



BOARD OF ZONING APPEALS



AGENDA REGULAR MEETING 03/10/2020 at 6:30 PM City Hall – Council Chambers, 2nd Floor

1. Roll Call
2. Approval of Minutes
3. Old Business
4. New Business

Item 1. Request for variance:

APPLICANT: Charlotte Osborn d.b.a. Shapers Salon

OWNER: Charlotte Osborn

LOCATION: 1200 E. Center Street

LOT: .28 acre lot on the corner of E. Center St and Franconia Ave

ZONING: R-2

REQUEST: Addition of a roofed porch along the entire front of the building (Center St. side) with a depth of 9 feet

Item 2. Discussion of proposal to consolidate BZA and the City Planning Commission

5. Items not on the Agenda

Four (4) members of the Board shall constitute a quorum to do business.
All actions of the Board shall have the concurrence of at least four (4) members.

☐ Chairman sign-off on approved minutes

CITY OF MARION BOARD OF ZONING APPEALS MEETING

STAFF REPORT

December 2, 2019

APPLICANT: Charlotte Osborn d.b.a. Shapers Salon
OWNER: Charlotte Osborn
LOCATION: 1200 E. Center Street
LOT: .28 acre lot on the corner of E. Center St and Franconia Ave
ZONING: R-2
REQUEST: Addition of a roofed porch along front of the building (Center St. side) with a depth of 9 feet

1. **Front Yard Setback:**

Variance from section 1151.012- Schedule of Lot Sizes and Yard Regulations which calls for a 30 foot front yard setback

- Current setback: 20.5 feet from R-O-W(backside of the sidewalk)
- (29.5' from the curb)
- Proposed setback: 11.5 feet from R-O-W (20.5' from curb)

BACKGROUND:

Shapers Salon is the business that occupies the property at 1200 E Center Street. The property is a corner lot which fronts on to E Center Street and whose side yard is on Franconia. Franconia has very shallow front yard setback down the predominately residential street. Homes along E. Center St. to the west of this area have traditional 30' setbacks.

Porch Design: Shapers current front yard setback measures 20.5 feet from the backside of the sidewalk and 29.5' from the curb. The applicant is proposing the addition of a covered porch that would extend 9 feet from the current building. The proposed porch would be constructed of wood and have open sides. The existing steps do not offer a landing. The proposed porch would have the steps on leading to a space that would allow a sheltered path to the doorway.

Does the request minimize the request? Overall change in entrance will only project 4.5' more than the existing steps. The property currently has front steps that project 4.5 feet from the building and beyond the steps is a sidewalk that measures 4.5 feet in width, a total of 9 feet.

Is there anything uncommon about the site? This salon is on a major thoroughfare that transitions from residential use to commercial uses in traditional homes. The block on which it is located is uncommon compared to the residential block with narrow 60' wide lots to the west because this block only has three structures on it: The Knights of Columbus, Headliners and Shapers. Each property is very wide 100-220' wide and provides an uncommon amount of open space between the buildings. The impact of the shallow front yard is offset by the huge side yards/ parking lots between buildings.

Does the variance cause a negative impact?

Visibility: Shapers Salon has a sign in the front yard that is perpendicular to Center Street. The sign is approximately 8 feet tall. The applicant has proposed that if approved she would relocate the sign to hang flat along the proposed porch. This will improve the visibility for cars at the corner. Removing the freestanding sign will have a positive impact on visibility.

Entry: Currently the steps go right up to the front door with no landing. Visitors walk to the stairs then need to open the door balancing on the top step. Once inside the building, the shop is rather "shot gun" in design with beauticians on either side of center hallway. The proposed porch would provide a proper landing. This would also be an improvement. The porch would offer a visitor a space to get situated before entering.

Is the proposal in character with the neighborhood? A front porch is in character with a typical residential home.

Section 1151.065 part G of the Marion City Zoning Code does state: *Steps, terraces or uncovered porches may project into any yard, provided they are not over 3½ feet above the average finished grade at the adjacent building wall and distant at least three feet from every lot line. (Ord. 1969-182, passed 1-12-70).* However, the request from the applicant is for a porch with a roof and therefore would need the variance for front yard setback.

In favor of the request, we find that:

1. The property is attractive and well maintained
2. Relocating the sign would reduce the amount of vertical space taken up in the yard and greatly improves visibility.
3. Covered steps with a porch landing would improve the safety for customers accessing the business in poor weather conditions.
4. The neighboring salon has a traditional uncovered ramp that extends far into the front yard.
5. The proposed porch will extend to the same location as the existing steps and small sidewalk.

Against the request, we find that:

1. The current setback is non-conforming as it is only 20.5 feet
2. 11.5 foot setback is close to the right-of-way, even if it is 20.5' from the curb.

RECOMMENDATION: Given that an uncovered porch of the same size would be permitted without a variance, one must ask if simply adding a roof to the porch creates a negative impact. The request results positive improvements to entry and vehicular visibility and remains in character with the nearby residences.

Approve the request on the condition that:

1. the sign be removed in exchange for a flush mounted sign and
2. steps be oriented toward the side as proposed, not to the front









