

## CONDITIONS AND FINDINGS OF THE BOARD OF ZONING APPEALS

Application Number: **20221286**

Property Address: **85 E KEMPER RD**

Date of Meeting: **September 27, 2022**

Requested Variance: **Skyline Restaurant located at 85 E Kemper Road, Springdale, Ohio, submitted an application for a variance to install a pole sign which is in conflict with Zoning Code Section 153.459 (C) (3); and two additional wall signs (East & West) which is in conflict with Zoning Code Section 153.459 (C) (2). See Staff Comment Letter.**

(Extracted from Zoning Code Section 153.206 (B) Review Factors

CRITERIA	STAFF COMMENT	NOTES
Whether special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same zoning district; examples of such special conditions or circumstances are: exceptional irregularity, narrowness, shallowness, or steepness of the lot, or adjacency to nonconforming and inharmonious uses, structures, or conditions.	Staff does not believe there are special circumstances.	
Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.	We believe the property will yield a reasonable return without the variance.	
Whether the variance is substantial and is the minimum necessary to make possible the reasonable use of the land or structures.	We believe this request for a Variance is substantial.	Total of Three Wall Signs (North, East and West) with the Pole Sign is substantial.
Whether the essential character of the neighborhood would be substantially altered or whether adjacent properties would suffer substantial detriment as a result of the variance.	We believe the essential character of the neighborhood would be substantially altered.	
Whether the variance would adversely affect the delivery of governmental services such as water, sewer, and refuse pick-up	We believe the variance would not adversely affect the delivery of governmental services.	

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<b>CRITERIA</b>	<b>STAFF COMMENT</b>	<b>NOTES</b>
Whether special conditions or circumstances exist as a result of actions of the owner	No Special Conditions	
Whether the property owner's predicament can feasibly be obviated through some method other than a variance	No.	
Whether the spirit and intent behind these code requirements would be observed and substantial justice done by granting a variance	The spirit and intent behind these code requirements would not be observed by granting a variance	
Whether the granting of the variance requested will confer on the owner any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district	We believe that granting this variance requested would confer a special privilege that is denied by this regulation to other lands, structures, or buildings in the same district	
No single factor listed above may control, and not all factors may be applicable in each case. Each case shall be determined on its own facts		