

STAFF REPORT

Community Development | Board of Zoning Appeals

APPLICATION DETAILS

Applicant	Scott Webb Architect
Location	216 W High Street
Owner	Adele Daake, MPR IV LLC
Action Request	Variances to Section 1143.05(c) for lot width, total lot coverage, and front yard coverage
Lot Size	8,093 square feet
Lot Width	54.45 feet
Current Use	Single-Family Dwelling
Current Zoning	R-2MS Single- and Two-Family Mile-Square Residential District
Surrounding Land Uses	Single- and Three-Family Dwellings; Community Arts Center property directly to south

BACKGROUND

The applicant has requested three different variances in order to construct a dwelling unit addition to the back of an existing single-family dwelling at 216 W High Street. The existing dwelling has a valid Rental Permit and is currently permitted for a max of 4 unrelated occupants.

The proposed project would change the use of the property from single-family to two-family, thus triggering the need to comply with all relevant provisions of the Oxford Zoning Code. Under the R-2MS zoning district, a minimum lot size of 7,500 square feet and minimum lot width of 75 feet are required in order to establish a two-family use. While the subject property meets the lot size standard with a total area a little over 8,000 square feet, the existing lot width is short of the minimum.

The applicant originally submitted a Variance application to the Community Development office on October 19. Upon initial review of the application by staff, it was determined that the principal entrance provision of **Section 1141.03(b)** was not met due to the front entrance of the new unit not being accessible from the public street. Staff eventually conducted a Preliminary Zoning Review of the submitted site plan to render the most complete response on zoning compliance as possible. The Preliminary Zoning Review letter dated October 28, 2020, along with the corresponding site plan, is included in the BZA packet. Following issuance of this letter, the applicant revised the site plan to display a new walkway from the public sidewalk along W High

Street to the front entrance of the proposed unit addition and subsequently resubmitted the Variance application on November 16.

DESCRIPTION

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

Requirement	Code Section	Standard	Proposal
Minimum Lot Width	1143.05(c)	75 feet	54.45 feet
The R-2MS zoning district requires a lot width of at least 50 feet in order to establish a new single-family residential use, and at least 75 feet in order to establish a new two-family. The existing single-family dwelling is conforming with respect to the existing lot width. A variance is required in order to observe the existing 54.45 foot lot width in accommodating a proposed two-family use, falling 20.55 feet short of the minimum.			
Maximum Lot Coverage	1143.05(c)	45%	45.58%
The R-2MS zoning district provides a maximum total lot coverage of 45%. All developed surfaces, including walkways, parking, drives, and building footprints are included as part of the coverage calculation. The original Variance application submitted on October 19 was designed to meet the 45% threshold without going over. Following a resubmission on October 23 and Preliminary Zoning Review, the site plan was revised to include a walkway linking the front entrance of the new unit with the public sidewalk to fulfill Section 1141.03(b) ; this additional covered surface elevated the overall lot coverage slightly above the maximum.			
Maximum Front Yard Coverage	1143.05(c)	5%	17.49%
Maximum coverage for a lot with vehicular access from a side or rear alley is 5%. The front yard coverage is measured based on the structure's existing setback, estimated to be 16.2 feet (measured from the front lot line to the bay window in front). The existing (grandfathered) coverage is estimated to be 12.9% (114 sq ft / 886 sq ft), while the proposed coverage is estimated to be 17.5% (155 sq ft / 886 sq ft). The additional coverage is being created by the new walkway in front shown to fulfill Section 1141.03(b) . The 4.6% increase in coverage cannot be allowed by-right without a variance.			

PUBLIC COMMENTS

Notification was mailed to property owners within 200 feet and a sign was placed on the property. The notice specifically addressed possible changes to the date, location and format of the meeting due to the COVID-19 pandemic, including the possibility of a video conference and/or teleconference format. No official public comments have been received as of this writing.

DEPARTMENT COMMENTS

Below are comments from City departments:

Department	Respondent	Response
Economic Development	Jessica Greene, Assistant City Manager	Not returned
Engineering	Scott Otto, City Engineer	Returned without Comments
Fire	John Detherage, Fire Chief	Returned with Comments
<i>Adding to the rear of this structure will increase the difficulty of fighting a fire on this property. With the overgrown property line to the west, the only access to the proposed addition would be to pull hose through the alley to the east which has overhead electric wires. Fire/heat damage to those wires will make that access very dangerous and unusable. This property is currently not rented, likely due to the condition, so I fail to see the purpose of adding essentially another house in the backyard.</i>		
Police	John Jones, Police Chief	Not returned

BZA SITE HISTORY

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

DECISION CRITERIA

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

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

Staff's review of the criteria is outlined in the table below. At the time of this report, staff believes **there is insubstantial evidence** to support the variance requests.

Criterion A	Whether the property in question will yield reasonable return or whether there can be any beneficial use of the property without the variance
Does not support granting the variance	The property is currently developed as a single-family dwelling and has been utilized for many years as a rental, which is sufficient evidence to demonstrate that there is beneficial use without the variance, as the applicant acknowledges in his letter. The applicant further states that this property is located in an area targeted by the Planning Commission for further density; if this statement refers to the 2017 action to up-zone portions of the Mile Square, this is not an accurate assessment. The property has been zoned R-2MS since the 2003 Code rewrite and this area was not included in the 2017 up-zoning.
Criterion B	Whether the variance is substantial
Does not support granting the variance	The applicant is asking for a 0.58% increase in total lot coverage and a 4.6% increase from the grandfathered front yard coverage; staff does not find either of these requests to be substantial. However, staff does find the lot width adjustment request, which represents a 27.4% reduction, to be substantial based on an analysis of all parcels falling within the R-2MS zoned area along W High, W Church, N Locust, and N Elm, as seen in Appendix A. The subject property is one of seven in the area with a lot width conforming to an existing single-family use but non-conforming for a potential two-family, four of which have greater widths. Nine properties in the area currently support two-family uses, of which six are non-conforming with respect to lot width. The average lot width for the nine existing two-family lots is 62.61 feet. In addition, there are three single-family properties in the area that already have sufficient lot width to accommodate a conversion to a two-family use without needing a variance.
Criterion C	Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance
✓ Supports granting the variance	According to the analysis in Appendix A, the R-2MS zoned area consists of 15 single-family, 9 two-family, 5 three-family, 1 four-family, and 1 multi-family building containing 14 units. Thus, it can be found that the area currently supports a mix of dwelling unit types. The subject property adjoins three-family dwellings immediately to the east and west along W High Street. The applicant's submitted rendering shows an addition that appears complimentary to the existing principal building and to the overall historic and traditional character of the area.
Criterion D	Whether the variance would adversely affect the delivery of governmental services (i.e. water, sewer, garbage)
Mixed evidence	Community Development staff advises the BZA to rely upon comments from the Fire Chief in consideration of this criterion. No comments were received from other departments concerning impacts on delivery of services. Therefore, staff rates this criterion as "mixed evidence."

Criterion E	Whether the property owner purchased the property with knowledge of the zoning restriction
Does not support granting the variance	The 75 foot minimum lot width for two-family uses has been part of the R-2MS zoning provisions since its inception in 2003, with no recent changes in policy. According to the Butler County Auditor's ownership history, it appears the property has been in the present owner's hands since June 2003. The degree of commentary in the applicant's letter does not speak to lack of knowledge during this timeframe or the pursuit of a two-family use upon initially acquiring the property.
Criterion F	Whether the property owners' predicament feasibly can be obviated through some method other than a variance
Mixed evidence	The front yard coverage request could be mitigated and rendered moot by including steps down from the back side of the front porch, avoiding the need to install a new walkway around the porch and squeezing through the narrow passage between the porch and the alley. With regard to the lot width, the only way to establish a two-family use is through the granting of a variance. It is arguable whether the request at hand to establish a two-family use should be considered a "predicament" with respect to the evidence under Criterion A. Therefore, staff rates this criterion as "mixed evidence."
Criterion G	Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance
Does not support granting the variance	The original spirit of the larger lot area and width requirements appears to have been to limit increase in density as much as possible. By having larger width requirements for two-family, the spirit of this provision appears to limit more intense uses to larger and wider spaces. The effort to barely meet the spirit of the principal entrance provision also serves as further evidence in favor of wider lot arrangements for two-family uses. Furthermore, this area of town is "untouched" by the 2017 rezoning action which sought to densify areas closest to campus, and as such should continue to operate under the prior parameters. Based on the analysis of existing uses and lot widths in the immediate area, staff is of the opinion that the subject property is not in a comfortable position to warrant such flexibility for a two-family upgrade. For these reasons, staff believes the spirit and intent of the lot width requirement would not be upheld if the variance were granted.
Criterion H	Any other relevant factor
N/A	The BZA may rely upon additional factors or evidence contributed by the applicant.

SUBMITTED BY:

A handwritten signature in black ink that reads "Zachary W. Moore". The signature is written in a cursive style with a large, stylized 'Z' and 'M'.

Zachary Moore, AICP
Planner

DATE: December 3, 2020

APPENDIX A

PROPERTY USE & LOT WIDTH ANALYSIS

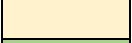
FOR R-2MS ZONED AREA

LOCATION		LAND USE		LOT WIDTH	
Address	Use	Use Conformity	Lot Width	Lot Width Conformity w/ Existing Use	Lot Width Conformity for 2F Use
11 N Elm	Single-Family	C	35	NC	NC
331 W Church	Single-Family	C	40	NC	NC
327 W Church	Single-Family	C	40	NC	NC
333 W Church	Two-Family	C	40	NC	NC
329 W Church	Two-Family	C	40	NC	NC
335 W Church	Single-Family	C	43	NC	NC
323 W Church	Single-Family	C	45	NC	NC
316 W High	Single-Family	C	50	C	NC
324 W High*	Two-Family	NC	50	NC	NC
321 W High	Single-Family	C	53	C	NC
216 W High	Single-Family	C	54.45	C	NC
230 W High	Single-Family	C	55	C	NC
222 W High	Three-Family	NC	55	NC	NC
317 W High	Single-Family	C	60	C	NC
15 N Locust	Three-Family	NC	63	NC	NC
302 W High	Single-Family	C	66	C	NC
15 N Elm	Single-Family	C	66	C	NC
22/24 N Elm	Two-Family	C	66	NC	NC
12/14 N Elm	Two-Family	C	66	NC	NC
231 W Church	Two-Family	C	66	NC	NC
16/18 N Elm	Three-Family	NC	66	NC	NC
310/312 W High	Two-Family	C	76	C	C
305/307 W High	Two-Family	C	77	C	C
311/313 W High**	Three-Family	NC	77	NC	C
217 W Church	Single-Family	C	82.5	C	C
311 W Church	Two-Family	C	82.5	C	C
303 W High	Four-Family	NC	83.5	NC	C
321 W Church	Single-Family	C	85	C	C
306 W High	Three-Family	NC	91	NC	C
325 W High	14-Family	NC	127.5	NC	C
328 W High	Single-Family	C	132	C	C

*NC use due to separate structures

**NC three-family use made of up 2-unit and 1-unit structures

KEY

	Existing 2F properties with deficient lot width
	Existing 2F properties meeting the lot width standard
	Existing 1F properties with sufficient lot width for 2F conversion

C = Conforming

NC = Non-Conforming

BZA MOTION FOR VARIANCES

With regard to the Request for Variance # **BZA 2020-11**, being Variances to Section 1143.05(c) for lot width, total lot coverage, and front yard coverage:

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

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

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

Motion Seconded by: Mr. / Ms. _____

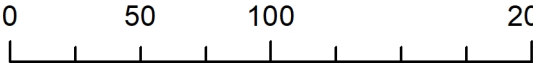
Vote: Aye_____ Nay:_____

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.

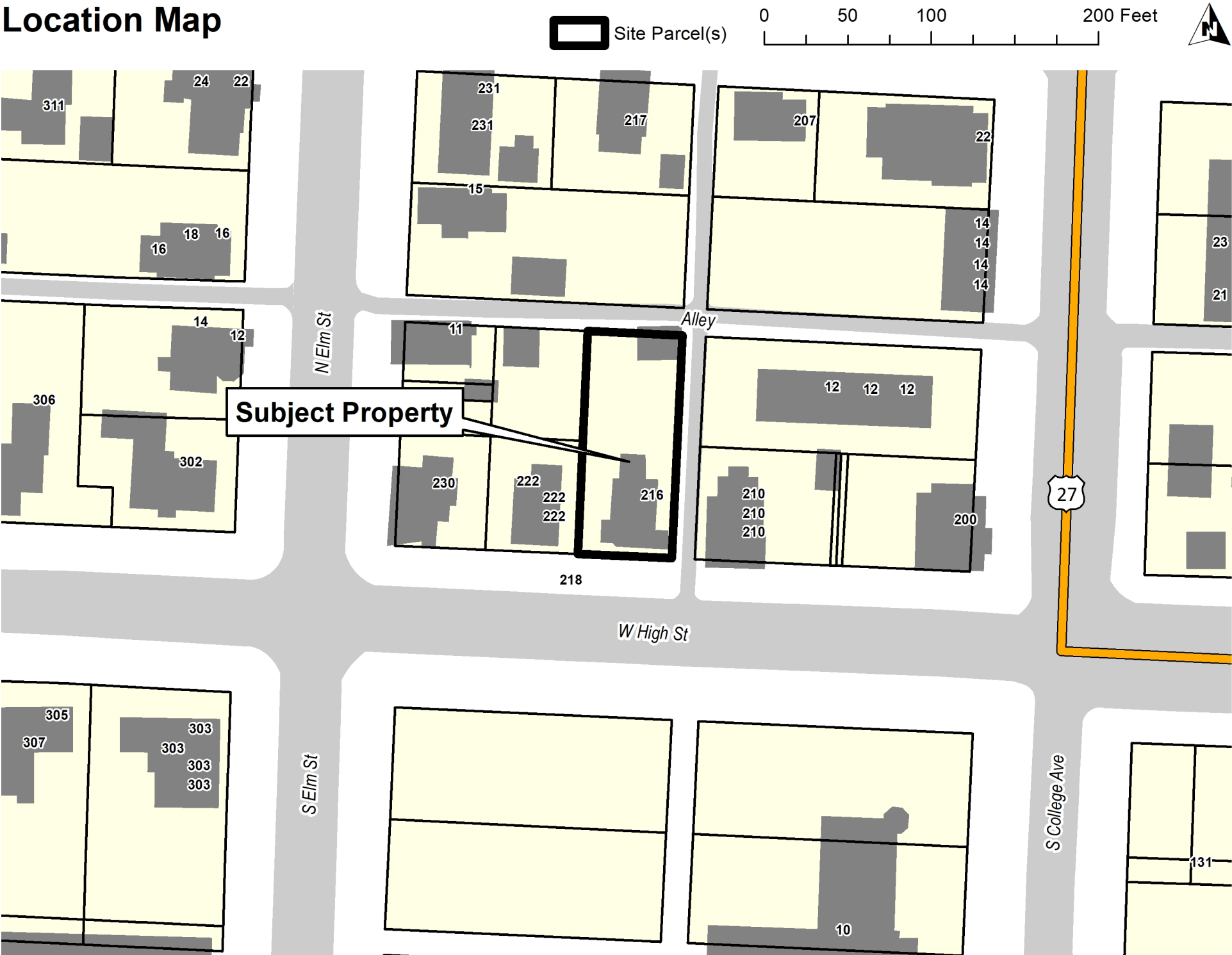
Location Map



Site Parcel(s)



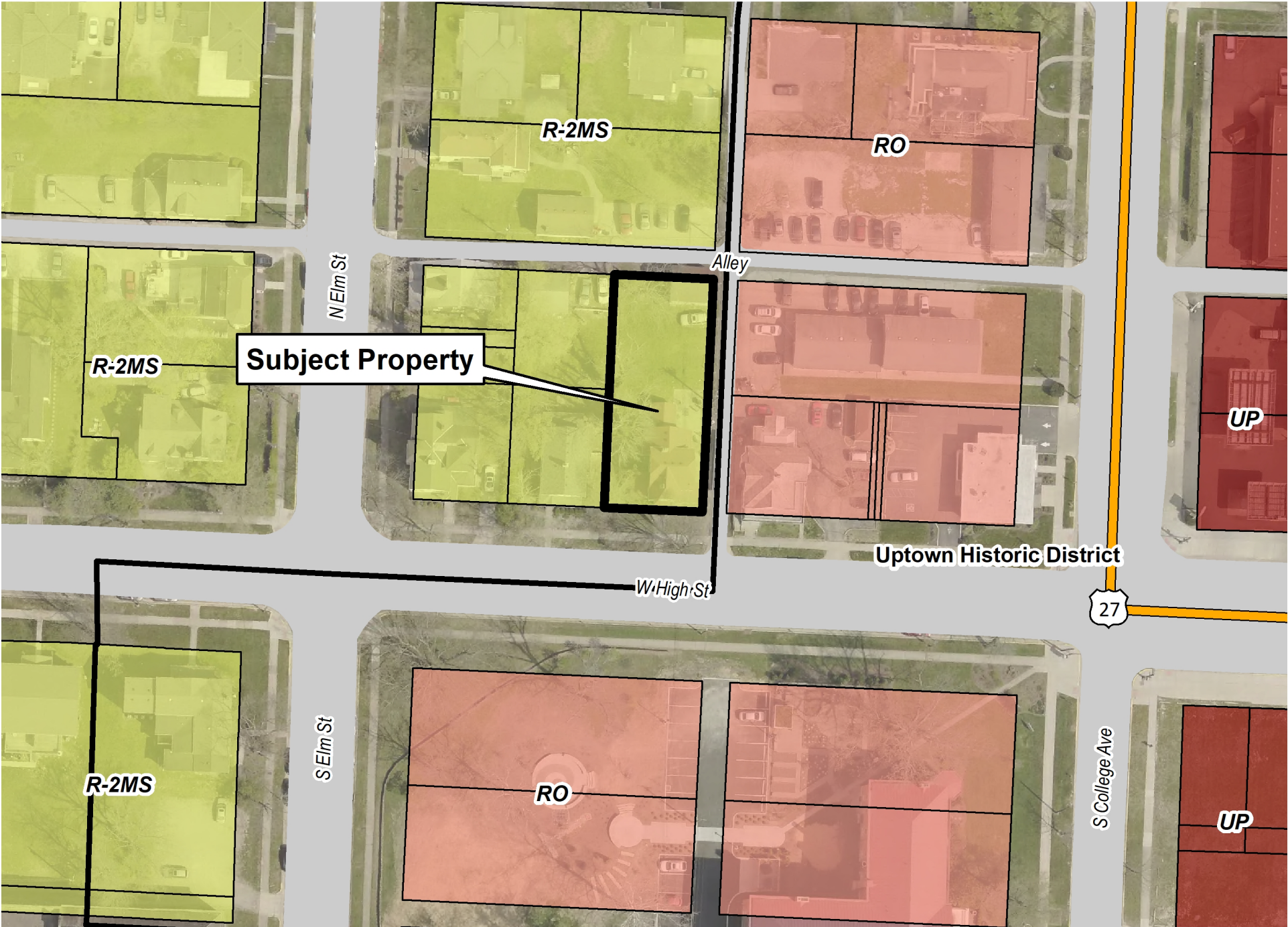
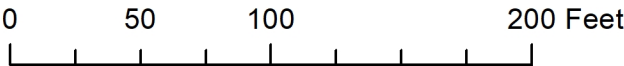
Location Map



Location Map



Site Parcel(s)





Internal Use Only:

Case No.

BZA 2020 - 11

Date Filed

10/20/20

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) * 523-38358

Email Address scott@scottwebbarchitect.com

Owner Information

Name * MPR IV LLC

Mailing Address * 26 Portland Place

City, State & Zip Code * St. Louis, Mo. 63108

Telephone Number(s) * (314) #68-2277

Email Address 326@gmail.comazd

Variance and Lot Information

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

1143.05(c) Min. Lot Width in R2MS

1143.05(c) Max. Lot Coverage in R2MS

1143.05(c) Max. Front Yard Lot Coverage in R2MS

Location of Requested Variance * 216 West High Street

Name of Building

Legal Description * PArceL #H4100004000190

Zoning District * R2MS Total Acreage * 0.185

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.

Dwelling unit Addition to create a new 2-Family Structure

City of Oxford

NOV 15 2020

- 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.

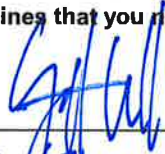
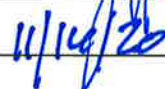
Fees & Receipt

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 *

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, 15 South College Avenue, 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>

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 a dwelling unit addition, creating a 2-Family structure at 216 West High Street.

Thank you,

Signed: Adele Daake MPR IV LLC
Adele Daake, MPR IV LLC

10/19/20
Date:

Board of Zoning Appeals
City of Oxford
15 South College Avenue
Oxford, Ohio 45056



**SCOTT
WEBB**

A R C H I T E C T

Re: Variance to Minimum Lot Width
New Dwelling Unit Addition
216 West High Street.

November 16, 2020

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

Board Members

www.scottwebbarchitect.com

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 addition of a second dwelling unit in the R2MS Two Family Zoning District.

1143.05(c) Requires a minimum lot width of 75' and 7,500 s.f. of Lot Area for a Two-Family dwelling

The Lot in Question has nearly 55' of Lot Width (over 70% of the width requirement). The Lot provides 8,093 s.f. of area (over 107% of the area requirement).

1143.05(c) Limits Lot Coverage to 45% for a Two-Family dwelling

Providing all necessary parking spaces & sidewalk, the proposed lot coverage is 1.3% above that restriction at 46.3%

1143.05(c) Limits Front Yard Lot Coverage to 5% for a Site with parking access from an alley.

This original house was built respecting the 16.5' Vacated Right-of-Way. Planning Commission & City Council extended this Mile Square-wide standard in favor of a 20' setback, leaving the front portion of this house in violation of this new requirement. This encroachment coupled with an existing sidewalk and an additional 52 s.f. for connectivity for the rear unit results in a front yard lot coverage of over 20%. While perhaps mathematically significant, the new sidewalk represents the minimum necessary to provide connectivity to the street.

All other requirements of the Zoning District, including setbacks and parking are met or exceeded by the proposal

None of the lots along West High Street or North Elm Street meet the minimum lot width requirements for the district, typically between 50 and 66' and areas of around 5,000 s.f. The lot in question is actually one of the larger in the district.

The application at hand addresses the ability of a single property owner to construct a two-family residence in a two-family district as Planning Commission and City Council had intended.

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;*

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, increasing density in an area targeted by Planning Commission for additional density.

- b) *Whether the variance is substantial;*

The width variance is not substantial, as the existing property represents over 70% of the required minimum, reflects the lot size in the area, and provides 107%, of the minimum lot area.

The additional Lot Coverage is not substantial, exceeding the limit by just over 1%.

Front yard lot coverage is perhaps mathematically substantial, but is the result of changes to front yard setback requirements and the required connection to the street..

- 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 maintained, preserving an historic frame structure and providing an addition 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 owner is aware of the zoning of this area and is proposing an additional dwelling unit that meets the goals of the Planning Commission.

The property owner was not aware of the non-conformity of the front yard lot coverage restriction.

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

The Lot width is fixed, but is representative of the area.

Lot Coverage represents a minor increase over what is allowed.

Front yard Lot Coverage is existing, and made non-conforming by changes in the Zoning Code

- 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 a two-family structure in a two family district. Substantial Justice would be done by allowing a 2-Family structure on one of the largest lots in a 2-Family district that reflects Planning Commission & City Council's decision to allow higher density in the Mile Square in such locations.

Further, it reflects Planning Commission's discovery that the lot requirements in the section of the Mile Square do not reflect the lot sizes in the district.

Lot coverage restrictions have been respected to the highest degree possible, meeting of her requirements of the Zoning Code.

h) Any other relevant factor;

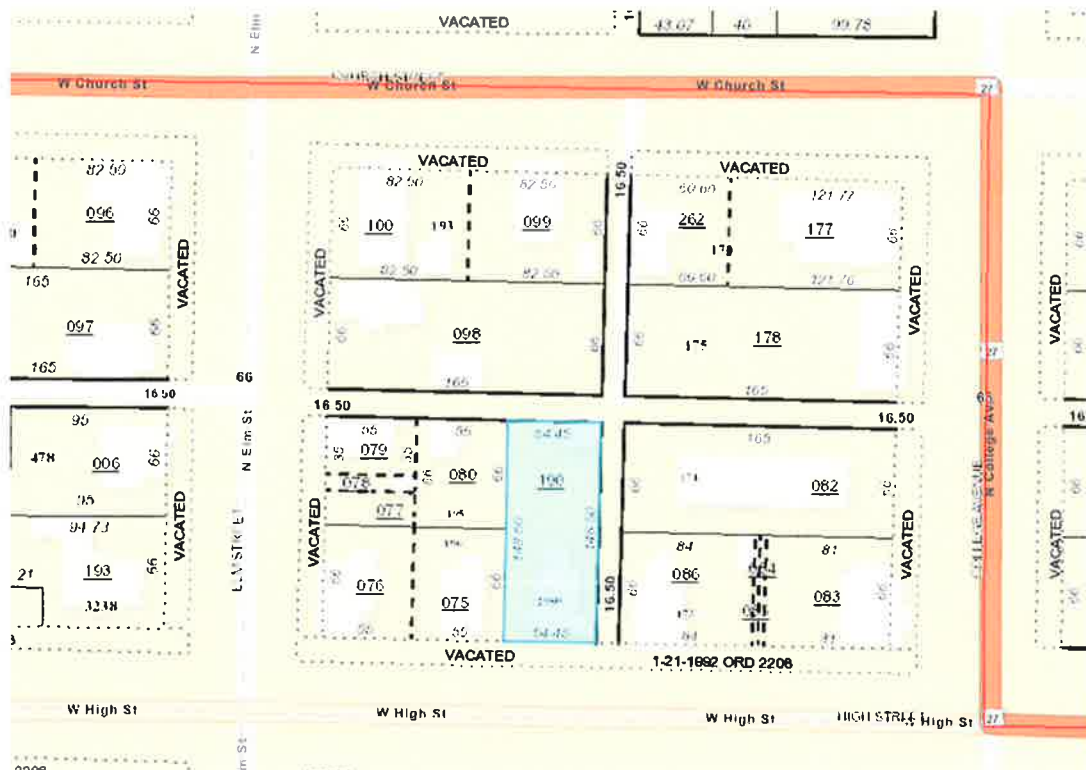
This redevelopment project aligns with the goals of the Comprehensive Plan, encouraging infill and redevelopment within the City, improving the property aesthetically, and with regard to the safety of its occupants.

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

Respectfully,



Scott Webb, Architect



Site Vicinity Showing Typical Lot Sizes



Existing Single Family



Rear of lot (Addition Area)

ZONING

(R2MS ZONING DISTRICT)

OVERALL LOT AREA: (1,500 SF MIN. FOR 2-FAMILY) 8,093 SF

OVERALL LOT WIDTH: (15' MIN. FOR 2-FAMILY) 54.45 FT

OVERALL LOT COVERAGE

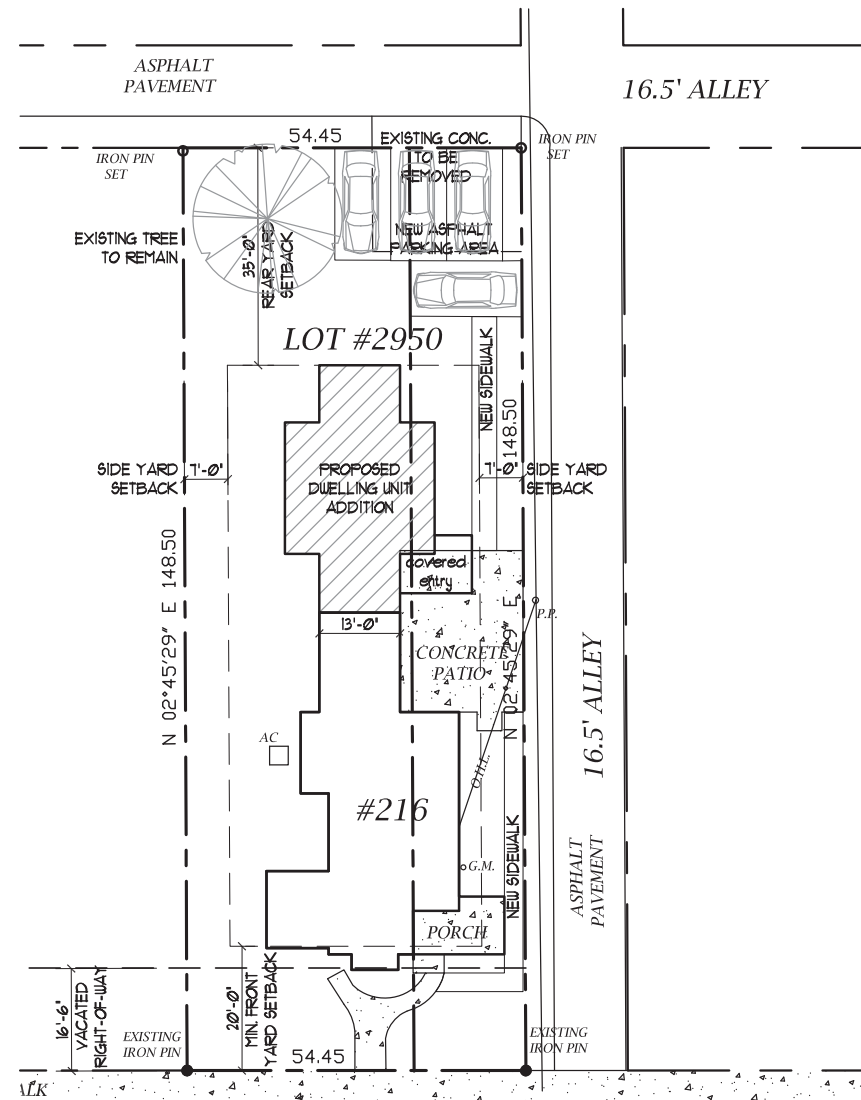
EXISTING HOUSE & PORCH:	1,296 SF
EXISTING SIDEWALK:	110 SF
EXISTING CONC. PATIO:	526 SF
PROPOSED DWELLING UNIT ADDITION:	850 SF
NEW PARKING AREA:	650 SF
NEW SIDEWALK TO PARKING:	150 SF
NEW FRONT SIDEWALK:	165 SF
TOTAL:	3,741 SF
ACTUAL LOT COVERAGE:	3,741 SF / 8,093 SF = 46.3%
ALLOW. LOT COVERAGE:	R2MS = 45%

FRONT YARD LOT COVERAGE

EXISTING HOUSE ENCROACHMENT & SIDEWALK	175 SF
NEW SIDEWALK:	52 SF
TOTAL:	227 SF
FRONT YARD LOT COVERAGE:	227 SF / 1,092 SF = 20.8%
ALLOW. LOT COVERAGE:	R2MS = 5%

PARKING

(4) SPACES REQUIRED @ 2 PER UNIT - (4) PROVIDED

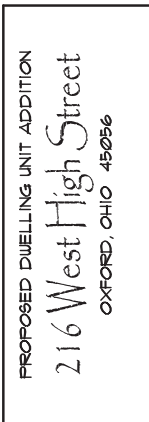


WEST HIGH STREET

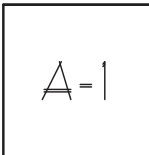
SITE PLAN

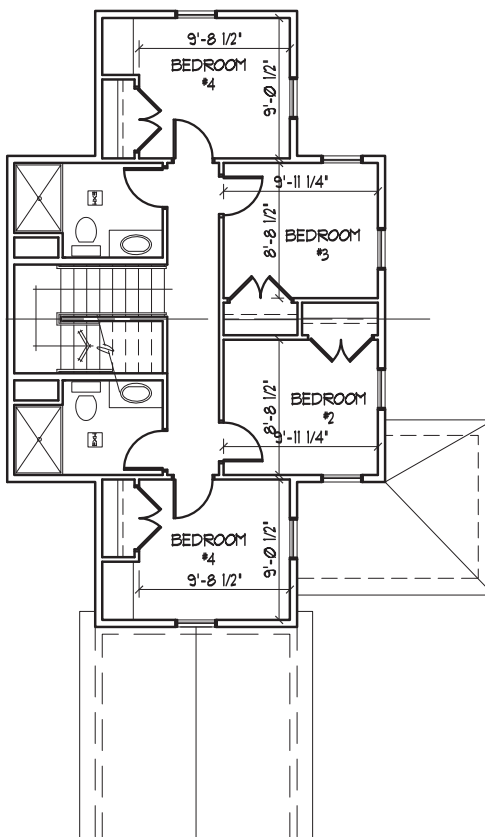
NEW DWELLING UNIT ADDITION

1" = 20'-0"

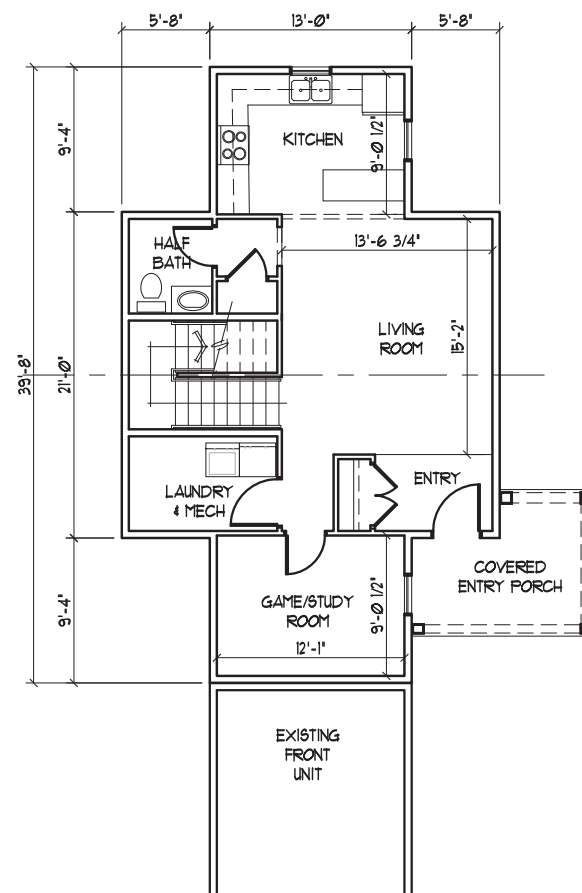


DATE	November 16, 2020
REVISIONS	





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



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



PROPOSED DWELLING UNIT ADDITION
216 West High Street
OXFORD, OHIO 45056

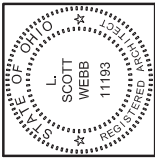
DATE	
October 13, 2020	
REVISIONS	

A-2



EXTERIOR VIEW

FROM HIGH STREET



PROPOSED DUELLING UNIT ADDITION
216 West High Street
OXFORD, OHIO 45056

DATE	
November 16, 2020	
REVISIONS	

A-3



Community Development Department
Preliminary Zoning Review
513-524-5204

October 28, 2020

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

VIA EMAIL:
scott@scottwebbarchitect.com

RE: Preliminary Zoning Review for 216 W High Street

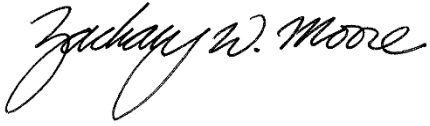
Dear Mr. Webb:

As requested, I have reviewed your site plan received October 23, 2020 for a proposed dwelling unit addition at 216 W High Street. Below are comments pertaining to review of the site plan for compliance with the Oxford Zoning Code. This is only a preliminary review, as it does not address all zoning standards that would be applicable to such a project if submitted together with architectural plans for full review as a Building/Zoning Permit. I can only comment on those aspects depicted on the site plan:

1. The submitted site plan does not comply with the following provisions of **Section 1143.05(c)** corresponding to the R-2MS Single- and Two-Family Mile-Square Residential District:
 - a. **Minimum Lot Width** (75 feet) – A minimum lot width of 75 feet is required in order to establish a two-family dwelling. The existing lot width is 54.45 feet, 20.55 feet short of the minimum required.
 - b. **Maximum Lot Coverage** (45%) – The overall lot coverage exceeds the maximum by 1.7%, as you already note on your site plan.
 - c. **Maximum Front Yard Coverage** (5%) – Maximum coverage for a lot with vehicular access from a side or rear alley is 5%. The front yard coverage is measured based on the structure's existing setback, estimated to be 16.2 feet (measured from the front lot line to the bay window in front). The existing (grandfathered) coverage is estimated to be 12.9% (114 sq ft / 886 sq ft), while the proposed coverage is estimated to be 17.5% (155 sq ft / 886 sq ft). The 4.6% increase in coverage cannot be allowed by-right without a variance.
2. The site plan shows 4 new parking spaces on top of an existing concrete pad, which previously served as a foundation for a (now demolished) accessory structure. While the eastern setback for these spaces is properly shown at a 3 foot distance, per the minimum specified in **Section 1149.04(a)(3)**, it is not clear whether existing concrete is to be removed in this area to fulfill the setback. The concrete within the 3-foot setback must be removed, or a variance requested/approved, in order to maintain compliance. Requesting a variance and locating the parking along the eastern property line may also help alleviate the issue addressed in #3 below.
3. While Chapter 1148 (Landscaping and Tree Preservation) would not apply to this project due to being an addition to an existing single-family dwelling (for SF/2F/3F, only applies to new buildings or demo/rebuilds), staff strongly encourages the preservation of the mature tree located in the northwest corner of the site if at all possible. One possible way to better avoid contact with the tree is to orient the 4 parking spaces off the north-south alley rather than the east-west alley, or requesting a variance as mentioned in #2 above.

Please contact me if you have any questions.

Respectfully,

A handwritten signature in black ink that reads "Zachary W. Moore". The signature is written in a cursive, flowing style.

Zachary Moore, AICP
Planner

zmoore@cityofoxford.org

513-524-5204

ZONING (R2MS ZONING DISTRICT)

OVERALL LOT AREA: (7,500 SF MIN. FOR 2-FAMILY) 8,093 SF
OVERALL LOT WIDTH: (75' MIN. FOR 2-FAMILY) 54.45 FT

LOT COVERAGE

EXISTING HOUSE & PORCH: 1,296 SF
EXISTING SIDEWALK: 110 SF
EXISTING CONC. PATIO: 526 SF
PROPOSED DWELLING UNIT ADDITION: 850 SF
NEW PARKING AREA: 650 SF
NEW SIDEWALK TO PARKING: 186 SF
NEW FRONT SIDEWALK: 165 SF

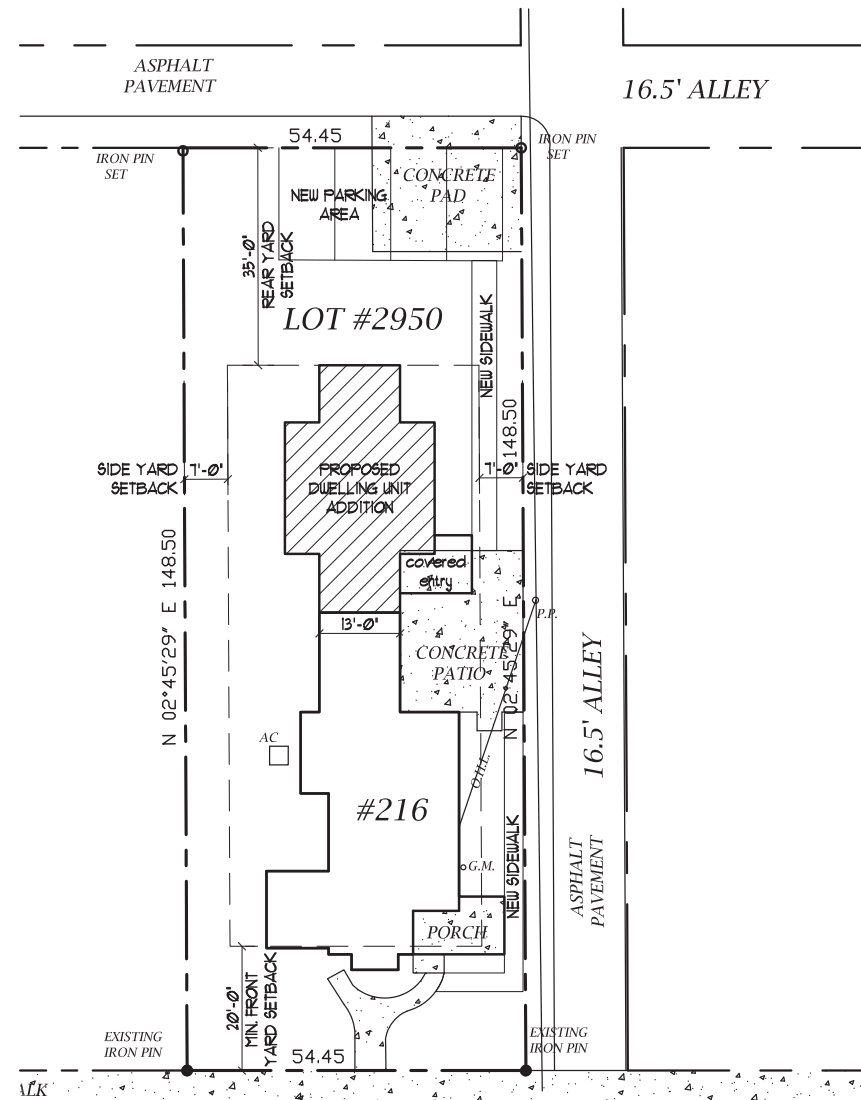
TOTAL: 3,783 SF

ACTUAL LOT COVERAGE: 3,783 SF / 8,093 SF = 46.7%

ALLOW. LOT COVERAGE: R3MS = 45%

PARKING

(4) SPACES REQUIRED @ 2 PER UNIT - (4) PROVIDED

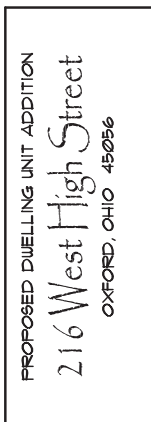


WEST HIGH STREET

SITE PLAN

NEW DWELLING UNIT ADDITION

1" = 20'-0"



DATE	
	October 13, 2020
REVISIONS	

