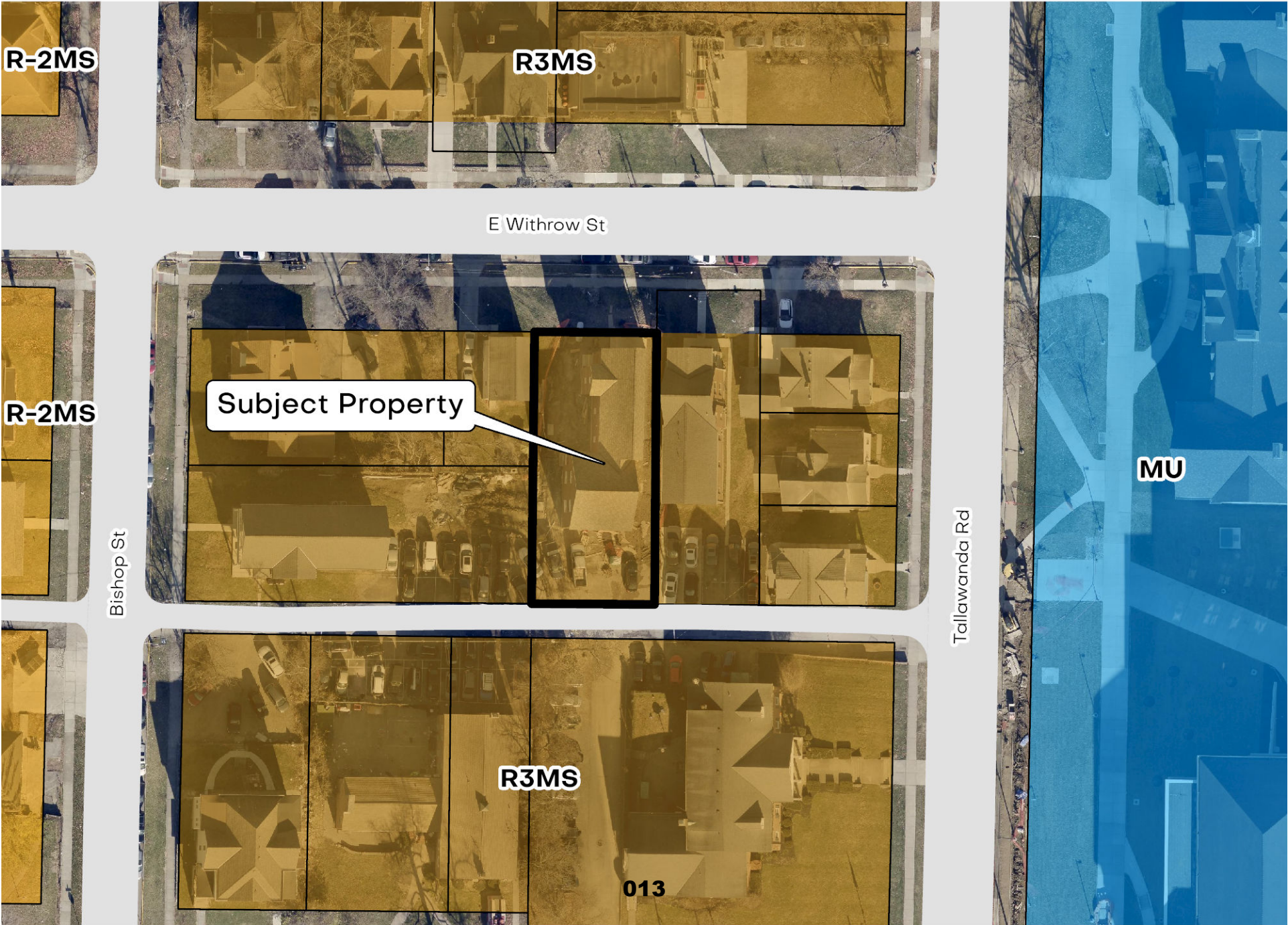
0 50 100 200 Feet

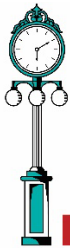


Zoning Map

 Site

0 50 100 200 Feet





City of
Oxford OHIO

HOME OF MIAMI UNIVERSITY

MEMORANDUM

Fire Department

513-523-6324

TO: Community Development

FROM: John Detherage
Fire Chief

DATE: 09-12-2024

RE: PBZA-2024-03 | 417 E. Withrow St.

The subject application is **Reviewed with Comments**.

1. The provided picture shows that cars are parked within a few feet of the building. The cars do not give sufficient room for egress from the rear door of the structure and block the path to the public way (alley). Removing this row of parking, as the project was originally designed, would keep the area open for egress as intended. A space in the remaining row will need to be removed to complete the path to the alley. Houses in this area are often used for large parties. Should a group of people attempt to exit this building in an emergency as it is, there would likely be a pile of people should someone fall. OFC 1028.5, 1005.4
2. This parking will also hamper ingress of firefighting personnel should there be a fire in this building. Dragging firehose through this area would be virtually impossible. OFC 504.1
3. There is no access for ground ladders to reach the upper windows should a rescue need to be made due to the cars pulled up to the building. OFC 504.1

To make this structure compliant with the Ohio Fire Code, the row of parking in question will need to be removed and a parking space in the remaining row will need to be removed to provide the required path to the public way. Please see the Code sections and definitions listed below:

(b) 101.2.2 Activities, locations and persons subject to the Ohio Fire Code. Unless specifically exempted or as limited by federal or state law or this code, the provisions of this code are intended to safeguard life and property from fire and explosion and shall apply to all aspects of fire safety at any structures, building, premises, vehicles or other locations within the territorial jurisdiction of the State of Ohio. The scope of this code includes, but is not limited to, property owned by the State of Ohio or other political subdivisions of the state, residential premises (one, two and three family dwellings), and agricultural premises. The scope of this code includes all aspects of fire safety for any occupancy of or any activities at the places subject to this code, including actions of or uses by any individual, corporation,

business trust, estate, trust, partnership, associations, the state, a political subdivision of the state, and any other entity, public or private.

Definitions:

1. **[A] “Public way.”** A street, alley or other parcel of land open to the outside air leading to a street, that has been deeded, dedicated or otherwise permanently appropriated to the public for public use and which has a clear width and height of not less than 10 feet (3048 mm).
2. **[BE] “Exit.”** That portion of a means of egress system between the exit access and the exit discharge or public way. Exit components include exterior exit doors at the level of exit discharge, interior exit stairways and ramps, exit passageways, exterior exit stairways and ramps and horizontal exits.
3. **[BE] “Exit discharge.”** That portion of a means of egress system between the termination of an exit and a public way.

(4) **[BE] 1005.4 Continuity.** The minimum width or required capacity of the means of egress required from any story of a building shall not be reduced along the path of egress travel until arrival at the public way.

(5) **[BE] 1028.5 Access to a public way.** The exit discharge shall provide a direct and unobstructed access to a public way.

Exception: Where access to a public way cannot be provided, a safe dispersal area shall be provided where all of the following are met:

1. The area shall be of a size to accommodate not less than 5 square feet (0.46 m²) for each person.
2. The area shall be located on the same lot not less than 50 feet (15 240 mm) away from the building requiring egress.
3. The area shall be permanently maintained and identified as a safe dispersal area.
4. The area shall be provided with a safe and unobstructed path of travel from the building.

(1) **504.1 Required access.** Exterior doors and openings required by this *rule* or the *building code as listed in rule 1301:7-7-80 of the Administrative Code* shall be maintained readily accessible for emergency access by the fire department. An approved access walkway leading from fire apparatus access roads to exterior openings shall be provided when required by the fire code official.



Photo Taken by Chief Detherage



VARIANCE APPLICATION

Please print legibly. To apply, email completed form and plans in PDF format to commdev@cityofoxford.org

BOX 1 | APPLICATION DETAILS

Property Address/Location 417 E Withrow	
Total Site Acreage 0.20	Total Building Square Footage 2,505
Project Description New 3-Family Residence	
1143.07(c) Overall Lot Coverage	
Requested Variance(s) Cite Zoning Code Sections	

BOX 2 | APPLICANT INFORMATION

Is the applicant also the current property owner?	
☐ Yes (You may skip Box 3) ☐ No (Do not skip Box 3, and include a Letter of Agency with your submittal)	
Applicant Name Scott Webb, Architect	
Applicant Company Name Scott Webb, Architect	
Mailing Address 103 W Walnut Street, Oxford, OH 45056	
Email Address scott@scottwebbarchitect.com	
Telephone Number (513) 523-3838	

BOX 3 | PROPERTY OWNER INFORMATION ☐ Check if same as Applicant

Property Owner Name Tom Kacachos
Property Owner Company Name Tres Walnut LLC
Mailing Address 116 E High Street, Oxford, OH 45056
Email Address tkacachos@parkplacerealestate.net
Telephone Number (513) 523-2015

BOX 4 | ATTACHMENT CHECKLIST Submit all contents in PDF format. No printed copies are necessary.

☒ Narrative/Cover Letter addressing all components required by Section 1139.02(a)(1) – more information on Page 3
☒ Site Plan(s) including all details and information required by Section 1139.02(a)(2) – more information on Page 3
☐ Building Elevations of any proposed or modified structures, including dimensions and exterior material details
☐ Floor Plans of building interior(s), and/or typical floor plans if the project involves multiple residential units
☒ Photos of existing site conditions and surroundings
☐ Copy of Preliminary Zoning Review or Permit Zoning Review containing reference to Code section(s) where variance relief is now being requested
Note: Upon checking an application for completeness, staff may require additional information and/or materials above and beyond the items listed above in order to perform a complete evaluation for compliance with relevant Code provisions. You are welcome to contact Community Development at 513-524-5204 ahead of submission to determine whether additional items may be required.

BOX 5 | APPLICANT SIGNATURE

As the owner or owner's agent, I hereby agree all information contained in this application is true, accurate, and complete to the best of my knowledge. I acknowledge the application will first be checked by City staff for completeness prior to determining a hearing date with the Oxford Board of Zoning Appeals. I also acknowledge that one or more signs may be placed on the subject property advertising scheduled public hearings for this application, and assume responsibility for removing signs at the completion of the hearing(s).

Applicant Name (Print) Scott Webb, Architect

Applicant Signature



Date 07/26/24

Processing Fee

The appropriate processing fee amount will be determined during a completeness check by Community Development staff. It may take 1-2 business days for a completeness check to be performed. The applicant will receive a digital copy of a processing fee invoice via email once it is ready. Fees may be paid in-person by check or credit card at the Finance Department window on the first floor of the Oxford Municipal Building, 15 S College Avenue, Oxford OH 45056. For credit card payments, the City accepts Visa, MasterCard, or Discover, and such payments may also be taken over the phone by calling our Finance Department Utilities line at 513-524-5221, Option 1.

Narrative/Cover Letter Requirements For source text see Oxford Zoning Code [Section 1139.02\(a\)\(1\)](#)

- A description of the existing uses of the site.
- The zoning district in which the site is located.
- A description of the existing and proposed use.
- For a proposed commercial use, include: (1) a description of operations, including type of goods sold, services performed, and expected number of customers, clientele, delivery, and service vehicles; and (2) the hours of operation.
- The nature and magnitude of the requested Variance.
- The Code section from which the Variance is requested.
- Separate narrative statements that explain how the proposed Variance satisfies each of the Decision Standards required to grant a variance. If multiple Variances are being requested, including a separate list of narrative statements for each Variance sought.

Site Plan Requirements For source text see Oxford Zoning Code [Section 1139.02\(a\)\(2\)](#)

- North arrow.
- Scale.
- Vicinity map.
- All existing and proposed lot lines within the site.
- Dimensions of all lots and of the entire site and any adjacent rights-of-way.
- Location, height, and use of all proposed and existing structures.
- Location and design of all proposed vehicle management areas.
- Location, size, and type of all proposed signs.
- Location, height, and type of all proposed screening and landscaping.
- Distances to residential zoning districts if within 1,000 feet.
- The use of land and location of structures on adjacent property and across adjacent rights-of-way.
- An indication of the regulation from which the Variance is requested.
- Other information as required by the Board of Zoning Appeals.

Decision Standards For source text see Oxford Zoning Code [Section 1139.02\(c\)](#)

The Board of Zoning Appeals will consider the effect of the request on the public health, safety and welfare.

Variances shall be granted only upon a determination that **practical difficulties** exist with respect to the property in question that would render strict application of the Zoning Code unreasonable. This determination shall be made without regard to the existence of variances and nonconformities on other land, sites, or structures not presently under consideration.

In determining whether practical difficulties exist sufficient to warrant a variance, the Board shall consider and weigh the following factors¹:

- Whether the property in question will yield reasonable return of whether there can be any beneficial use of the property without the variance;
- Whether the variance is substantial;
- Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
- Whether the variance would adversely affect the delivery of governmental services (i.e. water, sewer, garbage);
- Whether the property owner purchased the property with knowledge of the zoning restriction;
- Whether the property owners' predicament feasibly can be obviated through some method other than a variance;
- Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
- Any other relevant factor.

¹ The first seven factors are collectively known as the "Duncan standards" and are commonly referenced by municipal zoning jurisdictions in Ohio following the State Supreme Court's decision in [Duncan v Middlefield, 23 Ohio St. 3d 83 \(1986\)](#)

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that

Scott Webb

(Applicant Name)

has permission to represent our interest with the City of Oxford regarding

Variance Application for parking at 417 E Withrow

(Application Description)

located at

417 E Withrow

(Property Address/Location)

Thank you,

Tom Kacachos

(Property Owner Printed Name – must be a person)

Tres Walnut, LLC

(Property Owner Company Name – if applicable)



(Property Owner Signature – must correspond to printed name above)

7.26.2024

(Date)

Board of Zoning Appeals
City of Oxford
15 S. College Ave.
Oxford, Ohio 45056



SCOTT
WEBB

ARCHITECT

103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838

www.scottwebbarchitect.com

Re: Variance to Lot Coverage and Setback for Paving
New 3-Family Residence
417 E Withrow Street
Oxford, Ohio

July 26, 2024

Board Members,

Please accept this letter as a formal petition for a Board of Zoning Appeals review hearing for variances to the Lot Coverage restrictions in the R3MS Zoning District.

The New house at 417 E Withrow was permitted with a Site Plan calling for the removal of a portion of the existing parking along the Alley in order to meet the Lot Coverage restrictions of the R3MS Zoning District.

As shown in the attached aerial from before the new construction, there has historically been a continuous swath of parking along the East/West Alley, providing (40) parking spaces for the various student rentals in this block. The spaces have historically been numbered and assigned to the various dwellings.

Current Zoning Regulations would require the removal of (8) parking spaces for zoning compliance adding a shallow "yard" to the rear among the other parking spaces.

The variances requested would allow this area to continue to function as a continuous pocket of off-street parking.

1143.07(c) Restricts overall Lot Coverage to 45% of the lot.

Leaving the existing parking results in 54.8% Overall Lot Coverage, exceeding these limits.

The following are responses to the decisions standards outlined in the application;

a) *Whether the property in question will yield reasonable return or whether there can be any beneficial use of the property without the variance;*

The property may remain in its current condition, providing the min. required parking.

b) *Whether the variance is substantial;*

The 9.8% increase in Lot Coverage is not significant to increase the parking in this neighborhood by (8) additional spaces.

- c) *Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance*

The essential character of the neighborhood would be unaffected, with no change to the previous parking arrangement.

- d) *Whether the variance would adversely affect the delivery of governmental services (i.e., water, sewer, garbage);*

No change in the delivery of utilities & government services is necessitated by this application.

- e) *Whether the property owner purchased the property with knowledge of the zoning restriction;*

The property owner was aware of the zoning restriction, providing a Site Plan in compliance with the regulations. After the new house was constructed, it became obvious that the existing parking could remain with a variance.

- f) *Whether the property owners' predicament feasibly can be obviated through some method other than a variance;*

Existing paving areas can be removed and replaced with grass and meet the min. parking requirements.

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

The spirit of the Zoning Code is observed with regard to the placement of parking off the street and accessed by the alley. The limits on Lot Coverage are provided to preserve/create active outdoor areas and provide greenspace on each property. The greenspace available would not be desirable, located adjacent to a large parking area.

- h) *Any other relevant factor;*

This redevelopment project aligns with the goals of the Comprehensive Plan, encouraging infill and redevelopment within the City and reducing traffic and on-street parking in the Mile Square.

Thank you for your consideration of this application. If you have any questions or need any additional information, please call.

Respectfully,

A handwritten signature in dark ink, appearing to read 'Scott Webb', is written over a light blue rectangular background.

Scott Webb, Architect

Site Pictures

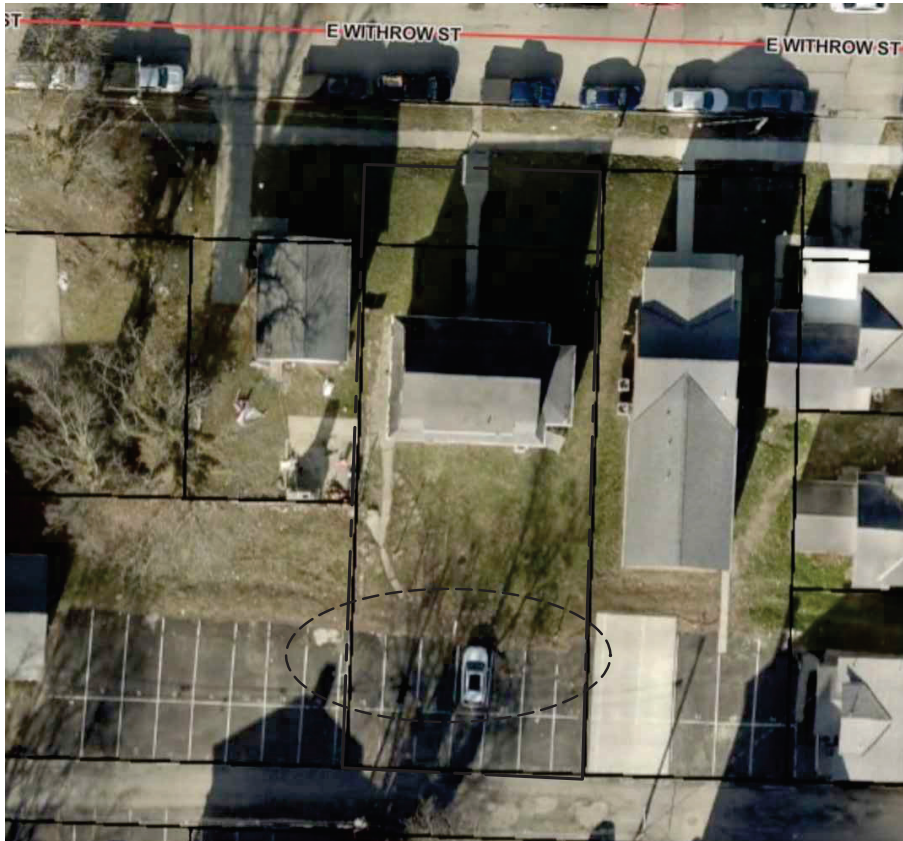


Site Location



Existing Rear Parking





EXISTING CONDITIONS

APPROVED SITE PLAN

1" = 20'-0"

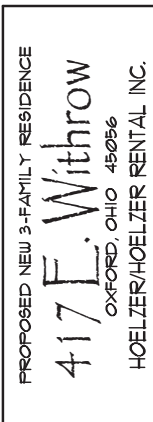
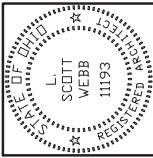
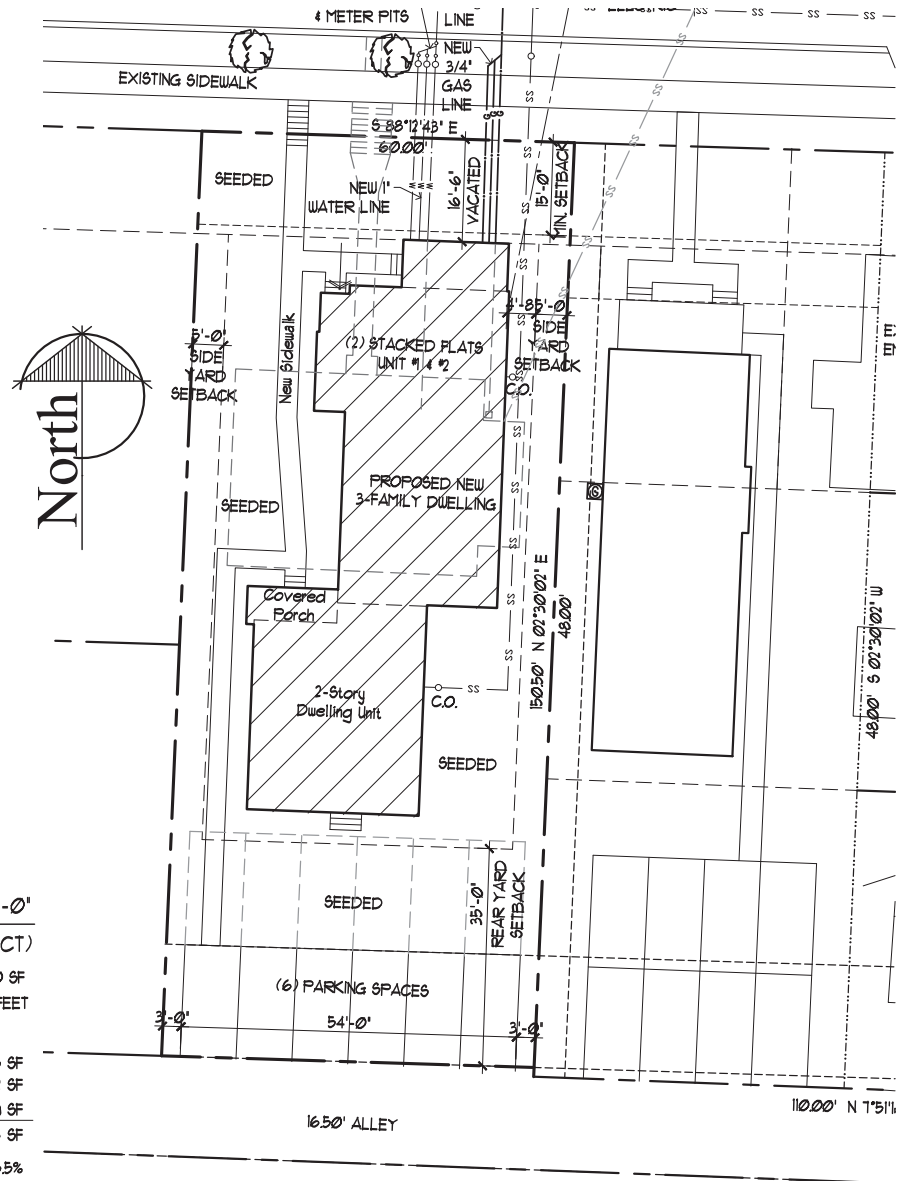
SITE DEVELOPMENT REGULATIONS (R3MS ZONING DISTRICT)

OVERALL LOT AREA: (8000 MIN FOR 3-FAMILY) 8,940 SF
OVERALL LOT WIDTH: (60' MIN FOR 3-FAMILY) 6000 FEET

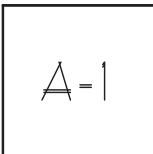
LOT COVERAGE REGULATIONS

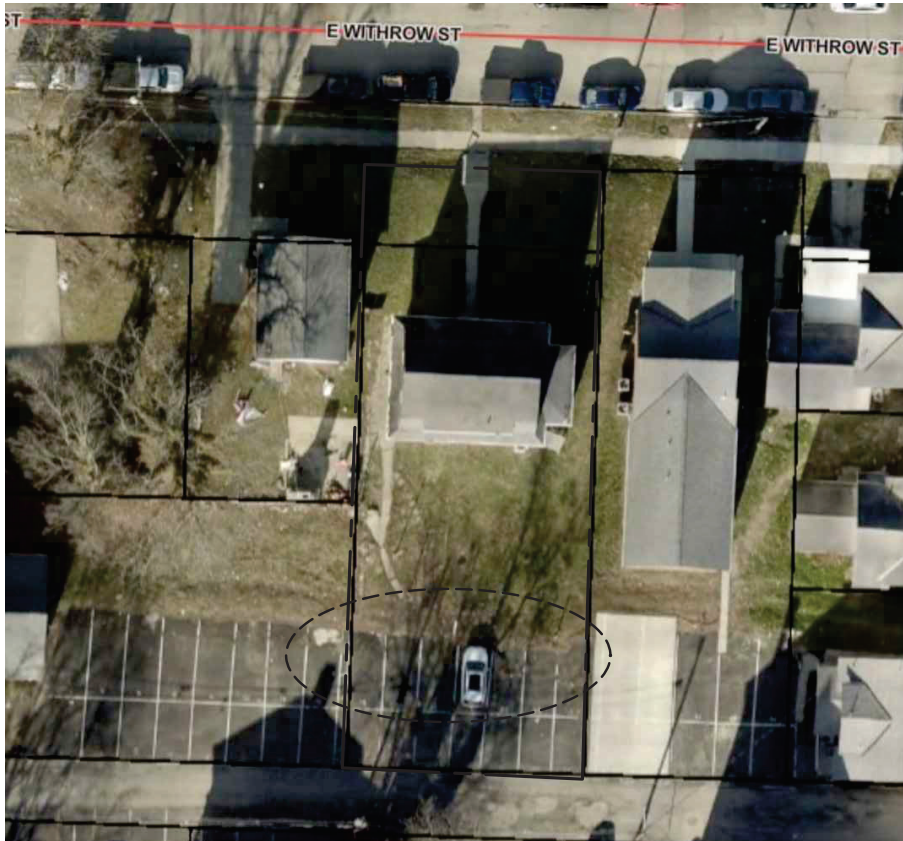
BUILDINGS: 2505 SF
(6) NEW PARKING SPACES (2) PER DWELLING UNIT: 912 SF
SIDEWALKS: 549 SF
TOTAL: 4,026 SF

ACTUAL FRONT YARD: 50 SF / 300 SF = 5.5%
ALLOW. FRONT YARD: R3MS = 15%
ACTUAL LOT COVERAGE: 4,026 SF / 8,940 SF = 45.0%
ALLOW. LOT COVERAGE (VEHICLE ACCESS FROM ALLEY): R3MS = 45%



DATE
July 24, 2024
REVISIONS





EXISTING CONDITIONS

REVISED SITE PLAN

1" = 20'-0"

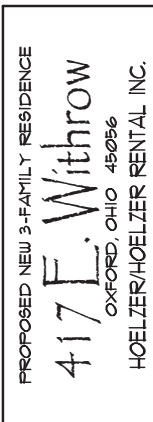
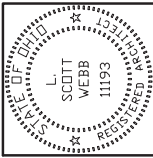
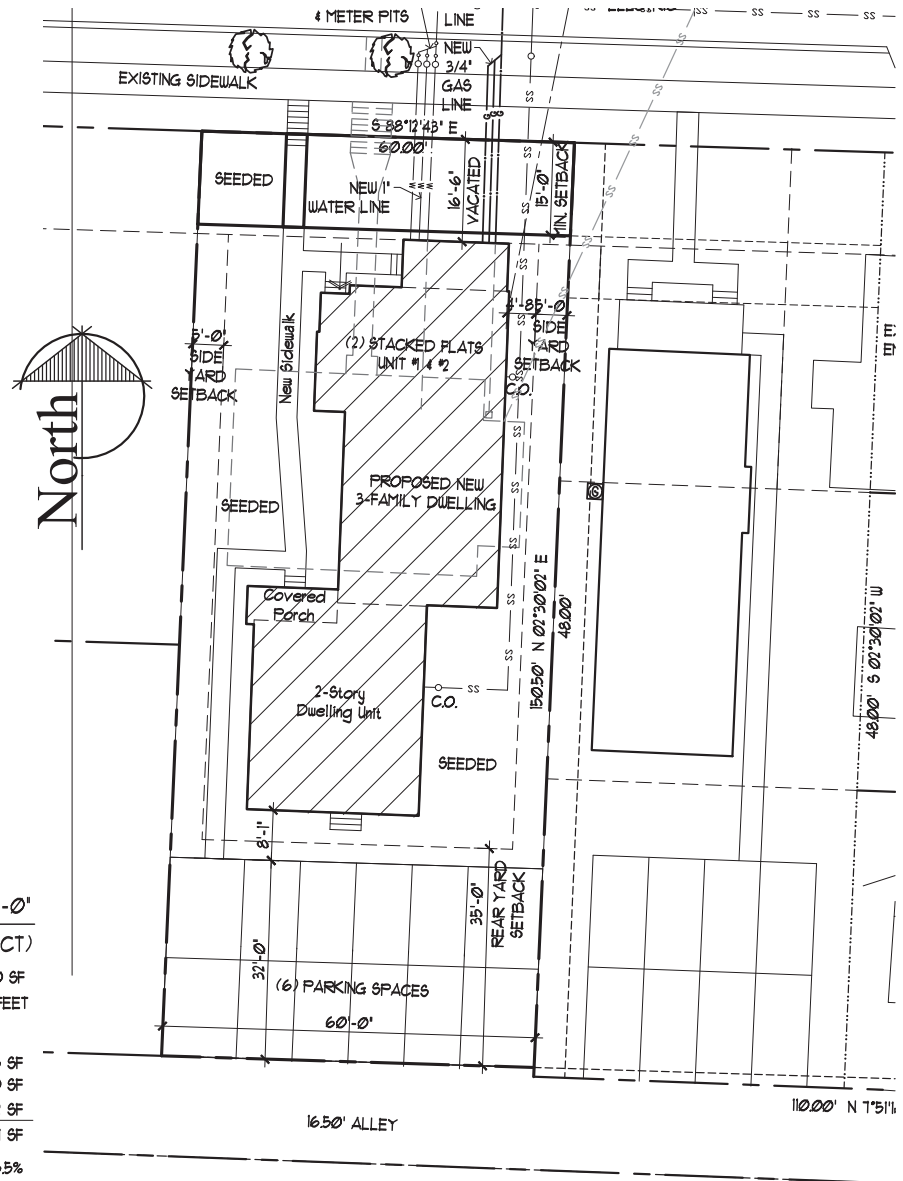
SITE DEVELOPMENT REGULATIONS (R3MS ZONING DISTRICT)

OVERALL LOT AREA: (8000 MIN FOR 3-FAMILY) 8,940 SF
OVERALL LOT WIDTH: (60' MIN FOR 3-FAMILY) 6000 FEET

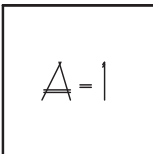
LOT COVERAGE REGULATIONS

BUILDINGS: 2,505 SF
(6) NEW PARKING SPACES (2) PER DWELLING UNIT: 1,920 SF
SIDEWALKS: 482 SF
TOTAL: 4,907 SF

ACTUAL FRONT YARD: 50 SF / 300 SF = 5.5%
ALLOW. FRONT YARD: R3MS = 15%
ACTUAL LOT COVERAGE: 4,907 SF / 8,940 SF = 54.8%
ALLOW. LOT COVERAGE (VEHICLE ACCESS FROM ALLEY): R3MS = 45%



DATE
July 24, 2024
REVISIONS

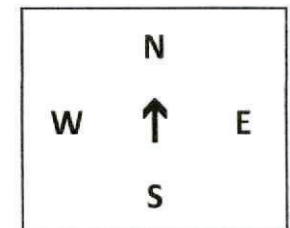


TALLAWANDA PARKING LOT

113-115 N BISHOP			116 TALLAWANDA		114 TALLAWANDA		421 E WITHROW	PARK PLACE								423 E WITHROW		112 TALLAWANDA			
113-115 N BISHOP HOUSE	2	4	6	8	10	12	14	16	18	20	22	24	26	28	30	32	34	36	38	40	112 TALLAWANDA HOUSE
	1	3	5	7	9	11	13	15	17	19	21	23	25	27	29	31	33	35	37	39	

SPOTS 1-6: 113-115 N Bishop
SPOTS 7-10-: 116 Tallawanda
SPOTS 11-14: 114 Tallawanda
SPOTS 15-16: 421 E Withrow
SPOTS 17-30: PARK PLACE
SPOTS 31-34: 423 E WITHROW
SPOTS 36-40: 112 Tallawanda

Early schematic provided by applicant prior to Variance app submission. This illustrates how property owners use/assign spaces along the northern side of the E-W alley between Bishop St. and Tallawanda Rd.



STAFF REPORT

Community Development | Board of Zoning Appeals

APPLICATION DETAILS

Applicant	Scott Webb, Architect
Location	315 University Avenue – Parcels H4100006000111 & H4100006000112
Owner	Gracie Holding Ltd., c/o Karen Schroer
Action Request	Variance to Section 1143.07(d)(5)(B) , minimum roof pitch
Lot Size	7,919 square feet / 0.18 acres
Lot Width	44 feet (Parcel H4100006000111 = 12 ft; Parcel H4100006000112 = 32 ft)
Current Use	Single-Family Dwelling
Current Zoning	R3MS Single-, Two-, and Three-Family Mile Square Residential District
Surrounding Land Uses	Single-family dwellings to the north and west across University Ave; Two-family dwelling to the south; fraternity houses to the east

BACKGROUND

The subject case involves a proposed addition to an existing single-family dwelling at 315 University Avenue. While this dwelling is currently permitted for up to 4 unrelated occupants, there are only three bedrooms within the dwelling, including two downstairs and one upstairs. The property owner would like to construct an upper story “dormer” addition onto the rear side of the house. The addition would enhance useability by increasing headroom upstairs, with further changes to the internal layout resulting in one additional bedroom to maximize the allotted occupancy.

During the permit review process, it was discovered that the proposed roof pitch for the addition did not meet the Zoning Code minimum of 6/12. The roof pitch standard is one of many within the Code enacted for the purpose of producing traditional architectural forms for new construction projects in the Mile Square. The only exception the Code expressly provides is for porch roofs, which must be 4/12 minimum. The slope to the roof of the proposed addition falls somewhere close to 1/12, and thus requires a Variance from the Board of Zoning Appeals in order to be authorized.

DESCRIPTION

The applicant's requested variance can be summarized as follows:

Requirement	Code Section	Standard	Proposal
Minimum Roof Pitch	1143.07(d)(5)(B)	6/12	1/12 approx.
The Code specifies within the Mile Square Design Standards that <i>roof pitches for residential structures must be steep. A minimum pitch ratio of 6 to 12 is required with the exception of porch roofs that should have a minimum pitch ratio of 4 to 12.</i> In an architectural sense, roof pitch is expressed as a measurement of rise over a certain span of width, most commonly the degree of rise over a 12-foot span. In this case, it is found that the roof of the addition rises a little over 1 foot for every 12 feet of span, making it fairly close to being flat.			

PUBLIC COMMENTS

Notification was mailed to property owners within 200 feet and a sign was placed on the property. No official public comments have been received as of this writing.

DEPARTMENT COMMENTS

Below are comments from City departments:

Department	Respondent	Response
Economic Development	Seth Copenbaker, Economic Development Specialist	Not Returned
Engineering	Scott Otto, City Engineer	Returned without Comments
Fire	John Detherage, Fire Chief	Returned without Comments
Police	John Jones, Police Chief	Not Returned

BZA SITE HISTORY

There is no prior BZA case history available in City records for this property.

DECISION CRITERIA

In accordance with **Section 1139.02(c)(1)**, the burden of proof is upon the Applicant to present reliable and substantial evidence that supports the request for Variance. Furthermore, per **Section 1139.02(c)(2)** the BZA must find that **practical difficulties** exist that would render strict application of the Code unreasonable. In determining whether such difficulties exist which are sufficient to warrant the Variance, the Board shall use the attached eight decision criteria (A-H) in its deliberation. See the enclosed narrative addressing the review criteria from Mr. Webb.

If the BZA determines that difficulties exist which are sufficient to warrant the Variance, staff recommends that the BZA cite any new or different specific evidence not yet identified and approve the Variance request. If the BZA does approve the Variance it can make separate findings and attach any appropriate conditions it deems necessary as permitted by **Section 1139.02(d)(2)**.

Staff's review of the criteria is outlined in the table below:

Criterion A	Whether the property in question will yield reasonable return or whether there can be any beneficial use of the property without the variance
Does not support granting the Variance	The land use of the subject property is not in jeopardy with this request. The existing use may continue in its present state, or be modified in a way that is compliant with the Zoning Code.
Criterion B	Whether the variance is substantial
Supports granting the Variance	Staff and the applicant disagree as to whether the addition should in fact be considered a "dormer" and thus exempt from the roof pitch standard. A true dormer that otherwise provides for sloping roof planes on either side – whether it be located in the front or the rear – would be permitted administratively without issue or need for a Variance. In this case, because the addition is effectively concealed by being located on the rear side of the structure and otherwise preserves a sufficiently sloped roof in front, the architectural integrity of the structure would not be compromised. Staff therefore finds that the Variance is not substantial despite the stark numerical difference from the minimum standard.
Criterion C	Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance
Supports granting the Variance	With no change to the front façade, staff agrees with the applicant's assessment that the essential character of the neighborhood would remain intact with no substantial detriments to surrounding properties anticipated.
Criterion D	Whether the variance would adversely affect the delivery of governmental services (i.e. water, sewer, garbage)
Supports granting the Variance	No comments or concerns were returned by the City Engineer, Fire Chief or Police Chief on this matter. The granting of this Variance is not expected to have any adverse impact on governmental services.

Criterion E	Whether the property owner purchased the property with knowledge of the zoning restriction
Supports granting the Variance	As the applicant states, the property owner was not initially aware of the zoning restriction currently under scrutiny.
Criterion F	Whether the property owners' predicament feasibly can be obviated through some method other than a variance
Does not support granting the Variance	The predicament could be addressed through a revision to the design that would elevate the roof ridgeline such that the minimum 6/12 pitch could be met on the new rear-facing slope. Although such an alteration would increase costs and more significantly disturb the original house design, it could theoretically be accomplished.
Criterion G	Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance
Supports granting the Variance	<i>Section 1143.07(d)(1)(A)</i> provides language justifying the purpose and intent of all Mile Square Design Standards, inclusive of the subject roof pitch standard. This section articulates that such <i>standards are not intended to dictate any specific architectural style or design but rather are intended to allow imaginative design that is respectful to surrounding properties and the overall district. The Mile Square Design Standards are intended to provide predictable requirements while also allowing for flexibility in design.</i> Many “standards” within this section use passive language (for instance, words like “should” or “encouraged” as opposed to “shall”), and thus could be construed more as <i>guidelines</i> rather than as rigid, objectively enforced <i>standards</i> . On the subject of roof pitch specifically, the Code is more adamant that it shall fall into the latter category of being a definite requirement. Despite the Code’s relative firmness on the matter, staff has permitted literal exceptions in the past when involving common features of traditional architecture, such as flat porches and dormers. In this instance, staff believes the spirit of the requirement would be better met through the approval of a rear slope exception in lieu of necessitating a more absurd roof line.
Criterion H	Any other relevant factor
Supports granting the Variance	The Oxford Tomorrow Comprehensive Plan recommends in Action L1-A6 the eventual creation of design guidelines for residential and commercial development. It is true that guidelines, of a sort, already exist and are “on the books” for R-1MS, R-2MS and R3MS Districts, effectively titled as the “Mile Square Design Standards.” While the vary nature of guidelines should imply the ability for some latitude/flexibility to be exercised, when provisions are written in active language (e.g., using words like “shall”, “require”, etc.) the ability for a zoning administrator to operate in this manner is more or less extinguished. An opportunity exists during the upcoming modernization of the Zoning Code to provide for a more administrative route to achieving variations to minor project details that do not negatively affect adjoining owners or the community at-large.

CONCLUSION

At the time of this report, staff believes **there is substantial evidence** to support the Variance request.

SUBMITTED BY:



Zachary Moore, AICP
City Planner / GIS Coordinator

DATE: October 15, 2024

BZA MOTION FOR VARIANCES

In the case of **BZA-2024-05** ...

1) Regarding the variance requested to *Section 1143.07(d)(5)(B)* for minimum roof pitch ...

Mr./Ms. _____ hereby moves that the Board adopt and make the following findings of fact:

- A. The property in question (**will / will not**) yield a reasonable return or (**can / cannot**) be used beneficially without the variances because:_____
- B. The variance (**is / is not**) substantial because:_____
- C. The essential character of the neighborhood (**would / would not**) be substantially altered by the variance and adjoining properties (**would / would not**) suffer a substantial detriment as a result of the variance because:_____
- D. The variance (**would / would not**) adversely affect the delivery of governmental services (i.e. water, sewer, garbage, etc.) because:_____
- E. The property owner (**did / did not**) purchase the property with knowledge of the zoning restriction because:_____
- F. The property owner's predicament (**can / cannot**) feasibly be obviated through some method other than a variance because:_____
- G. The spirit and intent behind the zoning requirement (**would / would not**) be observed and substantial justice done by granting the variance because:_____
- H. Other relevant factors, if any, considered include:_____

It is further moved that after considering and weighing these factors, the Board should find that practical difficulty (**is/is not**) shown sufficient to warrant granting the Variance requested, and that the Variance should be accordingly (**APPROVED / DENIED / APPROVED WITH THE FOLLOWING CONDITIONS**). The conditions for approval, if any, include:

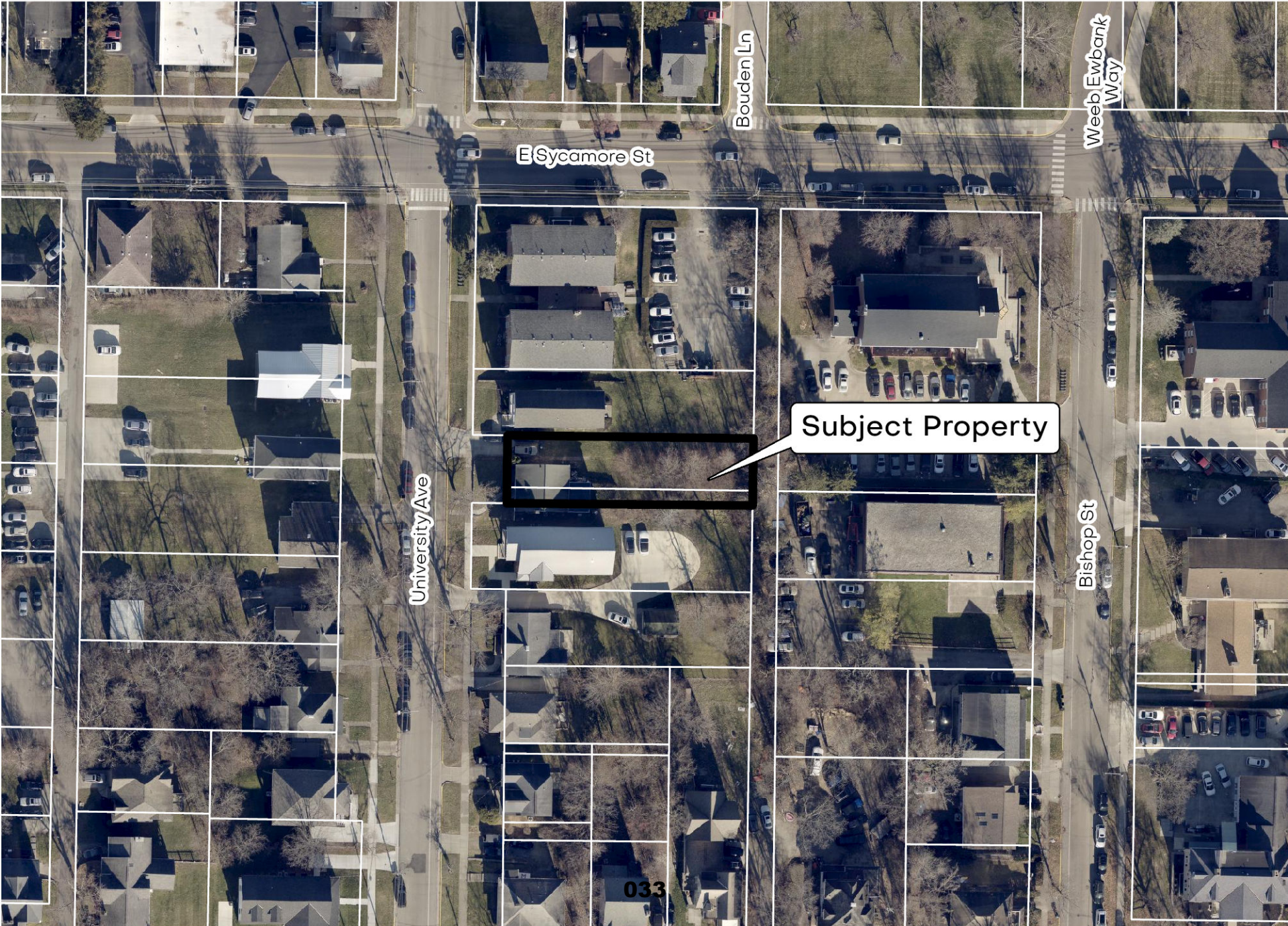
Motion Seconded by: Mr. / Ms. _____.

Vote: Aye: _____ Nay: _____

Aerial Map

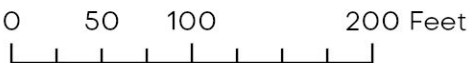
 Site

0 50 100 200 Feet



Zoning Map

 Site





VARIANCE APPLICATION

Please print legibly. To apply, email completed form and plans in PDF format to commdev@cityofoxford.org

BOX 1 | APPLICATION DETAILS

Property Address/Location 315 University	
Total Site Acreage .182	Total Building Square Footage 1,135
Project Description Partial Second Story Addition	
Requested Variance(s) Cite Zoning Code Sections Variance to Section Section 1143.07(d)(5)(B) for a roof pitch on a rear shed dormer	

BOX 2 | APPLICANT INFORMATION

Is the applicant also the current property owner?	
☐ Yes (You may skip Box 3) ☐ No (Do not skip Box 3, and include a Letter of Agency with your submittal)	
Applicant Name Scott Webb, Architect	
Applicant Company Name Scott Webb, Architect	
Mailing Address 103 W Wlanut Street, Oxford, OH 45056	
Email Address scott@scottwebbarchitect.com	
Telephone Number (513) 523-3838	

BOX 3 | PROPERTY OWNER INFORMATION ☐ Check if same as Applicant

Property Owner Name Karen Schroer
Property Owner Company Name Gracie Holding LTD
Mailing Address 2 S 3rd Street #400 Hamilton, OH 45011
Email Address kayschroer@yahoo.com
Telephone Number (513) 523-7253

BOX 4 | ATTACHMENT CHECKLIST Submit all contents in PDF format. No printed copies are necessary.

- ☒ **Narrative/Cover Letter** addressing all components required by [Section 1139.02\(a\)\(1\)](#) – more information on Page 3
- ☒ **Site Plan(s)** including all details and information required by [Section 1139.02\(a\)\(2\)](#) – more information on Page 3
- ☒ **Building Elevations** of any proposed or modified structures, including dimensions and exterior material details
- ☒ **Floor Plans** of building interior(s), and/or typical floor plans if the project involves multiple residential units
- ☒ **Photos** of existing site conditions and surroundings
- ☒ **Copy of Preliminary Zoning Review or Permit Zoning Review** containing reference to Code section(s) where variance relief is now being requested

Note: Upon checking an application for completeness, staff may require additional information and/or materials above and beyond the items listed above in order to perform a complete evaluation for compliance with relevant Code provisions. You are welcome to contact Community Development at 513-524-5204 ahead of submission to determine whether additional items may be required.

BOX 5 | APPLICANT SIGNATURE

As the owner or owner's agent, I hereby agree all information contained in this application is true, accurate, and complete to the best of my knowledge. I acknowledge the application will first be checked by City staff for completeness prior to determining a hearing date with the Oxford Board of Zoning Appeals. I also acknowledge that one or more signs may be placed on the subject property advertising scheduled public hearings for this application, and assume responsibility for removing signs at the completion of the hearing(s).

Applicant Name (Print) Scott Webb, Architect

Applicant Signature



Date 9/26/24

Processing Fee

The appropriate processing fee amount will be determined during a completeness check by Community Development staff. It may take 1-2 business days for a completeness check to be performed. The applicant will receive a digital copy of a processing fee invoice via email once it is ready. Fees may be paid in-person by check or credit card at the Finance Department window on the first floor of the Oxford Municipal Building, 15 S College Avenue, Oxford OH 45056. For credit card payments, the City accepts Visa, MasterCard, or Discover, and such payments may also be taken over the phone by calling our Finance Department Utilities line at 513-524-5221, Option 1.

Narrative/Cover Letter Requirements For source text see Oxford Zoning Code [Section 1139.02\(a\)\(1\)](#)

- A description of the existing uses of the site.
- The zoning district in which the site is located.
- A description of the existing and proposed use.
- For a proposed commercial use, include: (1) a description of operations, including type of goods sold, services performed, and expected number of customers, clientele, delivery, and service vehicles; and (2) the hours of operation.
- The nature and magnitude of the requested Variance.
- The Code section from which the Variance is requested.
- Separate narrative statements that explain how the proposed Variance satisfies each of the Decision Standards required to grant a variance. If multiple Variances are being requested, including a separate list of narrative statements for each Variance sought.

Site Plan Requirements For source text see Oxford Zoning Code [Section 1139.02\(a\)\(2\)](#)

- North arrow.
- Scale.
- Vicinity map.
- All existing and proposed lot lines within the site.
- Dimensions of all lots and of the entire site and any adjacent rights-of-way.
- Location, height, and use of all proposed and existing structures.
- Location and design of all proposed vehicle management areas.
- Location, size, and type of all proposed signs.
- Location, height, and type of all proposed screening and landscaping.
- Distances to residential zoning districts if within 1,000 feet.
- The use of land and location of structures on adjacent property and across adjacent rights-of-way.
- An indication of the regulation from which the Variance is requested.
- Other information as required by the Board of Zoning Appeals.

Decision Standards For source text see Oxford Zoning Code [Section 1139.02\(c\)](#)

The Board of Zoning Appeals will consider the effect of the request on the public health, safety and welfare.

Variances shall be granted only upon a determination that **practical difficulties** exist with respect to the property in question that would render strict application of the Zoning Code unreasonable. This determination shall be made without regard to the existence of variances and nonconformities on other land, sites, or structures not presently under consideration.

In determining whether practical difficulties exist sufficient to warrant a variance, the Board shall consider and weigh the following factors¹:

- Whether the property in question will yield reasonable return or whether there can be any beneficial use of the property without the variance;
- Whether the variance is substantial;
- Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
- Whether the variance would adversely affect the delivery of governmental services (i.e. water, sewer, garbage);
- Whether the property owner purchased the property with knowledge of the zoning restriction;
- Whether the property owners' predicament feasibly can be obviated through some method other than a variance;
- Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
- Any other relevant factor.

¹ The first seven factors are collectively known as the "Duncan standards" and are commonly referenced by municipal zoning jurisdictions in Ohio following the State Supreme Court's decision in [Duncan v Middlefield, 23 Ohio St. 3d 83 \(1986\)](#)

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Scott Webb, has permission to represent our interest with the City of Oxford and act on our behalf regarding **A variance to the min. roof pitch requirement of Section 1143.07(d)(5)(B)** at 315 University in Oxford.

Thank you,

Signed:

Karen Schroer

dotloop verified
09/26/24 3:05 PM EDT
JEZI-NCEG-3CSW-LSU7

Karen Schroer, Authorized Member
Gracie Holdings, Ltd.

Date

Board of Zoning Appeals
City of Oxford
15 S. College Ave.
Oxford, Ohio 45056



SCOTT
WEBB

ARCHITECT

103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838

www.scottwebbarchitect.com

Re: Variance to Min. Roof Pitch
Rear Dormer Addition
315 University
Oxford, Ohio

September 26, 2024

Board Members,

Please accept this letter as a formal petition for a Board of Zoning Appeals review hearing for variances to the min. roof pitch for a dormer addition to the rear of a small single family residence in the Mile Square.

Built in 1941 on the North side of the Mile Square, the existing house is quite compact and is a somewhat common housing type here in Oxford. The existing house has a stair to an small upper story, located in the roof providing a bedroom and bathroom with sloped ceilings on the second floor.

The proposal at hand is to provide a new shed dormer to the rear of the second floor, increasing the headroom and usability of the second floor. The design decision was to provide a dormer to the rear that stays below the existing ridge, rather than increasing the amount of roof on the small residence, changing the proportion of the front facade.

While shed dormers are common, the current Zoning Regulations do not provide exceptions for the roof pitch for different elements, simply requiring a min. of 6/12 pitch other than porches.

The variance requested is allow the dormer element on the rear side of the house to have a shallow roof pitch to maintain the existing ridge height and front façade..

1149.06(b)(1) *Roof pitches for residential structures must be steep. A minimum pitch ratio of 6 to 12 is required with the exception of porch roofs that should have a minimum pitch ratio of 4 to 12..*

As described above, the proposal at hand is to construct the partial second story addition to the rear of the house as a shed dormer, allowing the addition to remain behind the existing ridge rather than increasing the amount of roof on the small residence, changing the proportion of the front facade.

Shed Dormers are common elements in vernacular architecture, and by design and necessity, have roof pitches less than the prescribed 6/12 pitch

The following are responses to the decisions standards outlined in the application;

- a) *Whether the property in question will yield reasonable return or whether there can be any beneficial use of the property without the variance;*

The property may remain in its current condition but will continue to yield a reduced return, becoming less marketable with minimal bedrooms and low ceiling heights.

- b) *Whether the variance is substantial;*

The difference in the proposed roof pitch may be seen as substantial, but is a result of our Zoning Code not providing exceptions for common design elements.

- c) *Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance*

The essential character of the neighborhood would be unaffected, with no change to the front facade.

- d) *Whether the variance would adversely affect the delivery of governmental services (i.e., water, sewer, garbage);*

No change in the delivery of utilities & government services is necessitated by this application.

- e) *Whether the property owner purchased the property with knowledge of the zoning restriction;*

The property owner was not initially aware of the zoning restriction, having seen similar construction in town.

- f) *Whether the property owners' predicament feasibly can be obviated through some method other than a variance;*

The roof could be reconfigured to meet the zoning requirement, adding expense and further altering the original 1941 design.

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

"The purpose of the Mile Square Design Standards is to establish design standards for all new, expanded, or renovated buildings so they are part of the urban form and character of the Mile Square District."

While the roof pitch standard is part of these standards, its intention "to provide predictable requirements while also allowing for flexibility in design" is limited by the specificity of this requirement.

The spirit and intent of the Zoning Code is observed with this dormer design, providing an "... imaginative design that is respectful to surrounding properties and the overall district" by providing an addition that preserves the original street face by using a common, historically appropriate design solution.

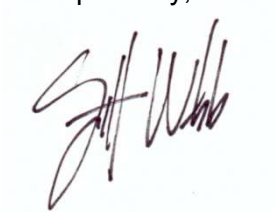
- h) *Any other relevant factor;*

This redevelopment project aligns with the goals of Planning Commission and City Council where this area was targeted for redevelopment specifically for the student rental market.

It further aligns with the goals of the Comprehensive Plan, encouraging infill and redevelopment within the City and investing in the historic houses in the Mile Square.

Thank you for your consideration of this application. If you have any questions or need any additional information, please call.

Respectfully,

A handwritten signature in dark ink, appearing to read "Scott Webb", is written over a light blue rectangular background.

Scott Webb, Architect

315 University Site Pictures



Site Location



Existing Single Family Residence



Existing Single Family Residence

A. GENERAL REQUIREMENTS

1. THE AIA DOCUMENT A201 'GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION' IS HEREBY MADE A PART OF THESE NOTES. A COPY OF WHICH MAY BE OBTAINED FROM THE ARCHITECT BY REQUEST, OR FROM THE AIA OFFICE (LONGWORTH HALL: 100 WEST FETE ROSE WAY CINCINNATI, OH).
2. ALL WORK SHALL COMPLY WITH OSEC AND CABO CODES WHERE APPLICABLE. WORK SHALL FOLLOW SHAPE OR ARRANGEMENT AND DIMENSION OF DRAWINGS AND MANUFACTURERS INSTALLATION INSTRUCTIONS.
3. ALL CHANGES SHALL BE APPROVED IN WRITING BY THE ARCHITECT AND THE OWNER PRIOR TO BEGINNING AFFECTED WORK.

B. PERMITS & TESTS

1. THE OWNER SHALL SECURE AND PAY FOR THE COST OF THE BUILDING PERMIT AND TESTS AS APPLICABLE.
- a) GENERAL CONTRACTOR IS TO OBTAIN INSPECTIONS, AND APPROVALS PER LOCAL AND STATE REQUIREMENTS. THE COST OF THIS WORK SHALL BE INCLUDED IN THE BID TO THE OWNER.
- b) ELECTRICAL, PLUMBING, AND HVAC SUB-CONTRACTORS SHALL OBTAIN AND PAY FOR THEIR RESPECTIVE PERMITS AND INSPECTIONS AND SHALL BE RESPONSIBLE FOR THE DESIGN AND DRAINAGES REQUIRED TO GET SUCH PERMITS. THE COST OF THIS WORK SHALL BE INCLUDED IN THE BID TO THE OWNER.

C. STATE & LOCAL TAXES

1. THE GENERAL CONTRACTOR AND EACH SUB-CONTRACTOR SHALL PAY ANY APPLICABLE FEDERAL, STATE, AND LOCAL TAXES.

D. CONTRACT DOCUMENTS

1. THE CONTRACT DRAWINGS AND SPECIFICATIONS ARE INTENDED TO DESCRIBE AND PROVIDE FOR A FINISHED PIECE OF WORK. THEY ARE INTENDED TO BE COOPERATIVE, AND WHAT IS CALLED FOR BY EITHER SHALL BE AS BINDING UPON THE CONTRACTOR AS IF CALLED FOR BY BOTH.
2. IF ANY PERSON CONTEMPLATING SUBMITTING A BID FOR CONSTRUCTION OF THE WORK IS IN DOUBT AS TO THE TRUE MEANING OF ANY PART OF THE PROPOSED CONTRACT DOCUMENTS, OR FINDS DISCREPANCIES IN OR OMISSIONS FROM ANY PART OF THE PROPOSED CONTRACT DOCUMENTS, HE MAY ASK THE ARCHITECT FOR INTERPRETATION THEREOF.
3. IT IS UNDERSTOOD AND AGREED BY THE CONTRACTOR THAT HIS WORK SHALL BE COMPLETE IN EVERY DETAIL, EVEN THOUGH EVERY ITEM NECESSARILY INVOLVED IS NOT PARTICULARLY MENTIONED IN THE CONTRACT DRAWINGS OR THE SPECIFICATIONS. THE CONTRACTOR SHALL PROVIDE ALL LABOR AND MATERIALS NECESSARY FOR THE COMPLETION OF THE WORK. INTENDED TO BE DESCRIBED, AND SHALL NOT AVOID HIMSELF OF ANY MANIFEST ERROR OR OMISSION, SHOULD SUCH EXIST.

E. EXISTING CONDITIONS

1. BEFORE SUBMITTING A BID, EACH BIDDER SHALL CAREFULLY EXAMINE THE DRAWINGS, READ THE SPECIFICATIONS AND ALL OTHER PROPOSED CONTRACT DOCUMENTS, AND VISIT THE SITE OF THE WORK. EACH BIDDER SHALL FULLY INFORM HIMSELF PRIOR TO BIDDING AS TO ALL EXISTING CONDITIONS AND LIMITATIONS UNDER WHICH THE WORK IS TO BE PERFORMED, AND HE SHALL INCLUDE IN HIS BID A SUM TO COVER ALL COSTS OF ALL ITEMS NECESSARY TO PERFORM THE WORK AS SET FORTH IN THE PROPOSED CONTRACT DOCUMENTS. NO ALLOWANCE WILL BE MADE TO ANY BIDDER BECAUSE OF LACK OF SUCH EXAMINATION OR KNOWLEDGE. THE SUBMISSION OF A BID WILL BE CONSIDERED AS CONCLUSIVE EVIDENCE THAT THE BIDDER HAS MADE SUCH EXAMINATION.

F. LOCATE UNDERGROUND UTILITIES

1. PRIOR TO BEGINNING OF ANY WORK ON THE SITE, THE GENERAL CONTRACTOR IS TO LOCATE ANY AND ALL UNDERGROUND UTILITIES INCLUDING: GAS LINES, WATER LINES, SEWERS, UNDERGROUND ELECTRIC, TELEPHONE, CABLE TV, OR ANY OTHER PRIVATE OR PUBLIC SERVICE.

G. INSURANCE

1. PRIOR TO COMMENCING ANY WORK ON THE SITE, THE GENERAL CONTRACTOR SHALL PURCHASE AND MAINTAIN IN FORCE THROUGHOUT THE ENTIRE PROJECT UNTIL FINAL ACCEPTANCE BY THE OWNER SUCH INSURANCE AS TO PROTECT HIMSELF FROM CLAIMS WHICH MAY ARISE OUT OF OR RESULT FROM THE CONTRACTOR'S OPERATION UNDER THIS CONTRACT.

2. ALL CONTRACTORS SHALL FURNISH TO THE OWNER PROOF OF HAVING IN EFFECT LIABILITY INSURANCE, INCLUDING:
 - a) WORKMENS COMPENSATION
 - b) EMPLOYER LIABILITY
 - c) PUBLIC LIABILITY, PROPERTY LIABILITY, AND PERSONAL INJURY
 - d) AUTO LIABILITY, PROPERTY DAMAGE, AND PERSONAL INJURY

3. CERTIFICATE OF INSURANCE FORM: AIA DOCUMENT G105 'CERTIFICATE OF INSURANCE' LATEST EDITION, SHALL BE USED FOR THE PROJECT.

H. WORK OF THE CONTRACT

1. PROCEDURES AND METHODS OF CONSTRUCTION SHALL BE THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
2. IT SHALL BE UNDERSTOOD THAT THE ARCHITECT'S ON-SITE OBSERVATION OF THE WORK IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES IN OR NEAR THE CONSTRUCTION SITE.
3. COMPLIANCE WITH ALL REGULATIONS PERTAINING TO SAFETY AND HEALTH IS THE SOLE AND COMPLETE RESPONSIBILITY OF EACH CONTRACTOR.
4. THE GENERAL CONTRACTOR SHALL SCHEDULE AND COORDINATE WORK OF ALL TRADES INCLUDING PLUMBING, HVAC, ELECTRICAL, CONTRACTORS. HE SHALL DIRECT ARRANGEMENTS FOR STORAGE OF MATERIALS. HE SHALL COORDINATE AND EXPEDITE THE WORK OF ALL TRADES SO THAT PROGRESS OF THE PROJECT SHALL BE KEPT ON SCHEDULE.

5. EACH CONTRACTOR AND SUBCONTRACTOR SHALL COORDINATE THEIR WORK WITH ADJACENT WORK, COOPERATE WITH ONE ANOTHER AND WITH OTHER TRADES TO FACILITATE GENERAL PROGRESS OF WORK. EACH TRADE SHALL AFFORD OTHER TRADES EVERY REASONABLE OPPORTUNITY FOR INSTALLATION OF THEIR WORK OR STORAGE OF THEIR MATERIALS.

6. MANUFACTURED ARTICLES, MATERIALS AND EQUIPMENT SHALL BE APPLIED, INSTALLED, CONNECTED, ERECTED, USED, CLEANED AND CONDITIONED AS PER MANUFACTURER'S PRINTED SPECIFICATIONS AND DIRECTIONS, UNLESS SPECIFIED TO CONTRARY.

7. BEFORE ORDERING MATERIALS OR DOING WORK WHICH IS DEPENDENT FOR PROPER SIZE OR INSTALLATION ON COORDINATION WITH BUILDING CONDITIONS, TAKE MEASUREMENTS AT BUILDINGS AND BE RESPONSIBLE FOR SAME. NO CLAIM BASED ON DIFFERENCES BETWEEN ACTUAL DIMENSIONS AND THOSE SHOWN ON DRAWINGS WILL BE CONSIDERED. ANY DISCREPANCIES BETWEEN DRAWINGS AND/OR SPECIFICATIONS AND EXISTING CONDITIONS SHALL BE REFERRED TO ARCHITECT FOR ADJUSTMENT BEFORE ANY AFFECTED WORK IS STARTED.

8. SUBSTITUTIONS OF SPECIFIED MATERIALS MUST BE APPROVED BY THE ARCHITECT BEFORE INCLUDING IN ANY WORK.

9. WHEN NEW SITE WORK BECOMES INTRICATE AND CLOSELY ADJOINS EXISTING CONDITIONS, FIELD VERIFY LOCATIONS AND CONDITIONS. SHOULD ANY DISCREPANCIES OCCUR IMMEDIATELY REPORT TO THE ARCHITECT FOR CLARIFICATION.

10. EACH CONTRACTOR SHALL DO ALL CUTTING, FITTING, OR PATCHING OF HIS WORK THAT MAY BE REQUIRED TO MAKE ITS SEVERAL PARTS COME TOGETHER PROPERLY AND FIT IT TO RECEIVE OR BE RECEIVED BY THE WORK OF OTHER CONTRACTORS. SHOWN OR REASONABLY IMPLIED BY THE DRAWINGS AND SPECIFICATIONS FOR THE COMPLETION OF ALL WORK CLASSIFICATION CONTRACTS AND SHALL BE MADE GOOD AFTER THEM AS THE ARCHITECT MAY DIRECT.

11. GENERAL CONTRACTOR SHALL CONSTRUCT AND MAINTAIN THROUGH THE COURSE OF CONSTRUCTION ALL TEMPORARY CLOSURES REQUIRED TO PROTECT THE BUILDING FROM WEATHER, INFILTRATION, VANDALISM, UNAUTHORIZED INTRUSION, DUST AND DIRT INFILTRATION AND LOSS OF HEAT.

12. THE BUILDING WILL BE OCCUPIED DURING THE CONSTRUCTION. THE CONSTRUCTION MAY HAVE TO BE STAGED AND TEMPORARY BARRIERS ERECTED TO INSURE THE CONTINUED OPERATION OF THE PREMISES AND SAFETY OF THE OCCUPANTS.

13. CONTRACTOR IS RESPONSIBLE FOR THE COMPLETE AND SAFE SHORING AND BRACING OF THE STRUCTURE DURING THE REMOVAL AND REPLACEMENT OF ANY STRUCTURAL ELEMENTS. ANY DAMAGE DONE TO THE STRUCTURE CAUSED BY IMPROPER BRACING OR SHORING SHALL BE REPAIRED TO THE OWNERS SATISFACTION BY THE CONTRACTOR AND AT NO ADDITIONAL COST TO THE OWNER.

I. TEMPORARY UTILITIES

1. WATER
 - a) PLUMBING CONTRACTOR SHALL PROVIDE NECESSARY TEMPORARY PIPING AND WATER SUPPLY AS SOON AS PRACTICAL AND UPON INSTALLATION OF FINAL SERVICE OR FIXTURES, REMOVE ANY SUCH TEMPORARY FACILITIES.
 - b) OWNER SHALL PROVIDE AND PAY FOR WATER USED DURING CONSTRUCTION.

J. CONSTRUCTION CLEANING

1. AS NECESSARY AND AS DIRECTED BY ARCHITECT, EACH CONTRACTOR SHALL REMOVE FROM THE PREMISES AND RECYCLE WHERE PRACTICAL, OR OTHERWISE LEGALLY DISPOSE OF, ALL ACCUMULATION OF DEBRIS, WASTE MATERIALS AND RUBBISH CAUSED BY HIS/HER EMPLOYEES.

K. PROJECT CLOSEOUT

1. REPAIR, PATCH AND TOUCH-UP MARRED SURFACES TO NEW UNFINISHED QUALITY AND MATCH ADJACENT SURFACES.
2. REPLACE FILTERS IN ALL HVAC EQUIPMENT OPERATING DURING CONSTRUCTION.
3. FINAL ACCEPTANCE OF THE WORK WILL OCCUR WHEN THE WORK, AFTER BEING SUBMITTED TO THE OWNER, IS DETERMINED BY THE ARCHITECT TO BE IN ACCORDANCE WITH THE SPECIFICATIONS AND THE CONTRACT. FINAL ACCEPTANCE WILL BE EVIDENCED BY A DULY AUTHORIZED REPRESENTATIVE OF THE OWNER AND ARCHITECT, AND IF THERE ARE ITEMS OF WORK REMAINING TO BE COMPLETED, FINAL ACCEPTANCE WILL BE SUBJECT TO A DETAILED PUNCH LIST OF ITEMS OF WORK REMAINING TO BE COMPLETED ACCOMPANIED BY A SIGN-OFF LETTER DULY EXECUTED BY THE CONTRACTOR AND THE OWNER.
4. THE CONTRACTOR SHALL PROVIDE TO THE OWNER:
 - a) FINAL CERTIFICATE OF INSPECTIONS REQUIRED FOR OCCUPANCY, 'CERTIFICATE OF OCCUPANCY' FROM GOVERNING AUTHORITY.
 - b) PLUMBING, HVAC, AND ELECTRICAL EQUIPMENT OPERATING MANUALS, MANUFACTURER'S PRODUCT INFORMATION, SHOP DRAWINGS, AND WARRANTY INFORMATION.
5. A FINAL AFFIDAVIT AND LIEN RELEASE WILL BE REQUIRED BEFORE FINAL PAYMENT IS MADE.

L. GUARANTEES

1. ALL WORK SHALL BE GUARANTEED FOR A PERIOD OF ONE FULL YEAR FROM THE DATE OF COMPLETION OF THE JOB, AND THE CONTRACTOR SHALL FIX ANY DEFICIENCIES WITHOUT COST TO THE OWNER FOR THAT FULL PERIOD.

PROPOSED SECOND FLOOR ADDITION

315 University Avenue

OXFORD, OHIO 45056



SCOTT
WEBB

ARCHITECT

103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838

www.scottwebbarchitect.com

ZONING:

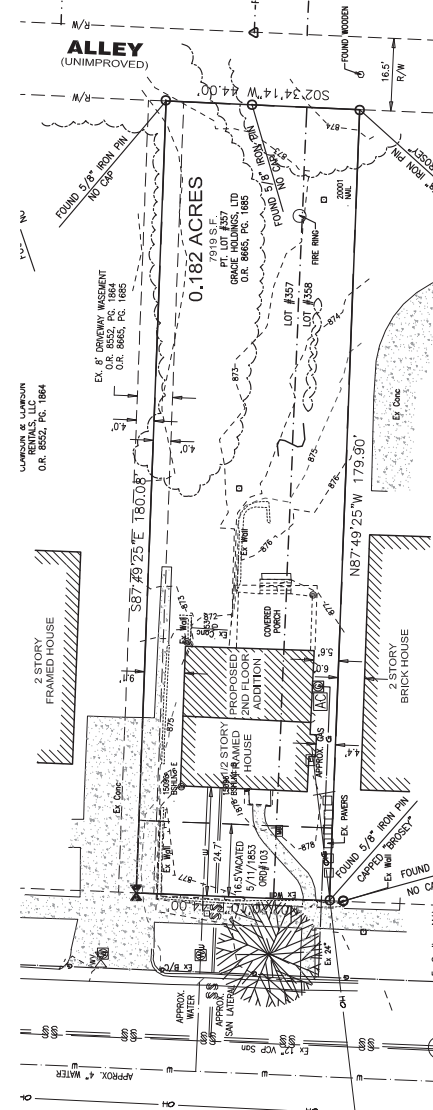
EXISTING SINGLE FAMILY RESIDENCE IN THE R-3MS ZONING DISTRICT

PROPOSED ADDITION/ALTERATION PROVIDES A NEW BATHROOM & BEDROOMS ON THE SECOND FLOOR. NO CHANGE IN BUILDING FOOTPRINT OF OCCUPANCY.

ADDITIONAL IMPROVEMENTS TO EXISTING GROUND FLOOR BATH & KITCHEN ARE LIMITED TO FIXTURES AND FINISHES.

INDEX OF DRAWINGS:

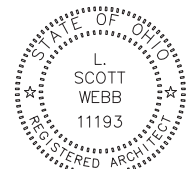
COVER	GENERAL NOTES, CODE REVIEW
A-1	ELEVATIONS
A-2	ELEVATIONS
A-3	FLOOR PLANS & DETAILS
A-4	SECTIONS



UNIVERSITY AVENUE

SITE PLAN

1" = 20'-0"



L. SCOTT WEBB, LICENSE #11193
EXPIRATION DATE 12/31/2025

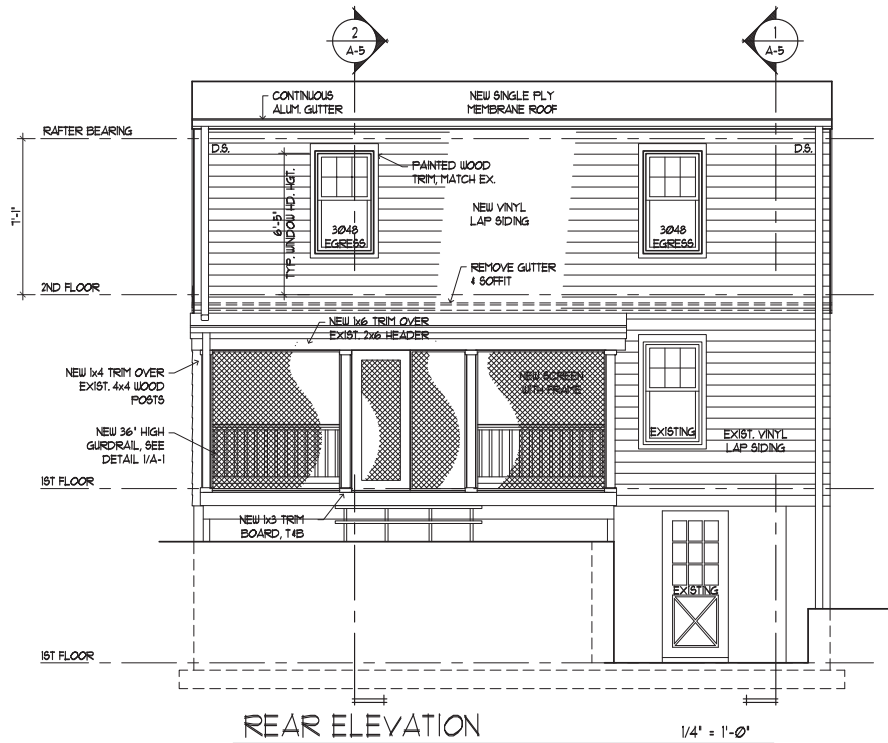


SCOTT WEBB
ARCHITECT
103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838
www.scottwebbarchitect.com

PROPOSED SECOND FLOOR ADDITION
315 University
OXFORD, OHIO 45056

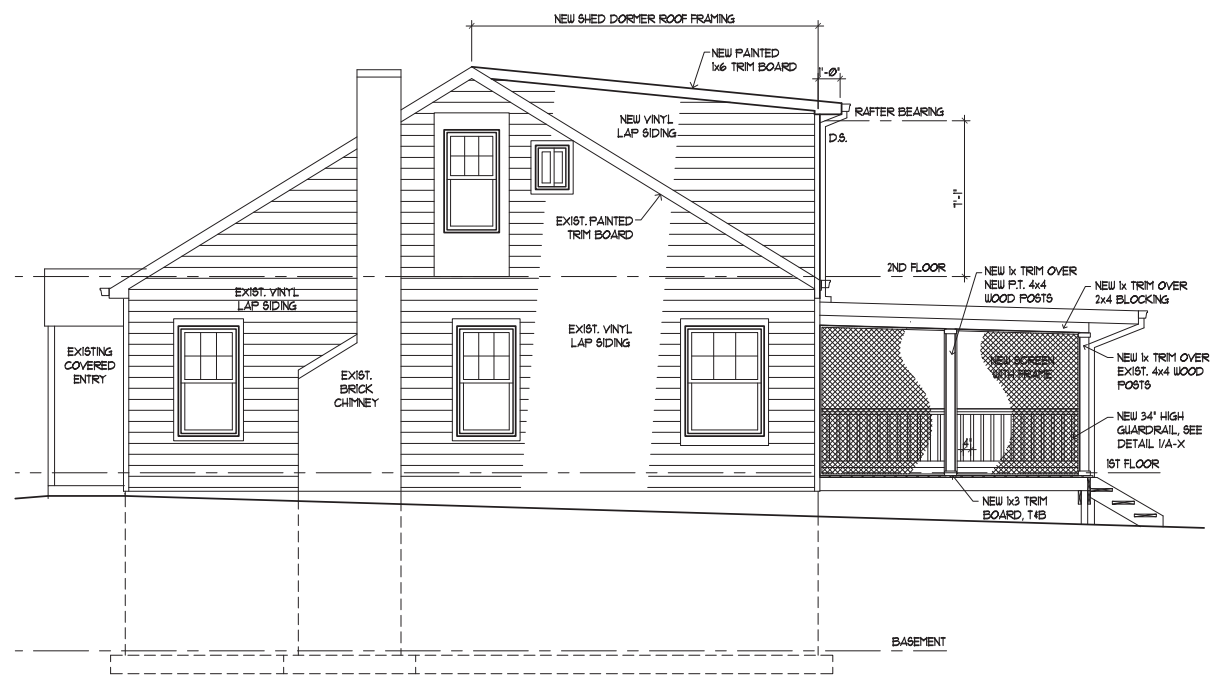
DATE	Sept. 13, 2024
REVISIONS	

A=1



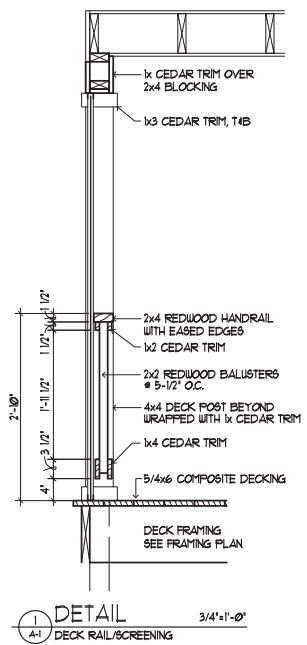
REAR ELEVATION

1/4" = 1'-0"



RIGHT SIDE ELEVATION

1/4" = 1'-0"



DETAIL A-1 DECK RAIL/SCREENING

MAXIMUM ALLOWABLE SPANS FOR HEADERS SUPPORTING WOOD WALLS				
SIZE OF WOOD HEADER	ALLOWABLE SPAN OF HEADERS IN FEET			
	ROOF ONLY	ONE STORY ABOVE	TWO STORIES ABOVE	WALLS NOT SUPPORTING FLOORS OR ROOFS
2 - 2x6	4 TO 6	0 TO 4	N.A.	6 TO 8
2 - 2x8	6 TO 8	4 TO 6	N.A.	8 TO 10
2 - 2x10	8 TO 10	6 TO 8	4 TP 6	10 TO 12
2 - 2x12	10 TO 12	8 TO 10	6 TO 8	12 TO 16

BASED ON TEN FOOT TRIBUTARY FLOOR AND ROOF LOADS. IN OTHER WORDS, HEADERS IN EXTERIOR WALLS SUPPORTING TWENTY FOOT SPAN JOISTS OR HEADERS LOCATED IN INTERIOR BEARING WALLS AND SUPPORTING TEN FOOT WIDE SPANS ON EITHER SIDE.

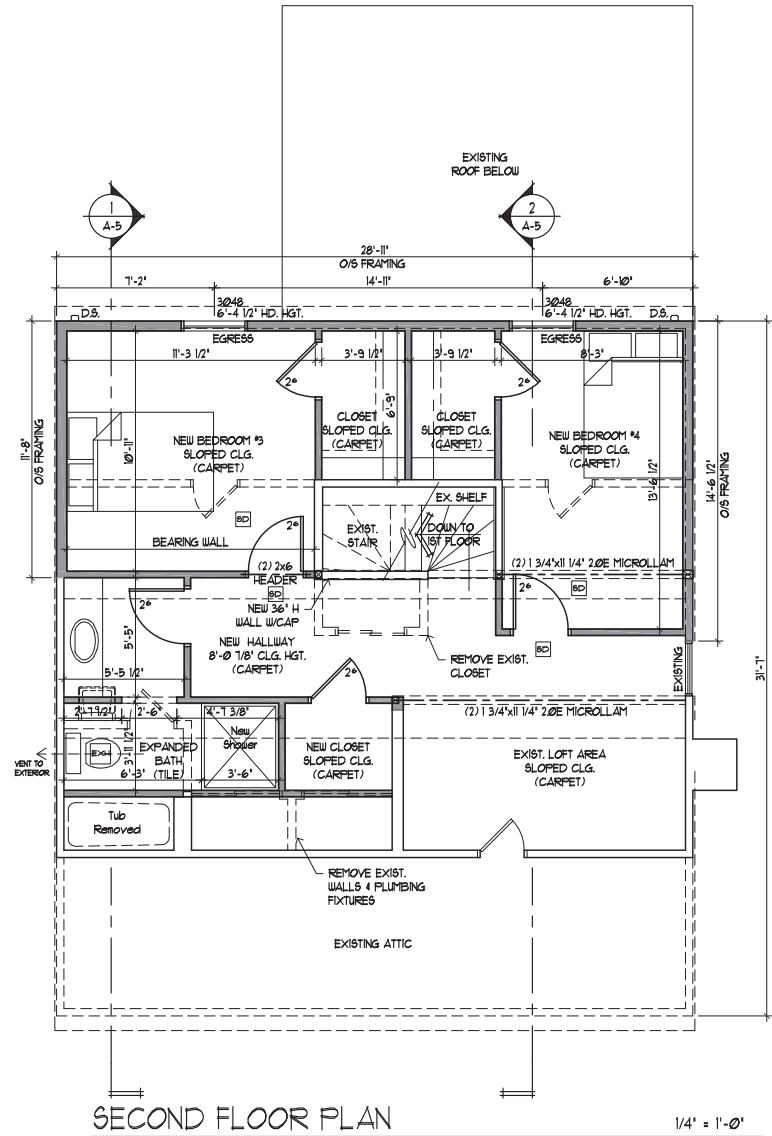
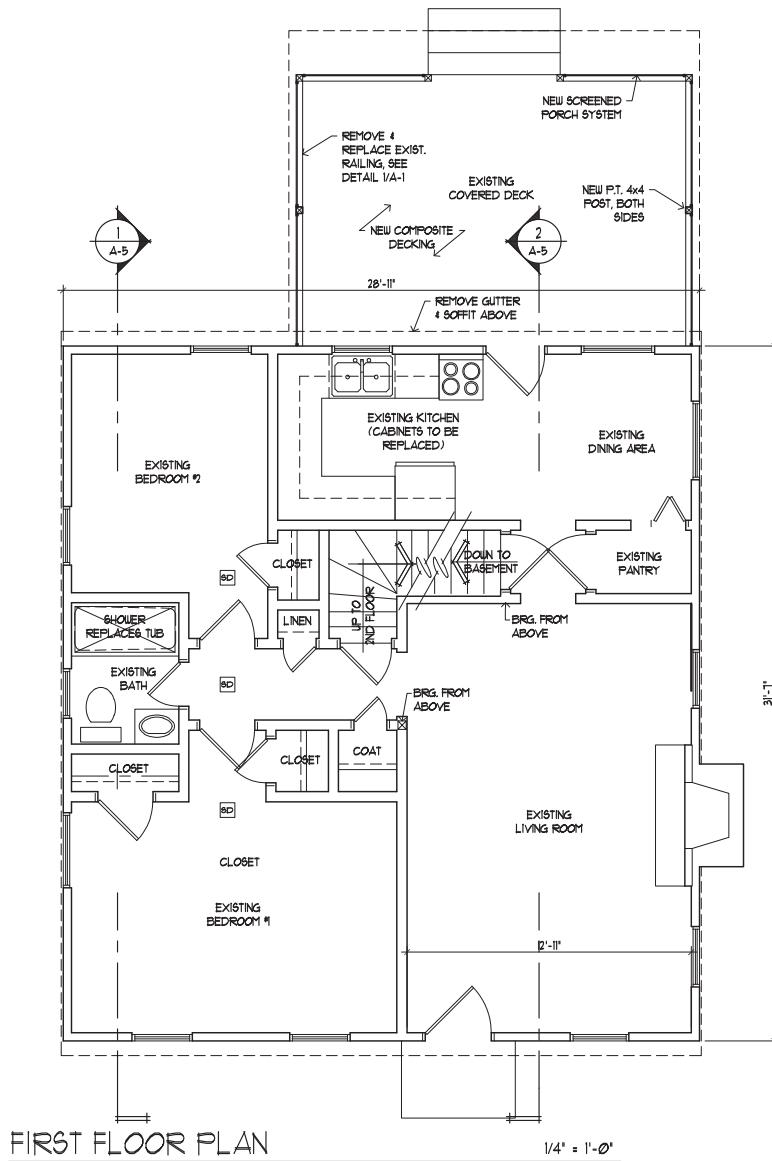
BASED ON HEADER PROVIDING SUPPORT TO WALL HEIGHT EQUAL TO OR GREATER THAN WIDTH OF OPENING.

SPANS ARE BASED ON USING NO. 2 SOUTHERN YELLOW PINE LUMBER OR BETTER.



DATE	
Sept. 13, 2024	
REVISIONS	

$$A = 3$$



MAXIMUM ALLOWABLE SPANS FOR HEADERS SUPPORTING WOOD WALLS				
ALLOWABLE SPAN OF HEADERS IN FEET				
SIZE OF WOOD HEADER	ROOF ONLY	ONE STORY ABOVE	TWO STORIES ABOVE	WALLS NOT SUPPORTING FLOORS OR ROOFS
2 - 2x6	4 TO 6	Ø TO 4	N.A.	6 TO 8
2 - 2x8	6 TO 8	4 TO 6	N.A.	8 TO 10
2 - 10x8	8 TO 10	6 TO 8	4 TP 6	10 TO 12
2 - 2x12	10 TO 12	8 TO 10	6 TO 8	12 TO 16

BASED ON TEN FOOT TRIBUTARY FLOOR AND ROOF LOADS. IN OTHER WORDS, HEADERS IN EXTERIOR WALLS SUPPORTING TWENTY FOOT SPAN JOISTS OR HEADERS LOCATED IN INTERIOR BEARING WALLS AND SUPPORTING TEN FOOT LOAD SPANS ON EITHER SIDE.

BASED ON HEADER PROVIDING SUPPORT TO WALL HEIGHT EQUAL TO OR GREATER THAN WIDTH OF OPENING.

SPANS ARE BASED ON USING NO. 2 SOUTHERN YELLOW PINE LUMBER OR BETTER

047

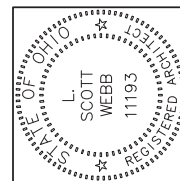
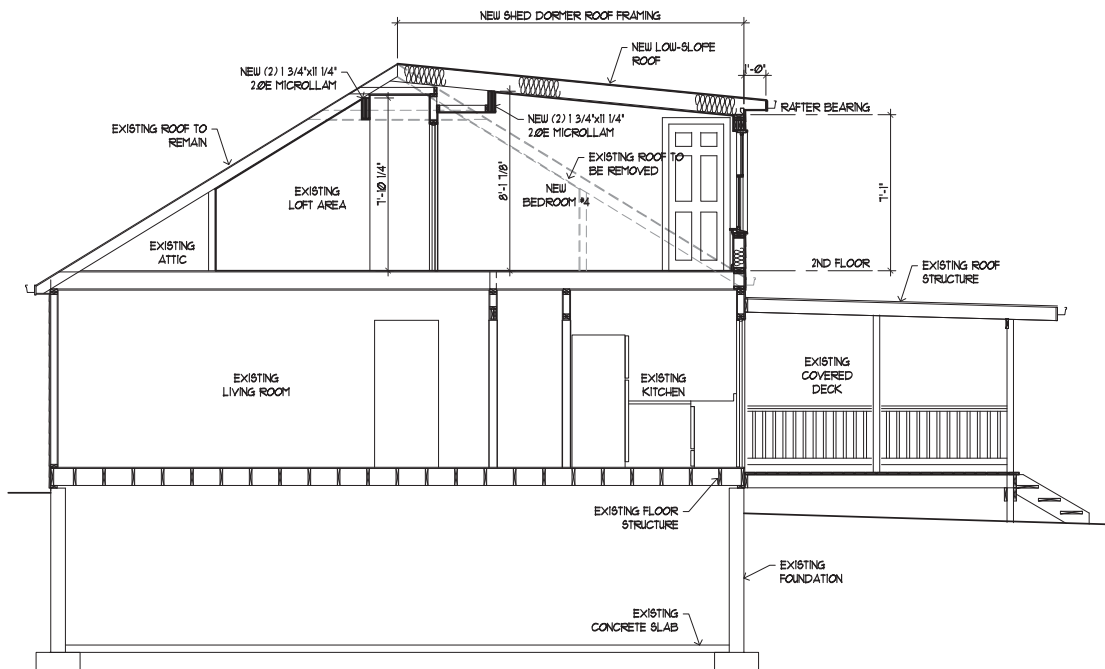
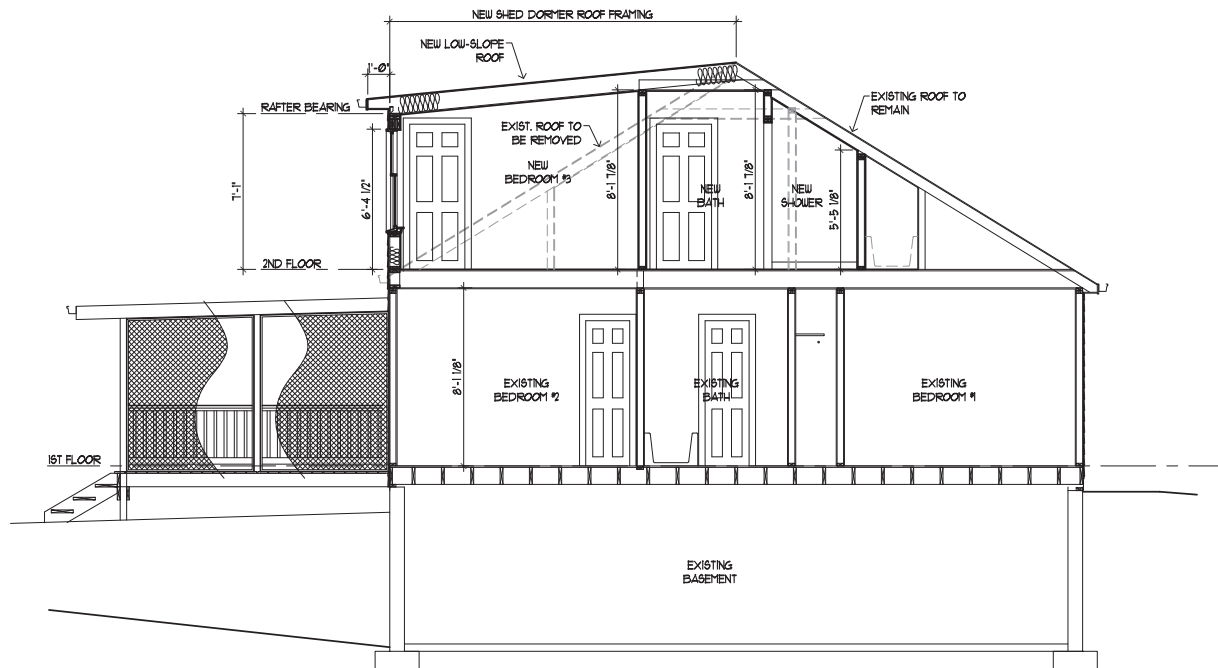
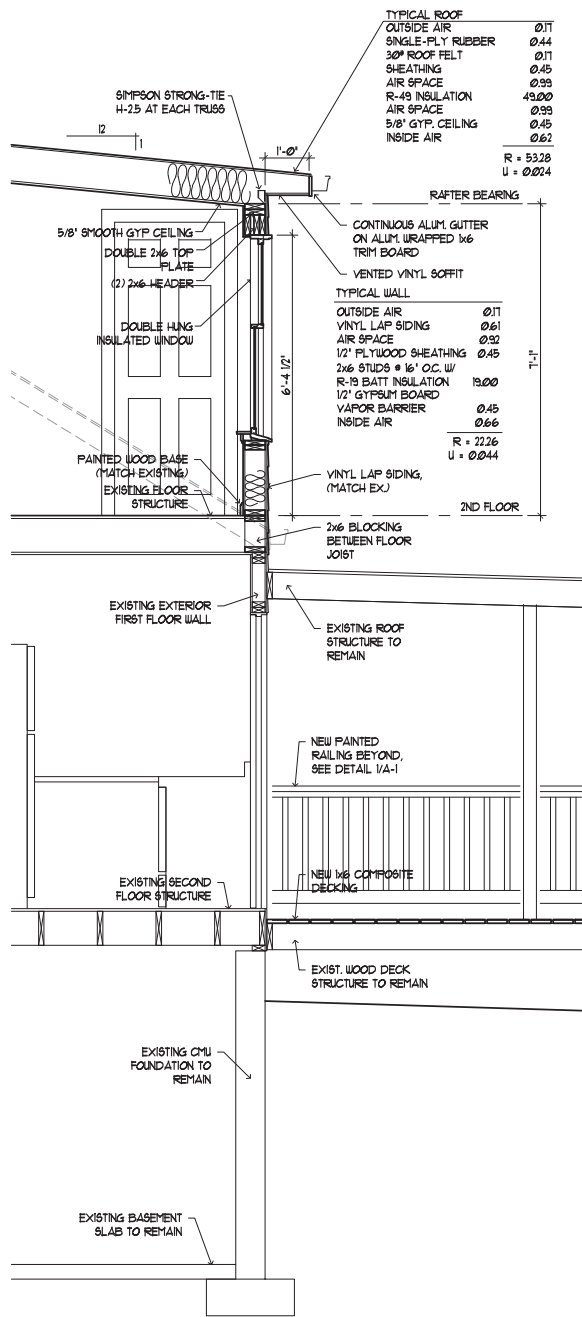
047

INDICATES EXISTING WALLS OR PARTITIONS TO BE REMOVED

INDICATES EXISTING WALLS OR PARTITIONS TO REMAIN

INDICATES NEW WALLS OR PARTITIONS TO BE CONSTRUCTED

1. THE DIMENSIONS SHOWN ARE FROM THE FINISHED FACE OF EXISTING INTERIOR OR EXTERIOR WALLS TO ROUGH STUD DIMENSIONS FOR NEW PARTITIONS
2. UNLESS NOTED DIFFERENTLY, ALL INTERIOR WALLS TO BE 3½" (2x4 WOOD STUDS @ 16" O.C.) WITH ½" GYP. BOARD EACH SIDE. ALL EXTERIOR WALLS TO BE 5½" (2x6 WOOD STUDS @ 16" O.C.)
3. WHEN CUTTING AND MATCHING EXISTING WALLS, FLOORS AND CEILINGS, SAW-CUT OR OTHERWISE CAREFULLY CUT EXISTING SURFACE ALONGS LINES OF WORK AND REMOVE EXISTING WORK CAREFULLY. REPAIR REMAINING WORK WITH SIMILAR MATERIALS AND FINISH TO MATCH SURROUNDING SURFACES EXACTLY
4. ALL WOOD USED IN CONTACT WITH THE GROUND OR WITH CONCRETE SHALL BE PRESSURE TREATED FOR PROTECTION AGAINST WATER ABSORPTION
5. ALL WINDOWS MARKED AS "EGRESS WINDOWS" SHALL MEET THE REQUIREMENTS OF THE BUILDING CODE HAVING A CLEAR OPENABLE AREA OF 5.7 SQ. FT. WITH A MIN CLEAR OPENING WIDTH OF 20" AND A MIN CLEAR OPENING HEIGHT OF 24"
6. ALL INTERIOR WALLS SURROUNDING BATH-ROOMS & LAUNDRY ROOM TO BE PROVIDED WITH BATT INSULATION FOR REDUCTION OF SOUND TRANSMISSION
7. COMBINATION SMOKE AND CARBON MONOXIDE DETECTORS TO BE INSTALLED IN ACCORDANCE WITH RCO SECTIONS 314 AND 315.
8. ELECTRICAL OUTLETS SHALL BE PROVIDED AND LOCATED PER NEC 210.59 THROUGH 210.10
9. ENERGY EFFICIENCY COMPLIANCE WILL BE MET USING THE RCO PRESCRIPTIVE METHOD OF CHAPTER 11



SCOTT WEBB
ARCHITECT
103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838
www.scottwebbarchitect.com

PROPOSED SECOND FLOOR ADDITION
315 University
OXFORD, OHIO 45056

DATE	Sept. 13, 2024
REVISIONS	

A = 4



Community Development Department
Zoning Review
513-524-5204

September 3, 2024

Scott Webb, Architect
103 W Walnut Street
Oxford, OH 45056

VIA EMAIL:
scott@scottwebbarchitect.com

RE: Zoning Review for 315 University Avenue (Permit #P2024-0334) – Denied

Dear Mr. Webb:

I have reviewed your permit application received August 27, 2024 for an addition to an existing single-family dwelling at 315 University Avenue in Oxford, Ohio. The subject property comprises two distinct parcels (Parcel IDs: H4100006000112 & H4100006000111) and is zoned R3MS Single-, Two- and Three-Family Residential Mile-Square District. Below are comments pertaining to review of the submitted plans for compliance with the Oxford Zoning Code:

1. The existing structure is considered grandfathered in that the footprint straddles two parcels, thus not adhering to the minimum 5-foot side yard setback required in the R3MS District per **Section 1143.07(c)**. Any addition or modification made to this structure is otherwise required to demonstrate compliance with current code requirements. The proposed addition is situated over top the property line dividing the two parcels, and thus does not comply with the setback. This issue may be alleviated through the submission of a [Lot Split/Consolidation Application](#) which seeks to consolidate the two parcels into one lot, thus dissolving the line and eliminating the need to observe a setback in that area.
2. **Section 1143.07(d)(5)(B)** specifies that *roof pitches for residential structures must be steep. A minimum pitch ratio of 6 to 12 is required with the exception of porch roofs that should have a minimum pitch ratio of 4 to 12*. In past projects, exceptions have been allowed for flat porch roofs which are integral to architectural styling. In addition, staff has found evidence that a rear-side residential “dormer” addition – where the dormer itself does not otherwise comply with a minimum 6/12 pitch – has been permitted in the past in at least one case (see plans for 101 Ardmore). While the project at 101 Ardmore Drive had included roofing offsets on either end of the dormer, the subject proposal for 315 University Avenue does not. Therefore, it is staff’s view that the proposed addition cannot be considered compliant with respect to roof pitch.

Under the provisions of Oxford Zoning Code [Section 1129.03](#), the applicant has **30 days** to submit revisions or to appeal this determination to the Board of Zoning Appeals. A new application will be required if the applicant fails to submit adequate revisions within this time period. Revisions that address these deficiencies may result in further comments relative to these or other Zoning Code provisions. This review is only for compliance with local zoning regulations. Other departments may also have comments that will need to be addressed before any permits can be issued.

Please contact me if you have any questions.

Respectfully,

Zachary Moore, AICP
City Planner / GIS Coordinator

zmoore@cityofoxford.org

513-524-5204

This exhibit shows how the roof would appear if made to be conforming to 6/12 pitch.

