

City of Oxford
Community Development Department
STAFF REPORT

Board of Zoning Appeals

Case # BZA-2018-01

Date – January 17, 2018

APPLICATION

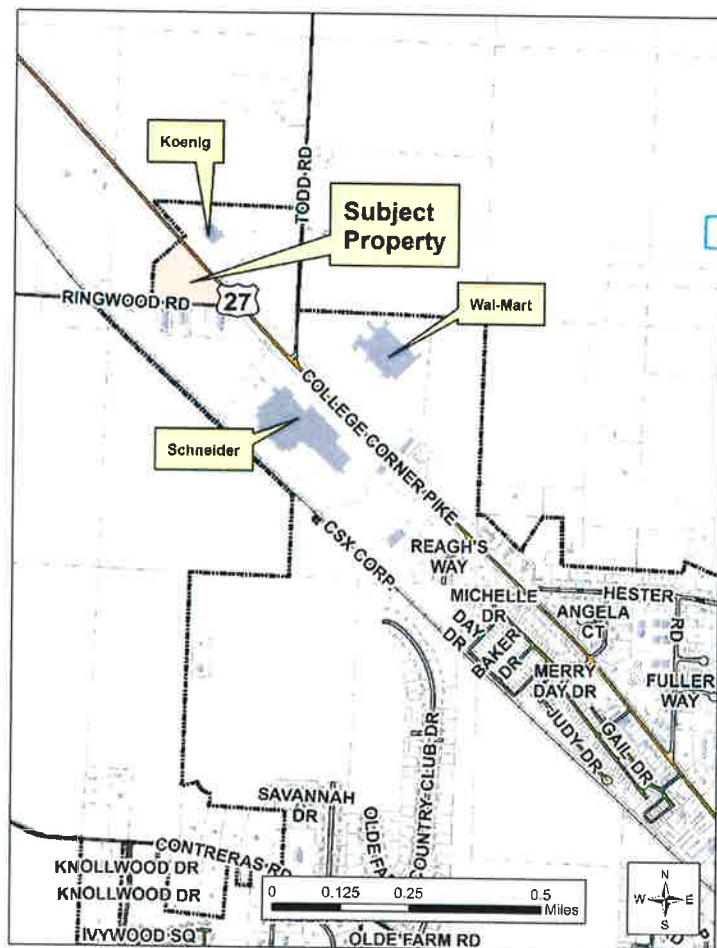
Applicant:	Paul Eichhold
Location:	5745 College Corner Pike
Owner:	GHCOL LLC / Charles Gillman
Action Request:	Variance to Section 1149.02(a) Hard Surface Parking and Site Access requirement due to new accessory building
Current Use:	Retail Sales / Home improvement products
Zoning:	GB (General Business)
Surrounding Land Uses:	Agriculture, Light Industry, Farm Equipment Sales

DESCRIPTION

Paul Eichhold, local store manager, is requesting, on behalf of the owner, a variance from the requirement for new hard surface parking and drive area. The requirement comes about because of a proposed new storage building.

BACKGROUND

Oxford Zoning Code Section 1149.02(a) requires that “any new development, redevelopment, or change to a use or structure or site (whether conforming or nonconforming) shall meet the current parking and site access regulations for the entire use and structure and site.” The proposed new storage building is on a part of the property that is not adjacent to any hard surface parking. Therefore, this section of Oxford Zoning Code requires that new concrete or paving be installed in that area. The hard surface requirement is found in Section 1149.03(a): “All off-street parking and maneuvering areas shall be hard surfaced...” The owner is requesting relief from this requirement.



COMMENT FORMS

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

AGENCY REVIEW

The variance request has been reviewed by City departments.

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

BZA SITE HISTORY

The property was annexed in 2015. Therefore the only documented records of prior BZA cases for the subject property is the recent case 2017-12 regarding the allowable size of the proposed building.

PERSPECTIVE

Below is an oblique aerial photo showing Gillman Home Center on the left and Koenig Farm Equipment on the right. The yellow star is the location of the proposed building.



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. Eichhold. The staff's review of the criteria is included below.

Regarding Criterion A, Whether or not there can be **any beneficial use of the property without the variance**: It is clear that some beneficial use can be achieved without the variance due to the current situation of only partial hard surface parking.

Regarding criterion B, Staff believes that the variance **is not substantial** because the rear vehicular maneuvering area is already all gravel. The front customer parking area is concrete.

Regarding criterion C, whether or not the **essential character of the neighborhood** would be negatively altered by the granting of the variance: This area is on the periphery of one of Oxford's commercial areas. The new building will be more visible to the surrounding area than the type of maneuvering surface near it. Therefore, if the variance were granted the essential character would not be negatively altered as viewed from off-site.

Regarding criterion D, Staff believes that the **delivery of governmental services** would not be adversely affected by the granting of this variance request.

Regarding criterion E, **property owner awareness of the zoning restriction**; the property was not in City of Oxford zoning jurisdiction when the building was built. However, the proposed new building does trigger this requirement, which the owner was made aware of, as part of this process.

Regarding criterion F, the **owner's predicament** is not known. Therefore, if the variance is approved, it should not be based upon this criterion.

Regarding criterion G, whether or not **the spirit and intent behind the zoning requirement would be observed and substantial justice done** by granting the variance: Staff believes that some new hard surface vehicular maneuvering area should be installed in order to maintain the spirit and intent behind the zoning requirement. Staff believes that substantial justice would not be done if the variance was granted.

The ordinance does not require that the entire gravel lot be converted to hard surface. However, no effort is being made to install any new hard surface vehicular maneuvering area as part of this project.

RECOMMENDATION

If the BZA determines that difficulties exist which are sufficient to warrant the variance, the staff recommends that the BZA cite any new or different specific evidence not yet identified and approve the variance request. At the time of this report, **staff believes there is not substantial evidence that supports the variance request.** If the BZA does approve the variance it can attach any appropriate conditions necessary as permitted by Section 1139.02(d)2.



SUBMITTED BY: _____

Sam Perry, AICP
Planner, Community Development Department



Community Development Department

513-524-5204

October 27, 2017

August Alfred
Gillman Home Center
5745 College Corner Pike
Oxford, Ohio 45056

ALSO VIA EMAIL:

auggie@gillmanhomecenter.com

RE: Paving for access to new building

Dear Mr. Alfred:

This letter is a follow-up to the approval of Variance Case #2017-12 for accessory building size at the above location.

Based upon the below code section we have determined that the minimum amount of paving will be a hard surface vehicular maneuvering area between the existing parking lot, main building and the new building; rather than the entire rear gravel area. The plan submitted for variance only focused on the building location; no information regarding other site conditions or planned items were included.

Consistent with our phone conversation today, even though the majority of the vehicular maneuvering area was gravel from prior to annexation into Oxford; Oxford Code Section 1149.02(a) requires that:

"any new development, redevelopment, or change to a use or structure or site (whether conforming or nonconforming) shall meet the current parking and site access regulations for the entire use and structure and site. Any nonconforming uses, structures or sites shall follow the provisions in Chapter 1137."

This is considered a change to the site as noted above; therefore your permit application will need to include plans for new hard surface vehicular area (asphalt or concrete). Please keep in mind that the variance approval has a six month expiration period. Any future drawings will need to be complete plans that are based upon a professional survey. Please refer to our permit application packet for information on other items required to be included. Let us know if you need any additional information in order to proceed with your project plans.

Sincerely,

Sam Perry, AICP
Planner

sperry@cityofoxford.org

City of Oxford
Inter-Office Review Transmittal Sheet



Date: December 14, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

BZA-2018-01, 5745 College Corner Pike, Gillman Home Center, variance 1149.02(a) hard surface requirement, Paul Eichold, Applicant

 X Review Revisions Other

Please return no later than: **January 8, 2018** 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 Dethier
PRINTED NAME

Date:

12-15-17

City of Oxford
Inter-Office Review Transmittal Sheet

Date: December 14, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

BZA-2018-01, 5745 College Corner Pike, Gillman Home Center, variance 1149.02(a) hard surface requirement, Paul Eichold, Applicant

 X Review Revisions Other

Please return no later than: **January 8, 2018** 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

PRINTED NAME

Date: 12-15-2017

City of Oxford
Inter-Office Review Transmittal Sheet

Date: December 14, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

BZA-2018-01, 5745 College Corner Pike, Gillman Home Center, variance 1149.02(a) hard surface requirement, Paul Eichold, Applicant

 X Review Revisions Other

Please return no later than: **January 8, 2018** 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 A. Jones

PRINTED NAME

Date: _____

12/15/17

City of Oxford
Inter-Office Review Transmittal Sheet

Date: December 14, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

BZA-2018-01, 5745 College Corner Pike, Gillman Home Center, variance 1149.02(a) hard surface requirement, Paul Eichold, Applicant

 X Review Revisions Other

Please return no later than: **January 8, 2018** 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: 1-9-2018

G. Andrew Kusan
PRINTED NAME



BZA-2018-01 **Surrounding** **Property Owners** **Map**

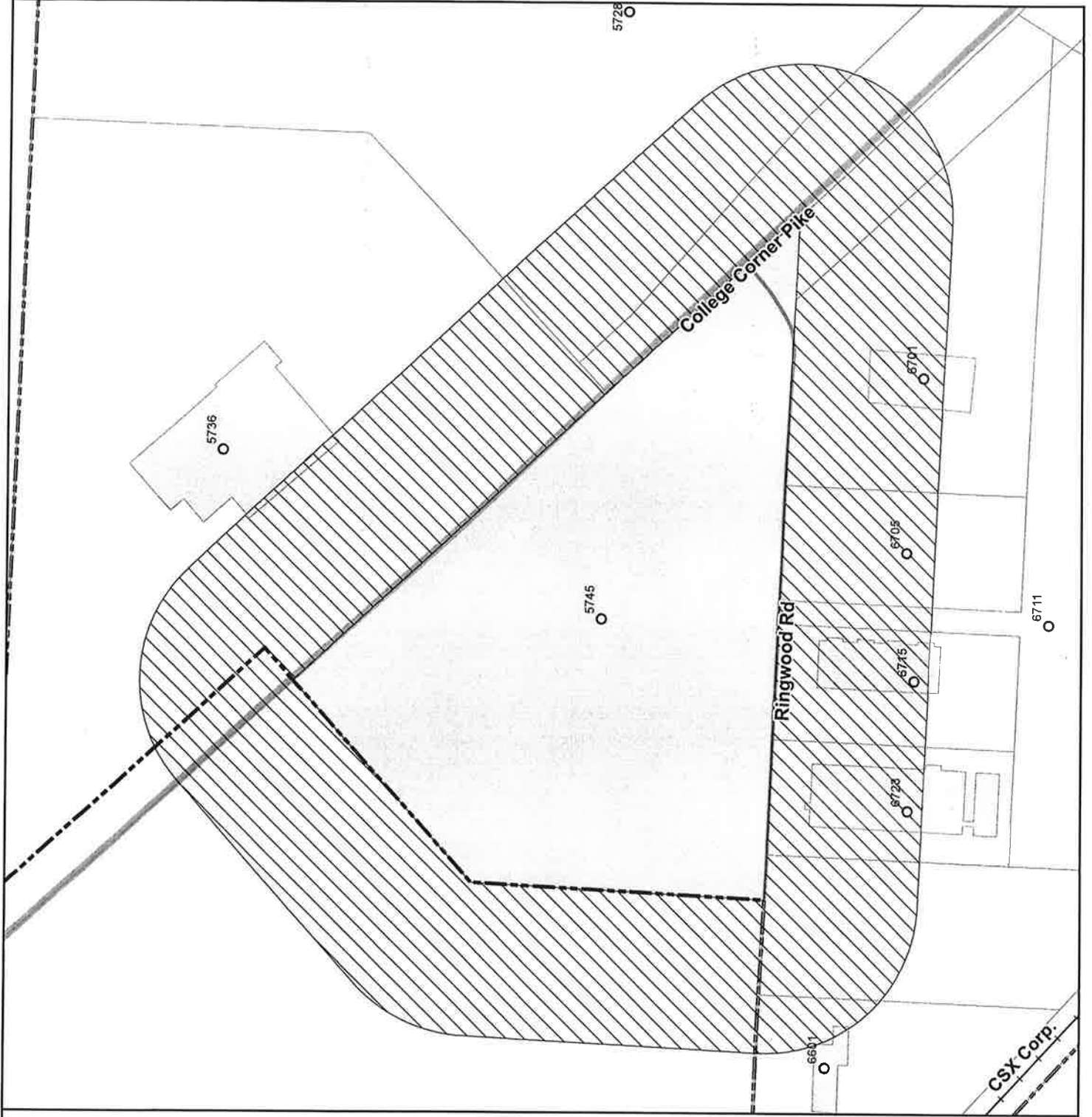
Legend

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



1 inch = 175 feet

Prepared on Tuesday, January 02, 2018
 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 Paul Eichhold has permission to represent our interest with the City of Oxford and act on our behalf for the Board of Zoning and Appeals hearing January 17th, 2018 regarding the hard surface requirements, per CODIFIED ORDINANCE 1149.02(a), that are triggered by the construction of an additional out building at our property located at 5745 College Corner Pike, Oxford, Ohio 45056

Thank-you,

Signed: Charles J Gillman
Charles J Gillman
GHCOL LLC

Date: 12/6/17

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that August Alfred has permission to represent our interest with the City of Oxford and act on our behalf for the Board of Zoning and Appeals hearing January 17th, 2018 regarding the hard surface requirements, per CODIFIED ORDINANCE 1149.02(a), that are triggered by the construction of an additional out building at our property located at 5745 College Corner Pike, Oxford, Ohio 45056

Thank-you,

Signed: Charles J Gillman
Charles J Gillman
GHCOL LLC

Date: 12/6/17



Internal Use Only:

Case No.

Date Filed

BZA-2018-01

12/7/17

Petition for Zoning Variance

Petitioner Information

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

Name * PAUL EICHHOLD
Mailing Address * 5745 COLLEGE CORNER PIKE
City, State & Zip Code * OXFORD, OH 45056
Telephone Number(s) * 513-524-9030
Email Address paule@gillmanhomecenter.com

Owner Information

Name * GHCOL - LLC / CHARLES J GILLMAN
Mailing Address * 1162 TEKULVE RD
City, State & Zip Code * BATESVILLE, IN
Telephone Number(s) * 812-934-4282
Email Address charlie@gillmanhomecenter.com

Variance and Lot Information

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

A VARIANCE IS REQUESTED FOR THE HARD SURFACE REQUIREMENTS PER CODIFIED ORDINANCE 1149.02(a)
LOT IS CURRENTLY COMPACTED GRAVEL. THE REQUIREMENT IS TRIGGERED BY THE CONSTRUCTION OF
AN ADDITIONAL OUT BUILDING THAT WILL ONLY SERVE THE BUSINESS AND NOT THE GENERAL PUBLIC.

Location of Requested Variance * 5745 COLLEGE CORNER PIKE OXFORD, OH 45056
Name of Building
Legal Description * GRAVEL LOT
Zoning District * GB Total Acreage * 6.75
Existing Use of Site * COMMERCIAL

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.

USE OF THE GRAVEL BACK LOT WOULD REMAIN UNCHANGED.

- 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 \$10.00 postage charge. **Fees may increase if staff determines that you need more variances.**

Sign and Date

Petitioner Signature *



Date *

12/1/2017

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 fees and postage charge, 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).**

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>

Decision Standards Qualifications

Regarding section(s):

- A) The land area that would be affected is currently a compacted gravel lot that will lead to a pole we are going to have built. The use of the area in question would remain unchanged.
- B) We believe that this request is not substantial, in that, character and use of area in question would remain unchanged
- C) The neighborhood would be completely unaffected as the appearance would remain in its current condition.
- D) No changes would be made to the area in question, so no services would be effected.
- E) When the property was purchased it was located in Oxford Township which did not fall under the ordinance in question.
- F) The variance would permit us to avoid incurring additional expenses that could potentially run into tens of thousands of dollars. This potential added expense would virtually eliminate, by cost alone, our ability to add additional storage space to help us grow our business.
- G) The spirit and intent of the zoning requirement, we believe, is to provide the public with a safe and level space for driving and parking. The area that would require a hard surface is not intended for public use. It will lead up to a pole barn that is intended for dry good storage and would only be accessed by staff.
- H) On October 18, 2017 we were granted a variance (BZA-2017-12) to construct a pole barn on our lot. At that time we failed to realized that ordinance 1149.02(a) would effect the permit process in regards to our building plans that lacked deatials about hard surface location. At the October meeting the Zoning Board all seemed to agree that that hard surface would not be necessary but were informed by Mr. Perry from the Community Development Department that it would require an additional variance to grant that decision. We asking for this variance in hopes that we may be able to move forward with our project and obtain a building permit with the plans that we have had drawn up for submittal that do not have the hard surface included.



HS = Hard Surface area that would be required by codified ordinance 1149.03(a)

City of Oxford
Community Development Department
STAFF REPORT

Board of Zoning Appeals

Case # BZA-2018-02

Date – January 17, 2018

APPLICATION

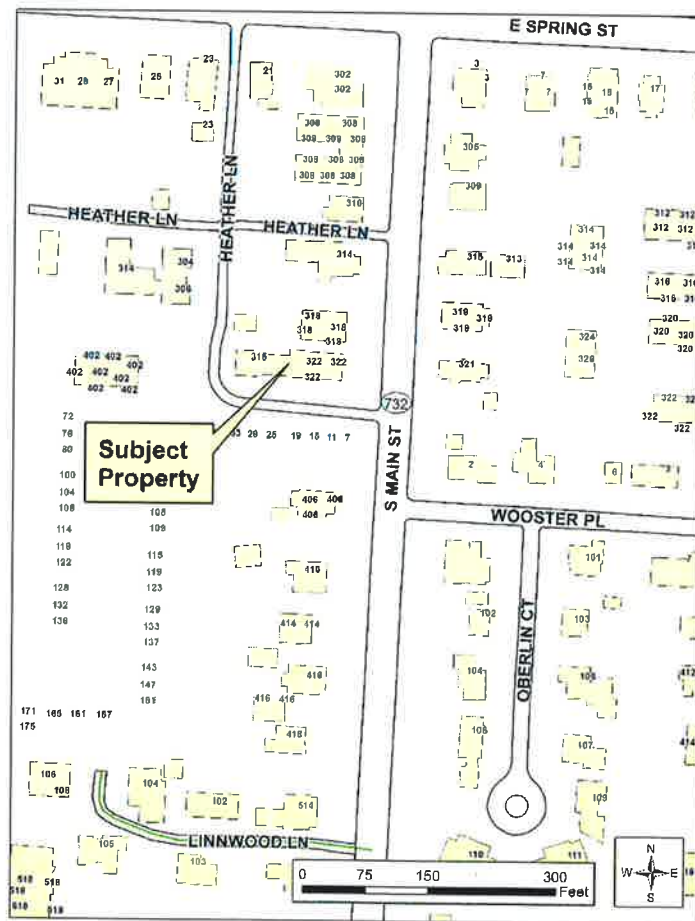
Applicant:	Scott Webb
Location:	322 South Main Street (And 315 Heather Lane)
Owner:	Ken Kist
 Action Request:	 Variance to Section 1137.04(b)(5)- nonconforming land use occupancy reduction requirement
 Current Use:	 Multi-Family (Four Residential Dwelling Units)
Zoning:	R3-MS (Single, Two and Three Family Mile Square Residential)
Surrounding Land Uses:	Single, Two and Multi-Family Residential

DESCRIPTION

Architect Scott Webb is requesting, on behalf of the owner, relief from the occupancy reduction requirement of Oxford Zoning Code. The request comes about because of a proposed modification to an existing carport. The property contains a total of four dwelling units in R3MS District. Mr. Webb is requesting to maintain 15 permitted occupants rather than reduce to 10, as required by Code.

BACKGROUND

Oxford Zoning Code Section 1137.04(b)(5) requires that the permitted occupancy of a nonconforming use be reduced by 30% when a reconfiguration is done to the building. The property has a three-unit building and a one-unit building connected by a carport. Per Mr. Webb, the carport is in substandard condition and should be repaired or demolished. The proposal is to replace the supporting posts with appropriate structural support as well as build a new support wall on the rear. City staff determined that the proposed work is considered a structural modification that triggers the occupancy reduction requirement. See attached letter



dated December 12, 2017. Mr. Webb chose to request relief from the requirement rather than revise the proposal or submit an appeal of code interpretation.

COMMENT FORMS

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

AGENCY REVIEW

The variance request has been reviewed by City departments.

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

BZA SITE HISTORY

There are no documented records of prior BZA cases for the subject property.

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. Webb. The staff's review of the criteria is included below.

These two buildings have existed for many years as four separate residential rental units. Therefore, regarding criterion A, it is staff's determination that the property could **yield a reasonable return without the variance**. This property was one of several individual properties sold by the previous owner as part of a simultaneous real estate offering in 2016.

Regarding criterion B, Staff believes that the variance **is substantial** as the occupancy reduction required is the full 1/3 of the total permitted occupancy: from 15 to 15 rather than from 15 to 10, as required.

Regarding criterion C, whether or not the **essential character of the neighborhood** could be negatively altered by the granting of the variance: The buildings appear to have been originally built as two buildings. Adding the wall as a rear structural enclosure not only triggers the occupancy reduction requirement but also further joins two buildings that were likely not originally designed to be connected.

Regarding criterion D, Staff believes that the delivery of governmental services **is not negatively impacted**, as there were no departmental staff responses on this topic.

Regarding criterion E, **property owner awareness of zoning restriction**: Staff has had several conversations and at least two meetings with this owner or owner representative regarding potential changes to this property. Additionally, the applicant questions the accuracy of the staff's interpretation, but nonetheless applies for the variance rather than an appeal of code interpretation.

Regarding criterion F, the **owner's predicament** is stated to be that maintenance or improvement cannot be done to this carport without accepting an occupancy reduction. However, there is no evidence that alternative options for structural repair or drainage correction were considered.

Regarding criterion G, whether **the spirit and intent behind the zoning requirements would be observed and substantial justice done** by granting the variances: Per Section 1137.01 the intent behind the zoning requirements for nonconforming uses is in part *"to encourage the reduction of nonconformity with Zoning*

Code in the short term and elimination of nonconformities in the long term, while respecting vested interests in the existing uses and improvements."

Staff's belief is that the spirit and intent of the nonconforming code would not be observed if the variance from occupancy reduction were granted. Oxford Zoning Code could very well allow an alternative plan that would not require a variance but still accomplish the owner's goals of improvement and building longevity.

If the applicant's focus is primarily on an incorrect interpretation, as the narrative letter indicates, Staff recommends tabling or denying the case so that an appeal can be submitted for review. However, if the applicant testifies to agree with the staff code determination, then the following recommendation applies:

RECOMMENDATION

If the BZA determines that difficulties exist which are sufficient to warrant the variance, the staff recommends that the BZA cite any new or different specific evidence not yet identified and approve the variance request. At the time of this report, **staff believes there is not substantial evidence that supports the variance request to maintain the total occupancy permit at 15.** 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.



SUBMITTED BY: _____

Sam Perry, AICP
Planner, Community Development Department

DATE: January 9, 2018



**Community Development Department
Plan Review
513-524-5204**

December 12, 2017

Scott Webb
Scott Webb Architect
103 West Walnut Street
Oxford, Ohio 45056

ALSO VIA EMAIL:

scott@scottwebbarchitect.com

RE: Zoning Review for 322 S. Main and 315 Heather carport project (Permit #17-430)

Dear Mr. Webb:

We have reviewed your permit application submitted November 27, 2017 for a new wall and support repair for the existing carport located at the above property. Thank you for the preliminary feedback which we considered during the review. Below are our comments regarding the zoning review, in accordance with Oxford Zoning Code. Please submit additional information and/or revise the proposal within 30 days. If we do not hear from you we will close this file. We welcome additional dialogue with you to resolve this appropriately. Please note that these comments do not include comments from other departments and agencies.

1. Oxford Zoning Code Section 1137.04 outlines the provisions for modifications to nonconforming land uses. This building is considered a nonconforming land use because it is four dwelling units in a 1, 2 & 3-family district. The proposed project is considered a reconfiguration based upon the definition of reconfiguration found in Section 1159.19(1): "Interior or exterior modification to change the layout of a building or to make substantial/structural repair or alteration."

The new structural wall portion of the proposed project is considered a structural modification, and as such will require the entire property to comply with the 30% occupancy reduction requirement. No documentation has been submitted regarding how the required occupancy reduction will be handled throughout the building/s. Our records show that the overall property has a total unrelated occupancy of 15, which equates to a new occupancy of 10, if the project moves forward.

Therefore, based on the item noted above, this permit application is hereby denied. Under the provisions of Oxford Zoning Code Section 1129.03, the applicant has **30 days** to submit revisions or to appeal this decision to the Board of Zoning Appeals. A new application will be required, including payment of a new fee, 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 the 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 or your client would like to schedule a meeting to discuss this in more detail.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Perry", with a long horizontal flourish extending to the right.

Sam Perry, AICP
Planner

sperry@cityofoxford.org

513-524-5204

CC: Jung-Han Chen

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 12/20/2017

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

BZA-2018-02, 322 S. Main Street, variance to Section 1137.04(b)(5)(A) occupancy reduction for reconfiguration of nonconforming land uses, **Scott Webb, Appellant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: 1/8/2018 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: [Signature]

Date: 1-2-18

PRINT NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 12/20/2017

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

BZA-2018-02, 322 S. Main Street, variance to Section 1137.04(b)(5)(A) occupancy reduction for reconfiguration of nonconforming land uses, **Scott Webb, Appellant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: 1/8/2018 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
VICTOR POPESCU

PRINT NAME

Date: 12-22-17

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 12/20/2017

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

BZA-2018-02, 322 S. Main Street, variance to Section 1137.04(b)(5)(A) occupancy reduction for reconfiguration of nonconforming land uses, **Scott Webb, Appellant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: 1/8/2018 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: 12/24/17

John A. Jones
PRINT NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 12/20/2017

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

BZA-2018-02, 322 S. Main Street, variance to Section 1137.04(b)(5)(A) occupancy reduction for reconfiguration of nonconforming land uses, **Scott Webb, Appellant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: 1/8/2018 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:



PRINT NAME

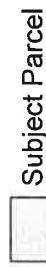
Date: 1-9-2018



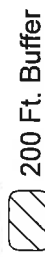
BZA-2018-02

Surrounding Property Owners Map

Legend



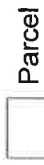
Subject Parcel



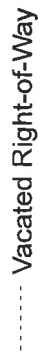
200 Ft. Buffer



Oxford Corporation Limit



Parcel



Vacated Right-of-Way



Building Footprint

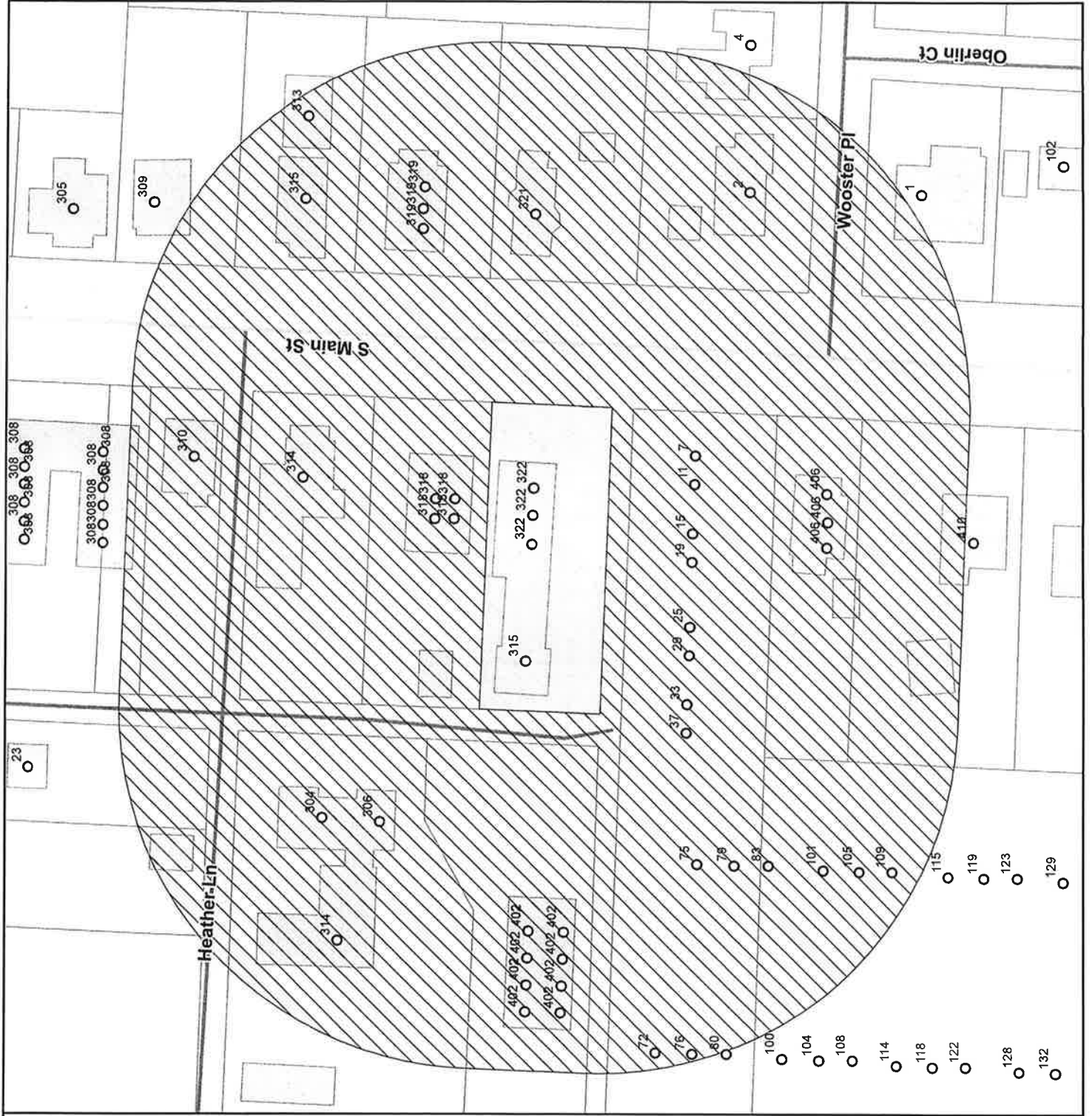
Paved Roadway



1 inch = 75 feet

Prepared on Tuesday, January 02, 2018

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's Board of Zoning Appeals regarding modifications to an existing carport 322 South Main Street.

Thank you,

Signed: Ken Kist

Ken Kist

12/15/17

Date:



Internal Use Only:

Case No.

BZA-2018-02

Date Filed

12/18/17

Petition for Zoning Variance

Petitioner Information

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

Name *

Mailing Address *

City, State & Zip Code *

Telephone Number(s) *

Email Address

103 West Walnut Street

Oxford, Ohio 45056

513-523-3838

scott@scottwebbarchitect.com

Owner Information

Name *

Mailing Address *

City, State & Zip Code *

Telephone Number(s) *

Email Address

Ken Kist

114 Eaton St

College Corner, Ohio 45003

513-839-0700

kmkist@aol.com

Variance and Lot Information

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

1137.04(b)(5)(A) Requires an occupancy reduction of 30% of the rental occupancy for "reconfiguration"

of a non-conforming structure and land use

Location of Requested Variance *

Name of Building

Legal Description *

Zoning District *

Existing Use of Site *

322 South Main Street

H4100103000015

R3MS

Total Acreage *

.25

(4) Dwelling units

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.

No change in use or occupancy for proposed carport repair

- 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.

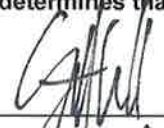
Fees & Receipt

The variance fee is \$200.00, plus \$100.00 for each additional variance request up to a maximum of \$1,000.00, plus \$10.00 postage charge. **Fees may increase if staff determines that you need more variances.**

Sign and Date

Petitioner Signature *

Date *


12/18/17

Scott Webb

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 fees and postage charge, 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).**

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>

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 Required Occupancy Reduction
Repair & Alteration to an existing Carport
322 South Main Street

December 18, 2017

Board Members

Please accept this letter as a formal petition for a Board of Zoning Appeals review hearing for a variance to the required occupancy reduction imposed by the reconfiguration of a non-conforming use.

The site is currently occupied by an existing Three-Family Structure with a carport extending to a fourth dwelling unit to the west.

- Prior to my client's recent purchase, it would seem that the original supports for the south face of the carport were damaged and/or removed and replaced with what should have been temporary supports. Permanent supports were never installed.
- Grading along the rear of the property directs water and mud into the carport from the north side.

Mr. Kist would simply like to be able to install permanent supports along the south face of the carport and a wall across the north side to address these problems.

After a building permit application we received a zoning review and letter of denial from Sam Perry, stating that this "substantial/structural repair or alteration" requires an occupancy reduction of 30%

1137.04(b)(5)(A) Requires an occupancy reduction of 30% of the rental occupancy for "reconfiguration" of a non-conforming structure and land use

The "Reconfiguration" as defined and referenced in this section of the zoning code is directed at the *uses of the buildings and their occupancy*; Allowing changes to non-conforming uses including additions, or changes to how the existing building is occupied. (e.g. splitting bedrooms, etc.)

The project at hand intends none of these things, and is intended to repair and improve the required parking; a required accessory use.

The proposed repairs are not an addition, does not increase the degree of non-conformity and do not change the configuration of the principle use (dwelling units)

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 carport should be maintained or demolished. Denial of the ability to repair this accessory use would result in a loss of a beneficial use of the property.

- b) *Whether the variance is substantial;*

The variance is not substantial, as the repairs to the carport no not change the configuration of the principle or accessory uses of the site.

- 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 simply improved by providing sound structural support to an existing accessory structure. No addition is proposed.

- 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;*

While the new owner new this was a non-conforming use, he did not contemplate that the zoning code would prohibit him from maintaining and improving the existing carport.

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

The owner could give up 30% of his income to improve his carport, or demolish it and keep his current configuration.

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

The intent of the Zoning Code is to encourage landowners to improve structures and bring properties into compliance over time. The minor alterations to the existing carport do not affect the use or occupancy of the principle structures

- h) *Any other relevant factor;*

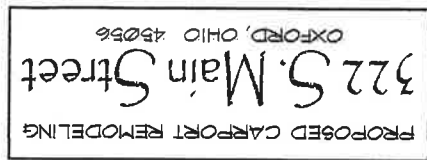
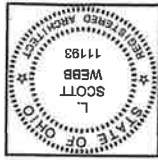
This redevelopment project aligns with the goals of the Comprehensive Plan, encouraging infill and redevelopment within the City, improving the property aesthetically, and with regard to the safety of its occupants.

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

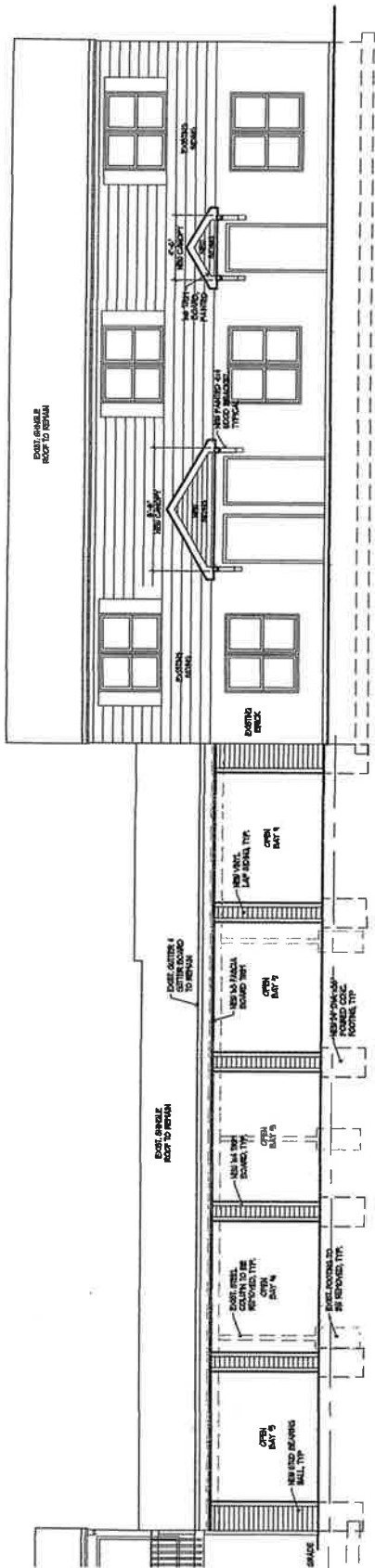
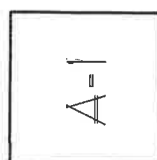
Respectfully,



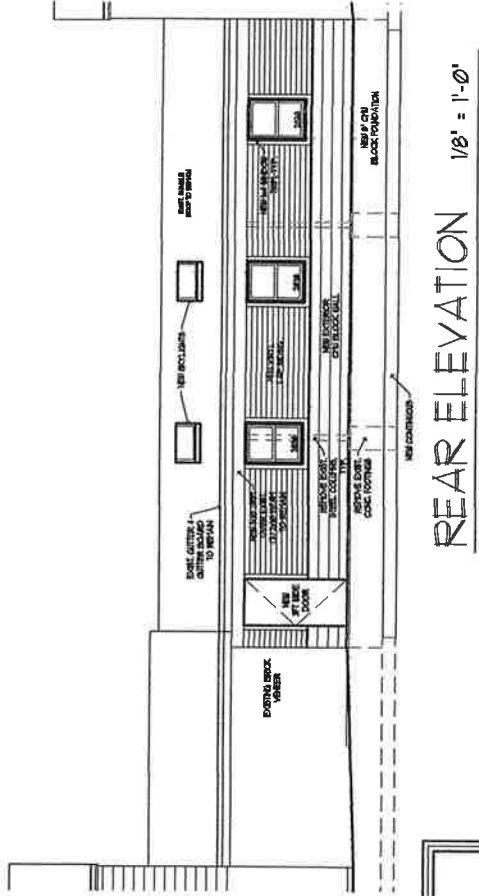
Scott Webb, Architect



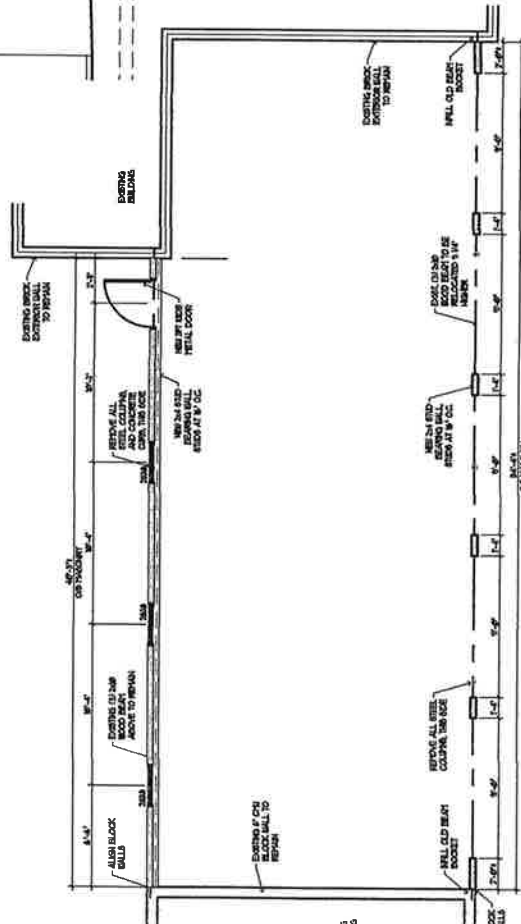
DATE	December 5, 2017
REVISIONS	



FRONT ELEVATION 1/8" = 1'-0"



REAR ELEVATION 1/8" = 1'-0"



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

322 South Main Street Existing Pictures



South Face of Existing Carport





North Side Grade Issue





City of Oxford
Community Development Department
STAFF REPORT

Board of Zoning Appeals

Case # BZA-2018-03

Date – January 17, 2018

APPLICATION

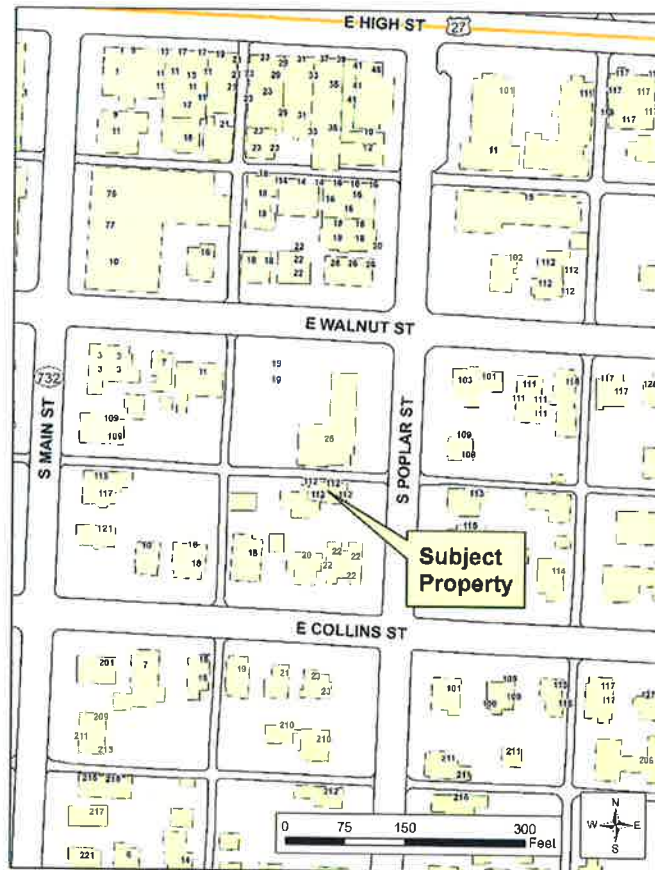
Applicant:	Scott Webb
Location:	112 South Poplar Street
Owner:	CKC Rentals LLC (Jim Clawson)
Action Request:	Variance to Section 1143.05(c)(1)(B) minimum lot width of 60 feet for a 3-family dwelling and Section 1143.07(c) maximum front yard coverage of 5%
Current Use:	Three Family
Zoning:	R3-MS (Single, Two and Three Family Mile Square Residential)
Surrounding Land Uses:	Institutional and Single, Two and Multi-Family Residential

DESCRIPTION

Architect Scott Webb is requesting, on behalf of the owner, relief from the lot width requirement and the maximum front yard coverage for a new three-family building project to replace an existing three-family building. This property is part of a six block district that was recently rezoned from R2MS to R3MS.

BACKGROUND

Oxford Zoning Code Section 1143.05(c)(1)(B) requires that lot width be at least 60 feet wide for a 3-family dwelling, 50 feet wide for a 2-family dwelling or 40 feet for a 1-family dwelling. The subject lot is 52 feet wide. Oxford Zoning Code Section 1143.07(c) limits the allowable front yard coverage to 5% of the total front yard area. Due to the proposed sidewalk, the lot coverage is 9.5%. A preliminary zoning code review of the site plan and architectural rendering shows that there are no other zoning code conflicts. Under previous zoning code, the secondary entry doors were not permitted to face the alley. Current zoning code allows the secondary



entry doors as shown. A primary door faces the street.

COMMENT FORMS

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

AGENCY REVIEW

The variance request has been reviewed by City departments.

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

BZA SITE HISTORY

Case # BZA-2008-05 for a front porch addition with five variances was tabled by the BZA and then later withdrawn by the applicant.

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 the variances, 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 below.

This building has existed for many years as three separate residential rental units. Therefore, regarding criterion A, it is staff's determination that the property could **yield a reasonable return without the variance**. However, it should be noted that the property owner made a previous attempt at an improvement in 2005, under a previous zoning code. Additional testimony from the applicant or owner on this may be helpful.

Regarding criterion B, Staff believes that the variances **are not substantial** as the lot width is 87% of the required minimum (52 instead of 60 feet). Additionally, although the front yard coverage is nearly double what is permitted, the increase will be hardly noticeable, as it is a sidewalk level with the ground.

Regarding criterion C, whether or not the **essential character of the neighborhood** could be negatively altered by the granting of the variances: The lot allows a single or two family dwelling likely without any zoning code conflicts. It would be difficult to distinguish a measurable difference in impact between a two family building and a three family building given that they would be similar widths on this lot. The difference in depth of the building would be less noticeable from the street.

Regarding criterion D, Staff believes that the delivery of governmental services **is not negatively impacted**, as there were no departmental staff responses on this topic.

Regarding criterion E, **property owner awareness of zoning restriction**: The zoning code for this property changed in September and October 2017. The owner was likely made aware of the changes now permitting three-family buildings, leading to this new building proposal.

Regarding criterion F, the **owner's predicament** is stated to be that there would be a loss of 1/3 of the potential income of this property. This is not a predicament as it pertains to the conditions of the property configuration. The property can be maintained or a new single or two-family building can be built. Therefore, there is no predicament.

Regarding criterion G, whether **the spirit and intent behind the zoning requirements would be observed and substantial justice done** by granting the variances: The lot width is intended to create sufficient area for typical buildings, leading to typical spaces between buildings. The front yard coverage limit is intended to maintain green space in front of buildings while pushing vehicular access to the alleys, if available.

Additionally it should be noted that the primary reason this district was rezoned from R2MS to R3MS was to maintain and/or increase density closest to the University campus. There are three dwelling units on this property. One unit has three occupants, one unit has five occupants and one unit has four occupants, for a total of 12. Whether the variances are approved or denied, the number of units and occupants would stay the same. Therefore, granting the variances would not have any effect on the spirit and intent or substantial justice.

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 request for reduction in lot width. There is sufficient evidence to support the variance request for increase in front yard coverage.** If the BZA does approve the variances it can make separate findings and attach any appropriate conditions it deems necessary as permitted by Section 1139.02(d)2.



SUBMITTED BY: _____

Sam Perry, AICP
Planner, Community Development Department

DATE: January 10, 2018

City of Oxford
Inter-Office Review Transmittal Sheet



Date: 12/20/2017

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

BZA-2018-03, 112 S. Poplar Street, variances to Section 1143.05(c)(1)(B) minimum lot width for a 3-family dwelling; Section 1143.07(c) maximum front yard coverage of 5%, **Scott Webb, Appellant**

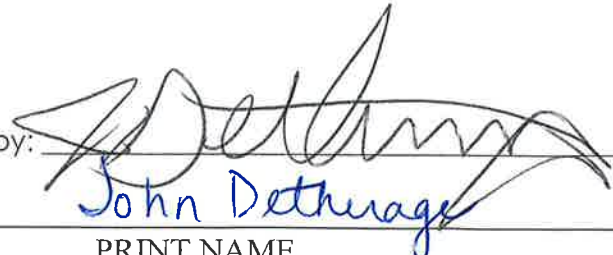
 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: 1/8/2018 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 Dethuaga
PRINT NAME

Date: 1-2-18

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 12/20/2017

To: Fire Department (Engineering Division) Police Department Economic Development

From: Community Development

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BZA-2018-03, 112 S. Poplar Street, variances to Section 1143.05(c)(1)(B) minimum lot width for a 3-family dwelling; Section 1143.07(c) maximum front yard coverage of 5%, **Scott Webb, Appellant**

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: 1/8/2018 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:

[Signature]

Date: 12-22-17

VICTOR POPESCU

PRINT NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 12/20/2017

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

BZA-2018-03, 112 S. Poplar Street, variances to Section 1143.05(c)(1)(B) minimum lot width for a 3-family dwelling; Section 1143.07(c) maximum front yard coverage of 5%, **Scott Webb, Appellant**

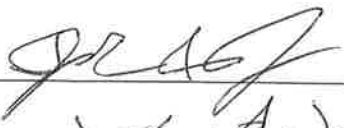
 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: 1/8/2018 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 A Jones

PRINT NAME

Date: 12/22/17

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 12/20/2017

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

BZA-2018-03, 112 S. Poplar Street, variances to Section 1143.05(c)(1)(B) minimum lot width for a 3-family dwelling; Section 1143.07(c) maximum front yard coverage of 5%, **Scott Webb, Appellant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: 1/8/2018 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: 1-9-2018

G. Alan Ryan
PRINT NAME



BZA-2018-03

Surrounding Property Owners Map

Legend

 Subject Parcel

 200 Ft. Buffer

 Oxford Corporation Limit

 Parcel

 Vacated Right-of-Way

 Building Footprint

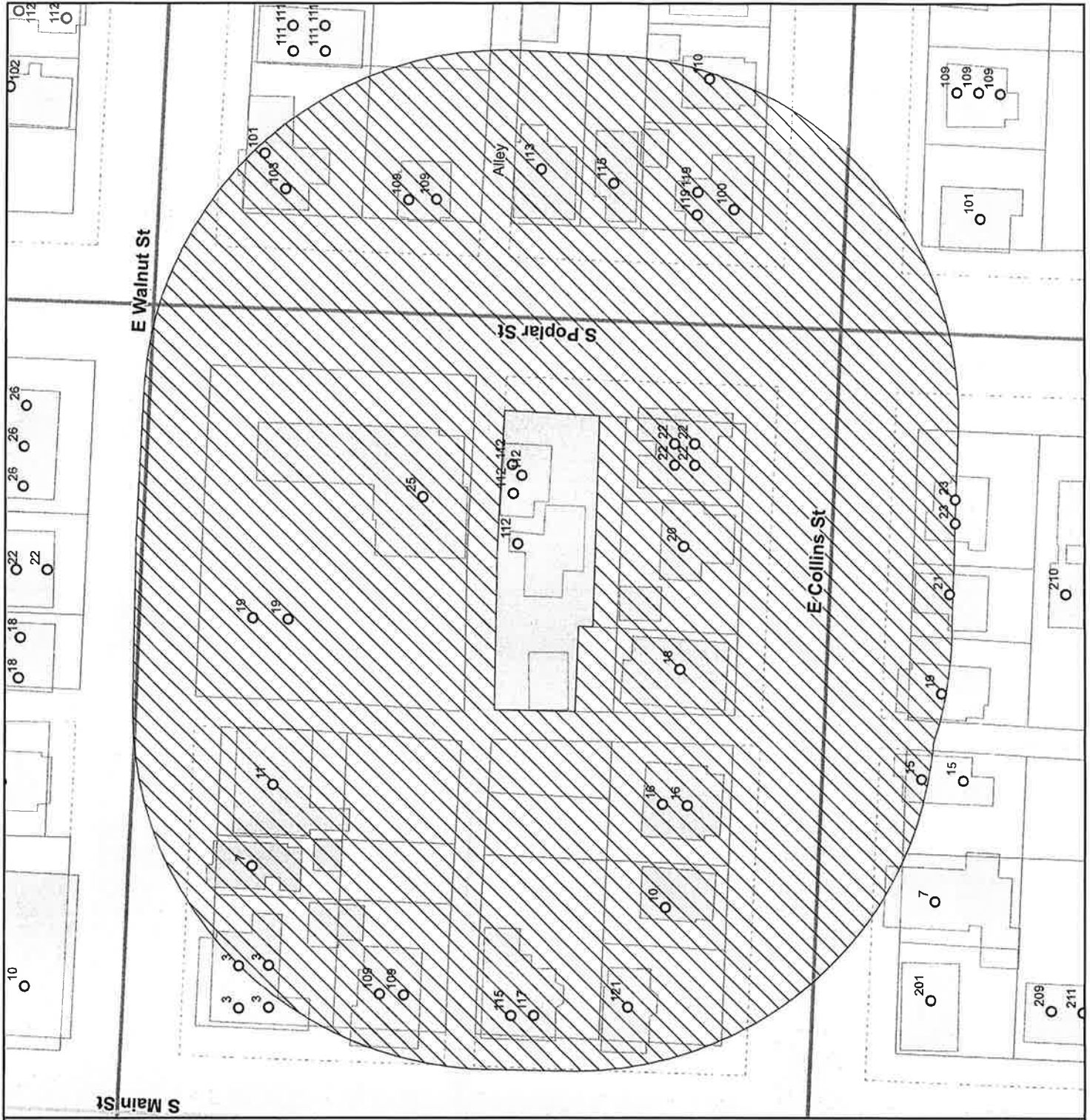
 Paved Roadway



1 inch = 75 feet

Prepared on Tuesday, January 02, 2018

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's Board of Zoning Appeals regarding redevelopment of the property at 112 South Poplar Street.

Thank you,

Signed:
Jim Clawson

A handwritten signature in black ink, appearing to read "Jim Clawson", written over a horizontal line.

Dec 15, 2017
Date:



Internal Use Only:

Case No.

BZA-2018-03

Date Filed

12/18/17

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

Owner Information

Name * CKC Rentals LLC
Mailing Address * 325 W Spring Street
City, State & Zip Code * Oxford, Ohio 45056
Telephone Number(s) * 513-523-7263
Email Address jim@hoteldevelopment.net

Variance and Lot Information

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

1143.05(c)(1)(B) Requires a minimum lot width of 60' for a Three family dwelling

1143.07(c) Maximum Front Yard Lot Coverage of 5%

Location of Requested Variance * 112 South Poplar Street
Name of Building "Paid Vacation"
Legal Description * H4000003000137
Zoning District * R3MS Total Acreage * .211
Existing Use of Site * Non-conforming 3-dwelling Unit Structure

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 3-Dwelling Unit Structure

- 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.

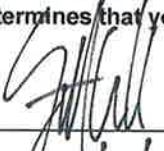
Fees & Receipt

The variance fee is \$200.00, plus \$100.00 for each additional variance request up to a maximum of \$1,000.00, plus \$10.00 postage charge. **Fees may increase if staff determines that you need more variances.**

Sign and Date

Petitioner Signature *

Date *

 Scott Webb
12/18/17

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 fees and postage charge, 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).**

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

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 Minimum Lot Width
Demolition of Existing Non-Conforming Structures
& Construction of a 3-Family Dwelling
112 South Poplar Street**

December 18, 2017

Board Members

Please accept this letter as a formal petition for a Board of Zoning Appeals review hearing for a variance to the minimum lot width requirement of the underlying Zoning District relating to the demolition of an existing Non-Conforming 3-Family Structure and the construction of a new Three-family dwelling at 112 South Poplar Street.

The site is currently occupied by an existing non-conforming Two-Family Dwelling with an additional dwelling unit attached by a porch connection.

- The original Two-Family dwelling was constructed over the property line to the North, creating an encroachment of nearly 2 feet into the 16.5' Alley Right-of-Way.
- This building is non-conforming, based on the occupancy of (5) in one unit and (3) in the other.
- While the western building addition is a conforming dwelling unit with (4) occupants, it does not meet the goals of the Mile Square Design Guidelines, nor those governing dwelling unit additions.

Prior to the recent rezoning, this combination of structures was considered a non-conforming use, providing 3 dwelling units in a two-unit district. While the property is now zoned R3MS, allowing a 3-family structure, the existing combination of a modified building with a ranch house attached, does not meet the current zoning code.

The elimination of the non-conforming structure will result in a new three-family dwelling in a three family district. All other requirements of the zoning district including lot coverage, parking, building height, setbacks etc. are met by this application.

1143.05(c)(1)(B) Requires a minimum lot width of 60' for a Three family dwelling

The recent Map Amendment put forth by Planning Commission made this entire neighborhood a R3MS District, contemplating the potential elimination of non-conformities. Granting the variance would allow the demolition & reconstruction of a compliant, three-dwelling unit building respecting not only the property lines but the required setbacks as well. Further, current building and life safety code improvements would be met with a new building.

Denial of this variance would guarantee that the existing buildings and encroachments would remain.

1143.07(c) Maximum Front Yard Lot Coverage of 5%

The simple, straight 48" sidewalk from the setback line to the property line exceeds this maximum.

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 buildings have been student rentals for many years, originally converted from a single family home to a two-unit structure. An entire ranch house was added to the building sometime prior to the 2003 Zoning Map Amendment, creating the third dwelling unit on the site.

The existing frame structure does not meet current building and zoning code requirements, and in fact is constructed over the City Right-of-Way at the East/west alley to the North.

While the property may continue in its current configuration and continue to yield a reasonable return, the project described herein represents a major investment in the neighborhood replacing outdated structures, improving the living conditions of the residents, and eliminating encroachments and other non-conformities, as well as bringing the site into compliance with the intentions of the Zoning Code for this area.

- b) *Whether the variance is substantial;*

The variance is not substantial, as the existing property represents 87% of the required minimum, being over 52' wide where the minimum is 60'. This is offset by the fact that the lot exceeds the minimum size requirement by over 15%. Providing over 9,200 s.f. where only 8,000 s.f. is required.

The proposed new structure has been located and designed to provide generous side yard setbacks on each side, exceeding these mins. by over 100%

- 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 simply improved, removing a building encroaching on the Right-of-Way and the incongruous addition in favor of a new safer structure, meeting the Mile Square Design Guidelines.

- 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 was purchased many years ago, and has been made non-conforming based on changes in the Zoning Code over the years.

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

The property could remain in its current configuration, or with its current lot width, the Zoning Code would allow a two-family structure, resulting in the loss of 1/3 of the current rental permits from 12 to 8.

- 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, allowing the replacement of a non-conforming Three-family structure in a Three-family district. Substantial Justice would be done by allowing the improvement of a property resulting in a more code compliant structure and the elimination of existing encroachments

- h) *Any other relevant factor;*

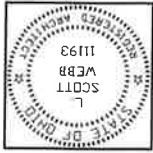
This redevelopment project aligns with the goals of the Comprehensive Plan, encouraging infill and redevelopment within the City, improving the property aesthetically, and with regard to the safety of its occupants.

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



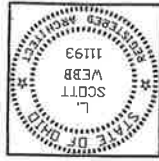
SCOTT WEBB
ARCHITECT
103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3556
www.scottwebbarchitect.com

PROPOSED NEW 3-UNIT BUILDING
112 South Poplar Street
OXFORD, OHIO 45056

DATE	December 8, 2011
REVISIONS	

A-2



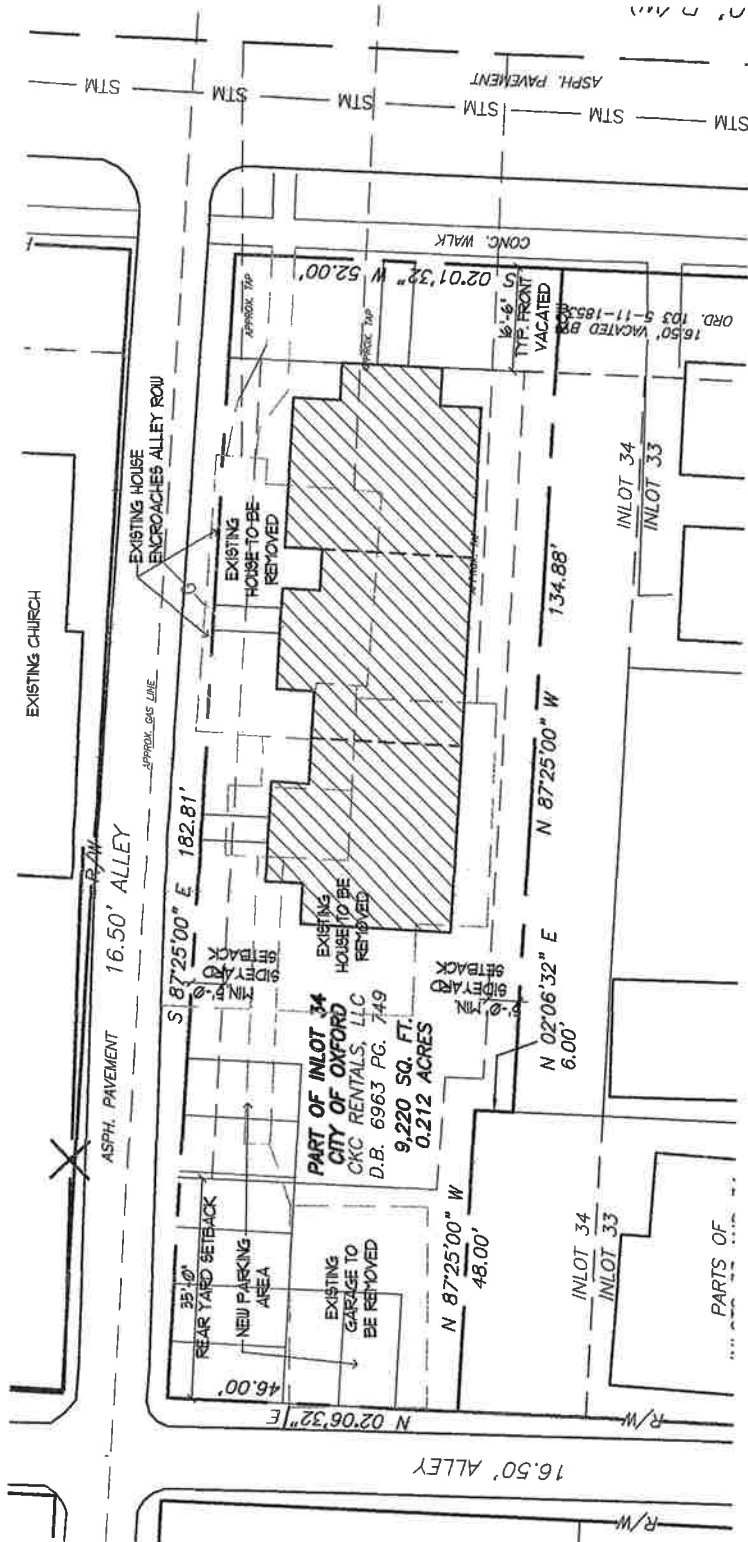


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PROPOSED NEW 3-UNIT BUILDING
112 South Poplar Street
OXFORD, OHIO 45056

DATE	December 5, 2017
REVISIONS	

A-1



PRELIMINARY SITE PLAN 1" = 20'-0"

SCOPE OF WORK:
PROPOSAL INCLUDES THE REMOVAL OF AN EXISTING
NON-CONFORMING 3- UNIT STRUCTURE WITH A NEW CONFORMING
3-UNIT BUILDING IN THE R3MS ZONING DISTRICT

REQUIRED VARIANCES

1143.07(c) SITE DEVELOPMENT REGULATIONS:
VARIANCE TO MIN. LOT WIDTH REQUIREMENT

1143.07(c) SITE DEVELOPMENT REGULATIONS:
VARIANCE TO MAX. FRONT YARD LOT COVERAGE

53 ZONING (R3MS ZONING DISTRICT)

OVERALL LOT AREA: (8,000 SF MIN) 9,220 SF

OVERALL LOT WIDTH: (60' MIN) 52.00 FEET

LOT COVERAGE

BUILDINGS: 2,441 SF

DRIVEWAY PARKING (OFF ALLEY): 1,296 SF

SIDEWALKS: 230 SF

TOTAL: 4,055 SF

ACTUAL LOT COVERAGE: 4,055 SF / 9,220 SF = 43.9%

ALLOW. LOT COVERAGE: R3MS = 45%

ACTUAL FRONT YARD: 82 SF / 250 SF = 32.8%

ALLOW. FRONT YARD: R3MS = 5%

PARKING

(15) SPACES REQUIRED @ 2.5 PER UNIT - (8) PROVIDED

112 South Poplar Street Existing Pictures



North Side Encroaching on Alley Right-of-Way



Existing Rear Dwelling Unit Addition



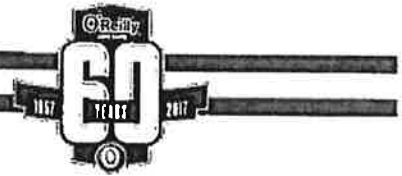
Existing Rear Dwelling Unit Addition

O'RELLY AUTO PARTS

EXTENSIONS REQUESTED FOR:

BZA-2017-03, 5299 College Corner Pike, variance to Section 1143.12(d)(4)(A) building façade window and transparent door requirements, Sheldon Jennings, O'Reilly Auto Parts, Applicant/Agent; Approved 1/18/2017

BZA-2017-09, 5299 College Corner Pike, variance to Section 1149.05(a)3 minimum off-street parking, Sheldon Jennings, Appellant, Agent tabled 7/19/2017; Approved 8/16/2017



October 26, 2017

The Oxford Board of Zoning Appeals
City of Oxford
101 East High Street
Oxford, OH 45056-1887

Re: O'Reilly Auto Parts Store
5299 College Corner Pike (US 27)
Oxford, OH (OXD)

To whom it may concern,

We are formally requesting twelve (12) month extensions for the Variances BZA-2017-03 and BZA-2017-09, regarding the above project. The Construction Documents for this project are currently in the review process and are expected to be approved soon. O'Reilly Auto Parts will schedule construction after the drawings have received final approval.

Sincerely,

Rob Turrentine