

City of Oxford
Community Development Department
STAFF REPORT

Board of Zoning Appeals

Case # BZA-2016-04

Date – June 15, 2016

APPLICATION

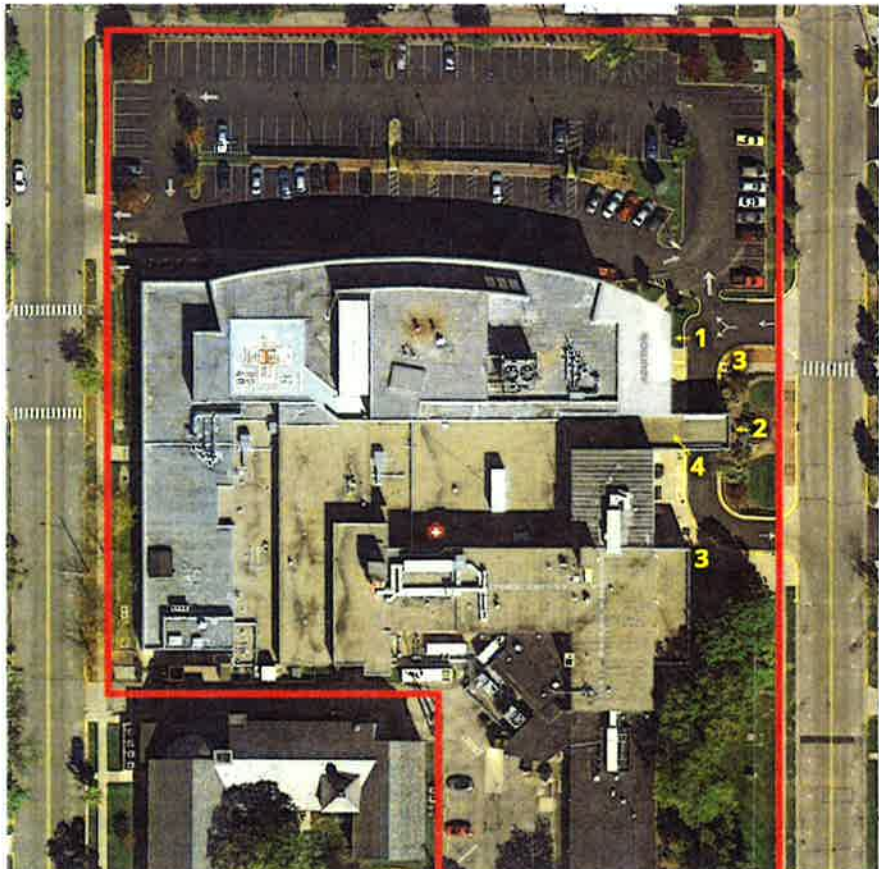
Applicant:	Michael Murphy, Champlin Architecture
Location:	110 North Poplar Street
Owner:	McCullough Hyde Memorial Hospital Inc. (Gene Barber)
Action Requests:	Variances to zoning codes associated with installation of 2 new new wall signs: City of Oxford Zoning Code Sections 1151.05(a)(2)B1: indirect illumination only and 1151.05(e)2A and C: building identification sign size and lighting
Current Use:	Hospital
Zoning:	Uptown (UP)
Surrounding Land Uses:	Single and Multi-Family Residential, Church/Institutional

DESCRIPTION

On behalf of McCullough Hyde Memorial Hospital and TriHealth, Champlin Architecture is requesting three variances in order to allow the installation of two new wall signs. The signs would be installed following a major addition/renovation to the Emergency Department facing North Poplar Street. The hospital building is located between Church, Poplar and Main Streets. To the right is an aerial map with labels 1 through 4 for sign locations. Signs 1 and 2 require variances.

BACKGROUND

In 2015, McCullough Hyde received five variances for additional and replacement signage as part of a re-branding of the facility. The



current proposal is to add a matching wall sign on the east wall after the addition is completed. The internal illumination of the sign requires a variance. The applicant is also requesting a sign recognizing a major donor. Because there would already be an advertising wall sign on the east wall facing North Poplar Street, the additional sign would be classified as a building identification sign, which is limited to six square feet with no illumination allowed. The size and lighting of this sign require variances. **The lighted bollard signs for “Bruns Way” and the window signage above the entry door do not require variances.** The applicant has prepared a helpful color rendering package to illustrate the proposed signs including three dimensional perspectives.

BZA SITE HISTORY

BZA 13-2001 – Approved variances for 3 monument sign size increases and 2 wall signs on emergency canopy

[Note: The internally illuminated emergency canopy wall signs are to remain]

BZA 03-1989 – Approved variances for increase of directional sign size and monument sign size

BZA 2015-05 – Approved variances for two new ground signs, directional sign size, location and message and wall sign internal illumination

COMMENT FORMS

Notice was mailed to all property owners within 200 feet of the hospital property perimeter. No comments have been received in response.

AGENCY REVIEW

Fire	Returned without comments
Police	Returned without comments
Engineering	Returned without comments
Economic Development	Returned with comments

ANALYSIS

The burden of proof is upon the Applicant to present reliable and substantial evidence that supports the request for variance(s) (Section 1139.02(c)(1)). Further, the BZA must find that practical difficulties exist that would render strict application of the Code unreasonable (Section 1139.02(c)(2)). In determining whether such difficulties exist which are sufficient to warrant a variance, the Board shall use the attached eight decision criteria (A-H) in its deliberation. See the enclosed letter addressing the review criteria from Mr. Murphy. The staff's review of the criteria is included in this report below:

Regarding criterion A, Staff believes that the property **can yield a reasonable return without the variances** since the hospital has existed for many years without changes in signage. However, the mass of the building is atypical of other Uptown district buildings and may therefore justify some relief to accommodate identification efficiency.

Regarding criterion B, Staff believes that, the internal illumination of the brand wall sign is **not substantial** compared to the mass of the building facade. The size and lighting of the building name sign **is substantial** as compared to the façade wall area of the canopy. Additionally, the 46.3 square foot building name sign is over seven (7) times larger than the six (6) square foot maximum allowed.

Regarding criterion C, Staff believes that the granting of the variances would **not negatively alter the essential character** of the neighborhood because the immediate vicinity of the subject signs is open hospital land. There is no street wall character within the immediate vicinity.

Regarding criterion D, Staff believes that the delivery of governmental services **would not be impacted by the granting of the variances.**

Regarding criterion E, **knowledge of the zoning restriction**, a recent land ownership change did not occur. Not applicable.

Regarding criterion F, there are **other feasible methods** of identifying the building donor than an internally illuminated channel-lettered wall sign. The applicant is proposing other signage which meets Oxford Zoning Code. Additionally, the branded wall sign **could be illuminated** with flood lights not requiring a variance.

Regarding criterion G, staff believes that the **spirit and intent** of the zoning requirement restricting sign types and lighting for the Uptown district was intended for abutting small commercial storefronts. These storefronts would typically be across the street from each other forming an enclosed street wall corridor with shortened viewing distances. Given the atypical nature of this section of the Uptown district, some relief may be warranted, but not to the degree proposed.

Regarding criterion H, staff believes that other **relevant factors** are:

- There is currently internally illuminated channel letters identifying the Emergency Department

RECOMMENDATION

If the BZA determines that difficulties exist which are sufficient to warrant the variances, the staff recommends that the BZA cite any new or different specific evidence not yet identified and approve the variance requests. At the time of this report, **staff believes there is not substantial evidence that supports the variance requests**. If the BZA does approve the variances as requested it can attach any appropriate conditions necessary.

SUBMITTED BY: _____



Sam Perry, AICP, Planner
Community Development Department

DATE: June 8, 2016

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 23, 2016

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

BZA-2016-04, 110 N. Poplar Street, McCullough-Hyde Memorial Hospital, Variances, Chapter 1151 Signs, specifically, 1151.05(a)(2)B.1 indirect illumination of wall mounted signs; 1151.05(e)(2)A building identification sign area and natural illumination; and 1151.05(c)(3) additional parking signage, **Michael Murphy, Champlin Architecture, Applicant, Agent**

 X Review Revisions Other

Please return no later than: **June 7, 2016** Note: If no comments are received, we will assume the project meets your department's standards.

.....
Drawings are returned: w/comments without/comments

Drawings reviewed by:



Date:

5-28-16

John Dethridge
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 23, 2016

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

BZA-2016-04, 110 N. Poplar Street, McCullough-Hyde Memorial Hospital, Variances, Chapter 1151 Signs, specifically, 1151.05(a)(2)B.1 indirect illumination of wall mounted signs; 1151.05(e)(2)A building identification sign area and natural illumination; and 1151.05(c)(3) additional parking signage, Michael Murphy, Champlin Architecture, Applicant, Agent

 X Review Revisions Other

Please return no later than: **June 7, 2016** Note: If no comments are received, we will assume the project meets your department's standards.

.....
Drawings are returned: w/comments without/comments

Drawings reviewed by: _____

V. Popescu

Date: _____

5-24-16

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 23, 2016

To: Fire Department Engineering Division, Police Department Econ Dev Department

From: Community Development Department

BZA-2016-04, 110 N. Poplar Street, McCullough-Hyde Memorial Hospital, Variances, Chapter 1151 Signs, specifically, 1151.05(a)(2)B.1 indirect illumination of wall mounted signs; 1151.05(e)(2)A building identification sign area and natural illumination; and 1151.05(c)(3) additional parking signage, Michael Murphy, Champlin Architecture, Applicant, Agent

 X Review Revisions Other

Please return no later than: **June 7, 2016** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

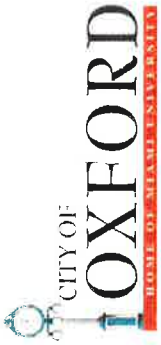
Drawings reviewed by: _____



Date: 5/26/16

John Jones

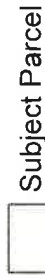
PRINTED NAME



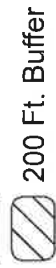
BZA-2016-04

Surrounding Property Owners Map

Legend



Subject Parcel



200 Ft. Buffer



Oxford Corporation Limit



Parcel

Vacated Right-of-Way

Building Footprint

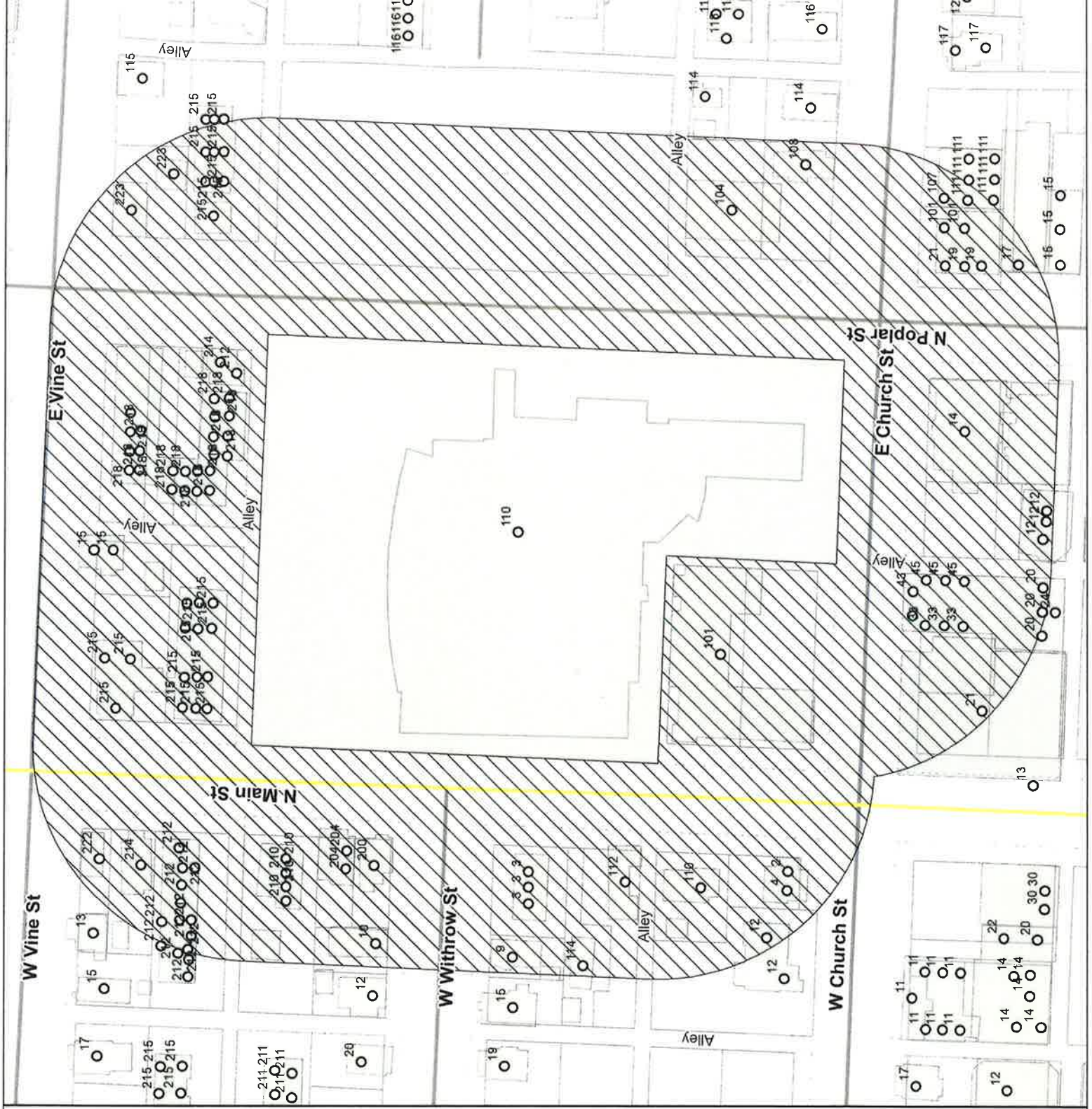
Paved Roadway



1 inch = 125 feet

Prepared on Thursday, June 02, 2016

The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.



March 28, 2016

Sam Perry
Planner
City of Oxford
101 East High Street
Oxford, OH 45056

RE: *Letter of Agency*

Dear Mr. Perry,

Please be advised that Michael Murphy of Champlin Architecture has permission to represent our interest with the City of Oxford and act on our behalf for the Board of Zoning Appeals hearing related to the additional building mounted signage and donor recognition signage at our property, McCullough-Hyde Memorial Hospital, located at 101 North Poplar Street, Oxford, Ohio 45056.

Sincerely,

Signed:  _____

Date: 3/29/16

Gene Barber
System Director of Facilities
McCullough-Hyde Memorial Hospital / TriHealth
513-862-3333



Internal Use Only:

Case No.

Date Filed

BZA-2016-04

5/11/16

Petition for Zoning Variance

June
mtg

Petitioner Information

Attach a Letter of Agency if the Petitioner is not the property owner.

Name * Michael Murphy, Champlin Architecture

Mailing Address * 720 East Pete Rose Way

City, State & Zip Code * Cincinnati, OH 45202

Telephone Number(s) * 513-241-4474 x169

Email Address mike.murphy@thinkchamplin.com

Location of Property * 110 North Poplar Street

Name of Building * McCullough-Hyde Memorial Hospital

Owner Information

Name * Pam Collins, McCullough-Hyde Memorial Hospital

Mailing Address * 110 North Poplar Street

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * 513-523-2111

Email Address pcollins@mhmh.org

Variance and Lot Information

Requested Variance. *Indicate the nature of variance and applicable section(s) of the Planning and Zoning Code.*

Multiple, including - 1151.05(a)(2)B.1 regarding indirect illumination of wall mounted signs,

1151.05(e)(2)A & C regarding area for a building identification sign and illumination method, and

1151.05(c)(3) for additional name plate sign (bollards).

Location of Requested Variance * Varies (all facing the North Poplar Street right-of-way)

Legal Description *

Zoning District * UP - Uptown District Total Acreage * 3.98

Existing Use of Site * Hospital

Proposed Use (if applicable). *A description of operations, including type of goods sold, services performed, and expected number of customers, clientele, delivery, and service vehicles, and the hours of operation.*

Hospital, including a newly expanded and renovated emergency department open 24 hours a day.

- D. Whether the variance would adversely affect the delivery of governmental services (i.e. water, sewer, garbage);
- E. Whether the property owner purchased the property with knowledge of the zoning restriction;
- F. Whether the property owners' predicament feasibly can be obviated through some method other than a variance;
- G. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
- H. Any other relevant factor.

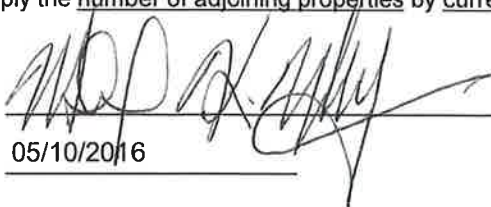
Fees & Receipt

The variance fee is \$200.00, plus \$100.00 for each additional variance request up to a maximum of \$1,000.00 plus postage charge. **Fees may increase if staff determines that you need more variances.**

To calculate postage charges, multiply the number of adjoining properties by current postage rate³.

Sign and Date

Petitioner Signature *



Date *

05/10/2016

Submit Application, Plans and Documentation, and Fees

We will not accept incomplete applications and/or plans and documentation.

Send or drop off this application with required plans and documentation as attachments and a check for fee(s) and postage charges made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

Direct questions to the Community Development Department at (513) 524-5204. The application will be placed on the next possible agenda.

Note: You must adhere to notification and publication requirements. Submit materials 30 days prior to the Board of Zoning Appeals meeting at which the action is requested. City Staff will place a public hearing sign on the subject property. **The Petitioner is responsible for removing the signage at the completion of the hearing(s).**

For Staff Use Only

Fee Paid Date *

5/11/16

Receipt Number *

96438

¹ Butler County Auditor Real Estate Search: <http://www.butlercountyauditor.org/>

² City of Oxford Codified Ordinances: <http://www.cityofoxford.org/fees-ordinances-and-charter>

³ The United States Postal Service: <http://www.usps.com/>



May 10, 2016

Sam Perry
Planner
City of Oxford
101 East High Street
Oxford, OH 45056

RE: McCullough-Hyde Exterior Signage

Dear Mr. Perry,

On behalf of TriHealth and McCullough-Hyde Memorial Hospital, we are pleased to submit a variance application for exterior wall mounted signage and donor recognition signage at McCullough-Hyde.

The hospital received a variance in the spring of 2015 for the replacement of the existing ground-mounted signs and the addition of a wall mounted sign on the west side of the building. At that time, wall mounted signage on the east side was excluded because the design of the addition that is currently under construction was not yet finalized.

A wall mounted sign is proposed on the east side of the building in a similar location as the sign on the west side of the building. This sign is permitted by the code because an additional wall sign is allowed to be mounted to a building when the property has frontage on multiple public rights-of-way. This sign complies with the zoning code in size and mounting height. The sign's maximum height (measured at the logo) is 3'-0" and it is mounted approximately 16'-2" above grade as measured to the highest part of the logo. This mounting height is also compliant with zoning requirements. However, a variance is being sought to internally illuminate the wall sign as was permitted on the west side of the building.

Also, the McCullough-Hyde Memorial Hospital Trust received a donation towards the creation of their new emergency department. This donation resulted in a naming opportunity for the department. Internally illuminated donor recognition signage (a building identification sign) is proposed to be added at the east end of the existing ambulance canopy facing the North Poplar Street right-of-way to recognize this significant donation. Signage illuminated by bollards also provides recognition of the donation at a pedestrian scale. We believe that this bollard signage is most similar to the description of name plate signs in the zoning code.

Some of the signage included in this application results in a variance request based on the current zoning code due to size or illumination type. However, due to the importance of the public function provide by this facility and the size of the facility within the Uptown District, we

THINK CREATE REALIZE

T 513.241.4474, TF 360.925.4434 720 East Pine Rose Way Cincinnati OH 45202 www.champlin.com

believe these sign improvements are warranted. Thank you for your consideration of this application.

Sincerely,



Michael K. Murphy, AIA
Principal
Champlin Architecture



May 10, 2016

Sam Perry
Planner
City of Oxford
101 East High Street
Oxford, OH 45056

RE: McCullough-Hyde Exterior Signage Variance Package

Dear Mr. Perry,

On behalf of TriHealth and McCullough-Hyde Memorial Hospital, below is our analysis of the seven factors applied by the Board of Zoning Appeals in the review of a variance application and how we believe these to apply:

A. Whether the property in question will yield reasonable return or whether there can be any beneficial use of the property without the variance.

There are multiple signage types included in this variance application. Therefore, this question must be answered separately for each type:

- Wall Mounted Sign – The hospital is an existing facility in the Uptown District and has been successful without this added sign.
- Donor Signage – The building identification signage, glass mounted signage and bollards are part of the recognition of a significant donation to an important institution in Oxford.

B. Whether the variance is substantial.

None of the signage types or locations have a substantial impact to the Uptown District as follows:

- Wall Mounted Sign – The hospital has a physically large presence in the Uptown District and the area of signage in proportion to the overall facility is small. Additionally, this sign complies with size and height requirements outlined in the zoning code and is permitted because the property fronts on a total of three public rights-of-way. It is our opinion that internally illuminating this permitted sign to match another sign recently allowed is not a substantial variance.
- Donor Signage – The donor recognition signage on the canopy is also has a small impact due to the overall size of the facility. The signage on the illuminated bollards is pedestrian in scale and would not be visible from the public right-of-way. The perception of these would be as additional lighting and not signage. The glass mounted signage is under the cover of the canopy and is designed to minimize it's visibility from the right-of-way.



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.

As stated previously, the hospital has a large physical presence in the Uptown District. Additionally, all signage included in this variance application is facing the North Poplar Street right-of-way and has hospital property (a parking lot) directly across the street. Reviewing the sign types proposed individually:

- Wall Mounted Sign – The visibility of the proposed sign is limited by the existing canopy to traffic headed north bound on North Poplar Street. The area directly across the street is a designated hospital parking lot, so the viewing distance from nearby properties that are residential is increased dramatically. This reduces the perceived height of the sign and any possible impacts from the internal illumination.
- Donor Signage – This sign also faces the parking lot to the east and the effects on nearby properties would be similar to the wall mounted sign. The signage applied to the illuminated bollards is not visible to traffic in a public right-of-way and would only be visible to pedestrians and traffic within the property. This scale of sign has no impact on adjoining properties or the character of the neighborhood.

D. Whether the variance would adversely affect the delivery of governmental services.

The hospital is not a government entity, but does provide a significant public service similar to a governmental service. We do not anticipate any negative effects on the delivery of actual governmental services provided by the City of Oxford due to approval of this variance application. In fact, approval of this variance would increase the visibility of the hospital from streets to the east of the hospital parking lot, thereby enhancing pedestrian access.

E. Whether the property owner purchased the property with knowledge of the zoning restriction.

The hospital has been a part of Oxford since the mid-1950's and likely pre-dates any City of Oxford zoning code. The most recent addition was in 2000.

F. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.

It is our opinion that these variances are minor in nature and the necessary method to accomplish what is needed for this large and unique function in the Uptown District. The wall mounted sign is an extension of the wayfinding and identification signage installed elsewhere on the property. This sign provides a supplement to other commonly used wayfinding methods (i.e. paper maps, GPS, phone based navigation apps) as a way to signal arrival. Other methods for donor recognition have been explored and will be implemented, including interior signage. However, public recognition of a donor at the scale of the community is not possible without this variance.



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

The signs comply with the general intent of the zoning code and minor variances are being sought due to the unusual circumstances of this property within the Uptown District, the hospital's large physical presence and unique function.

H. Any other relevant factors.

As stated in some of the responses to criteria above, we feel there are some additional relevant factors related to this specific property in the Uptown District that should be considered:

1. This use is unique to the Uptown District and would be unique to the City of Oxford in whatever zoning district in which it was located. The use has unique signage needs due to the important public service it provides.
2. The property covers nearly two full city blocks. The density of signage that would exist if this variance is approved would be far less than if the city blocks were divided into more typically sized parcels and signage were placed on each parcel as is permitted by the existing zoning code.
3. The main hospital property has frontage on a total of three public rights-of-way.
4. The position of the proposed signage is directly across the street from a hospital-owned parking lot, which is another unique property use in the Uptown District, but serves to reduce the impact of this signage to the district as a whole.

Thank you for your time and consideration of this variance application. We look forward to hearing from you.

Sincerely,



Michael K. Murphy, AIA
Principal
Champlin Architecture



SIGN TYPES AND LOCATION

Sign 1

Logo sign, mounted to new addition

Sign 2

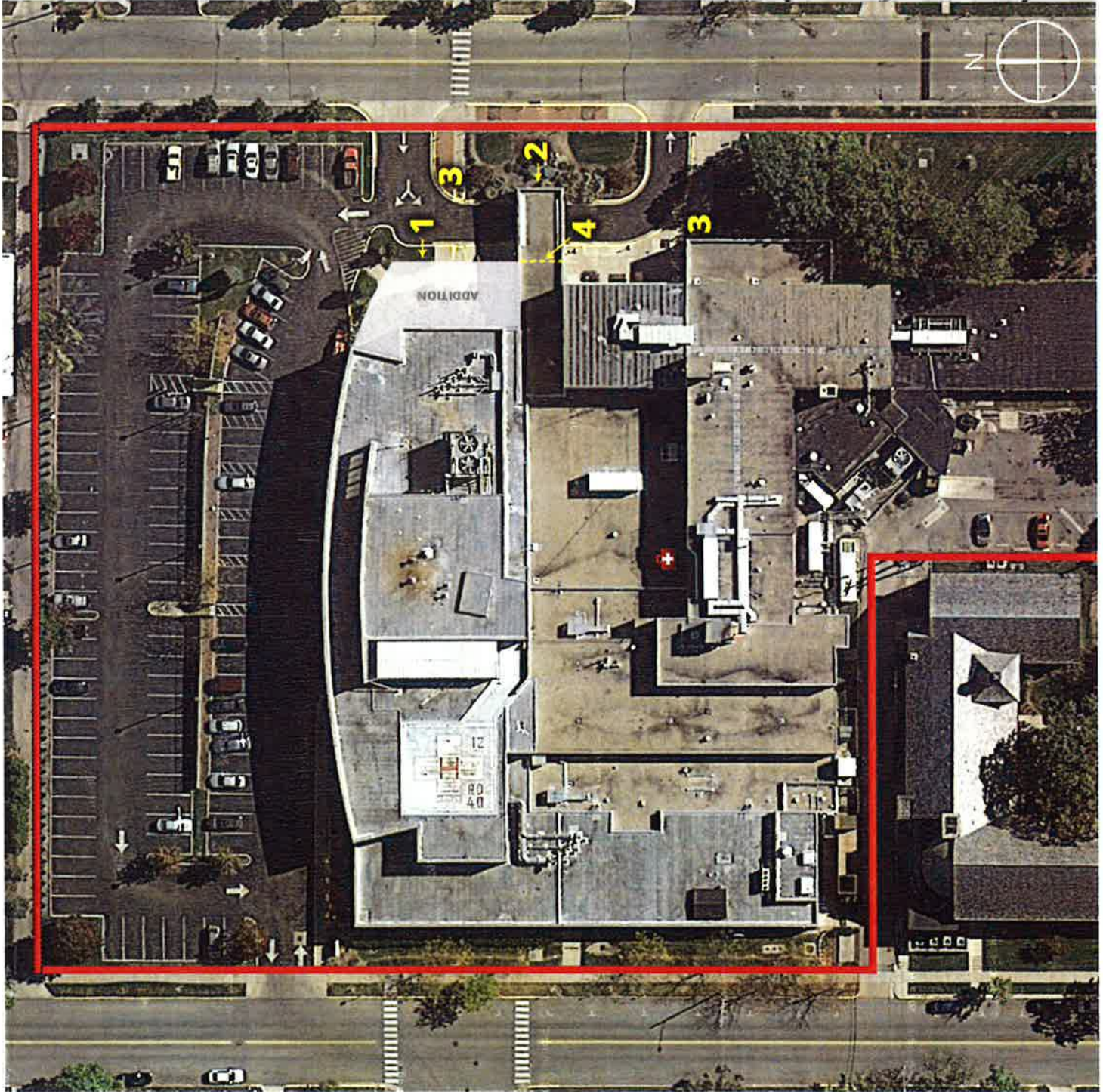
Donor sign, mounted to front of canopy

Sign 3

Name plate/directional sign on light fixture

Sign 4

Donor sign, applied to glass above sliding ambulance entrance door



Exterior Sign Concepts

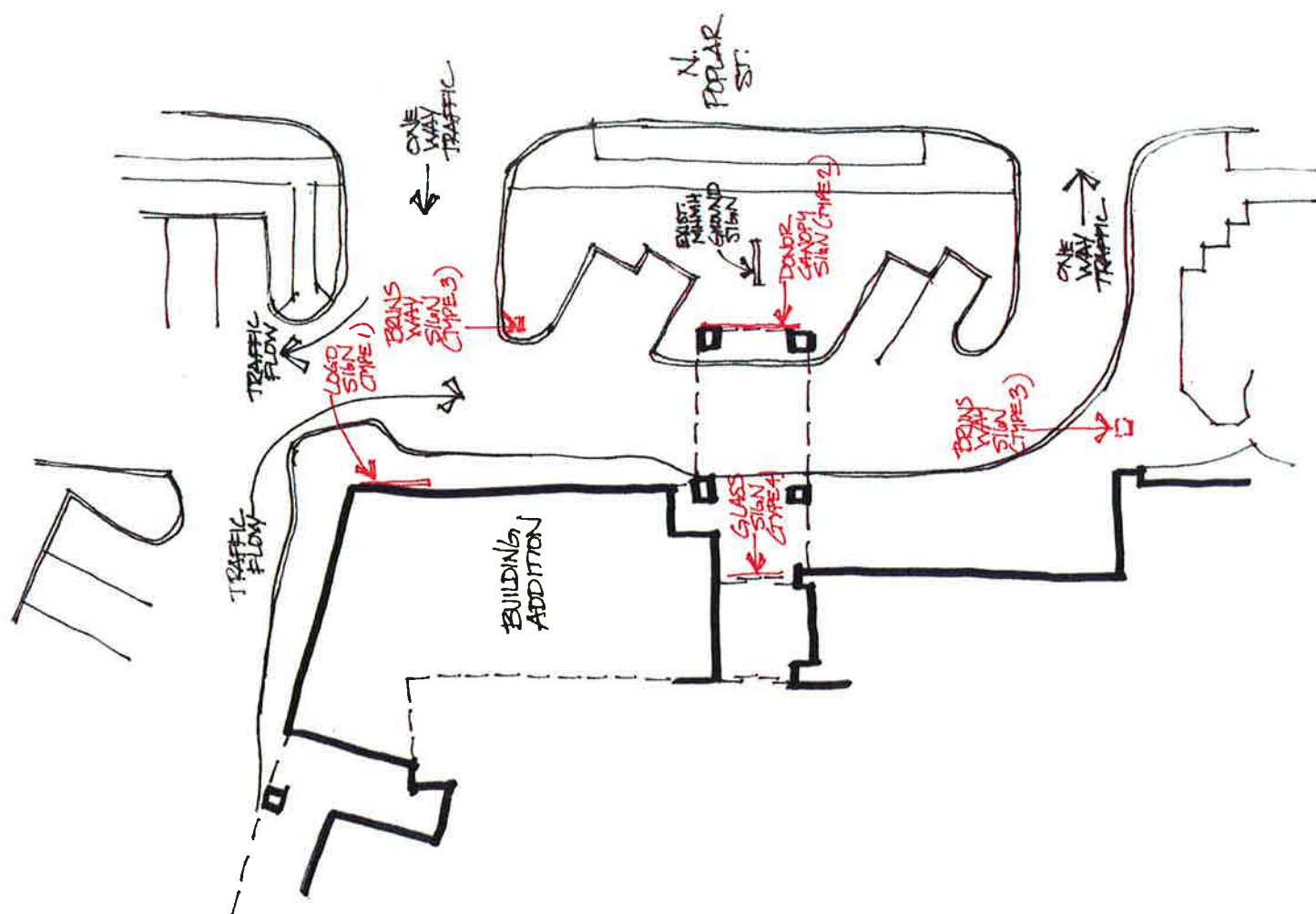
May 10, 2016

SIGN TYPES AND LOCATION

- Logo Sign (Sign Type 1)
McCullough-Hyde
Memorial Hospital | TriHealth
- Canopy Sign (Sign Type 2)
Howard & Mary Jane Bruns
Emergency Department
- Illuminated Bollards (2) (Sign Type 3)
Bruns Way
- Glass Signs (Sign Type 4)
Howard & Mary Jane Bruns
Emergency Department



Exterior Sign Concepts
May 10, 2016





SIGN TYPE 1: LOGO SIGN

Existing Sign
None

Proposed Sign

Type: Wall Sign
Zoning: Up - Uptown District
Allowed: 3'0" Height
9'0" to 18'0"
Mounting Height
Size: 3'0" Height
15'9" Long
16'2" Approximate
Mounting Height
(Measured to top of
logo from low point
of sidewalk)
47.3 sq. ft in area

Fabrication/Installation Notes

Material: internally illuminated
channel letters
Colors: yellow, blue, gray
Mounting: mounted flush to brick



Exterior Sign Concepts
May 10, 2016

SIGN TYPE 1: LOGO SIGN DIMENSIONS

Existing Sign

None

Proposed Sign

Type: Wall Sign

Zoning: Up - Uptown District
Allowed: 3'0" Height

Allowed: 3'0" Height

9'0" to 18'0"

Mounting Height

Size:

3'0" Height

15'9" Long

16'2" Approximate
Mounting Height
(Measured to top of
logo from low point
of sidewalk)

47.3 sq. ft in area

Fabrication/Installation Notes

Material: internally illuminated
channel letters

Colors: yellow, blue, gray

Mounting: mounted flush to brick



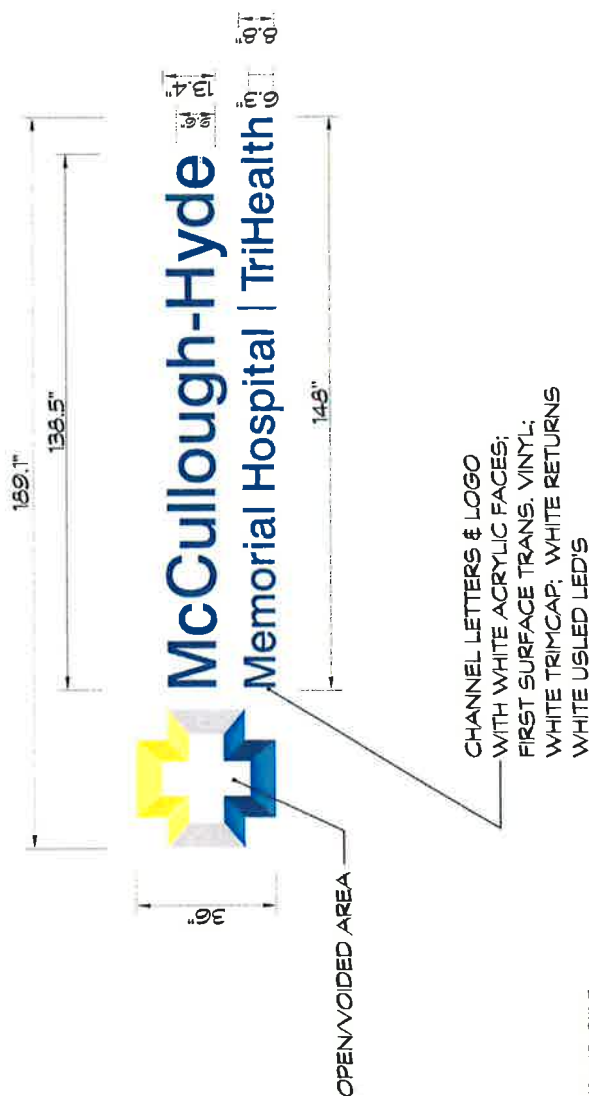
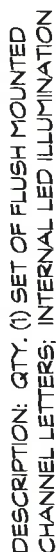
McCullough-Hyde
Memorial Hospital | TriHealth



Exterior Sign Concepts

May 10, 2016

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AVERY 012C TRANS. 9111 T
 AVERY SUNFLOWER YELLOW TRANS. 6140 T
 AVERY PANTONE 430C TRANS. 9047 T
 AVERY BRIGHT BLUE TRANS. 6567 T
 AVERY ULTRA MARINE BLUE TRANS. 6574 T

COLOURS MAY NOT BE EXACT AS SHOWN
BECAUSE OF MONITOR VARIATIONS.
PLEASE REFER TO ACTUAL
COLOUR MATCHING CHARTS FOR
THEir COLOUR INFORMATION.

SIGN TYPE 1: LOGO SIGN INSTALLATION

Existing Sign

None

Proposed Sign

Type: Wall Sign

Zoning: Up - Uptown District

Allowed: 3'0" Height

9'0" to 18'0"

Mounting Height

Size: 3'0" Height

15'9" Long

16'2" Approximate

Mounting Height

(Measured to top of logo from low point of sidewalk)

47.3 sq. ft in area

Fabrication/Installation Notes

Material: internally illuminated channel letters

Colors: yellow, blue, gray

Mounting: mounted flush to brick

COLOURS MAY VARY SLIGHTLY AS SHOWN
BEFORE FINAL PRODUCTION.
PLEASE REFER TO ACTUAL
COLOUR MATCHING CHARTS FOR
TRUE COLOUR REPRESENTATIONS.



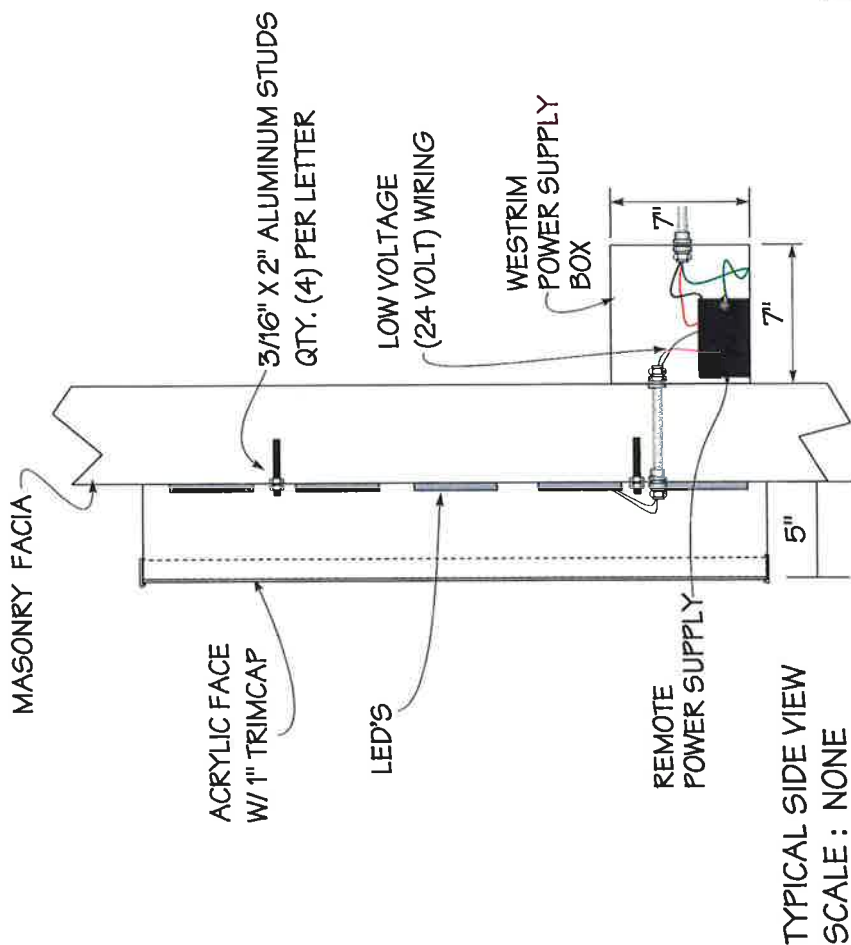
McCullough-Hyde
Memorial Hospital | TriHealth



Exterior Sign Concepts

May 10, 2016

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SIGN TYPE 2: DONOR CANOPY SIGN

Existing Sign

None

Proposed Sign

Type:

Building

Identification Sign

Zoning:

Up - Uptown District

Allowed:

6 sq. ft. in area

4'0" to 16'0"

Mounting Height

2'7" Height

Size:

17' 11.25" Long

46.3 sq. ft. in area

15' 6" Approximate

Mounting Height

(measured to top of sign)

Fabrication/Installation Notes

Material: internally illuminated
channel letters

Colors: dark red

Mounting: mounted flush to EIFS.



McCullough-Hyde
Memorial Hospital | TriHealth



CHAMPLIN
ARCHITECTURE

Exterior Sign Concepts

May 10, 2016

SIGN TYPE 2: DONOR SIGN DIMENSIONS

Existing Sign
None

Proposed Sign

Type:	Building
Identification Sign	
Zoning:	Up - Uptown District
Allowed:	6 sq. ft. in area
	4'0" to 16'0"
Mounting Height	
Size:	2'7" Height
	17' 11.25" Long
	46.3 sq. ft. in area
	15' 6" Approximate
Mounting Height	
(measured to top of sign)	

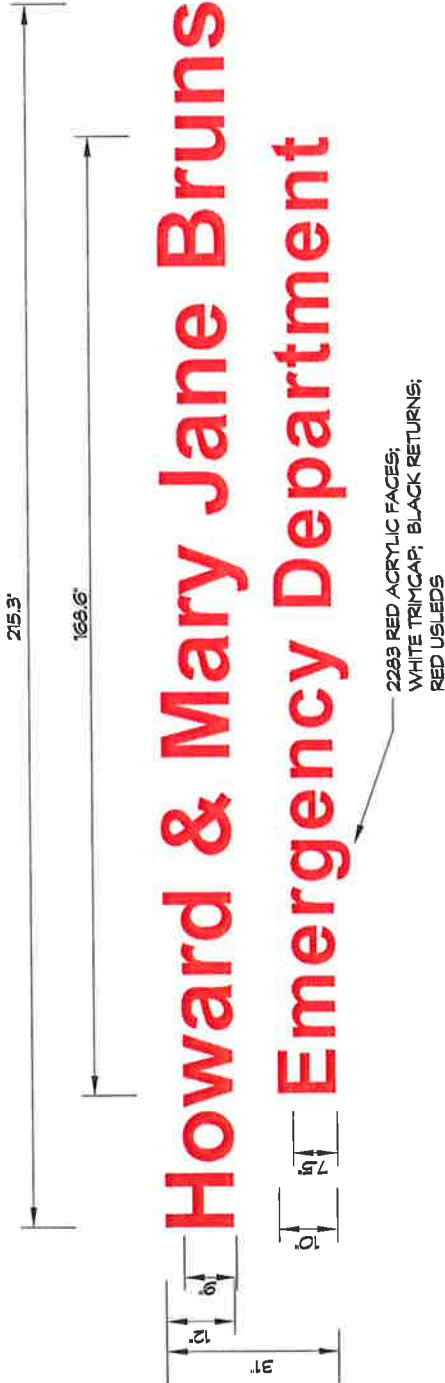
Fabrication/Installation Notes

Material: internally illuminated channel letters
Colors: dark red
Mounting: mounted flush to EIFS.



Exterior Sign Concepts
May 10, 2016

DESCRIPTION: QTY. (1) SET OF FLUSH MOUNTED CHANNEL LETTERS; LED ILLUMINATION



SIGN TYPE 2: DONOR SIGN INSTALLATION

Existing Sign

None

Proposed Sign

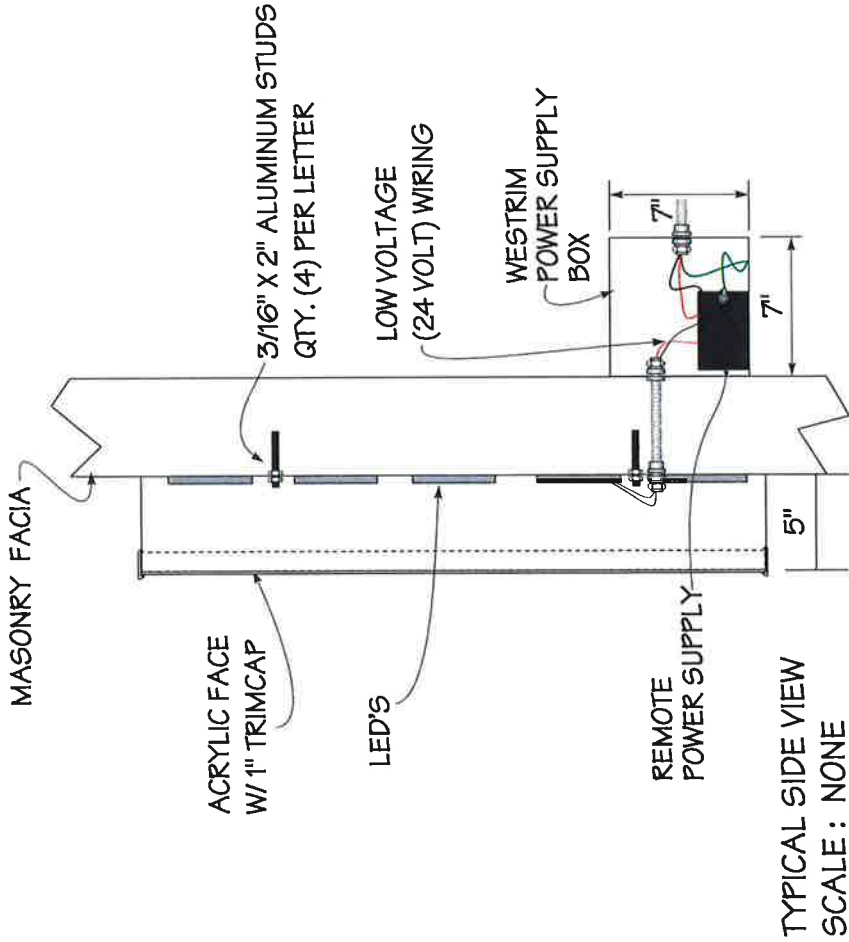
Type:	Building
	Identification Sign
Zoning:	Up - Uptown District
Allowed:	6 sq. ft. in area
	4'0" to 16'0"
	Mounting Height
Size:	2'7" Height
	17' 11.25" Long
	46.3 sq. ft. in area
	15' 6" Approximate
	Mounting Height
	(measured to top of sign)

Fabrication/Installation Notes

- Material: internally illuminated channel letters
- Colors: dark red
- Mounting: mounted flush to EIFS.



Exterior Sign Concepts
May 10, 2016



COLORS MAY NOT BE EXACT AS SHOWN
BECAUSE OF PRINTING LIMITATIONS
COLORS ARE APPROXIMATE AND MAY VARY
COLOR MATCHING CHARTS FOR
TRUE COLOR REPRESENTATIONS

SIGN TYPE 3: ILLUMINATED BOLLARDS

Existing Sign
None

Proposed Sign

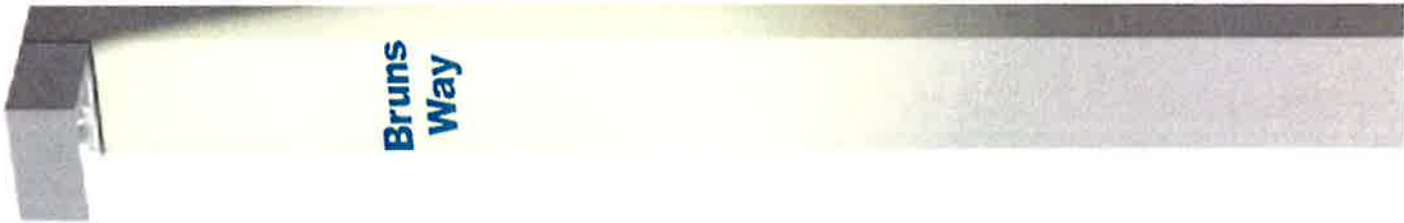
- Type: Name Plate/
Directional Sign
- Zoning: Up - Uptown District
- Allowed: 2 sq. ft. in area
- Size: 6.25" Height
9" Long
56.25 sq. in.
(0.39 sq. ft.) in area
- 6'0" Approximate
Mounting Height

Fabrication/Installation Notes

Material: purchased illuminated bollards with silk screened letters lit by bollard LEDs (indirect illumination)
Colors: silver bollard, blue letters
Mounting: freestanding



Exterior Sign Concepts
May 10, 2016



Lamp	A	B	C	Anchorage
99 072 26W LED	4 3/8 x 9 1/2	12 1/2	177	79 802

SIGN TYPE 4: DONOR GLASS SIGN

Existing Sign

None

Proposed Sign

Type:

Building

Identification

Zoning: Up - Uptown District

Allowed: 6 sq. ft. in area

4'0" to 16'0"

Mounting Height

Size:

2'0" Height

6'0" Long

9'0" Approximate

Mounting Height

12 sq. ft. in area

Fabrication/Installation Notes

Material: vinyl with adhesive back

Colors: white

Mounting: applied to glass



Exterior Sign Concepts

May 10, 2016

Page 10 of 11



MCCULLOUGH-HYDE PROPERTY

Existing hospital and surrounding areas

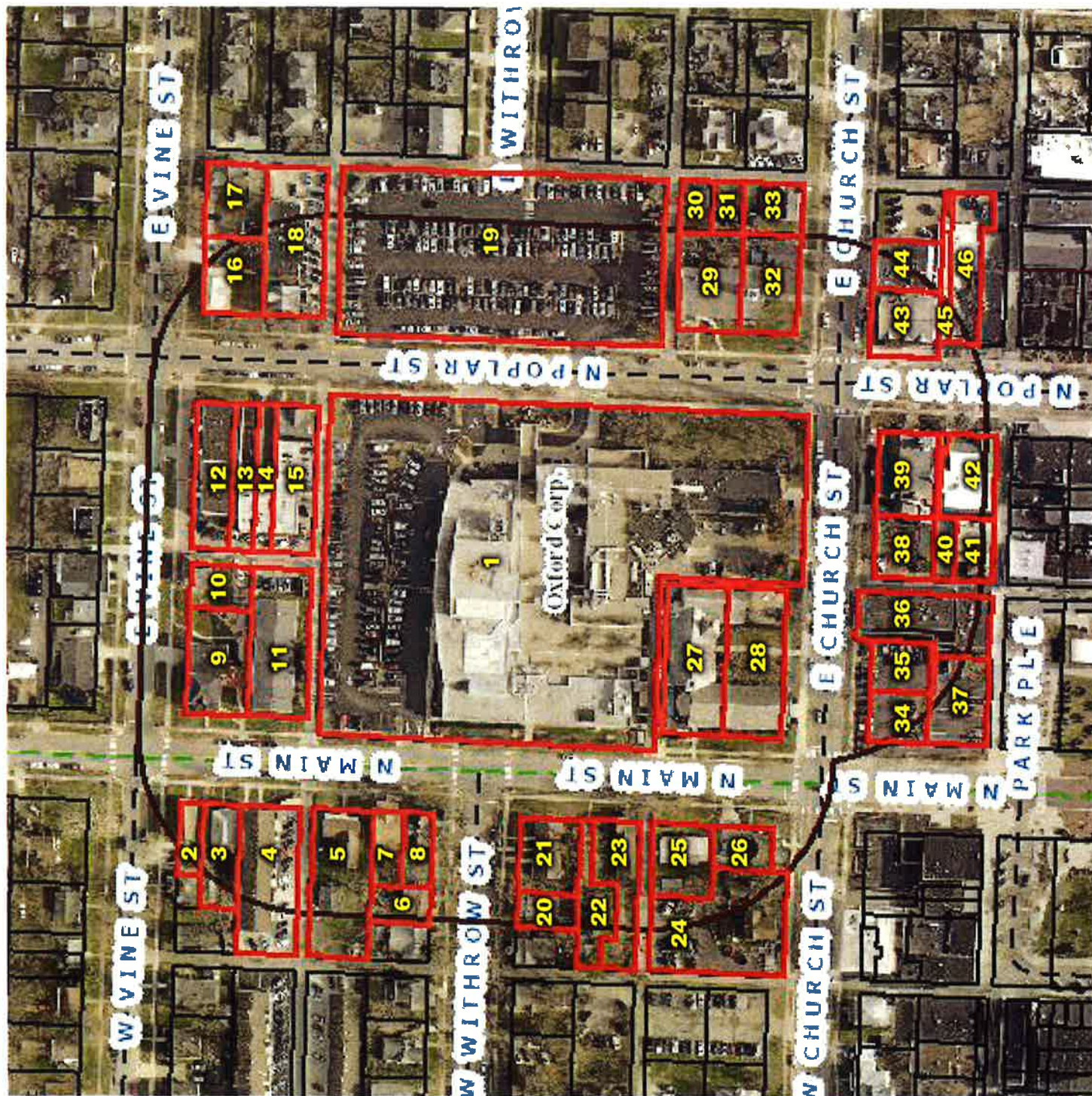
1. 110 N Poplar St
2. 222 N Main St
3. 214 N Main St
4. 212 N Main St
5. 210 N Main St
6. 10 W Withrow St
7. 204 W Withrow St
8. 200 W Withrow St
9. 215 N Main St
10. 15 E Vine St
11. 215 N Main St
12. 222 N Poplar St
13. 218 N Poplar St
14. 218 N Poplar St
15. 212 N Poplar St
16. 223 N Poplar St
17. 115 E Vine St
18. 215 N Poplar St
19. 201-215 N Poplar St
20. 9 W Withrow St
21. 122 N Main St
22. 114 N Main St
23. 112 N Main St
24. 12 W Church St
25. 110 N Main St
26. 2 W Church St
27. 101 N Main St
28. 101 N Main St
29. 104 E Church St
30. 114 E Church St
31. 114 E Church St
32. 108 E Church St
33. 114 E Church St
34. 5 E Church St
35. 5 E Church St
36. 35 E Church St
37. 5 E Church St
38. 35 E Church St
39. 14 E Poplar St
40. 12 E Park Place
41. 12 E Park Place
42. 14 N Poplar St
43. 21 N Poplar St
44. 107 E Church St
45. 17 N Poplar St
46. 17 N Poplar St

City, State ZIP for above addresses:
Oxford, OH 45056



Exterior Sign Concepts

May 10, 2016



City of Oxford
Community Development Department
STAFF REPORT

Board of Zoning Appeals

Case # BZA-2016-05

Date – June 15, 2016

APPLICATION

Applicant:	Scott Webb, Architect
Location:	509 North Campus Avenue
Owner:	Curtis Blake
 Action Requests:	 Variance to Oxford Zoning Code Section 1137.06 additions to nonconforming structures and Section 1149.02(a) parking requirement
 Current Use:	 Single-Family Residential
Zoning:	Single, Two and Three Family Mile Square Residential (R3MS)
Surrounding Land Uses:	Single and Two Family Residential

DESCRIPTION

Mr. Scott Webb, on behalf of Curtis Blake, brings forward variance requests associated with a proposed rear addition to a single family dwelling located at 509 North Campus Avenue. Two variances have been requested. Oxford Zoning Code **Section 1137.06(a-c)** requires that additions to nonconforming structures satisfy all dimensional requirements of the code and that the nonconformity will not increase.

The current structure is nonconforming because it does not comply with the side yard setback requirement of 7.5 feet. An addition with a 3', 7" side yard setback is proposed.



Section 1149.02(a) requires:
“....Any new development, redevelopment, or change to a use or structure or site ... shall meet the parking and site access regulations....”

The proposal requests relief from the requirement for two parking spaces for this single family dwelling

BACKGROUND

The house pictured on the left is the subject property viewed from the street. The applicant proposes replacing the existing rear porch addition with an addition that encompasses the basement

At the time of this report writing, no public comments were received from surrounding property owners regarding this request.

AGENCY REVIEW

Fire	Returned without comments
Police	Returned without comments
Engineering	Returned without comments
Economic Development	Returned without comments

SITE HISTORY

There is no prior history of BZA Cases for this lot.

ANALYSIS

The burden of proof is upon the Applicant to present reliable and substantial evidence that supports the request for variances (Section 1139.02(c)(1)). Furthermore, the BZA must find that practical difficulties exist that would render strict application of the Code unreasonable (Section 1139.02(c)(2)). In determining whether such difficulties exist which are sufficient to warrant a variance, the Board shall use the attached eight decision criteria (A-H) in its deliberation. See the enclosed letter addressing the review criteria from Mr. Webb. The staff's review of the criteria is included in this report below:

Regarding criterion A, Staff believes that the property **cannot yield a reasonable return without the variances**, citing the need for the minimum necessary footprint for a functional rear addition.

Regarding criterion B, Staff believes that this rear addition is **not substantial** and that the lack of two off-street parking spaces is not substantial since the occupancy would not change.

Regarding criterion C, Staff believes that the variance **would not negatively alter the essential character** of the neighborhood because the small addition is in the rear.

Regarding criterion D, Staff believes that the **delivery of governmental services would not be altered** by the granting of these variances.

Regarding criterion E, the owner **did not have knowledge of the zoning restriction** prior to the purchase of the property.

Regarding criterion F, Staff believes that a variance from the side yard setback requirement is the **only way to achieve a functional rear addition to this building**. Additionally, there is not sufficient space for off-street parking without granting additional variances.

Regarding criterion G, staff believes that the **spirit and intent** of the zoning code requirement and substantial justice would be achieved by the granting of the variances.

RECOMMENDATION

If the BZA determines that difficulties exist which are sufficient to warrant the variances, the staff recommends that the BZA cite any new or different specific evidence not yet identified and approve the variance requests. At the time of this report, **staff believes there is substantial evidence that supports the variance requests**. If the BZA does approve the variances it can attach any appropriate conditions necessary.



SUBMITTED BY: _____
Sam Perry, AICP, Planner
Community Development Department

DATE: June 8, 2016

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 23, 2016

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

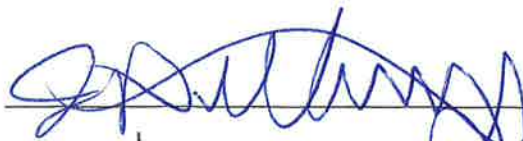
BZA-2016-05 509 N. Campus Avenue, Variance to 1137.06 Nonconforming Structures, side yard setback requirement and 1143.09(a) RO (Office Residential) District, off street parking requirement, **Scott Webb, Applicant, Agent**

 X Review Revisions Other

Please return no later than: **June 7, 2016** Note: If no comments are received, we will assume the project meets your department's standards.

.....
Drawings are returned: w/comments without/comments

Drawings reviewed by:



Date:

5-24-16

John Dethenage
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 23, 2016

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

BZA-2016-05 509 N. Campus Avenue, Variance to 1137.06 Nonconforming Structures, side yard setback requirement and 1143.09(a) RO (Office Residential) District, off street parking requirement, Scott Webb, Applicant, Agent

 X Review Revisions Other

Please return no later than: **June 7, 2016** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: _____



Date: 5-24-16

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 23, 2016

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

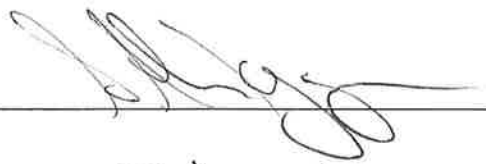
BZA-2016-05 509 N. Campus Avenue, Variance to 1137.06 Nonconforming Structures, side yard setback requirement and 1143.09(a) RO (Office Residential) District, off street parking requirement, **Scott Webb, Applicant, Agent**

 X Review Revisions Other

Please return no later than: **June 7, 2016** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:  Date: 5-24-16

G. Alan Kycen
PRINTED NAME



BZA-2016-05 **Surrounding** **Property Owners** **Map**

Legend

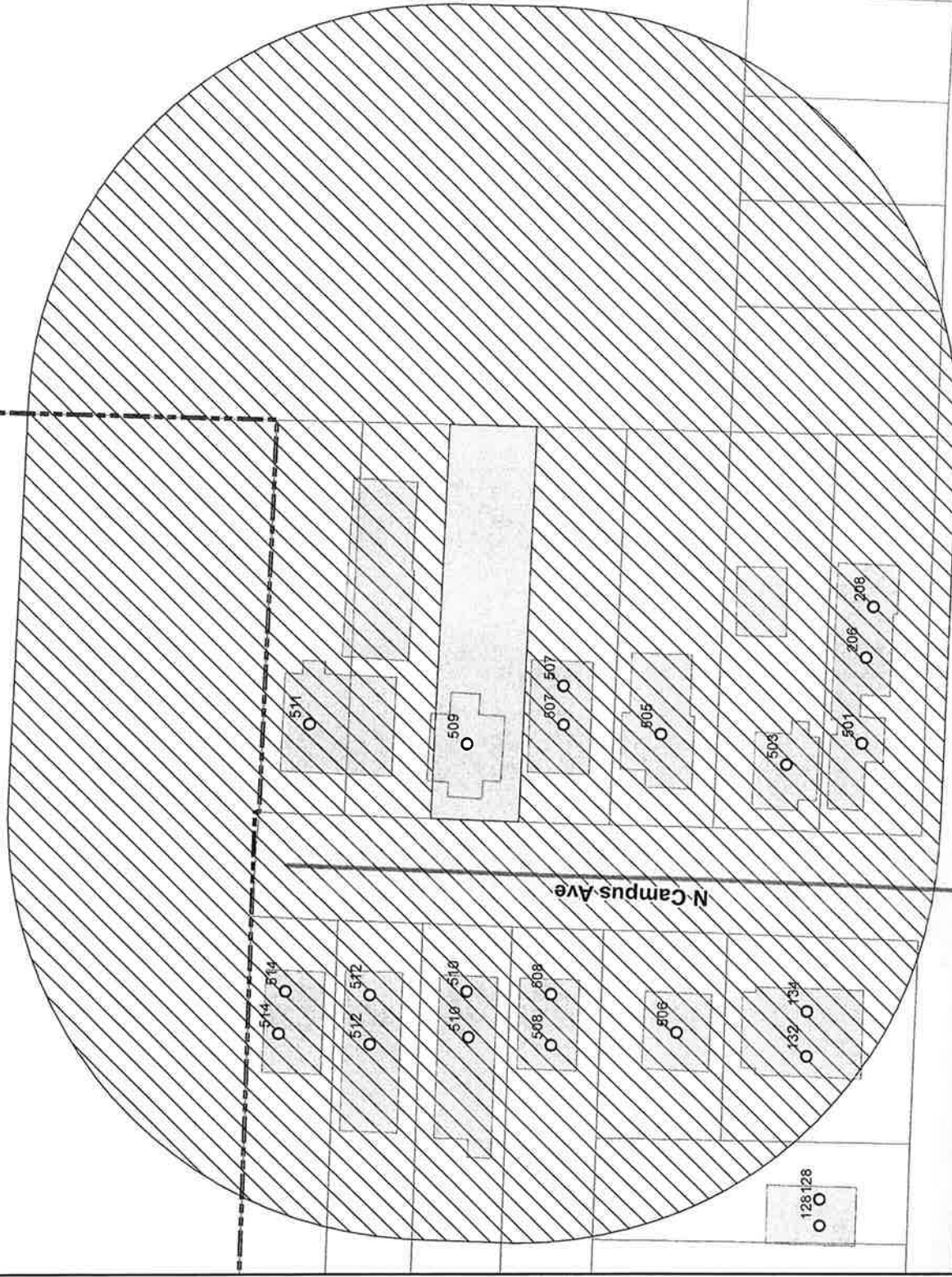
-  Subject Parcel
-  200 Ft. Buffer
-  Oxford Corporation Limit
-  Parcel
-  Vacated Right-of-Way
-  Building Footprint
-  Paved Roadway



1 inch = 75 feet

Prepared on Thursday, June 02, 2016

The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.



LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Scott Webb, Architect has permission to represent our interest with the City of Oxford Board of Zoning Appeals and act on our behalf regarding an addition to our property at 509 North Campus Avenue.

Thank-you,

Signed: 
Curtis Blake

5-13-16
Date:



Internal Use Only:

Case No.

BZA-2016-05

Date Filed

5/13/16

Petition for Zoning Variance

Petitioner Information

Attach a Letter of Agency if the Petitioner is not the property owner.

Name * Scott Webb, Architect
Mailing Address * 103 West Walnut Street
City, State & Zip Code * Oxford, Ohio 45056
Telephone Number(s) * 513-523-3838
Email Address scott@scottwebbarchitect.com
Location of Property * 509 North Campus
Name of Building *

Owner Information

Name * Curtis & Mitzy Blake
Mailing Address * 6915 Runkle Rd
City, State & Zip Code * St. Paris, Ohio 43072
Telephone Number(s) * 937-408-3169
Email Address cblake@fcnbsp.com

Variance and Lot Information

Requested Variance. Indicate the nature of variance and applicable section(s) of the Planning and Zoning Code.

1137.06(a) Addition must meet Side Yard Setback requirements of Zoning District

1143.09(a) Off Street Parking Requirement

Location of Requested Variance * 509 North Campus Ave.
Legal Description * Survey Attached
Zoning District * R3MS Total Acreage * .187
Existing Use of Site * Single Family Residence

Proposed Use (if applicable). A description of operations, including type of goods sold, services performed, and expected number of customers, clientele, delivery, and service vehicles, and the hours of operation.

Proposed Addition to replace enclosed porch & enclose existing access to basement

- D. Whether the variance would adversely affect the delivery of governmental services (i.e. water, sewer, garbage);
- E. Whether the property owner purchased the property with knowledge of the zoning restriction;
- F. Whether the property owners' predicament feasibly can be obviated through some method other than a variance;
- G. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
- H. Any other relevant factor.

Fees & Receipt

The variance fee is \$200.00, plus \$100.00 for each additional variance request up to a maximum of \$1,000.00 plus postage charge.

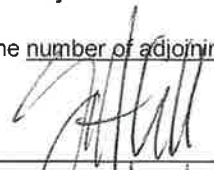
Fees may increase if staff determines that you need more variances.

To calculate postage charges, multiply the number of adjoining properties by current postage rate³.

Sign and Date

Petitioner Signature *

Date *


5/13/16

Submit Application, Plans and Documentation, and Fees

We will not accept incomplete applications and/or plans and documentation.

Send or drop off this application with required plans and documentation as attachments and a check for fee(s) and postage charges made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

Direct questions to the Community Development Department at (513) 524-5204. The application will be placed on the next possible agenda.

Note: You must adhere to notification and publication requirements. Submit materials 30 days prior to the Board of Zoning Appeals meeting at which the action is requested. City Staff will place a public hearing sign on the subject property. **The Petitioner is responsible for removing the signage at the completion of the hearing(s).**

For Staff Use Only

Fee Paid Date *

5/13/16

Receipt Number *

97030

¹ Butler County Auditor Real Estate Search: <http://www.butlercountyauditor.org/>

² City of Oxford Codified Ordinances: <http://www.cityofoxford.org/fees-ordinances-and-charter>

³ The United States Postal Service: <http://www.usps.com/>

Board of Zoning Appeals
City of Oxford
101 East High Street
Oxford, Ohio 45056



SCOTT
WEBB

ARCHITECT

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

www.scottwebbarchitect.com

Re: Variance to Minimum Side Yard
& Off-Street Parking
Rear Addition to a Single Family Residence
509 North Campus Avenue

May 12, 2016

Board Members

Please accept this letter as a formal petition for a Board of Zoning Appeals review hearing for a variance to the Minimum Side Yard requirement of the R3MS District and the Off-Street Parking Requirement relating to a small rear addition to an existing single family residence at 9 West Walnut Street.

1137.06(a) Side Yard Setback for Addition must meet the 7-6" side yard dimensional requirements of R3MS

The existing residence is currently non-conforming with regard to the side yard setback requirement of 1143.07(c)(2). The proposed addition provides a greater setback, but needs to be located as proposed to enclose an existing stair to the basement

1143.09(a) Requires the off-street parking requirement to be satisfied when a structure is expanded.

The existing residence is 33' wide on a 43' wide lot with no rear access, leaving no room for parking on the site. The existing residence has never had parking, and the proposed addition does not increase or change the occupancy.

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 existing residence has a poorly constructed porch enclosure on the rear of the house, and no internal access to the basement. The small addition project at hand is simply to improve the construction and livability of the residence.

The continuation of the off-street parking deficit, does not affect the beneficial use of the property.

b) Whether the variance is substantial;

The setback variance is not substantial, as the addition provides a greater setback than the existing building, and simply encloses an existing exterior stair.

The Parking variance is not substantial, as the proposed addition does not change the occupancy of the structure.

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 not be detrimentally affected by the improvements to the rear of this structure.

The lack of off-street parking is similarly unaffected by this addition, as it represents no change in occupancy.

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 either variance request of this application.

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

The property was purchased in its current configuration, and has been made non-conforming based on changes in the Zoning Code over the years. The side yard setback was not evident until after the recent purchase of the property when a survey was commissioned.

The owner was aware that no parking was available on the property.

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

An addition that would respect the side yard setback would leave the existing basement access from the exterior, eliminating this proposed improvement to the structure.

There is simply no room for parking on the site, based on the narrow lot dimension, and the location of the structure on the lot. Further, an attempt to create a curb cut onto this property would result in the elimination of on-street parking.

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

For each proposed variance, the spirit of the Zoning Code is observed, allowing an improvement to an existing structure, without changing the occupancy

h) Any other relevant factor;

This redevelopment project aligns with the goals of the Comprehensive Plan, encouraging infill and redevelopment within the City, improving the property aesthetically, and with regard to the safety of its occupants.

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 black ink, appearing to read 'S Webb', written in a cursive, stylized script.

Scott Webb, Architect

Existing Pictures



Front of existing residence



Rear of existing residence showing porch enclosure to be removed & exterior basement access to be enclosed



LOT COVER (R3MS ZONING DISTRICT)

OVERALL LOT AREA:	8,139 SF
LOT COVERAGE:	
EXISTING BUILDING:	946 SF
PROPOSED ADDITION:	336 SF
EXISTING SIDEWALK & FRONT PORCH:	148 SF
TOTAL:	1,430 SF
ACTUAL FRONT YARD:	148 SF / 8660 SF = 1.72%
ALLOW. FRONT YARD:	R3M6 = 25%
ACTUAL ENCLOSED BUILDING:	1282 SF / 8,139 SF = 15.8%
ALLOW. ENCLOSED BUILDING:	R3M6 = 25%
TOTAL LOT COVERAGE:	1,430 SF / 8,139 SF = 17.6%
ALLOW. LOT COVERAGE:	R3M6 = 35%

PARKING

2) SPACES REQUIRED - (0) SPACES CURRENTLY PROVIDED

REQUIRED VARIANCES

3109(a):	NON-CONFORMING VEHICLE MANAGEMENT WHEN STRUCTURE IS EXPANDED
3106(a):	SIDE YARD SETBACK FOR ADDITION - 11430T(CX2)

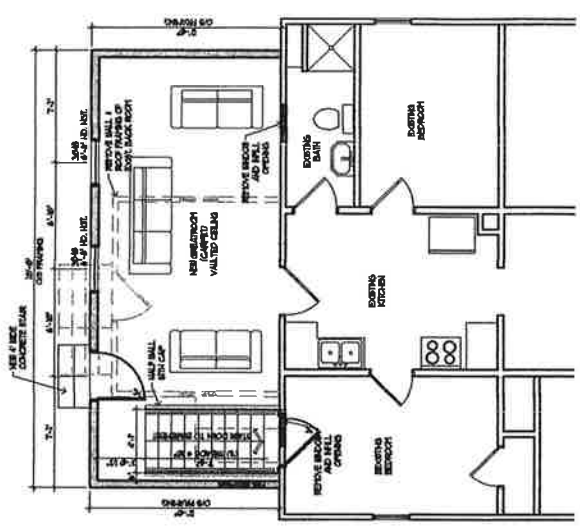


SCOTT WEBB ARCHITECT
 103 West Walnut Street
 Oxford, Ohio 45056
 (613) 522-3888
 www.scottwebbarchitect.com

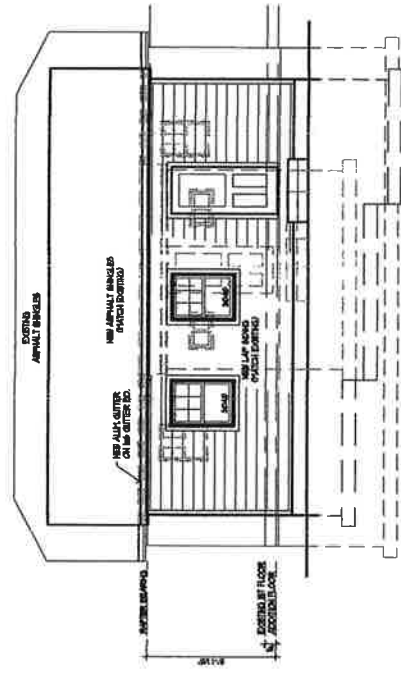
509 North Campus Ave.
 OXFORD, OHIO 45056
 PROPOSED ADDITION

DATE	May 12, 2016
REVISIONS	

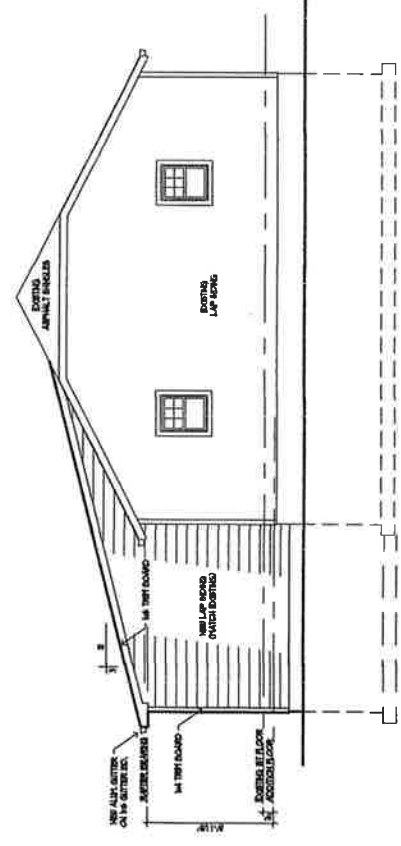
A-2



FLOOR PLAN 1/8" = 1'-0"
 PARTIAL PLAN SHOWING ADDITION AREA



REAR ELEVATION 1/8" = 1'-0"
 SHOWING PROPOSED ADDITION



SIDE ELEVATION 1/8" = 1'-0"
 SHOWING PROPOSED ADDITION

City of Oxford
Community Development Department
STAFF REPORT

Board of Zoning Appeals

Case # BZA-2016-06

Date – June 15, 2016

APPLICATION

Applicant:	Scott Webb, Architect
Location:	116 West Collins Street
Owner:	Hoelzer Rentals / Tom Kacachos, agent
Action Requests:	Variance to Oxford Zoning Code Section 1141.03(b) principal entrance and Section 1149.02(a) parking requirement
Current Use:	Vacant/gravel
Zoning:	Single and Two Family Mile Square Residential (R2MS)
Surrounding Land Uses:	Single and Two Family Residential

DESCRIPTION

Mr. Scott Webb, on behalf of Hoelzer Rentals, brings forward variance requests associated with a proposed new single family dwelling located on an alley lot with no street frontage. Two variances have been requested. Oxford Zoning Code **Section 1141.03(b)** requires:

“Every building.....shall have its principal entrance upon a street... For the purposes of this provision an alley is not considered a street”

The alley lot location prevents a new building on the subject lot from meeting this requirement



Section 1149.02(a) requires:

“....Any new development, redevelopment, or change to a use or structure or site ... shall meet the parking and site access regulations....”

The proposal requests relief from the requirement for two parking spaces for this single family dwelling

BACKGROUND

The lot pictured on the left is currently vacant gravel with no record of a previous City Occupancy Agreement tying the alley lot to the developed street lot. Therefore, the applicant and owner have standing to pursue these variances.

Below is a location map of the subject property.



COMMENT FORMS

At the time of this report writing, no public comments were received from surrounding property owners regarding this request.

AGENCY REVIEW

Fire	Returned without comments
Police	Returned without comments
Engineering	Returned without comments
Economic Development	Returned without comments

SITE HISTORY

There is no prior history of BZA Cases for this lot.

ANALYSIS

The burden of proof is upon the Applicant to present reliable and substantial evidence that supports the request for variances (Section 1139.02(c)(1)). Furthermore, the BZA must find that practical difficulties exist that would render strict application of the Code unreasonable (Section 1139.02(c)(2)). In determining whether such difficulties exist which are sufficient to warrant a variance, the Board shall use the attached eight decision criteria (A-H) in its deliberation. See the enclosed letter addressing the review criteria from Mr. Webb. The staff's review of the criteria is included in this report below:

Regarding criterion A, Staff believes that the property **can yield a reasonable return without the variances**, because the current owner has owned the property in its current condition for years.

Regarding criterion B, Staff believes that this new alley lot building **could be substantial** if it is determined that a new nonconformity of inadequate parking is created.

Regarding criterion C, Staff believes that the variance **would negatively alter the essential character** of the neighborhood because there are no other principal buildings with alley entrances in this block.

Regarding criterion D, Planning staff believes that the **delivery of governmental services would be more limited** by the granting of these variances. However the City Engineer, Fire Chief and Police Chief have not commented on this issue. Alleys were originally designed for secondary access and now are also used for some utilities such as overhead lines. Streets afford more than two times the width of alleys for governmental services to be delivered.

Regarding criterion E, it is unknown if the prohibition of alley entrance and requirement for parking preceded the current ownership. Therefore the owner may have purchased the property without **knowledge of the zoning restriction** that has been in place for many years.

Regarding criterion F, Staff believes that a variance from the street entrance is the only way **to achieve a new dwelling at this location**. However, other options for site layout to include parking, may be possible. None have been presented.

Regarding criterion G, staff believes that the **spirit and intent** of the zoning requirement for the street entrance would not be achieved by granting the variance for an alley entrance. Additionally, relieving the parking requirement would also not achieve the spirit and intent of the zoning requirement. Both are wholesale exemptions.

Regarding criterion H, staff believes **that a relevant factor** in the case of the parking requirement is that the difficulty is self-created. There is currently no building on this lot to require new parking. An additional relevant factor is that demonstrating the minimum lot size requirement of 3,000 square feet is met does not guarantee that other requirements should be waived. All zoning code requirements must be met.

RECOMMENDATION

If the BZA determines that difficulties exist which are sufficient to warrant the variances, the staff recommends that the BZA cite any new or different specific evidence not yet identified and approve the variance requests. At the time of this report, **staff believes there is not substantial evidence that supports the variance requests.** If the BZA does approve the variances it can attach any appropriate conditions necessary.



SUBMITTED BY: _____

Sam Perry, AICP, Planner
Community Development Department

DATE: June 8, 2016

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 23, 2016

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

BZA-2016-06 116 W. Collins, variance to 1141.03(b) Supplemental Regulations, principal entrance upon a street; 1143.09(a) parking in required front yard, **Scott Webb, Applicant, Agent**

 X Review Revisions Other

Please return no later than: **June 7, 2016** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:


John Dethelage
PRINTED NAME

Date:

5-24-16

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 23, 2016

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

BZA-2016-06 116 W. Collins, variance to 1141.03(b) Supplemental Regulations, principal entrance upon a street; 1143.09(a) parking in required front yard, **Scott Webb, Applicant, Agent**

 X Review

 Revisions

 Other

Please return no later than: **June 7, 2016** Note: If no comments are received, we will assume the project meets your department's standards.

.....
Drawings are returned: w/comments

without/comments

Drawings reviewed by: _____

A. Popescu

Date: _____

5-24-16

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 23, 2016

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

BZA-2016-06 116 W. Collins, variance to 1141.03(b) Supplemental Regulations, principal entrance upon a street; 1143.09(a) parking in required front yard, **Scott Webb, Applicant, Agent**

 X Review Revisions Other

Please return no later than: **June 7, 2016** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: _____



Date: _____

5/24/16

John Jones

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 23, 2016

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

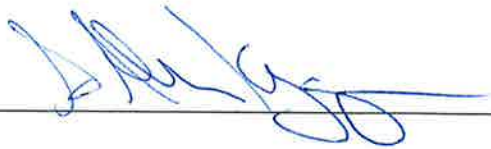
BZA-2016-06 116 W. Collins, variance to 1141.03(b) Supplemental Regulations, principal entrance upon a street; 1143.09(a) parking in required front yard, Scott Webb, Applicant, Agent

 X Review Revisions Other

Please return no later than: **June 7, 2016** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: 

Date: 5-24-16

G. Alan Kyson
PRINTED NAME



BZA-2016-06 **Surrounding** **Property Owners** **Map**

Legend

-  Subject Parcels
-  200 Ft. Buffer
-  Oxford Corporation Limit
-  Parcel
-  Vacated Right-of-Way
-  Building Footprint
-  Paved Roadway



1 inch = 75 feet

Prepared on Thursday, June 02, 2016

The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.

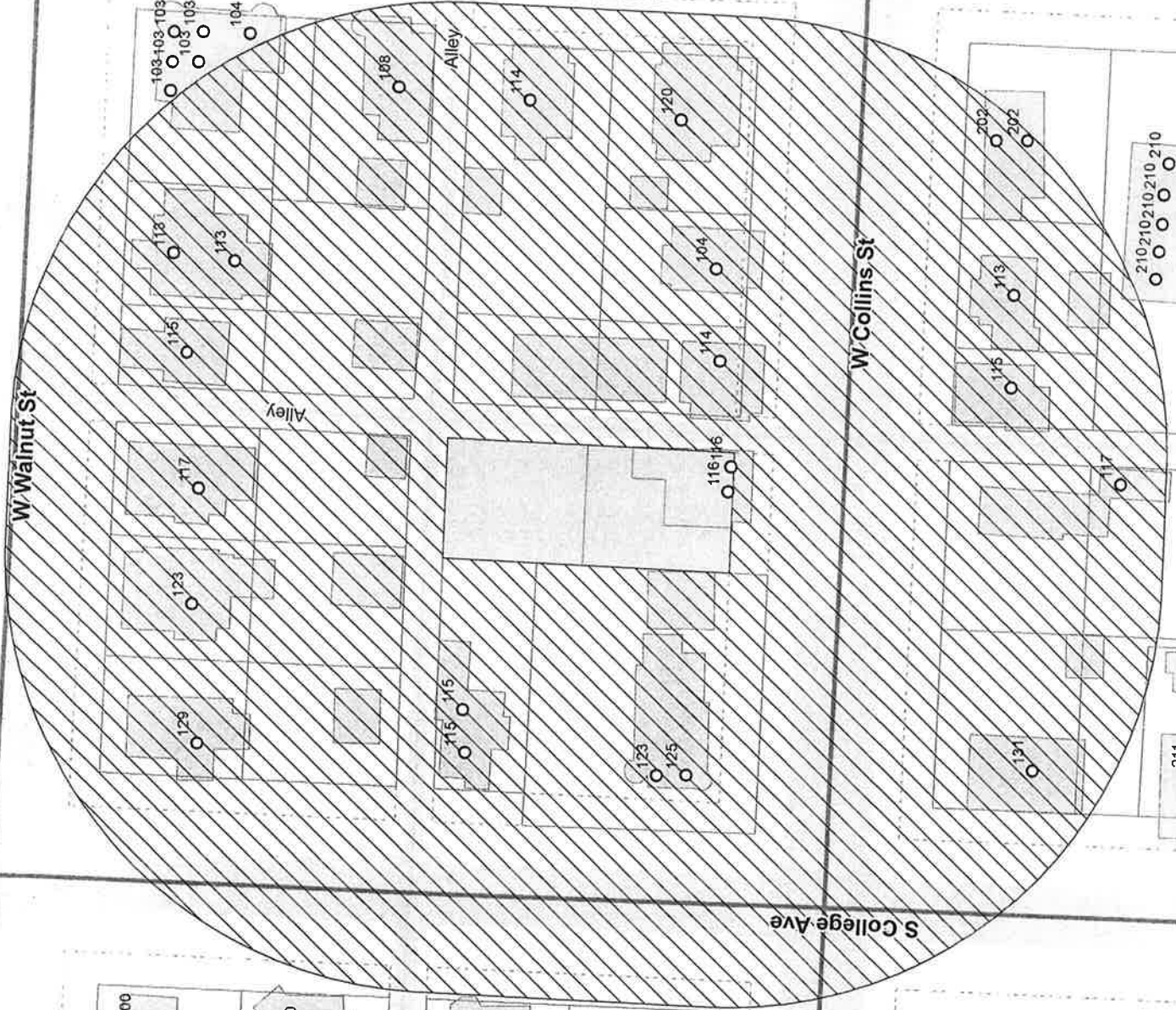
W Walnut St

S Beech St

W Collins St

S College Ave

Alley



LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Scott Webb, Architect has permission to represent our interest with the City of Oxford Board of Zoning Appeals and act on our behalf regarding a new single family residence at 116 West Collins Street.

Thank-you,

Signed: Tom Kacachos
Tom Kacachos

May 13, 2016
Date:



Internal Use Only:	
Case No.	BZA-2016-06
Date Filed	5/13/16

Petition for Zoning Variance

Petitioner Information

Attach a Letter of Agency if the Petitioner is not the property owner.

Name *	Scott Webb, Architect
Mailing Address *	103 West Walnut Street
City, State & Zip Code *	Oxford, Ohio 45056
Telephone Number(s) *	513-523-3838
Email Address	scott@scottwebbarchitect.com
Location of Property *	116 West Collins (Alley Lot)
Name of Building *	

Owner Information

Name *	Hoelzer & Hoelzer Rentals
Mailing Address *	116 East High Street
City, State & Zip Code *	Oxford, Ohio 45056
Telephone Number(s) *	513-523-2015
Email Address	tkacachos@parkplacerealestate.net

Variance and Lot Information

Requested Variance. Indicate the nature of variance and applicable section(s) of the Planning and Zoning Code.

1141.03(b) Principal Entrance on a Street
1143.09(a) Parking in Required Front Yard

Location of Requested Variance *	116 West Collins (Alley Lot)		
Legal Description *	Survey Attached		
Zoning District *	R2MS	Total Acreage *	.088
Existing Use of Site *	Vacant Lot		

Proposed Use (if applicable). A description of operations, including type of goods sold, services performed, and expected number of customers, clientele, delivery, and service vehicles, and the hours of operation.

New Single Family Residence on lot over 3,0000 s.f. per 1137.05(a)
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- D. Whether the variance would adversely affect the delivery of governmental services (i.e. water, sewer, garbage);
- E. Whether the property owner purchased the property with knowledge of the zoning restriction;
- F. Whether the property owners' predicament feasibly can be obviated through some method other than a variance;
- G. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
- H. Any other relevant factor.

Fees & Receipt

The variance fee is \$200.00, plus \$100.00 for each additional variance request up to a maximum of \$1,000.00 plus postage charge.

Fees may increase if staff determines that you need more variances.

To calculate postage charges, multiply the number of adjoining properties by current postage rate³.

Sign and Date

Petitioner Signature *

Date *

[Handwritten Signature]
[Handwritten Date: 5/13/16]

Submit Application, Plans and Documentation, and Fees

We will not accept incomplete applications and/or plans and documentation.

Send or drop off this application with required plans and documentation as attachments and a check for fee(s) and postage charges made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

Direct questions to the Community Development Department at (513) 524-5204. The application will be placed on the next possible agenda.

Note: You must adhere to notification and publication requirements. Submit materials 30 days prior to the Board of Zoning Appeals meeting at which the action is requested. City Staff will place a public hearing sign on the subject property. **The Petitioner is responsible for removing the signage at the completion of the hearing(s).**

For Staff Use Only

Fee Paid Date *

[Handwritten Date: 5/13/16]

Receipt Number *

[Handwritten Receipt Number: 97029]

¹ Butler County Auditor Real Estate Search: <http://www.butlercountyauditor.org/>

² City of Oxford Codified Ordinances: <http://www.cityofoxford.org/fees-ordinances-and-charter>

³ The United States Postal Service: <http://www.usps.com/>

Board of Zoning Appeals
City of Oxford
101 East High Street
Oxford, Ohio 45056



**SCOTT
WEBB**

A R C H I T E C T

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

www.scottwebbarchitect.com

Re: Variance to Principal Entrance on a Street
& Off-Street Parking in Front Yard
New Single Family Residence
116 West Collins Street (Alley Access)

May 12, 2016

Board Members

Please accept this letter as a formal petition for a Board of Zoning Appeals review hearing for a variance to the requirement for a principal entrance upon a street in the R2MS District and the location of the required off-street parking relating to the construction of a new single family residence.

1141.03(b) requires "Every building hereafter erected, converted, enlarged, reconstructed or structurally altered shall be located on a lot of record, and shall its principal entrance upon a street bordering such lot. For the purpose of this provision, an alley is not considered a street"

The lot in question is in fact a lot of record, and exceeds the minimum 3,000 s.f. lot size allowed by 1137.05(a) for a single family residence. The application presented herein is for a single family residence only.

While the lot in question also exceeds the minimum lot width of 50', and all other requirements & restrictions of the Zoning District are met.

1143.09(a) Requires the off-street parking requirement to be satisfied when a structure is expanded.

The existing residence is 33' wide on a 43' wide lot with no rear access, leaving no room for parking on the site. The existing residence has never had parking, and the proposed addition does not increase or change the occupancy.

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 existing residence has a poorly constructed porch enclosure on the rear of the house, and no internal access to the basement. The small addition project at hand is simply to improve the construction and livability of the residence.

The continuation of the off-street parking deficit, does not affect the beneficial use of the property.

b) Whether the variance is substantial;

The setback variance is not substantial, as the addition provides a greater setback than the existing building, and simply encloses an existing exterior stair.

The Parking variance is not substantial, as the proposed addition does not change the occupancy of the structure.

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 not be detrimentally affected by the improvements to the rear of this structure.

The lack of off-street parking is similarly unaffected by this addition, as it represents no change in occupancy.

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 either variance request of this application.

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

The property was purchased in its current configuration, and has been made non-conforming based on changes in the Zoning Code over the years. The side yard setback was not evident until after the recent purchase of the property when a survey was commissioned.

The owner was aware that no parking was available on the property.

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

An addition that would respect the side yard setback would leave the existing basement access from the exterior, eliminating this proposed improvement to the structure.

There is simply no room for parking on the site, based on the narrow lot dimension, and the location of the structure on the lot. Further, an attempt to create a curb cut onto this property would result in the elimination of on-street parking.

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

For each proposed variance, the spirit of the Zoning Code is observed, allowing an improvement to an existing structure, without changing the occupancy

h) Any other relevant factor;

This redevelopment project aligns with the goals of the Comprehensive Plan, encouraging infill and redevelopment within the City, improving the property aesthetically, and with regard to the safety of its occupants.

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

Respectfully,

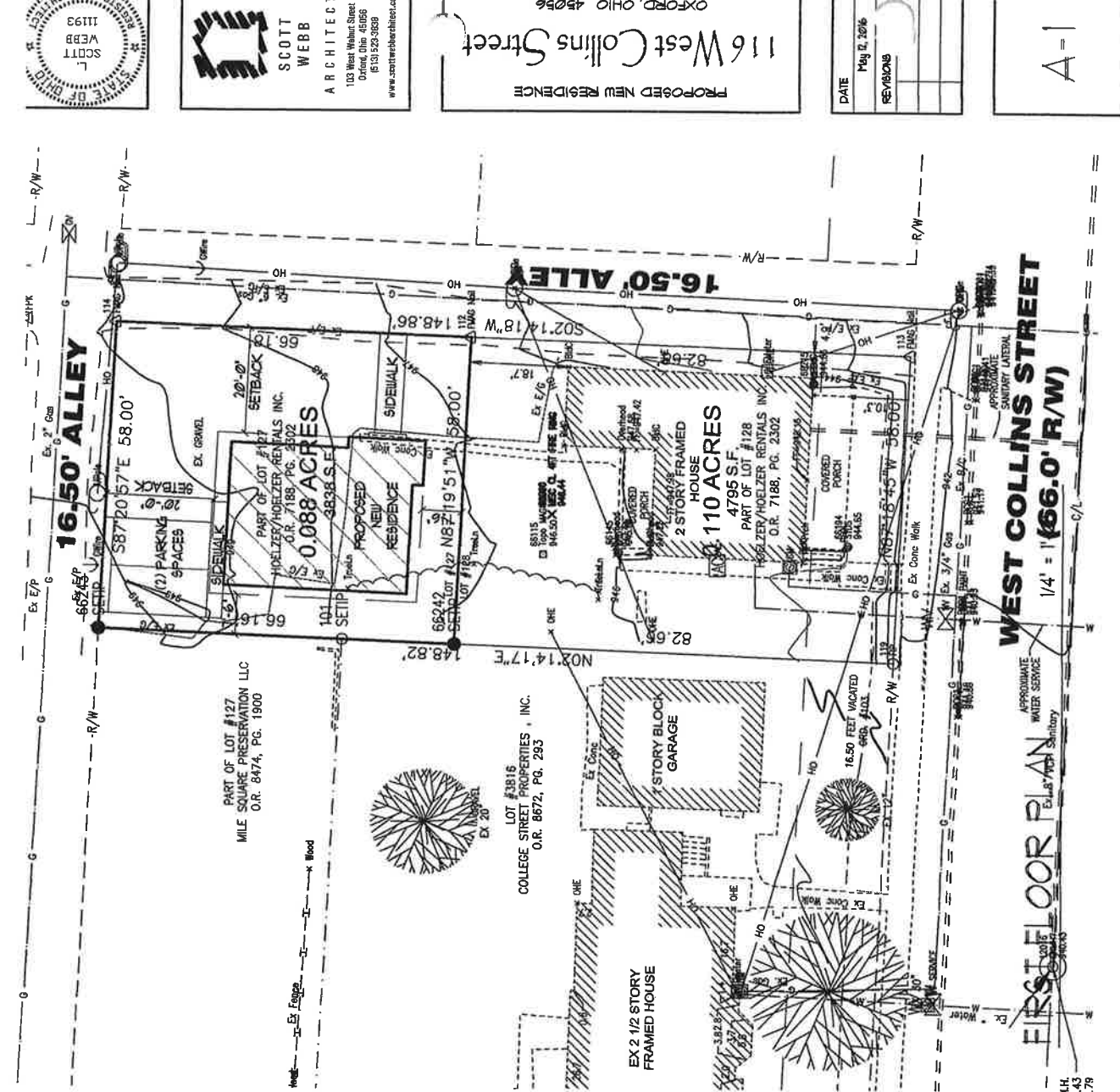
A handwritten signature in black ink, appearing to read 'Scott Webb', written in a cursive style.

Scott Webb, Architect

LOT COVERAGE (R2MS ZONING DISTRICT)	
OVERALL LOT AREA:	3,838 SF
BUILDINGS:	959 SF
DRIVEWAY PARKING (OFF ALLEY):	324 SF
SIDEWALKS:	166 SF
TOTAL:	1,449 SF
ACTUAL FRONT YARD:	490 SF / 2084 SF = 23.5%
ALLOW. FRONT YARD:	RO = 25%
ACTUAL ENCLOSED BUILDING:	959 SF / 3838 SF = 25.0%
ALLOW. ENCLOSED BUILDING:	RO = 25%
ACTUAL LOT COVERAGE:	1,449 SF / 3,838 SF = 263.71%
ALLOW. LOT COVERAGE:	R2MS = 40%
PARKING	
(2) SPACES REQUIRED - (2) PROVIDED	

REQUIRED VARIANCES

- 14103(b): PRINCIPAL ENTRANCE UPON A STREET
 14904(a)(1): MAXIMUM OF (1) PARKING SPACE IN FRONT YARD

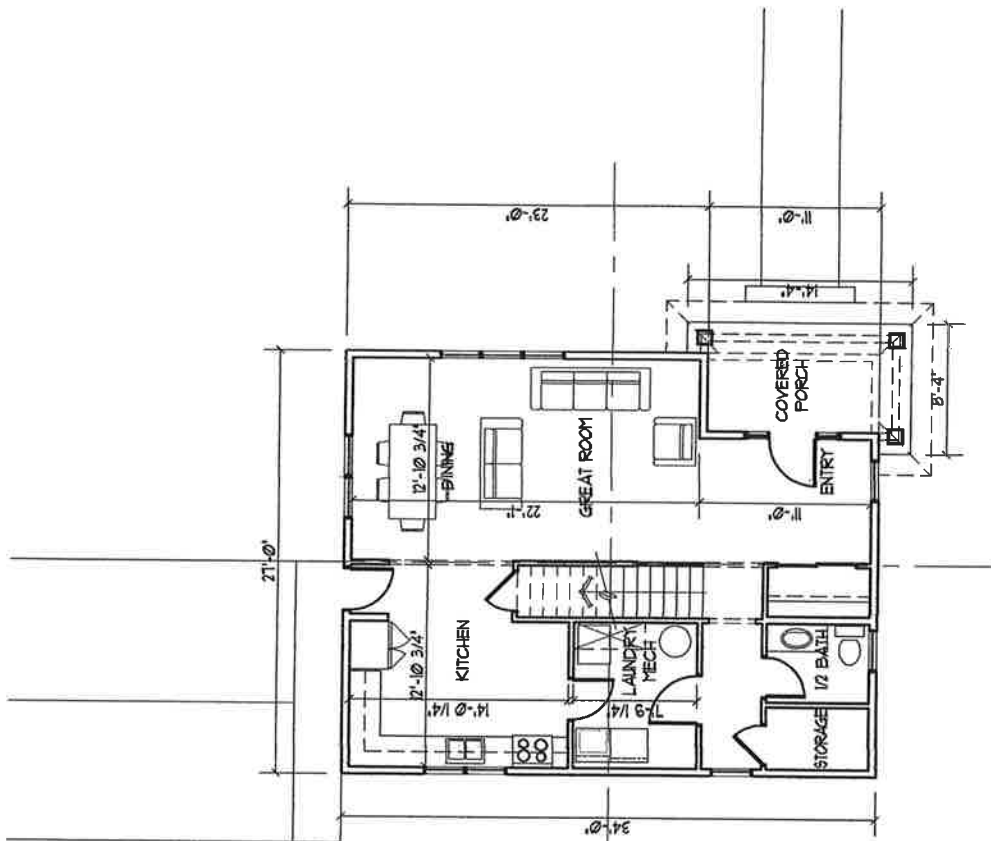




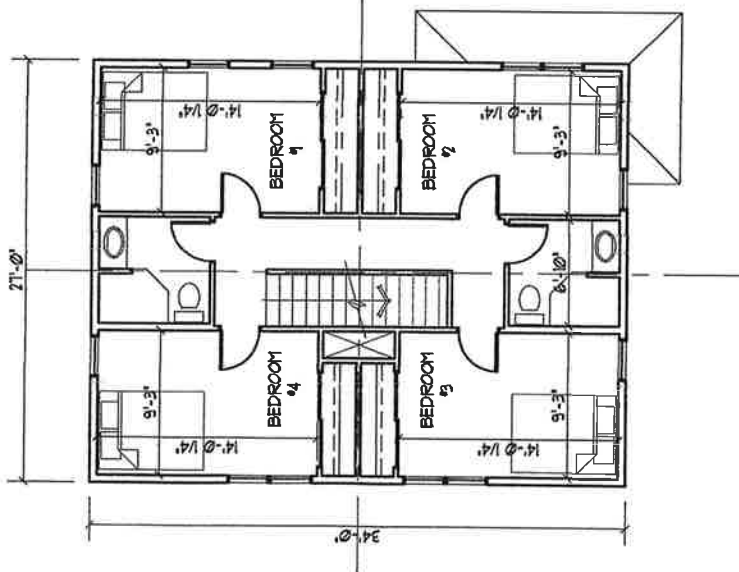
PROPOSED NEW RESIDENCE
116 West Collins Street
OXFORD, OHIO 45056

DATE	May 12, 2016
REVISIONS	

A-2



FIRST FLOOR PLAN 1/8" = 1'-0"



SECOND FLOOR PLAN 1/8" = 1'-0"