



CITY OF LANCASTER
BUILDING DEPARTMENT
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December 19, 2018

Board of Zoning Appeals

Tim Oatney, Jim Bahnsen, Jim Edwards, Lindy Jackson, Rebecca Anderson, Mayor David Scheffler

RE: January 2, 2019 Board of Zoning Appeals Meeting (7:00 p.m.)

Dear Members:

The following comments are submitted to assist you with the variance and special exception requests scheduled for the above referenced meeting:

BZA Case No. 571

Dwight Nippert of Nippert Properties Ltd., has submitted an application for area variances (application 1851968) for the property located at 802 N. Memorial Dr. This property is zoned CG: Commercial General. Mr. Nippert will be demolishing the current car wash and desires to construct a new commercial building for retail space. Please see the attached site plan for reference.

The site plan shows the new building is set back from Dickson Court ten feet. Planning & Zoning Code section 1133.03 (d) Bulk & Area Requirements requires the building to be set back twenty-five feet from a non-arterial or freeway service road.

The designated loading/unloading zone in the rear of the property is located within eighteen feet of a residential district. Planning & Zoning Code section 1151.05 (d) requires the setback to be fifty feet unless it is screened with a screening wall or fence. There is residential single-family district directly behind the property and across the alley. Due to the angle of the building set on the property, vehicles loading and unloading will need to utilize the access from the alley along a good portion of the property making it difficult to install adequate screening. There will not be any curb separating the alley from the commercial property. This will allow trucks to enter and exit the property more easily.

The proposed screening in the front of the property separating the parking area from N. Memorial Dr. is located in the Right of Way. A copy of the Affidavit of Understanding has been attached. The original is filed with the Engineering Department. There isn't any action needed from the board for this issue.

Mr. Nippert is requesting area variances be granted for the setback to Dickson Court and the setback for the loading/unloading zone and screening in the rear.

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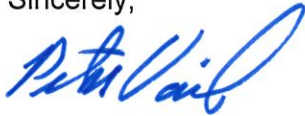
Mark Reynolds of 1706 Old Farm Dr., Loveland, Ohio has submitted an application for a special exception (application 181889) for the property located at 118 W. Mulberry St. This property is zoned CBD: Central Business District. Mr. Reynolds has purchased this property (residential use) to move his Insurance office to this location. He also wishes to maintain some living space on the second floor. Planning & Zoning Code section 1133.05(c)(5) under Special Exception Uses, says that "when any two or more individual Permitted or Special Exceptions on separate floors of an existing building" would require a special exception be granted by the Board of Zoning Appeals. The floor plans show that the main office area will be on the first floor with some additional workspace on the second floor along with the proposed residential living space. Mr. Reynolds has stated that he would use the residential space when he would be required to stay in town.

Mr. Reynolds is requesting a special exception be granted for the proposed permitted and special exception uses for this building.

See attached documents.

If you have any questions, feel free to call our office.

Sincerely,

A handwritten signature in blue ink that reads "Peter Vail". The signature is fluid and cursive, with the first name "Peter" and last name "Vail" clearly legible.

Peter Vail
Zoning Official