



BZAP Staff Report

FOR
October 23, 2025
6:00PM

Per I226.11 Variances.... (c) Area (Non Use) Variances, the following factors shall be considered and weighed by the Board when making a determination upon any area (non-use) variances by a preponderance of the evidence:

- (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;
- (2) Whether the variance is substantial;
- (3) 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;
- (4) Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage);
- (5) Whether the property owner purchased the property with knowledge of the zoning restriction;
- (6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance;
- (7) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

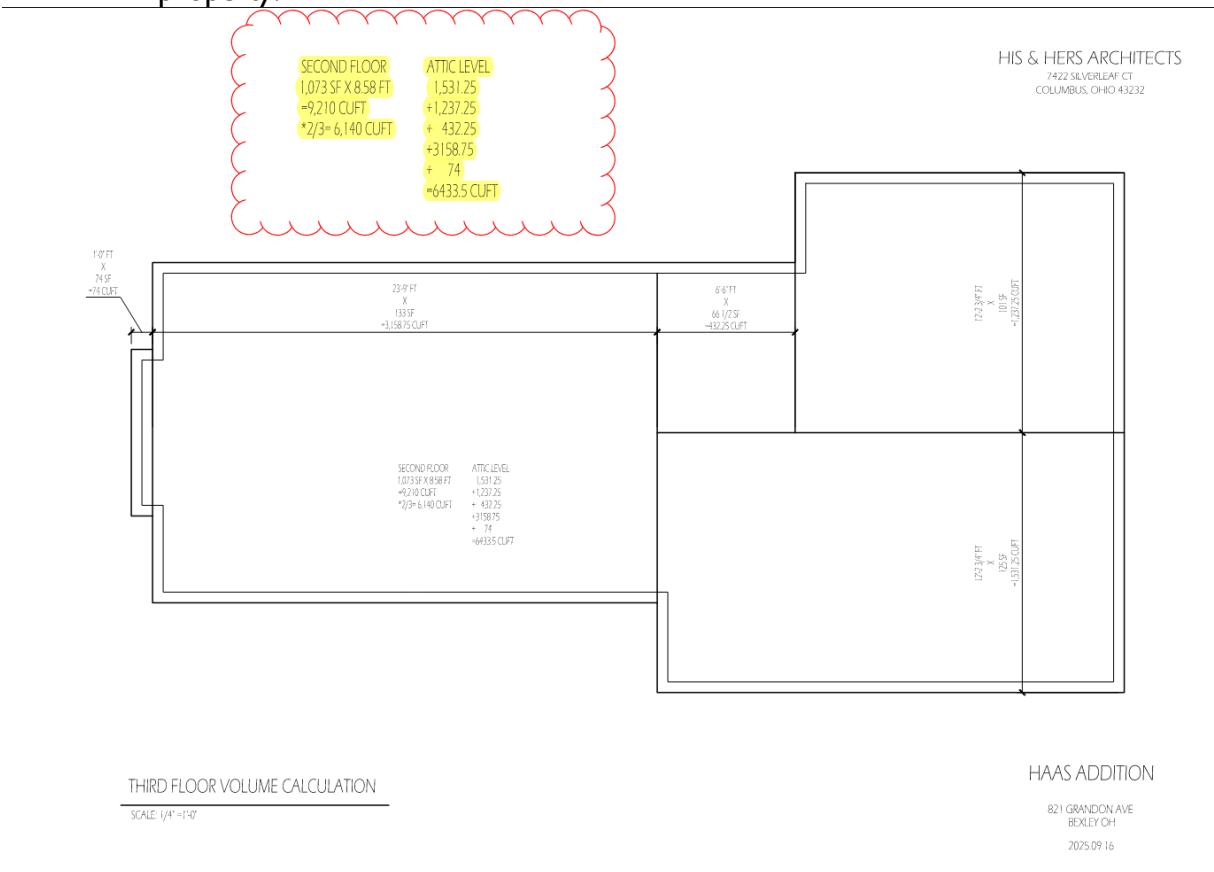
NEW BUSINESS

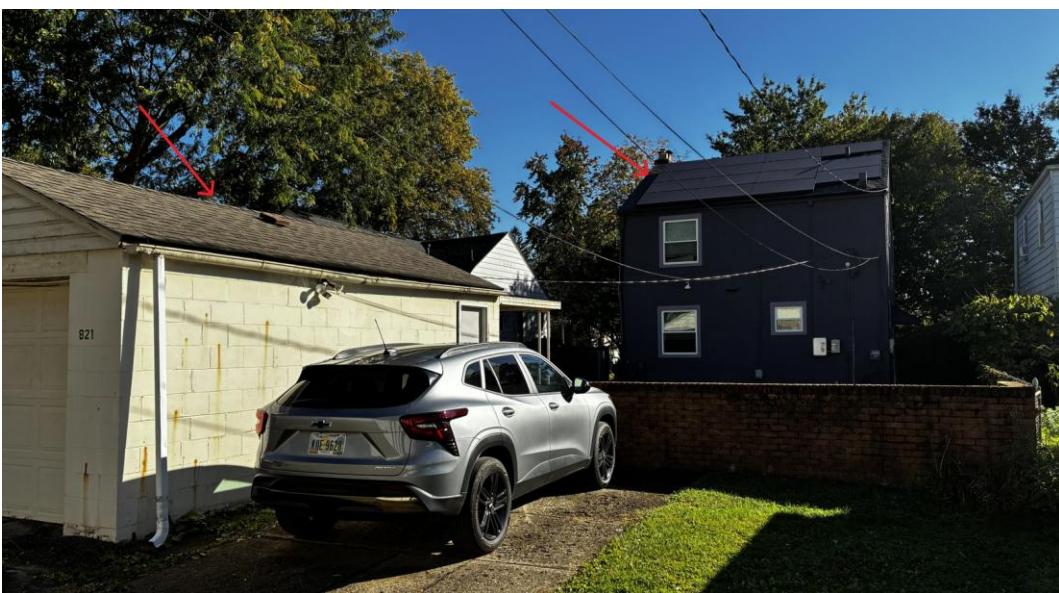
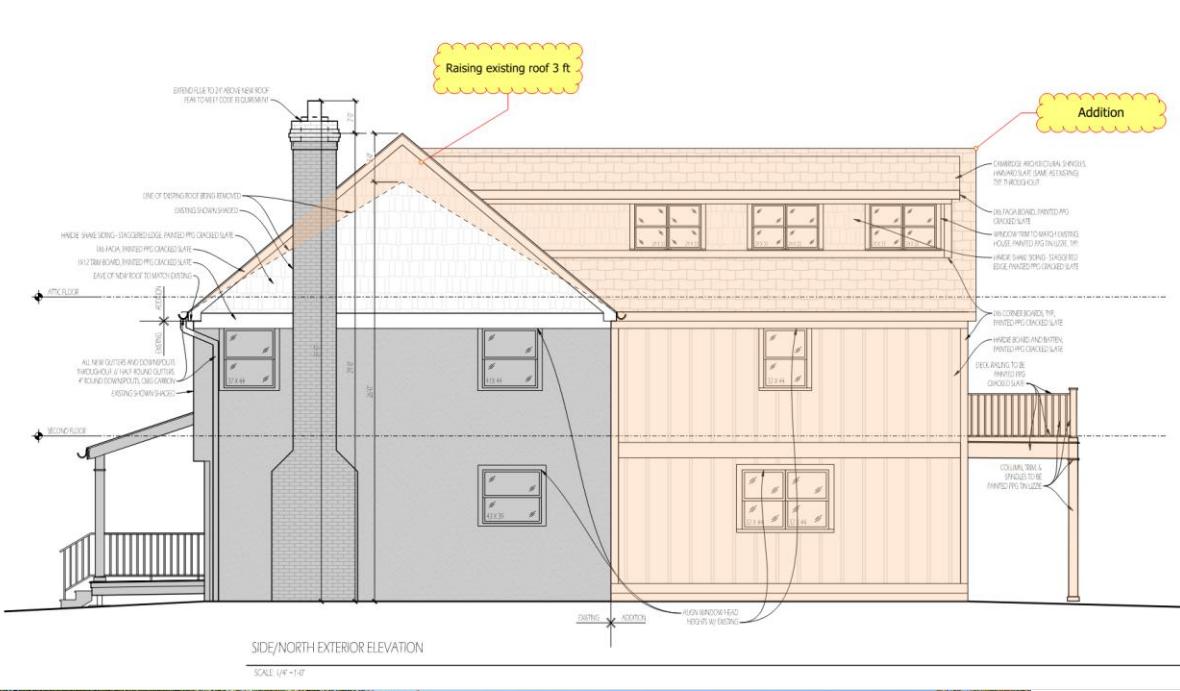
I) App No: BZAP 25-40
Address: 821 Grandon
Applicant: Taylor Sommer
Owner: Jerry Haas
REQUEST: The applicant is seeking a variance from Bexley Code Section 1252.09 to raise the roof of the existing attic and add a 3rd story to the existing house.

Staff Notes:

- R-6 Zoning does not allow houses larger than 2.5 stories or taller than 35 feet
- Code Section 1230.78 defines an attic “as a story if it contains two-thirds or more as much volume as the story immediately below in the building or if it is used as a separate dwelling unit or establishment.”
- The 2nd floor in this structure is approximately 9,210 cubic feet, which makes the allowable limit for an attic space 6,140 cubic feet.

- The applicant is proposing to raise the existing front gable roof 3 ft. and install an addition on the rear of the property.
- The new attic volume will be approximately 6,433.5 cubic feet.
- The attic is over the allowable limit by 293.5 cubic feet thus considering it a 3rd story.
- Applicant needs a variance to allow a 3 story primary structure in the R-6 zoning district.
- Application was originally tabled at ARB due to design issues, however changes were made per ARB comments and then was passed on the “consent agenda” at their last meeting.
- Staff has no issue with this variance as the raising of the existing roof is not above the limit, and this addition will make the half story more usable. Also, the current garage is in disrepair and has many code violations. This project will enhance the property.

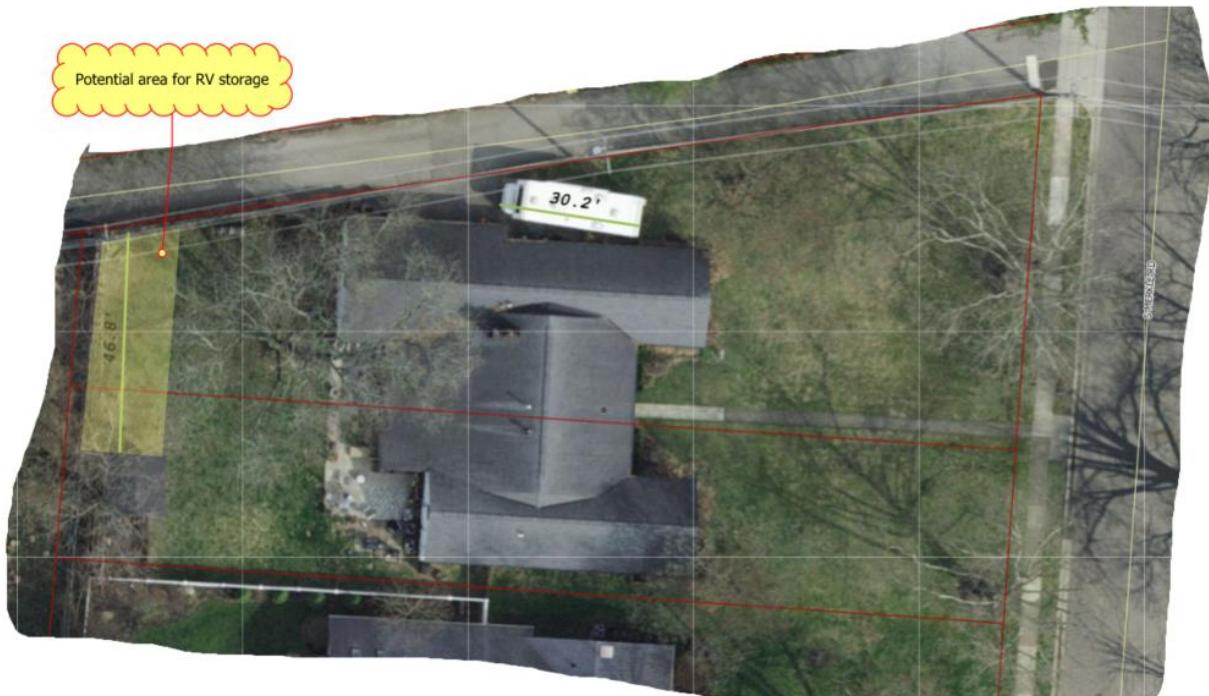




2) App No: BZAP 25-41
Address: 31 S Merkle
Applicant: Elisa Varga Toth- Roberts
Owner: Elisa Varga Toth- Roberts
Request: The applicant is seeking a variance to Bexley code section 1266.08 to allow a recreational vehicle to be stored in the side yard.

Staff Notes:

- 1266.08 states the following
 - A max of one boat or one unoccupied recreational vehicle may be stored in the rear yard on any residentially zoned property if it has a current license, meets the requirements of this Zoning Code for accessory structures and is adequately screened by a seventy-two-inch high solid fence or non deciduous landscape material.
- Over the last year, we have received via phone, email and “see-click fix” numerous complaints as well as noticed on our daily observations the storage of recreational vehicles being stored in driveways on the side of houses and in side yards
- To our knowledge no residence has permission to store a recreational vehicle in the side yard.
- We understand that this vehicle has been parked in its location since 2020 however the code violation has only recently came to our attention.





3) App No: BZAP 25-43
Address: 874 Chelsea
Applicant: Allison O'Neil
Owner: Allison O'Neil
Request: The applicant is seeking approval for a special permit to install a 6 ft fence on the street side of a corner lot.

Staff Notes:

- House is on the NE corner of Chelsea and Astor
- Bexley Code section 1264.03 (b) requires a property owner to receive a special permit from BZAP in order to install 6 ft fence on the street side of a corner lot.
- Staff sees no issue with the variance. Will have the Walter Reins review the landscape plan for approval.



4) App No: BZAP 25-44
Address: 124 Stanbery
Applicant: Mark Scheiber
Owner: Eric & Stephanie Quigley
Request: The applicant is seeking approval for front yard artwork in the form of a statue.

Staff Notes:

- Section 244.02 of the code states:
 - Artistic improvements such as sculpture, murals and mobiles shall be exempt from an application fee. However, prior to the installation of artistic improvements, an application shall be filed for review and approval by the Board of Zoning and Planning.
- Definition of Accessory structure:
 - "Accessory use or structure" means a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure
- Definition of Structure
 - "Structure" means anything constructed or erected **more than 6" above grade, the use of which requires location on the ground or attachment to something having a fixed location on the ground.** Among other things, structure includes buildings, walls, fences, decks, and signs.
- We have at least one of these that I can point to in Bexley. It is the red telephone booth in the front yard at 195 S Parkview.
- The variance would be for a front yard accessory structure and the approval of the sculpture.
- Staff has no issue with this as the statue is personal to the property owner and most likely would not remain if the owners move, thus making it less permanent than other accessory structures.





MEMORIAL STATUE TO BE SET ON A LARGE BOULDER