

**Agenda**  
**Board of Zoning Appeals**  
**Springfield, Ohio**  
**Monday, March 21, 2016**  
**City Forum, City Hall – 7:00 P.M.**

1. **Call to Order**
2. **Roll Call**
3. **Approval of February 17, 2016 Meeting Minutes** ACTION
4. **Swearing In of Witnesses** ACTION
5. **Case #16-A-16** DISCUSSION  
Request from Melinda & Randy Hixon, applicant, for a variance  
& ACTION  
from Chapter 1150.01(a) to allow for a covered porch to extend  
into the 25' setback at 2058 Providence Ave. in a RS-5, Low-  
Density, Single-Family Residence District.
6. **Case #16-A-17** DISCUSSION  
Request from John Whitacre, applicant, for a conditional use  
& ACTION  
permit to allow for a daycare center at 444 W Harding Rd. in a  
CO-1, Commercial Office District.
7. **Board Comments** DISCUSSION
8. **Staff Comments** DISCUSSION
9. **Adjournment** ACTION

## 2016 Board of Zoning Appeals Call to Order: Roll Call

<b>Name</b>	<b>Term Expiration</b>
Dori Gaier	04/30/2016
Denise Williams	07/23/2016
Matthew Ryan	06/24/2017
Mark Brown	01/20/2018
James Burkhardt	03/31/2018
Rhonda Zimmers	01/05/2019
Jeanette Anderson	03/01/2017

**BOARD OF ZONING APPEALS**  
**Springfield, Ohio**  
**Wednesday, February 17, 2016**  
**7:00 P.M.**  
**City Forum, City Hall**

**Meeting Minutes**  
(Summary format)

The meeting was called to order at 7:00 P.M. by Ms. Williams.

MEMBERS PRESENT: Mr. James Burkhardt, Mr. James Smith, Mr. Matthew Ryan, Ms. Zimmers, Mr. Mark Brown, Ms. Dori Gaier and Ms. Denise Williams

MEMBERS ABSENT: None

OTHERS PRESENT: Stephen Thompson, Planning, Zoning, and Code Administrator, Jennifer Tuttle, Community Development Specialist

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SUBJECT: Approval of January 20, 2016 meeting minutes.

Ms. Williams made a motion to approve the minutes and asked the board members to voice yea if they were in favor of approving the minutes. Members voiced yes.

Ms. Williams asked if any opposed to voice nay. Hearing no nays, Ms. Williams stated minutes stand approved.

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**SUBJECT:**

**Case #16-A-03** Request from Craig Dillon, applicant, for a variance from Chapter 1155.06 to allow for a single-color digital dynamic display signs within in Residential Sign Districts at 531 W Harding Rd. in G, Green Space, Park, and School District.

**Case #16-A-04** Request from Craig Dillon, applicant, for a variance from Chapter 1155.06 to allow for a single-color digital dynamic display signs within in Residential Sign Districts at 431 W John St. in G, Green Space, Park, and School District.

**Case #16-A-05** Request from Craig Dillon, applicant, for a variance from Chapter 1155.06 to allow for a single-color digital dynamic display signs within in Residential Sign Districts at 1500 Tibbetts Ave. in G, Green Space, Park, and School District.

**Case #16-A-06** Request from Craig Dillon, applicant, for a variance from Chapter 1155.06 to allow for a single Color digital dynamic display signs within in Residential Sign Districts at 521 Mountjoy St. in G, Green Space, Park, and School District.

**Case #16-A-07** Request from Craig Dillon, applicant, for a variance from Chapter 1155.06 to allow for a single color digital dynamic display signs within in Residential Sign Districts at 721 E Home Rd. in G, Green Space, Park, and School District

**Case #16-A-08** Request from Craig Dillon, applicant, for a variance from Chapter 1155.06 to allow for a single color digital dynamic display signs within in Residential Sign Districts at 800 E McCreight Ave. in G, Green Space, Park, and School District.

**Case #16-A-09** Request from Craig Dillon, applicant, for a variance from Chapter 1155.06 to allow for a single-color digital dynamic display signs within in Residential Sign Districts at 631 S Yellow Springs St. in G, Green Space, Park, and School District.

**Case #16-A-10** Request from Craig Dillon, applicant, for a variance from Chapter 1155.06 to allow for a single-color digital dynamic display signs within in Residential Sign Districts at 1802 Clifton Ave. in G, Green Space, Park, and School District.

**Case #16-A-11** Request from Craig Dillon, applicant, for a variance from Chapter 1155.06 to allow for a single-color digital dynamic display signs within in Residential Sign Districts at 651 E Home Pl. in G, Green Space, Park, and School District.

**Case #16-A-12** Request from Craig Dillon, applicant, for a variance from Chapter 1155.06 to allow for a single-color digital dynamic display signs within in Residential Sign Districts at 721 E Home Rd. in G, Green Space, Park, and School District.

Mr. Thompson gave one staff report for cases 16-A-03 to 16-A-12.

The applicant requests a variance from Chapter 1155.06 to construct a single-color digital dynamic display in a residential sign district. The proposed signs will replace the monument signs located at the school. The new signs will replace the current signs and be placed in the same location. They will be approximately seven feet tall and six feet wide and the digital display portion of the signs will be two feet tall and six feet wide.

**ANALYSIS for Variance:**

The Board may grant a variance only where there exists a “practical difficulty” as defined by the courts in Ohio in established case law. The Ohio Supreme Court’s decision in *Kisil v. City of Sandusky*, (1984) 12 Ohio State 3d 30, is a land mark decision in establishing common law governing variances by distinguishing between “use” and “area variances.” Area variances involve an exception from such requirements as yard, lot, and height standards. The Supreme Court established that a practical difficulty must exist before an area variance can be granted.

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

Staff Comment: Yes, the school could keep its current non-digital sign.

Whether the variance is substantial;

Staff Comment: Yes, this variance is substantial because multi-color digital dynamic displays are prohibited within residential sign districts.

Whether the essential character of the neighborhood will be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;

Staff Comment: No, it would not. These signs are not for commercial purposes.

Whether the variance would adversely affect the delivery of government services (e.g., water, sewer);

Staff Comment: No.

Whether the property owner purchased the property with the knowledge of the zoning restrictions;

Staff Comment: The owner purchased the property prior to the sign code adoption.

Whether the property owner’s predicament can be obviated through some method other than a variance; or

Staff Comment: No, it could not.

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

Staff Comment: Yes, it would. Schools have events, which in the past require using temporary signs for advertising. Digital dynamic displays are a solution to reduce the number of temporary signs and present a more aesthetically pleasing appearance.

**STAFF RECOMMENDATION:**

Approval of the variances request from Chapter 1155.06 to allow for a single-color digital dynamic display sign in a

residential sign district.

Ms. Williams asked if the Board had questions for Mr. Thompson.

Ms. Gaier asked if all the signs would be single color signs.

Mr. Thompson answered yes and noted he had a typo in the staff report that stated sign would be a multi-color.

Ms. Zimmers asked if there were other digital signs in residential areas.

Mr. Thompson stated several churches had single-color digital signs.

Hearing no further questions, Ms. Williams asked if the applicant wished to speak.

Craig Dillon, 1934 Audubon Dr., took the podium to answer questions.

Ms. Williams asked if the signs could be changed remotely.

Mr. Dillon answered yes and the all signs would comply with the zoning code.

Ms. Zimmers asked if anyone received objections.

Mr. Thompson answered no.

Ms. Williams asked if anyone from the audience wished to speak. No audience members voiced concerns.

Hearing no further comments, Ms. Williams asked for a motion to close the public hearing.

**MOTION:** Ms. Gaier made a motion to close the public hearing. Seconded by Mr. Burkhardt.

**MOTION:** Motion by Ms. Gaier to approve a variance from Chapter 1155.06 to allow for a single-color digital dynamic display sign within a Residential Sign District in G, Green Space, Park, and School District. Seconded by Mr. Brown.

**MOTION:** Mr. Ryan made a motion to reopen the public hearing to ask a question. Seconded by Mr. Burkhardt.

Mr. Ryan asked if all digital signs are prohibited under G or in residential areas.

Mr. Thompson explained it was the sign district that requires the variance, not the zoning.

Ms. Zimmers asked if the sign would flash.

Mr. Thompson told the Board that sign code states it has to be a static image and if it malfunctions, it will go black.

Ms. Williams asked for a motion to close the public hearing.

**MOTION:** Ms. Gaier made a motion to close the public hearing. Seconded by Mr. Burkhardt.

**MOTION:** Motion by Ms. Gaier to approve a variance from Chapter 1155.06 to allow for a single-color digital dynamic display sign within a Residential Sign District in G, Green Space, Park, and School District for cases 16-A-03 to 16-A-12. Seconded by Ms. Zimmers.

Hearing no further discussion or questions, the Board determined the following Findings of Facts:

1. No opposition.
2. Logical use for schools and it helps to eliminate yard signs.
3. Will not look out of place in neighborhood.

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4. Approved similar signs in the past.

Ms. Williams asked for the vote.

**VOTE:** YEAS: Mr. James Burkhardt, Mr. Matthew Ryan, Ms. Zimmers, Mr. Mark Brown, Ms. Dori Gaier and Ms. Denise Williams. NAYS: NONE. ABSTAINS: NONE.

**Approved 6 to 0.**

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**SUBJECT Case #16-A-13** Request from Tom Owens, applicant, for a conditional use permit to allow for an automotive or truck oriented use at 1030 Upper Valley Pike in a CC-2, Community Commercial District.

Mr. Thompson gave the staff report.

The applicant requests a conditional use permit to allow for an automobile or truck oriented use in the vacant commercial space.

ANALYSIS for Conditional Use:

In considering an application for a conditional use, the Board shall give due regard to the nature and condition of all adjacent uses and structures, and the consistency therewith of the proposed use and development. Before authorizing a use as a conditional use, the Board shall review the facts and circumstances of each proposed conditional use in terms of the following standards and shall find adequate evidence showing that the proposed conditional use at the proposed location:

Would not be hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood by reason of noise, smoke, odor, vibration, dust and dirt, cinders, noxious gases, glare and heat, fire and safety hazards, sewage wastes and pollution, transportation and traffic, aesthetic and psychological effects. The Board shall use and give recognition to those performance standards which are available in model codes or ordinances, or have been developed by planning, manufacturing, health, architectural and engineering organizations, and can be applied to the proposed use, to assist it in reaching a fair and objective decision;

Staff Comment: Yes, it would not.

Is in fact a conditional use as established under the provisions of this Springfield Zoning Code as eligible to be permitted in the district involved;

Staff Comment: Yes.

Will be harmonious with and in accordance with the general objectives, or with any specific objective of this Springfield Zoning Code;

Staff Comment: Yes.

Will be designed, constructed, operated and maintained as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that the use will not change the essential character of the same area;

Staff Comment: Yes, it is an existing building.

Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;

Staff Comment: Yes.

Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

Staff Comment: Yes.

Will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares. Upon authorizing a conditional use, the Board shall impose such requirements and conditions with respect to location, construction, maintenance and operation, in addition to those expressly stipulated in this Springfield Zoning Code for the particular conditional use, as the Board may deem necessary for the protection of adjacent properties and the public interest.

Staff Comment: Yes.

**STAFF RECOMMENDATION:**

Approval of the conditional use permit.

Ms. Williams asked if the Board had questions for Mr. Thompson.

There were no questions for Mr. Thompson.

Ms. Williams asked if the applicant wished to speak.

The applicant did not wish to speak.

Hearing no further comments, Ms. Williams asked for a motion to close the public hearing.

**MOTION:** Mr. Burkhardt made a motion to close the public hearing. Seconded by Ms. Zimmers.

**MOTION:** Mr. Ryan made a motion to approve the conditional use permit to allow for an automotive or truck oriented use at 1030 Upper Valley Pike in a CC-2, Community Commercial District. Seconded by Mr. Brown.

Hearing no further discussion or questions, the Board determined the following Findings of Facts:

1. Good use of space.
2. Good fit for the property.
3. No opposition.

Ms. Williams asked for the vote.

**VOTE:** YEAS: Mr. James Burkhardt, Mr. Matthew Ryan, Ms. Zimmers, Mr. Mark Brown, Ms. Dori Gaier and Ms. Denise Williams. NAYS: NONE. ABSTAINS: NONE.

Approved 6 to 0.

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**SUBJECT Case #16-A-14** Request from Barry Harshbarger for a variance to allow for less than 60% windows on street facing side, facade less than two stories, and metal exterior materials.

Mr. Thompson gave the staff report.

The applicant requests variances from the Unified Plan Overlay District design standards for the expansion of KK Tool. The expansion would be approximately 3,053 square feet of the production area. The variance requests includes less than 60% glass on the street facing side, a façade that is less than two stories, and metal exterior materials. The expansion is for their manufacturing area.

ANALYSIS for Variance:

The Board may grant a variance only where there exists a “practical difficulty” as defined by the courts in Ohio in established case law. The Ohio Supreme Court’s decision in *Kisil v. City of Sandusky*, (1984) 12 Ohio State 3d 30, is a land mark decision in establishing common law governing variances by distinguishing between “use” and “area variances.” Area variances involve an exception from such requirements as yard, lot, and height standards. The Supreme Court established that a practical difficulty must exist before an area variance can be granted.

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

Staff Comment: No, the expansion requires the variances in order to accommodate their manufacturing needs.

Whether the variance is substantial;

Staff Comment: No.

Whether the essential character of the neighborhood will be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;

Staff Comment: No, the expansion faces W Washington Street, railroad tracks, and the SCAT bus depot. Variances from the design standards would not affect the character of the area.

Whether the variance would adversely affect the delivery of government services (e.g., water, sewer);  
Staff Comment: No.

Whether the property owner purchased the property with the knowledge of the zoning restrictions;

Staff Comment: The owner purchased the property prior to the UPOD code adoption.

Whether the property owner’s predicament can be obviated through some method other than a variance; or

Staff Comment: Yes, the expansion could incorporate the design guideline standards.

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

Staff Comment: Yes, the UPOD design standards do not specifically address manufacturing uses and the design standards are not easily incorporated into manufacturing uses.

STAFF RECOMMENDATION:

Approval of the variance request from Chapter 1141.02 to allow for construction of a building less than 60% glass on the street facing side, façade that is less than two stories, and metal exterior materials.

Ms. Williams asked if the Board had questions for Mr. Thompson.

There were no questions for Mr. Thompson.

Ms. Williams asked if the applicant wished to speak.

Mr. Barry Harshbarger, 3793 Randee Lane, stated he could answer questions if anyone had any.

There were no questions for the applicant.

Ms. Williams asked if anyone from the audience wished to speak.

Tom Heaphey, 1988 Westgate Road, stated he owned a business at 149 W Jefferson, which is located one block away from proposed addition. He stated he was concerned about having another steel structure downtown. Mr. Heaphey stated he was renovating his business and was putting more glass to make it a nicer cityscape. He stated he could see the property out of the windows on the north side of his building. He stated he doesn't want to see another metal structure. Mr. Heaphey stated he wasn't against manufacturing, but he didn't want to see more metal. He asked if the Board should give a variance on a project when plans hadn't been presented.

Ms. Zimmers asked if the applicant had plans.

Mr. Thompson projected the plans for the Board to see.

Mr. Harshbarger stated the addition would be an extension using similar materials that are on the current building.

Mr. Brown asked if the reason for less windows was due to manufacturing.

Mr. Harshbarger answered yes.

Ms. Zimmers asked what was located in the proposed location.

Mr. Thompson told Ms. Zimmers it was a parking lot.

Hearing no further comments, Ms. Williams asked for a motion to close the public hearing.

**MOTION:** Ms. Gaier made a motion to close the public hearing. Seconded by Mr. Brown.

**MOTION:** Mr. Ryan made a motion to approve a variance to allow for less than 60% windows on street facing side, facade less than two stories, and metal exterior materials. Seconded by Ms. Gaier.

Hearing no further discussion or questions, the Board determined the following Findings of Facts:

1. The UPOD was not designed to prevent existing owners from expanding.
2. The UPOD doesn't address manufacturing standards.
3. The addition materials will be uniform to the current structure and area.

Ms. Williams asked for the vote.

**VOTE:** YEAS: Mr. James Burkhardt, Mr. Matthew Ryan, Ms. Zimmers, Mr. Mark Brown, Ms. Dori Gaier and Ms. Denise Williams. NAYS: NONE. ABSTAINS: NONE.

Approved 6 to 0.

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**SUBJECT Case #16-A-15** Request from the City of Springfield, applicant, for a variance from Chapter 1161.02(h)(1) & (2) to allow for a fence to not be replaced at 1885 W First St. in a CH-1, Commercial Highway District.

Mr. Thompson gave the staff report.

The variance is in response to the Erie Express Interceptor Sewer line that will be constructed along the western boundary of the property. The project will require the fencing and landscaping to be removed. The owner has requested to not replace them when the project is complete in order to better market the site for a new tenant.

ANALYSIS for Variance:

The Board may grant a variance only where there exists a “practical difficulty” as defined by the courts in Ohio in established case law. The Ohio Supreme Court’s decision in *Kisil v. City of Sandusky*, (1984) 12 Ohio State 3d 30, is a land mark decision in establishing common law governing variances by distinguishing between “use” and “area variances.” Area variances involve an exception from such requirements as yard, lot, and height standards. The Supreme Court established that a practical difficulty must exist before an area variance can be granted.

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

Staff Comment: Yes.

Whether the variance is substantial;

Staff Comment: Yes, the variance is substantial.

Whether the essential character of the neighborhood will be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;

Staff Comment: No, it will not.

Whether the variance would adversely affect the delivery of government services (e.g., water, sewer);

Staff Comment: No.

Whether the property owner purchased the property with the knowledge of the zoning restrictions;

Staff Comment: The owner purchased the property prior to the sewer line project.

Whether the property owner’s predicament can be obviated through some method other than a variance; or

Staff Comment: Yes, the fence and landscaping could be replaced.

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

Staff Comment: Yes.

STAFF RECOMMENDATION:

Approval of the variance request from Chapter 1161.02 to allow for the fence and landscaping to not be replaced.

Ms. Williams asked if the Board had questions for Mr. Thompson.

Ms. Zimmers asked if the fence or shrubs ran the whole length or just parking lot.

Mr. Thompson stated he thought it was the entire property.

Ms. Zimmers asked if there had been any complaints from residents.

Mr. Thompson answered no.

Ms. Zimmers asked whose obligation it would be to put the soil back once the fence and shrubs were removed.

Mr. Thompson stated it would be the city’s responsibility since it is a city project.

Mr. Brown asked if the city was obligated to put the fence and shrubs back.

Mr. Thompson answered no.

Ms. Gaier asked if the variance were to be approved if the new owner would be obligated to replace the screening or would the variance stay with property.

Mr. Thompson stated the variance stays with the property.

Ms. Zimmers asked if the new owner would have to put up a fence.

Mr. Thompson answered no and stated if approved, it would no longer be a requirement for property.

Mr. Ryan asked why the variance was being requested.

Mr. Thompson stated Target contacted the City Manager and stated they did not want to replace the fence, so the city manager requesting.

Ms. Williams asked Mr. Thompson to clarify whether the variance stays with the property regardless of owner.

Mr. Thompson told Ms. Williams that the variance would stay with the property; therefore, the property owner would not have to replace the screening.

Ms. Zimmers asked if disapproving the variance would get the fence replaced.

Mr. Thompson answered yes.

Mr. Thompson stated the property owner does not want to replace the screening because they feel it is more marketable without the fence.

Mr. Ryan asked if any residents made any complaints.

Mr. Thompson told the Board all residents were notified and he did not receive any complaints.

Mr. Brown asked if the sewer project was on right-of-way the city already owns.

Mr. Thompson answered no, and stated the sewer project will be on private property.

Ms. Gaier asked if it was part of negation process to gain rights.

Mr. Thompson answered yes.

Mr. Ryan asked if the city was going to gain easement to put in the sewer line.

Mr. Thomson stated the project was a mandate from EPA. He stated it was a new sewer line to wastewater treatment plant. He stated the city would be acquiring easements along the way.

Ms. Zimmers asked if the variance could set a precedent along the whole way to Dayton Ave.

Mr. Thompson said it could.

Ms. Gaier stated she didn't like that the approval of the variance would be permanent.

Mr. Burkhardt asked if the board could put the requirements back on if the business had a change of use.

Mr. Thompson answered yes.

Mr. Brown stated EPA is mandating the sewer project.

Mr. Burkhardt stated the city is ordered by EPA to do the sewer project and he didn't want to hinder the sewer line project. He stated the project is for the community.

Ms. Zimmers stated something pleasing to the eye also affects the city. She stated a fence/screening would help with noise and trash reduction.

Mr. Ryan stated if residents aren't objecting, then why should the Board deny. He stated the screening protects residents and he was glad the city has requirements for new, but he felt this project was different.

Ms. Zimmers stated she was concerned about the real estate. She stated she felt the residents might not be able to sell their homes without having a fence to screen.

Hearing no further comments, Ms. Williams asked for a motion to close the public hearing.

**MOTION:** Ms. Gaier made a motion to close the public hearing. Seconded by Ms. Zimmers.

**MOTION:** Ms. Gaier made a motion to approve a variance from Chapter 1161.02(h)(1) & (2) to allow for a fence to not be replaced at 1885 W First St. in a CH-1, Commercial Highway District.

Hearing no further discussion or questions, the Board determined the following Findings of Facts:

1. No opposition from residents.
2. Removing the screening may cause noise and trash issues for the residents.
3. Removing and not replacing the screening may affect residential home values in the area.
4. Removing the screening and not replacing will not hinder the sewer project.

Ms. Williams asked for the vote.

**VOTE:** YEAS: Mr. James Burkhardt and Mr. Matthew Ryan. NAYS: Ms. Zimmers, Mr. Mark Brown, Ms. Dori Gaier and Ms. Denise Williams. ABSTAINS: NONE.

DISAPPROVED 4 to 2.

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**SUBJECT: Board Comments**

None.

**SUBJECT: Staff Comments**

Mr. Thompson told the Board the City Planning Board liaison, Jeannette Anderson, would begin her term at the next meeting.

**SUBJECT: Adjournment**

Ms. Williams adjourned the meeting at 7:52 p.m.

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Ms. Williams, Chairperson  
Ms. Gaier, Vice-Chairperson

**Agenda Item # 5**  
**Case #16-A-16**  
**Variance**

## STAFF REPORT

TO: Board of Zoning Appeals

DATE: March 16, 2016

PREPARED BY: Stephen Thompson

SUBJECT: Case #16-A-16

### GENERAL INFORMATION:

Applicant: Melinda & Randy Hixon, 2058 Providence Ave.,  
Springfield, OH 45503

Owner: Melinda & Randy Hixon, 2058 Providence Ave.,  
Springfield, OH 45503

Requested Action: Variance

Purpose: To allow for a covered porch to extend into the 25' setback  
in a RS-5, Low-Density, Single-Family Residence District

Location: 2058 Providence Ave.

Size: 0.29 acre

Existing Land Use and Zoning: Residential, Zoned RS-5, Low-Density, Single-Family  
Residence District

Surrounding Land Use and Zoning: North: Residential, Zoned Moorefield Township R-1,  
Rural Residence District  
East: Residential, Zoned RS-5, Low-Density, Single-  
Family Residence District  
South: Residential, Zoned RS-5, Low-Density, Single-  
Family Residence District  
West: Residential, Zoned RS-5, Low-Density, Single-  
Family Residence District

Applicable Regulations: Chapter 1172.06 Board of Zoning Appeals: Variances  
Chapter 1151.01(a) General Requirements

File Date: February 25, 2016

### BACKGROUND:

The applicant requests the variance to cover the front porch. The applicant is remodeling their house and would like a place to sit outside in the front that is covered. Chapter 1151.01(a)

requires a 25' setback in the RS-5 zoning district. This covered porch would encroach on that setback. It will be approximately seven feet from the back of the sidewalk when finished.

**ANALYSIS for Variance:**

The Board may grant a variance only where there exists a "practical difficulty" as defined by the courts in Ohio in established case law. The Ohio Supreme Court's decision in Kisil v. City of Sandusky, (1984) 12 Ohio State 3d 30, is a land mark decision in establishing common law governing variances by distinguishing between "use" and "area variances." Area variances involve an exception from such requirements as yard, lot, and height standards. The Supreme Court established that a practical difficulty must exist before an area variance can be granted.

Then subsequent to this case, in Duncan v. Village of Middlefield, (1986) 23 Ohio 3d 83, the Ohio Supreme Court more fully explained the practical difficulty standards. The factors to be considered and weighed in determining whether a property owner seeking a variance has encountered a practical difficulty in the use of his/her property include, but are not limited to:

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

*Staff Comment: Yes.*

2. Whether the variance is substantial;

*Staff Comment: No.*

3. Whether the essential character of the neighborhood will be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;

*Staff Comment: No, it will not.*

4. Whether the variance would adversely affect the delivery of government services (e.g., water, sewer);

*Staff Comment: No.*

5. Whether the property owner purchased the property with the knowledge of the zoning restrictions;

*Staff Comment: No.*

6. Whether the property owner's predicament can be obviated through some method other than a variance; or

*Staff Comment: No, the variance is the only way to cover the front porch.*

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

*Staff Comment: Yes.*

**STAFF RECOMMENDATION:**

Approval of the variance request from Chapter 1151.01(a) to allow for a covered porch to extend into the 25' setback in a RS-5, Low-Density, Single-Family Residence District.

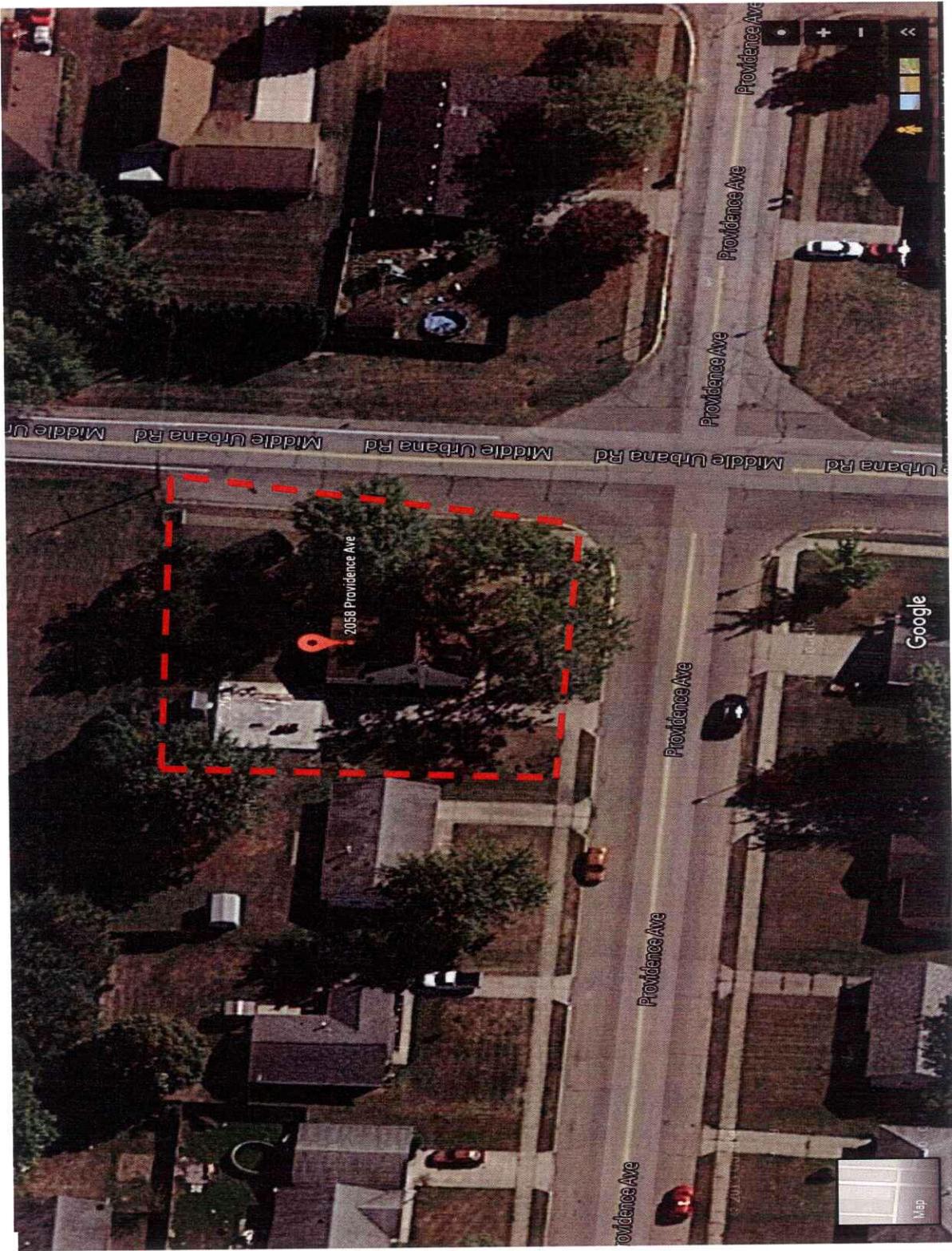
**ATTACHMENTS:**

1. Vicinity and zoning map
2. Application

#16-A-16

2058 Providence Ave.







**FOR PLANNING USE ONLY**  
Case #: 16-21  
Date Received: 2-25-16  
Received by: JB  
Application Fee: \$ 57.00  
Review Type:  
 Admin  CPB  BZA *pd*

*16-A-16*

**A. PROJECT General Application**

- 1. Project Name: Hixon Remodel
- 2. Application Type & Project Description (*attach additional information, if necessary*):  
Residential Remodel - extend front roof overhang to 7 ft. and add posts
- 3. Address of Subject Property: 2058 Providence Ave. Springfield, OH 45503
- 4. Parcel ID Number(s): 3200300019118032
- 5. Full legal description attached?  yes  no
- 6. Size of subject property: Less than 1 acre
- 7. Current Use of Property: Owner's Home
- 8. Current Zoning of Property: Residential

**B. APPLICANT**

- 1. Applicant's Status (*attach proof of ownership or agent authorization*)  Owner  
 Agent (*agent authorization required*)  Tenant (*agent authorization required*)
- 2. Name of Applicant(s) or Contact Person(s): Randy and Melinda Hixon  
Title: \_\_\_\_\_  
Company (if applicable): \_\_\_\_\_  
Mailing address: 2058 Providence Ave.  
City: Springfield State: OH ZIP: 45503  
Telephone: (937)408-4908 FAX: ( ) \_\_\_\_\_  
Email hixon@erinet.com
- 3. If the applicant is agent for the property owner:  
Name of Owner (title holder): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

C. Additional Information

1. Is there any additional contract for sale of, or options to purchase, the subject property?  Yes  No

If "yes," list names of all parties involved:

\_\_\_\_\_

Is the contract/option contingent or absolute?  Contingent  Absolute

**I/WE CERTIFY AND ACKNOWLEDGE THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY/OUR KNOWLEDGE.**

Randy L. Hixon  
Signature of Applicant

Randy L. Hixon - Owner

Typed or printed name and title of applicant

Melinda R. Hixon  
Signature of Co-applicant

Melinda R. Hixon - Owner

Typed or printed name of co-applicant

State of Ohio County of Clark

The foregoing application is acknowledged before me this 25 day of Feb, 2016 by

\_\_\_\_\_, who is/are personally known to me, or who has/have produced DL as identification.

NOTARY SEAL Candy L. Offenbecher

Signature of Notary Public, State of Ohio



CANDY L. OFFENBECHER  
Notary Public, State of Ohio  
My Commission Expires  
May 28, 2018



CITY OF SPRINGFIELD  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING & ZONING DIVISION

BOARD OF ZONING APPEALS - VARIANCE APPLICATION

Date 2/23/2016

Property address 2058 Providence Ave. Springfield, OH 45503

Section of the Zoning code applicable: 1150.02 Building extensions into yard

Purpose of this request, including the improvements or physical changes proposed if this application is approved: \_\_\_\_\_

We are remodeling our home inside and out. We would like to extend the overhang approx. 4 ft.

so that it will be a total of 7 ft. from the front of the house and to the edge of the walkway near the front door.

Please include the following exhibits: B/c of the cape cod style and being on a slab this is as close to a porch as we can have. We want enough coverage so the chairs are protected

**Exhibit A** from the weather. This overhang will not be enclosed just supported by 3-4 posts. The view down the road will not be obstructed from the additional footage we are requesting to be added.  
A scale drawing with the dimensions of the property including existing and proposed buildings and their distances from lot lines, parking spaces, and adjoining streets and alleys. Please see example site plan. Additional copies may be required as needed.

**Exhibit B**

Mailing labels with the **names and tax mailing addresses** of all property owners within 200 feet of any part of the petitioned property and a label with the applicant's mailing address.

**Directions for obtaining a list of Tax Mailing Addresses:**

- Go to the Tax Map Department at the A. B Graham Building – 31 N Limestone Street, Springfield, OH 45502

Do not list tenants of properties or banks holding a loan on the property.

**Basis for the requested action:** Substantiate the reasons why you feel the Board of Zoning Appeals should grant your request. Be specific (attach additional pages if necessary).

We are remodeling our home to update the style and make it look current and pleasing as you enter Northern Estates from the east on Providence Ave. Many of the remodeled homes on HGTV and DIY network and in the surrounding neighborhoods are adding porches as part of updates and remodels. We are trying to create this look by extending our overhang. It will make our front yard 21-22 ft

to the curb from the edge of the overhang instead of 25 ft as is code. The overhang will be nearly 7 ft in the air and open, not obstructing anyone's view. Unless you know the zoning code it will not be noticeable that it a couple feet shy. The updated look of the house is what will be noticed. It is also going to allow us to purchase nice furniture (chairs) b/c they will be protected from the weather. This to will go to improving the overall look of our home and tying everything together.

An appeal for a variance to the Zoning Code cannot be granted by the Board of Zoning Appeals unless the following factors are shown to exist. Therefore, for each factor explain in detail how each applies to your appeal: (Please write on additional sheets of paper if you need more space).

1. The property in question cannot yield a reasonable return and there can be no beneficial use of the property without the variance. The variance would relieve a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience to the appellant.

We are at the 25 ft of front yard now. There is no other way to finish off the look of the front of the house with this remodel and include a faux porch without the variance.

2. The variance is not substantial, i.e. the modification in the requirement that is being requested is not a significant amount in comparison to the requirement.

The variance is only a couple feet that won't be noticed in the whole scheme of the remodel.

3. The essential character of the neighborhood, i.e. adjacent properties, will not be substantially altered or suffer a substantial detriment as a result of the variance.

The additional overhang and posts that are being added will give a "porch" look to the home but leave an unobscured view from the stop sign and our neighbor's driveways.

4. The variance will not adversely affect the delivery of governmental services such as water, sewer.

The variance will not affect any services. It will make it safer for mail delivery and the delivery of the newspaper, b/c the extended overhang will help keep the walkway from icing over in the winter.

5. The property owner was not aware of the zoning restrictions when purchasing the property.

We had no idea that there was a zoning rule about the size of your front yard when we bought our house nearly 39 years ago. We have always talked about adding some sort of covered patio or deck to the front of the house.

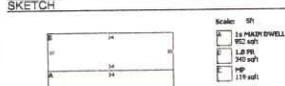
6. There is no other feasible method of solving the property owner's predicament.

The contractor, builder, nor us have been able to come up with another solution to this problem. Other homes down the street have added structures on to the front of their homes over the year taking below the 25 ft minimum. We will not be as close to the curb as these homes.



Clark County, Ohio - Property Record Card  
Parcel: 3200300019118032 Card: 1

Owner: HIXON RANDY L & MELINDA R  
Address: 2056 PROVIDENCE AVE SPRINGFIELD 45503  
Tax/School District: 320 / NORTHEASTERN LSD  
Land Use: (510) SINGLE FAMILY, PLATTED LOT  
Class: RESIDENTIAL  
Legal Description: NORTHERN ESTATES NO 2 SEC 5 17779

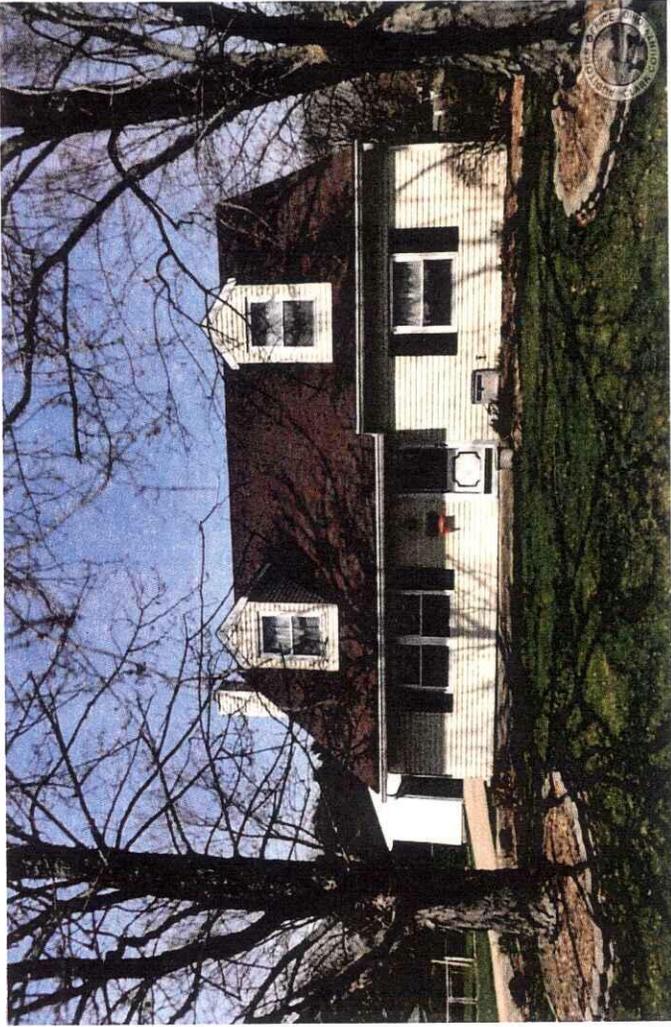


RESIDENTIAL			
Building Style	CAPE COD	FullBaths	2
Total Living Area	1573	Half Baths	0
Year Built	1976	Basement	NONE
Stories	1	Finished Basement Area	0
Exterior Wall	FRAME	Rec Room Area	0
Rooms	5	Heat Fuel Type	GAS
Bedrooms	2	Heat/Cool	CENTRAL
Family Rooms	1	Atto	FULLY FINISHED
Fireplace Openings(Stacks)	0(0)	Trim	0
		Owner/Occupied Credit:	YES
		Homestead Credit:	NO
		Special Assessment:	NO

LAND					VALUATION		
Code	Frontage	Depth	Acreage	SqFt	Value	Appraised	Assessed
1	101	124	N/A	N/A	\$17,950.0		
					Land Value	\$17,950.00	\$6,280.00
					Building Value	\$83,350.00	\$20,170.00
					Total Value	\$101,300.00	\$36,450.00
					CAUV Value	\$0.00	
					Taxable Value	\$36,450.00	
					Net Annual Tax	\$1,566.12	

PERMITS				IMPROVEMENTS				
Number	Date	Purpose	Amount	Card	Description	Year Built	Dimensions	Value
15-07785	29-SEP-15	DET GARAG		1	RG1 - FRAME	1990	30x24	\$5,880.00
15-007785	29-SEP-15	GAR TO LA		1	RC2 - CANOPY	1990	30x5	\$370.00

SALES



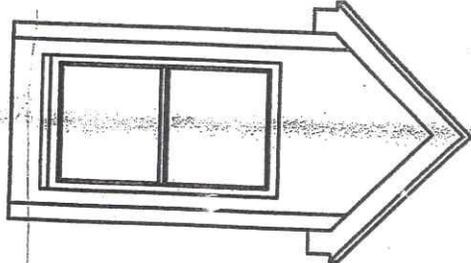
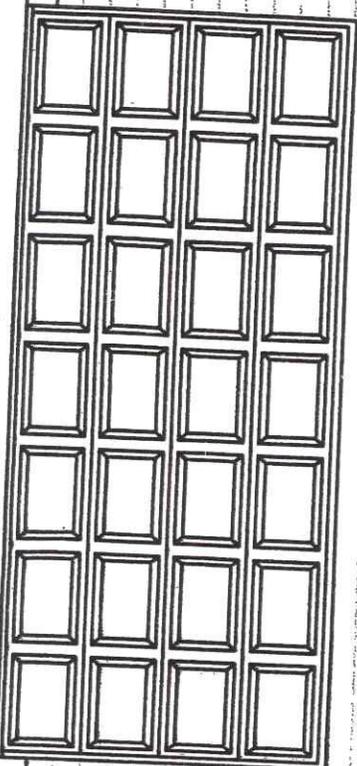
RIDGE VENT



5:12

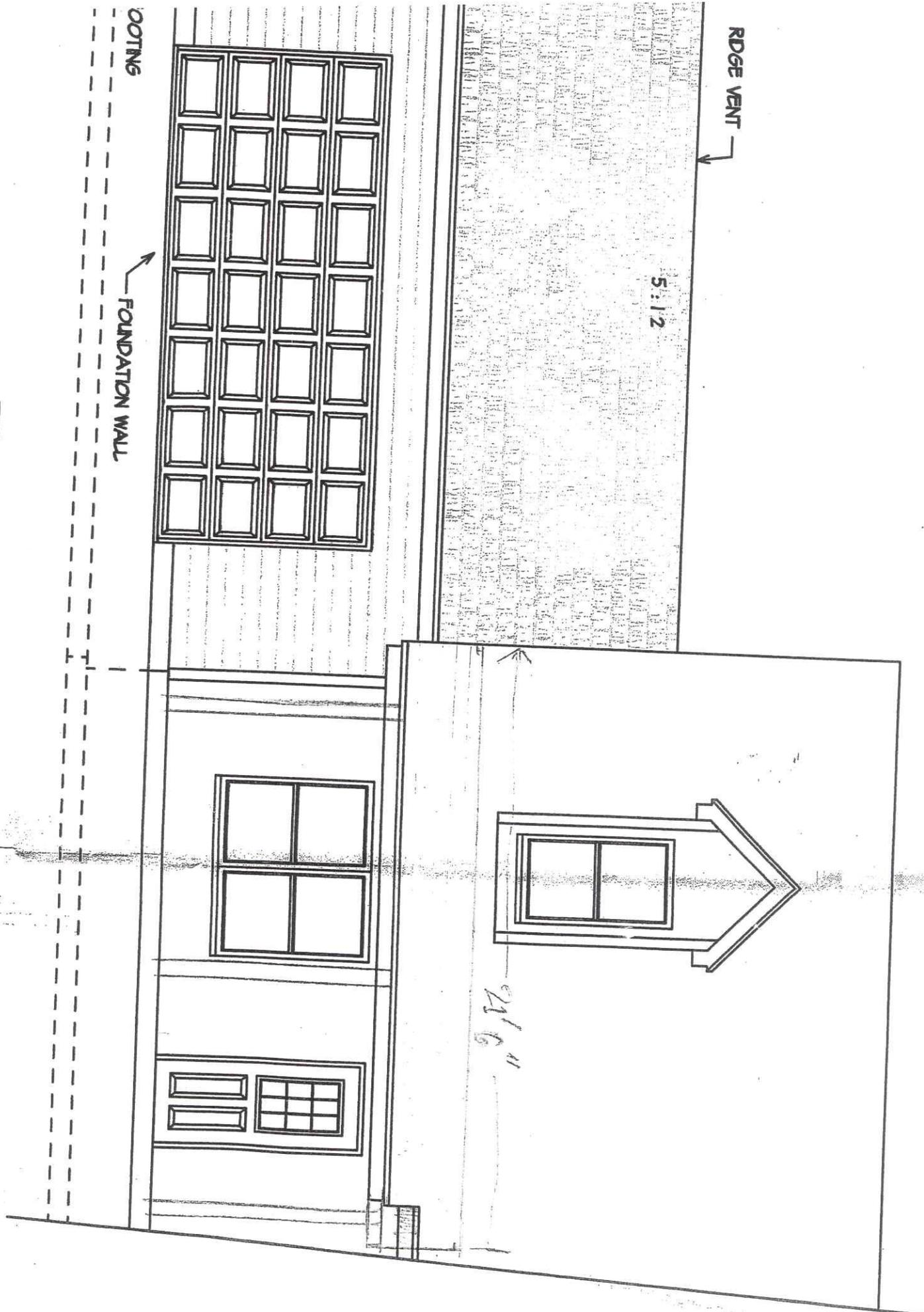
FOOTING

FOUNDATION WALL



21'6"

FRONT ELEVATION



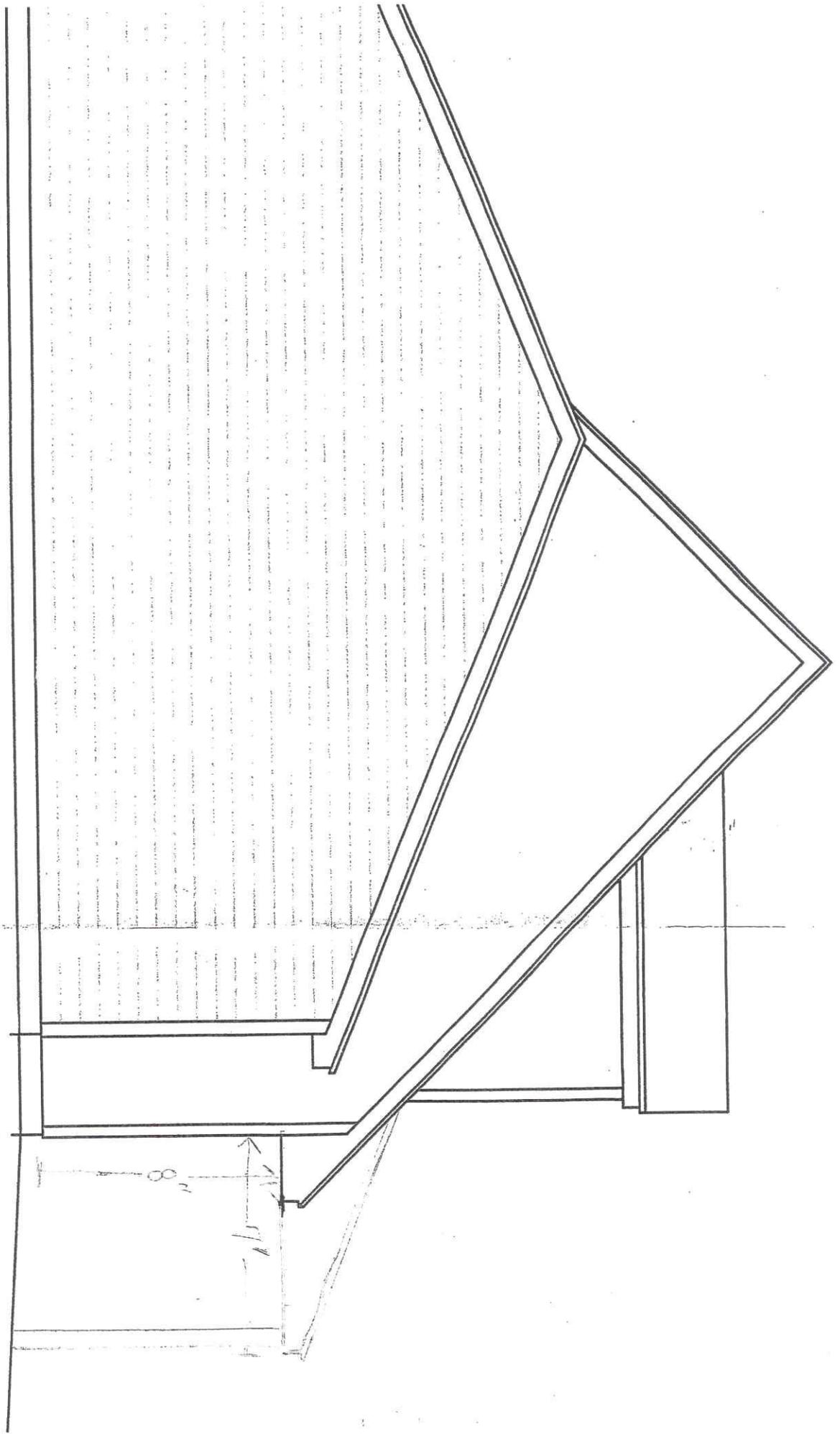
FOUNDATION WALL



FOOTING



# LEFT SIDE ELEVATION



**Smooth Feed Sheets™**

Teresa Cosby

2721 Middle Urbana Rd

Springfield, OH 45502

Tamyra Ross

2055 Providence Ave.

Springfield, OH 45503

Tom Rogers

2052 Providence Ave.

Springfield, OH 45503

Joyce Altman

2054 Providence Ave.

Springfield, OH 45503

**Agenda Item # 6**  
**Case #16-A-17**  
**Conditional Use Permit**

## STAFF REPORT

TO: Board of Zoning Appeals

DATE: March 16, 2016

PREPARED BY: Stephen Thompson

SUBJECT: Case #16-A-17

### **GENERAL INFORMATION:**

Applicant: John Whitacre, 2105 Kenton St., Springfield, Ohio 45505

Owner: Midland Properties Inc., 2525 N Limestone St., Suite 101, Springfield, OH 45503

Requested Action: Conditional Use Permit

Purpose: To allow for a daycare center

Location: 444 W Harding Rd.

Size: 1.5 acres

Existing Land Use and Zoning: Offices, Zoned CO-1 Commercial Office District

Surrounding Land Use and Zoning: North: Residential, Zoned RS-5, Low-Density, Single-Family Residence District  
East: Commercial, Zoned CC-2 Community Commercial District  
South: Offices, Zoned CO-1 Commercial Office District  
West: Residential, Zoned RM-12, Low-Density, Multi-Family Residence District

Applicable Regulations: Chapter 1172.05 Board of Zoning Appeals: Conditional Uses  
Chapter 1116 Commercial Office District

File Date: February 19, 2016

### **BACKGROUND:**

The applicant is requesting a conditional use permit to open a daycare center. The applicant currently operates the Smart Start Academy daycare center at 2105 Kenton St, which received a conditional use permit in 2010 that serves 120 children and has over 20 full-time staff. This will be a second location.

**ANALYSIS for Conditional Use:**

In considering an application for a conditional use, the Board shall give due regard to the nature and condition of all adjacent uses and structures, and the consistency therewith of the proposed use and development. Before authorizing a use as a conditional use, the Board shall review the facts and circumstances of each proposed conditional use in terms of the following standards and shall find adequate evidence showing that the proposed conditional use at the proposed location:

(1) Would not be hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood by reason of noise, smoke, odor, vibration, dust and dirt, cinders, noxious gases, glare and heat, fire and safety hazards, sewage wastes and pollution, transportation and traffic, aesthetic and psychological effects. The Board shall use and give recognition to those performance standards which are available in model codes or ordinances, or have been developed by planning, manufacturing, health, architectural and engineering organizations, and can be applied to the proposed use, to assist it in reaching a fair and objective decision;

*Staff Comment: Yes, it would not.*

(2) Is in fact a conditional use as established under the provisions of this Springfield Zoning Code as eligible to be permitted in the district involved;

*Staff Comment: Yes.*

(3) Will be harmonious with and in accordance with the general objectives, or with any specific objective of this Springfield Zoning Code;

*Staff Comment: Yes.*

(4) Will be designed, constructed, operated and maintained as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that the use will not change the essential character of the same area;

*Staff Comment: Yes, it is an existing building.*

(5) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;

*Staff Comment: Yes.*

(6) Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

*Staff Comment: Yes, it will not.*

(7) Will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares. Upon authorizing a conditional use, the Board shall impose such requirements and conditions with respect to location, construction, maintenance and operation, in addition to those expressly stipulated in this Springfield Zoning Code for the particular conditional use, as the Board may deem necessary for the protection of adjacent properties and the public interest.

*Staff Comment: Yes.*

**STAFF RECOMMENDATION:**

Approval of the conditional use permit.

**ATTACHMENTS:**

1. Vicinity and zoning map
2. Application







**FOR PLANNING USE ONLY**

Case #: 16-22  
Date Received: 3-1-16  
Received by: JLS  
Application Fee: \$ 285.  
Review Type:  
 Admin  CPB  BZA

16-A-17

**GENERAL APPLICATION**

**A. PROJECT**

1. Project Name: Smart Start Academy
2. Application Type & Project Description (*attach additional information, if necessary*):  
Conditional Use for Daycare
3. Address of Subject Property:  
444 W Harding Rd Springfield OH 45504
4. Parcel ID Number(s):  
3400600006402009
5. Full legal description attached?  yes  no
6. Size of subject property: 1.49 AC
7. Current Use of Property:  
Medical Clinics and Offices
8. Current Zoning of Property:  
CO-1

**B. APPLICANT**

1. Applicant's Status (*attach proof of ownership or agent authorization*)  Owner  
 Agent (*agent authorization required*)  Tenant (*agent authorization required*)
2. Name of Applicant(s) or Contact Person(s): John B Whitacre  
Title: Owner  
Company (if applicable): Smart Start Academy Child Care & Learning Center LLC  
Mailing address: 2105 Kenton Street  
City: Springfield State: OH ZIP: 45505  
Telephone: (937) 244-1358 FAX: (937) 324-2175  
Email ssacademychildcare@gmail.com
3. If the applicant is agent for the property owner:  
Name of Owner (title holder): Gregory E Sowards and Karen R Sowards

Mailing Address: 2916 Maese Ln

City: Las Cruces State: NM ZIP: 88007

C. Additional Information

1. Is there any additional contract for sale of, or options to purchase, the subject property?  Yes  No

If "yes," list names of all parties involved:

\_\_\_\_\_

Is the contract/option contingent or absolute?  Contingent  Absolute

**I/WE CERTIFY AND ACKNOWLEDGE THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY/OUR KNOWLEDGE.**

[Signature]  
Signature of Applicant

\_\_\_\_\_  
Signature of Co-applicant

John B Whitacre  
Typed or printed name and title of applicant

\_\_\_\_\_  
Typed or printed name of co-applicant

State of Ohio County of Clark

The foregoing application is acknowledged before me this 1st day of March, 2016 by John B

Whitacre, who is/are personally known to me, or who has/have produced Ohio Drivers License as identification.

NOTARY SEAL [Signature]

Signature of Notary Public, State of Ohio





**CITY OF SPRINGFIELD**  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING & ZONING DIVISION

BOARD OF ZONING APPEALS APPLICATION

Date 2/25/16

Property address 444 W Harding Rd Springfield, OH 45504

Requested Action:      Conditional Use  
                               Interpretation of the Zoning Code or Map  
                               Change of a Nonconforming Use  
                               Other

Section of the Zoning code applicable: \_\_\_\_\_

Purpose of this request, including the improvements or physical changes proposed if this application is approved: Conditional Use Permit for Daycare Use

\_\_\_\_\_  
\_\_\_\_\_

Please include the following exhibits:

**Exhibit A**

A scale drawing with the dimensions of the property including existing and proposed buildings and their distances from lot lines, parking spaces, and adjoining streets and alleys. Please see example site plan. Additional copies may be required as needed.

**Exhibit B**

Mailing labels with the **names and tax mailing addresses** of all property owners within 200 feet of any part of the petitioned property and a label with the applicant's mailing address.

**Directions for obtaining a list of Tax Mailing Addresses:**

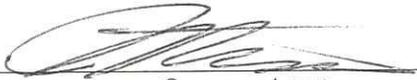
- Go to the Tax Map Department at the A. B Graham Building – 31 N Limestone Street, Springfield, OH 45502

Do not list tenants of properties or banks holding a loan on the property.

Basis for the requested action: Substantiate the reasons why you feel the Board of Zoning Appeals should grant your request. Be specific. Use the space that follows (attach additional pages if necessary).

See Attached Page  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Signature:  2/25/2016  
Owner or Agent Date

Please Print Name: John B Whitacre

( 937 ) 244-1358 Fax: 937-324-2175  
Phone Number



CITY OF SPRINGFIELD  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING & ZONING DIVISION

PROPERTY OWNER AFFIDAVIT (IF NECESSARY)

To be filed in the Community Development Department, office of the Planning & Zoning Administrator.

Address: 444 W Harding Rd Springfield, OH 45504  
Parcel No.: 3400600006402009  
Acreage: 1.49

Agent Name: Smart Start Academy Child Care & Learning Center LLC  
Agent Tax Mailing Address: 2105 Kenton Street  
Springfield, OH 45505

Agent Phone Number:

Owner Name: Gregory & Karen Sowards  
Owner Tax Mailing Address: 2916 Maese Ln  
Las Cruces, NM 88007  
Owner Phone Number: 575-649-7887

Requested Action Conditional Use Permit for Daycare Use  
(to be conducted by  
Agent, authorized by  
owner):

I hereby certify that:

I am the property owner of record. I authorize the above listed agent to act on my behalf for the purposes of this application.

Property owner  
signature:

Karen Sowards Gregory E. Sowards

Printed name:

Karen Sowards Gregory E. Sowards

Date:

2-26-16

The foregoing affidavit is acknowledged before me this 26 day of February 2016.

by Karen & Gregory Sowards, who is/are personally known to me, or

who has/have produced NM Drivers license as identification.

NOTARY SEAL

Stevie L. Lopez

Signature of Notary Public, State of New Mexico



OFFICIAL SEAL  
Stevie L. Lopez  
NOTARY PUBLIC - State of New Mexico  
My Commission Expires 9/15/18

## **ATTACHMENT**

Smart Start Academy has been operating in Springfield since 2010 and provides quality childcare services to over 120 children at its current location. It currently employs over 20 full and part time employees.

Through the course of business we have seen a dramatic need for quality childcare in Springfield. The recent changes to the Title XX government childcare assistance program have extended benefits to many of which may have not qualified in the past. Smart Start Academy is a Star 2 rated center through the State of Ohio's Step Up To Quality Program. Also, we are partnered with Miami Valley Child Development Center to provide an Early Head Start Program. We are part of the USDA's Child and Adult Food Program to ensure our children receive the proper nutritional components necessary for growth. Our focus is on each individual child and assisting them in their growth in development across all areas.

We consistently on a weekly basis turn away dozens of children due to capacity constraints at our current center. This same trend is seen by many of the other Step Up to Quality Rated centers in Springfield. Therefore, the only assumption that can be made is that these children and families are left settling for inferior childcare services or losing their jobs because of the inability to find reliable quality care.

The proposed second location for a daycare center on Harding Rd, will be an ideal central location for all of Springfield with its easy access from Limestone St. and/or Fountain Ave. Snowhill Elementary School is located across the street and having child care services available so close to the school will be a nice convenience for those families. Children and families in the community deserve to have access to the kind of quality care we provide that is often only found in larger cities.

Christopher & Mary Ann Cochran  
1800 Timberline Dr  
Springfield, OH 45504

David & Virginia Estrop  
1736 Audubon Park Dr  
Springfield, OH 45504

Cain & Le Melle Properties LLC  
415 W Harding Rd  
Springfield, OH 45504

Thomas & Rosemary Bloomfield  
424 Southwood Dr  
Springfield, OH 45504

Overholser Investments LLC  
3931 Lawrenceville Dr  
Springfield, OH 45504

Barbara Wappner  
1737 Walnut Tr  
Springfield, OH 45504

Christopher & Tina Fisher  
515 Southwood Dr  
Springfield, OH 45504

Harding Moorefield Properties  
LLC  
721 Moorefield Ct  
Springfield, OH 45502

Joseph Smith  
1733 Walnut Ter  
Springfield, OH 45504

Arthur & Janet Hannel  
509 Southwood Dr  
Springfield, OH 45504

Margaret Nolte  
1734 Audubon Park Dr  
Springfield, OH 45504

Gudrun Johnston  
1729 Walnut Ter  
Springfield, OH 45504

Stephen Bennett  
501 Southwood Dr  
Springfield, OH 45504

Board of Education City of  
Springfield  
1500 W Jefferson St  
Springfield, OH 45506

David & Nancy McLaughlin  
435 Southwood Dr  
Springfield, OH 45504

Brian Fischer  
437 Harding Rd  
Springfield, OH 45504

Samuel & Michelle Bonerigo  
431 Southwood Dr  
Springfield, OH 45504

Richard & Pamela Hiestand  
2108 Leyi Dr  
Eureka, IL 61530

Stephen & Dina Klipfel  
425 Southwood Dr  
Springfield, OH 45504

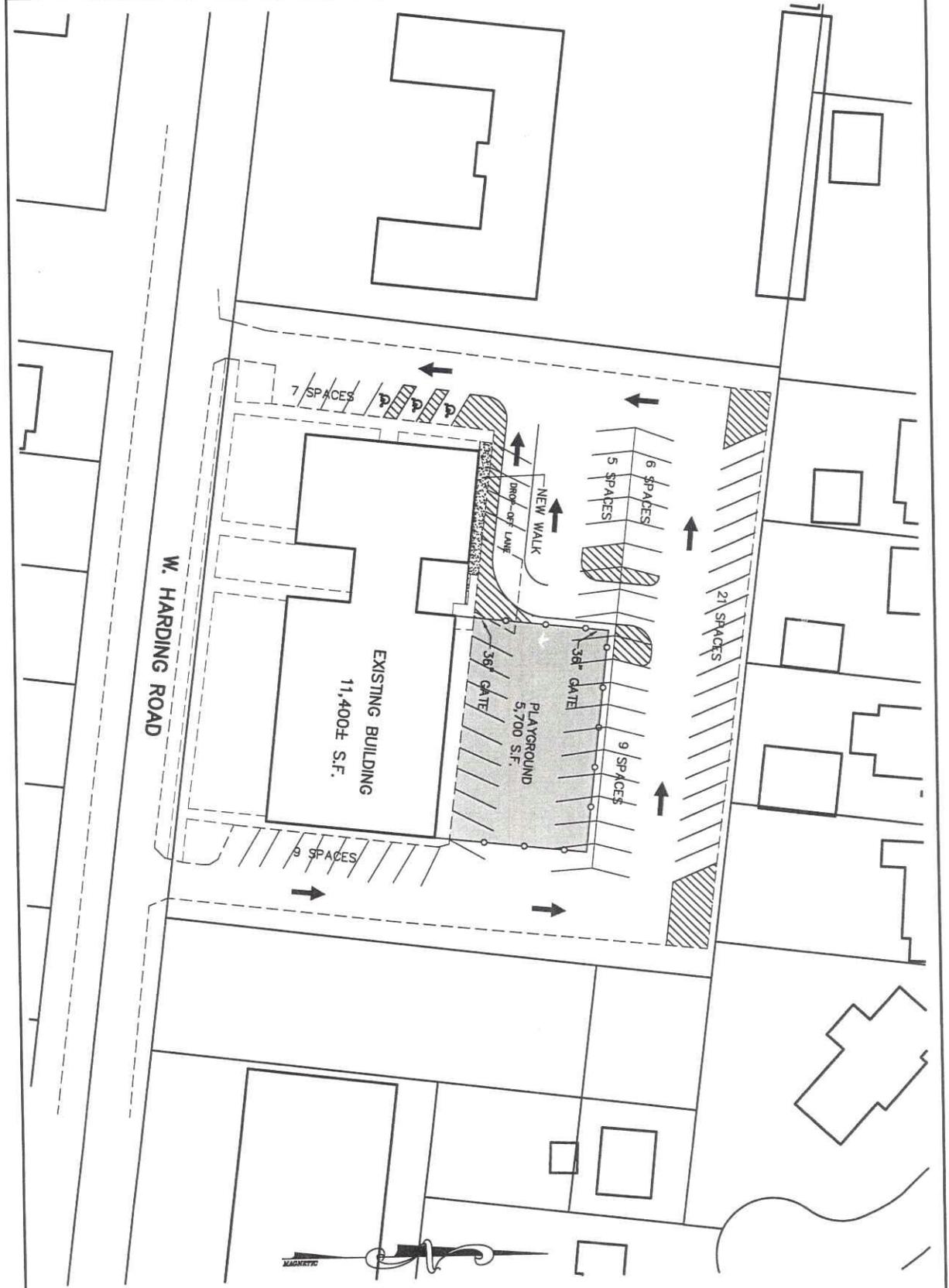
Harding Holdings LLC  
615 Tanglewood Dr N  
Springfield, OH 45504

Robert & Dawn White  
415 Southwood Dr  
Springfield, OH 45504

Arthur & Mae Win  
411 W Harding Rd  
Springfield, OH 45504

Hugh Barnett  
1731 Audubon Park Dr  
Springfield, OH 45504

Jack Levan  
1647 N Plum St  
Springfield, OH 45504



**SITE DATA**  
 PROPOSED USE: CHILD DAY CARE  
 EXISTING BUILDING: 11,400± S.F.  
 PLAYGROUND: 5,700 S.F.  
 PARKING PROVIDED: 27 SPACES  
 MAX. CLIENTS: 312

CITY OF SHERBORN, CLARK COUNTY, IOWA  
 FOR  
**SMART START ACADEMY  
 CHILD CARE & LEARNING LLC**  
 SITE PLAN  
 PLAN NUMBER: 01  
 DATE: 2/27/08  
 SHEET 1 / 1

**ADVANCED CIVIL DESIGN**  
 1000 W. 10TH ST.  
 SHERBORN, IA 52082  
 PHONE: 563-635-1111  
 FAX: 563-635-1112  
 WWW.ADVANCEDCIVILDESIGN.COM



**SITE DATA**

PROPOSED USE: CHILD DAY CARE  
 PROPOSED BUILDING AREA: 11,400 S.F.  
 PARKING REQUIRED: 1 SPACE PER  
 PARKING PROVIDED: 87 SPACES  
 MAX. CLIENTS: 342

CITY OF SANBERTELLE, CALIFORNIA COUNTY, CALIF.

SITE PLAN

FOR  
**SMART START ACADEMY  
 CHILD CARE & LEARNING LLC**

PLAN PROVIDED BY  
**ADVANCED  
 CIVIL DESIGN**

425 Boulder Road  
 Oakland, CA 94612  
 Tel: 916-481-7700  
 Fax: 916-481-7700

SCALE: 1" = 40'  
 DATE: 2/8/2016

SHEET 1 / 1

2016 BOARD OF ZONING APPEALS ATTENDANCE

BOARD MEMBERS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
	20	17	21	18	16	20	18	15	19	17	21	19
Dori Gaier Reso. 5775	A	P										
Denise Williams Reso. 5792	P	P										
James Smith (CPB Liaison) Reso. 5711	P	N/A										
Matthew Ryan Reso. 5839	P	P										
Mark Brown Reso. 5869	A	P										
James Burkhardt Reso. 5880	P	P										
Rhonda Zimmers Reso. 5914	P	P										
Jeanette Anderson Reso. 5923	N/A	N/A										

NOTE: The first date shown is the original appointment/reappointment date. The second date represents the most recent term's expiration. The City Commission Resolution is also listed.



**City Planning Board**  
**Regular Meeting - First Monday following the First Tuesday of the Month**  
 7 p.m. - City Forum, City Hall, 76 E. High St., Springfield, Ohio

For the Regular City Planning Board Meeting of:	Preliminary or Combined Subdivision Submission Deadline:	Lotsplit Variance, Rezoning, and Final Subdivision Submission Deadline:
January 11, 2016	December 14, 2015	December 21, 2015
February 8, 2016	January 11, 2016	January 18, 2016
March 7, 2016	February 8, 2016	February 12, 2016
April 11, 2016	March 14, 2016	March 21, 2016
May 9, 2016	April 11, 2016	April 18, 2016
June 13, 2016	May 16, 2016	May 23, 2016
July 11, 2016	June 13, 2016	June 20, 2016
August 8, 2016	July 11, 2016	July 18, 2016
September 12, 2016	August 13, 2016	August 20, 2016
October 10, 2016	September 12, 2016	September 19, 2016
November 7, 2016	October 10, 2016	October 17, 2016
December 12, 2016	November 14, 2016	November 21, 2016

**Board of Zoning Appeals**  
**Regular Meeting-Third Monday of the Month**  
 7 p.m.- City Forum, City Hall, 76 E. High St., Springfield, Ohio

For the Regular Board of Zoning Appeals Meeting of:	Application Deadline:
January 20, 2016 *	December 28, 2015
February 17, 2016 *	January 25, 2016
March 21, 2016	February 29, 2016
April 18, 2016	March 28, 2016
May 16, 2016	April 25, 2016
June 20, 2016	May 27, 2016
July 18, 2016	June 27, 2016
August 15, 2016	July 25, 2016
September 19, 2016	August 29, 2016
October 17, 2016	September 26, 2016
November 21, 2016	October 31, 2016
December 19, 2016	November 28, 2016

\*Denotes meeting day changed to Wednesday due to holiday.

Effective Date: December 2015 by Board Approval  
 Prepared by the Planning and Zoning Division