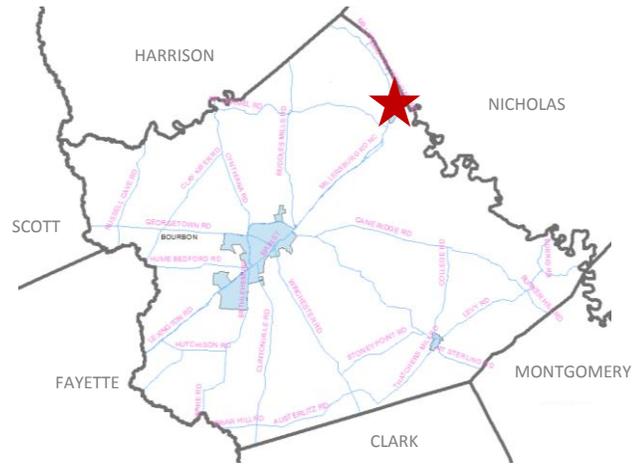


# Staff Report

City of Millersburg Board of Adjustment Meeting  
September 12, 2018

**Case Number:** VAR 18-09  
**Applicant:** Charles Lukins  
**Owner of Property?** Yes  
**Location:** 101 Butler St.  
**Request:** Four (4) foot height variance  
**Zoning:** Residential (R-1)  
**Application Date:** August 24, 2018  
**Legal Advertisement:** August 30, 2018



## Proposal:

The applicant proposes a four (4) foot height variance for the construction of a storage building for antique farm machinery.

## Background:

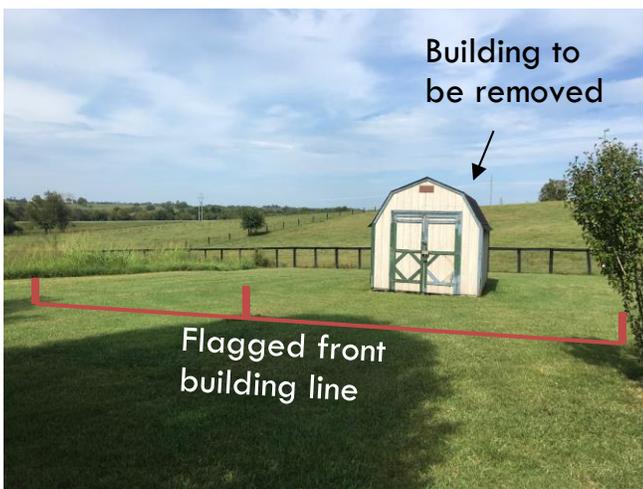
Parcel Size: 2.9 acres  
Existing Structures: Single-family home  
Floodplain (Y/N): NO

## Proposed setbacks:

Side: Approximately 10 ft.  
Rear: Approximately 10 ft.



*Aerial imagery and photos shown for descriptive purposes only.  
Measurements are approximate and not shown to scale.*



**Findings:**

Before a variance is granted, the Board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the vicinity, will not cause a hazardous nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the Board shall consider:

*Does the requested variance arise from special circumstances?*

Yes, the owner is in need of a storage location for antique farm machinery and the height maximum of 15 ft. will not allow him to store his machinery.

*Would the strict application deprive the applicant of the reasonable use of land or create unnecessary hardship?*

Yes, the strict application would limit the applicant's ability to store these types of vehicles.

*Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the zoning regulation for which relief is sought?*

No, the circumstances are not the result of any actions taken by the applicant subsequent to the adoption of the zoning regulations.

**Additional Questions:**

**Staff recommend the Board ask the following questions of the applicant:**

Does the applicant intend to run electricity and/or water to this building? If so, ensure that an electrical permit is obtained for the extension of service.

**Recommendation:**

Staff recommends approval of the height variance request for the construction of a storage building. Staff recommends that the Board grant a five (5) foot rather than a four (4) foot variance to ensure that there is ample room for the applicants needs. The granting of this variance would not adversely affect the public health, safety or welfare, and will not cause a hazardous nuisance to the public.