

City of Oxford
Community Development Department
STAFF REPORT

Board of Zoning Appeals

Case # BZA-08-2011

Date – December 14, 2011

APPLICATION

Applicant:	Clyde Sparks
Location:	5317 College Corner Pike
Owner:	Clyde Sparks
Action Request:	Variances to Section 1137.04(a) Expansion of Nonconforming Use
Current Use:	Single-Family Home
Zoning:	GB, General Business District
Surrounding Land Uses:	Residential and Place of Worship

DESCRIPTION

The applicant is seeking to build a carport to allow the tenant, his daughter, to have a place to house her vehicle during harsh weather. The proposed garage is to be built behind the existing house on the existing concrete pad and closer to the existing ramp at the rear of the house.

The property is zoned GB General Business that does not allow single family residential use and the existing use is considered to be a nonconforming use.

VARIANCES REQUESTED

Section 1137.04: Non Conforming Land Use

1137.04(a) A legal nonconforming land use may continue, but shall not be expanded either on the same lot or adjoining land beyond the building or structure that was occupied by the use at the time the land use became nonconforming, except that such use may be expand throughout those parts of an existing building that were clearly arranged or designed for such use at the adoption of this Code.

COMMENT FORMS

No public comments were received from surrounding property owners regarding this request.

AGENCY REVIEW

Fire	Returned without comment
Police	Returned without comment
Engineering	Returned without comment
Economic Development	Returned without comment

SITE HISTORY

None.

ANALYSIS

The property is located at the southwest corner of Mary Day Drive and US 27 (College Corner Pike). The current use is a single family dwelling. The owner wishes to build a garage in the back of the house to allow the tenant, his daughter, to park her vehicle out of the elements. The applicant has indicated the size of the proposed garage would be 18' x 26'.

Throughout the years, houses have been built along US 27 to utilize this major thoroughfare to and from various places. Since US27 is a major roadway of the City, and the land use along tends to be attracting commercial activities. Therefore, the zoning map delineates this area to be General Business district. Under the district regulations, residential is not a permitted use. Hence, all existing residential uses are considered nonconforming use and nonconforming regulations govern the expansion and changes of nonconforming use.

Given the nature of this request is to build a garage to house personal vehicle, it would not seem to be out of the character of this neighborhood. Additionally, garages are considered accessory use and are customary and incidental to the primary use. In this case, a single family dwelling unit is the primary use of the property.

Additionally, the tenant, applicant's daughter, also provided the reasons for the construction of this garage are due to health issues. The scope of this request would seem to be fairly minor, and the character of the neighbor would not be adversely affected by the addition of this garage. As a matter of fact, many residences along this section of US 27 have either an attached garage or a detached garage in the rear. Therefore, this addition would not be out of the character of this neighborhood. It would be safe to assume no additional government service would be increased due to this proposed garage.

The property can yield a reasonable return and can be used beneficially without the variance since the use can continue to be used as a single family. However, garages have become normal and expected accessory structures in today's environment to allow for better enjoyment of a residential property.

RECOMMENDATION

Given the scope of this request and the nature of the existing use, staff does not have any objection recommending approval of this proposed garage to be built in the back of the existing dwelling.

SUBMITTED BY:



Jung-Han Chen, Director
Community Development Department

DATE: November 29, 2011

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 12/5/2011

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

Case #: BZA-08-2011

ADDRESS: 5317 College Corner Pike

Variance to Section 1137.04(a) Expansion of Nonconforming Use

Clyde Sparks, Applicant

 X Review

 Revisions

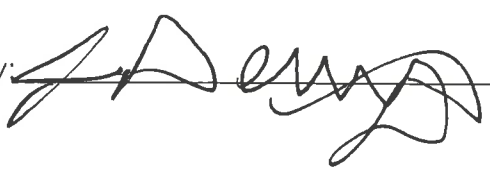
 Other

Comments or status update requested by: Lynn Taylor

Please return no later than: 12/8/11 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: 12-5-11

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 12/5/2011

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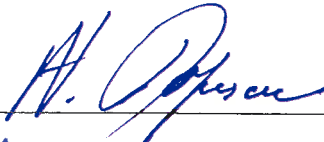
Comments or status update requested by: Lynn Taylor

Please return no later than: 12/8/11 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: _____


VICTOR POPESCU

Date: 12-7-11

RECEIVED

DEC - 5 2011

City of Oxford
Engineering Division

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 12/5/2011

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

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 Revisions

 Other

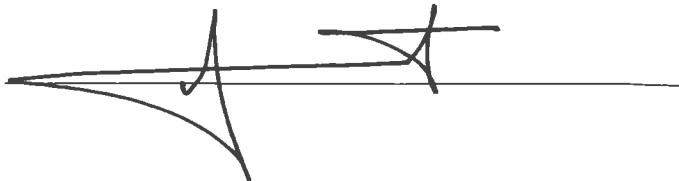
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.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:



Date: 12.5.2011

RECEIVED
DEC - 5 2011
CITY OF OXFORD

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 12/5/2011

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Drawings reviewed by:

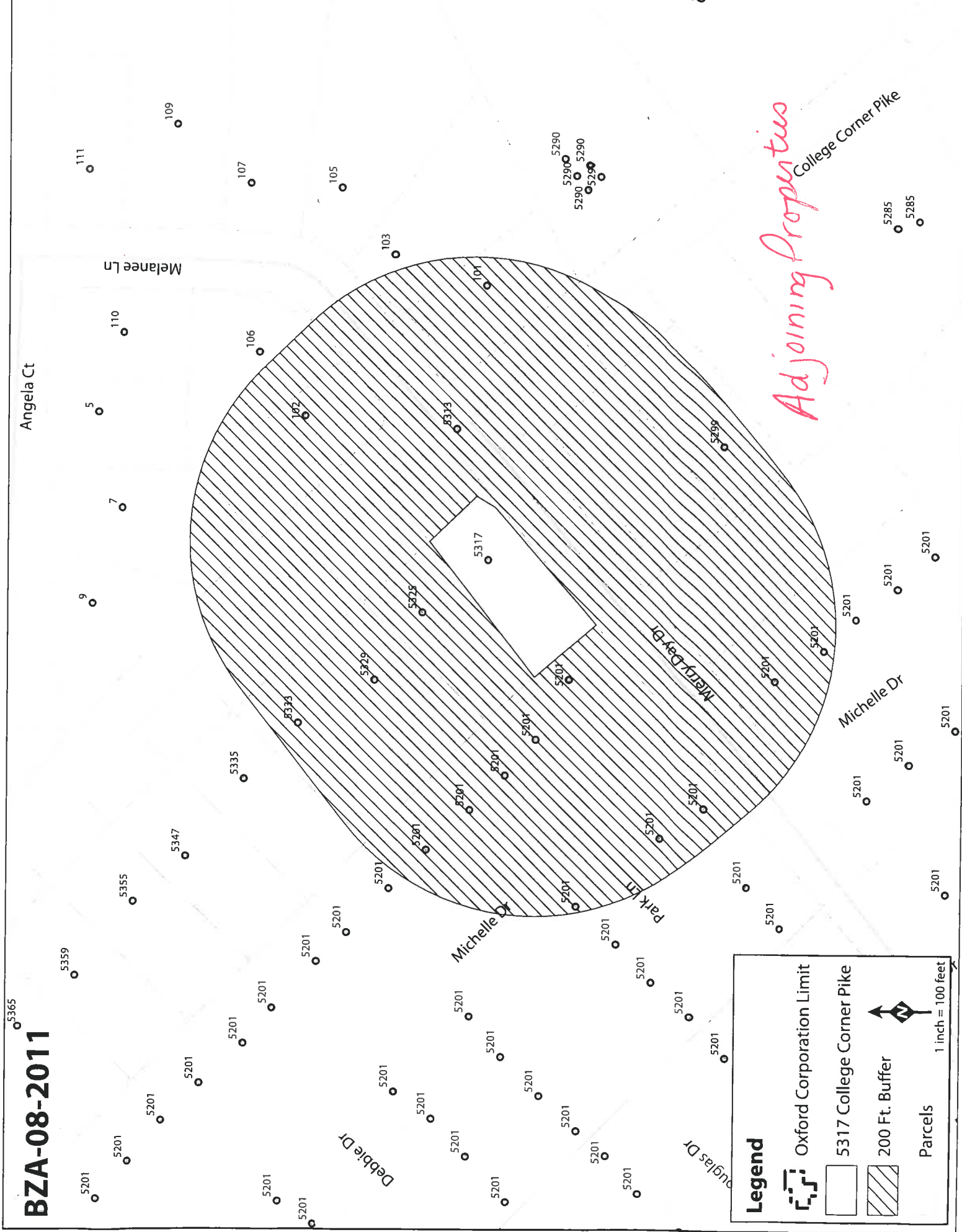
ALAN K. YOUNG

Date:

12-5-11

Adjoining Properties

College Corner Pike



Legend

- Oxford Corporation Limit
- 5317 College Corner Pike
- 200 Ft. Buffer
- North
- 1 inch = 100 feet
- Parcels

Petition for Zoning Variance
City of Oxford, Ohio

REQUIRED INFORMATION

Name of Petitioner:

Clyde Sparks

Mailing Address:

(Attach a Letter of Agency if the Applicant is not the property owner.)
P.O. Box 814; Oxford, OH 45056

Telephone Number(s):

(513) 255-5217

Email Address

N/A

Name of Property Owner:

Clyde Sparks

Mailing Address:

P.O. Box 814; Oxford, OH 45056

Telephone Number(s):

(513) 255-5217

Requested Variance:

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

1137.04(a)

1137.04(a)

~~1137.04(a)~~

JHC

Location of Requested Variance:

5317 College Corner Pike Ox, Ohio

Legal Description:

Zoning District:

GB

Total Acreage:

0.20 Acres

Existing Use of Site:

SINGLE FAMILY

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.

REQUIRED INFORMATION

Eight complete sets of all information shall be submitted with an application. The Zoning Administrator may modify this requirement based upon the type of materials included. The applicant is encouraged to contact the Zoning Administrator prior to submitting an application to discuss the submission requirement. If any information is submitted in color or on non-standard paper, more copies may be required.

(1) SITE PLAN – A scaled site plan shall include the following information in detail and must be prepared by an Ohio licensed surveyor. The required information may be submitted on multiple site plans if inclusion of all information on a single plan makes it illegible or difficult to understand.

- 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.

5a) This variance will help
me immensely especially
during the winter months.

b) not sure I understand
the meaning of substantial

c) I don't think so

d) no

e) yes

f) no

g) yes

h) no

Susany Downie
11/14/11

Clyde Sparks

Susan G. Downie
5317 College Corner PK
Oxford, OH 45056

1) degenerative disc disease
spine / lower back

2) 2 surgeries on knees

3) recurring deep vein
thrombosis in both
legs

4) asthma

5) high blood pressure

6) PAC heart arrhythmia's

7) Anxiety

(daughter)

Susan G. Downie

November 10, 2011

COLLEGE CORNER PIKE

EXISTING SIDEWALK

RETAINING WALL

5317

RAMP

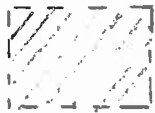
10' min

EXISTING CONCRETE

SIDEWALK

MARY DAY DRIVE

EXISTING



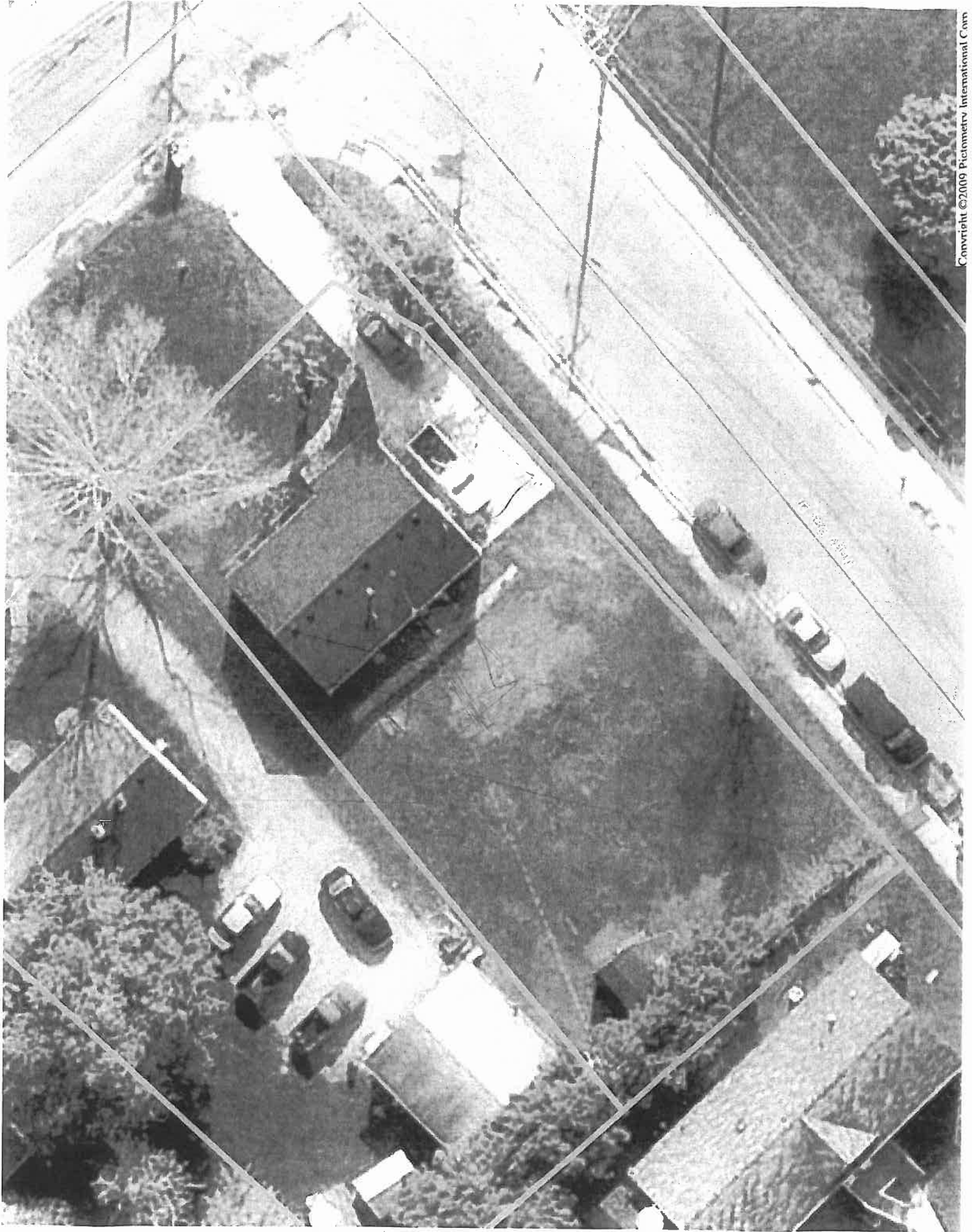
PROPOSED
18'x26' GARAGE

143'

5317 COLLEGE CORNER PIKE

SHED

68'



Pictures taken from College Corner Pike



Pictures taken from Mary Day Drive





From Mary Day Drive

ALL STEEL CARPORTS

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**Affordable Buildings,
Exceptional Quality!**

Local Dealer
Phone Number _____

Any Size Carport,
Garage, Storage Building
& Motor Home Cover!
CUSTOM SIZES AVAILABLE!

Optional Anchors
Available at \$25 each.
Highly recommended for
sand & clay!
Temporary anchors
included at no cost.

**Engineered
Certified Carports
& Buildings.**

*Before You Buy Anywhere Else,
Compare Our Installation
Schedules and Value-Added
Standard Features!*



18' X 26' X 7'
14 gauge, 7 legs

REGULAR GARAGE

AVAILABLE IN 12 COLORS!



18' X 26' X 8'
14 gauge, 8' legs

A-FRAME GARAGE

FREE INSTALLATION!



18' X 26' X 8'
14 gauge, 8' legs

A-FRAME VERTICAL ROOF GARAGE

BRACES ON EVERY LEG & CENTER!



18' X 21' X 5'
2 1/2 14 gauge, 5' legs standard

REGULAR CARPORT

\$795.00



18' X 21' X 6'
2 1/2 14 gauge, 6' legs standard

A-FRAME CARPORT

\$895.00



18' X 21' X 6'
2 1/2 14 gauge, 6' legs standard

A-FRAME VERTICAL ROOF CARPORT

\$1,295.00

Prices for regular style, open carport with 5 ft. legs

We Recommend Adding extra in Height For Future Garage

**STANDARD
14 GAUGE
2 1/2" STEEL**

12 X 21	\$695.00	12 X 26	\$945.00	12 X 31	\$1,145.00	12 X 36	\$1,395.00	12 X 41	\$1,590.00
18 X 21	\$795.00	18 X 26	\$1,195.00	18 X 31	\$1,395.00	18 X 36	\$1,595.00	18 X 41	\$1,790.00
20 X 21	\$1,045.00	20 X 26	\$1,395.00	20 X 31	\$1,595.00	20 X 36	\$1,895.00	20 X 41	\$2,190.00
22 X 21	\$1,295.00	22 X 26	\$1,695.00	22 X 31	\$1,995.00	22 X 36	\$2,295.00	22 X 41	\$2,590.00
24 X 21	\$1,495.00	24 X 26	\$1,845.00	24 X 31	\$2,245.00	24 X 36	\$2,595.00	24 X 41	\$2,990.00
26 X 21	\$1,795.00	26 X 26	\$2,295.00	26 X 31	\$2,695.00	26 X 36	\$3,195.00	26 X 41	\$3,590.00
28 X 21	\$2,095.00	28 X 26	\$2,595.00	28 X 31	\$3,095.00	28 X 36	\$3,595.00	28 X 41	\$4,190.00
30 X 21	\$2,295.00	30 X 26	\$2,895.00	30 X 31	\$3,495.00	30 X 36	\$4,095.00	30 X 41	\$4,690.00

Prices Effective 07/01/09

NOTE: Frames are 1 foot shorter than roof length-wise

**PREMIUM
12 GAUGE
2 1/4" STEEL**

12 X 21	\$895.00	12 X 26	\$1,140.00	12 X 31	\$1,340.00	12 X 36	\$1,540.00	12 X 41	\$1,840.00
18 X 21	\$995.00	18 X 26	\$1,295.00	18 X 31	\$1,495.00	18 X 36	\$1,845.00	18 X 41	\$2,140.00
20 X 21	\$1,245.00	20 X 26	\$1,565.00	20 X 31	\$1,895.00	20 X 36	\$2,195.00	20 X 41	\$2,490.00
22 X 21	\$1,445.00	22 X 26	\$1,795.00	22 X 31	\$2,145.00	22 X 36	\$2,545.00	22 X 41	\$2,990.00
24 X 21	\$1,745.00	24 X 26	\$2,195.00	24 X 31	\$2,595.00	24 X 36	\$2,995.00	24 X 41	\$3,490.00
26 X 21	\$2,095.00	26 X 26	\$2,695.00	26 X 31	\$3,195.00	26 X 36	\$3,795.00	26 X 41	\$4,190.00
28 X 21	\$2,295.00	28 X 26	\$2,895.00	28 X 31	\$3,495.00	28 X 36	\$4,095.00	28 X 41	\$4,690.00
30 X 21	\$2,595.00	30 X 26	\$3,295.00	30 X 31	\$3,895.00	30 X 36	\$4,695.00	30 X 41	\$5,190.00

12 Gauge - 20 year limited warranty on rust through of the framing assuming normal care and maintenance on the 12 gauge only.
22 feet wide and up, recommend using 12 gauge material.

See Reverse Side For Useful Options

