

**Record of Proceedings  
Board of Zoning Appeals**

**Held: Tuesday, April 22, 2025**

**CALL TO ORDER:** Mr. Shega called the meeting to order at 6:00 p.m.

**ROLL CALL:**

Charles Moyer	Present	Mark Anson	Present
Barney Barnhart	Present	John Shega	Present

**OTHERS PRESENT:** Solicitor Brad Bryan and Village Planner Rita McMahon.

**Election of Board Chairperson for 2025:**

A motion was made by Mr. Shega and seconded by Mr. Moyer to appoint Barney Barnhart as Chairperson. Roll Call Vote: Mr. Moyer, yes; Mr. Barnhart, yes; Mr. Anson, yes; Mr. Shega, yes. The appointment was approved.

**Approval of Minutes:**

**March 9, 2023 Meeting Minutes**

Mr. Anson made a motion that was seconded by Mr. Shega to approve the March 9, 2023 Meeting Minutes. Roll Call Vote: Mr. Moyer, yes; Mr. Barnhart, yes; Mr. Anson, yes; Mr. Shega, yes. The Minutes were approved.

**Variance Request Hearing:**

**Request for Variance by Miles Van Blarcum (Applicant) with the support of Curt Van Blarcum and Barbara Breeden (Property Owners) for the 6035 S. Locust Street property from the Accessory Building Height requirements set forth in Section 1117.09(c)**

Mr. Bryan read the variance request aloud.

Ms. McMahon provided a summary of the request and explained that the applicant is seeking a two-and-a-half-foot height variance for an accessory garage. Although the garage meets all other zoning requirements, the height exceeds the allowable limit, necessitating the variance. The applicant plans to build a carriage house style garage that aligns with the architectural character of his home in the Village's Historic District. Approval of the variance would also require a Certificate of Appropriateness from the Planning Commission.

Ms. McMahon reviewed the variance criteria outlined in Section 1149.08, stating that a compliant garage could be built without a variance. She noted the structure would not significantly alter the character of the neighborhood, especially given that the adjacent Village Hall building is much taller, and a nearby garage appears close to the 15-foot mark. The proposed garage would be in scale with the surrounding environment while maintaining architectural consistency. She noted the variance would not affect governmental services. The owner could have known about the height restriction when purchasing the property in 2015, but the variance would support the broader Village goals of preserving and enhancing its historic character. While a redesign could bring the garage into compliance, it would alter the desired historic aesthetic. Ultimately, Ms. McMahon concluded that granting the variance would support the spirit and intent of the Zoning Code and the Historic District guidelines, allowing for a garage that complements the existing home without negatively impacting the area.

Mr. Bryan asked what information Mr. Van Blarcum wished to present and swore him in. Mr. Van Blarcum explained that after months of research, he determined this particular barn structure aligned best with the architectural character he wished to preserve. He noted he plans to

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use the original materials from the barn, including the siding and roofing, and emphasized that altering the roof angle would require a full reconstruction, as the original white oak rafters remain intact. The garage would be a simple, utilitarian structure designed primarily for a single car with some storage space above, maintaining a modest, agricultural character without interior finishes such as drywall.

Greg Canda expressed a desire to ask a question, and Mr. Bryan swore him in. Mr. Canda asked if there is any intention to expand the structure beyond a garage. Mr. Van Blarcum stated the building would only be used as a garage and for storage. It would be too small to be used for anything else.

Karen Walters asked to comment, and Mr. Bryan swore her in. Ms. Walters explained the property was sold to the Van Blarcum family with a conservation easement on the property.

Mr. Barnhart made a motion that was seconded by Mr. Shega to grant the 2.5-foot height variance from the requirements of Section 1117.09(c) of the Zoning Code on the condition that a Historic District Certificate of Appropriateness be obtained from the Planning Commission. Roll Call Vote: Mr. Moyer, yes; Mr. Barnhart, yes; Mr. Anson, yes; Mr. Shega, yes. The motion was approved. *(It was later determined that a Certificate of Appropriateness is not required for a garage)*

**Request for Variance by Ara Asadorian (Applicant and Owner), for the 2366 Main Street property, from the Accessory Building Height Exception requirements set forth in Section 1117.09(c)(2) and the Maximum Accessory Building Size requirements set forth in Section 1117.09(d)**

Mr. Bryan read the variance request aloud.

Ms. McMahon provided a summary of the request and explained that the application pertains to a property located on Main Street in the R-1 Rural Residential District, just under four acres in size. The applicant, Mr. Asadorian, had previously received a variance to create a lot smaller than the four-acre minimum. He now plans to construct two garages. One would be attached to the house and fully comply with the Code requirements. A second, detached garage, with two floors totaling approximately 1,812 square feet, is also proposed. The detached garage would sit 60 feet from the east property line and 94 feet from the rear line and be positioned behind the front line of the house, which complies with Code. The structure's height at the midpoint is 27.5 feet. Under the Code section pertaining to lots over 2.5 acres, garage heights can reach 35 feet if set back at least 65 feet from all property lines. Since the proposed garage is only 60 feet from the east property line, a 5-foot setback variance is needed. The garage's size also exceeds the limit that accessory structures be less than 50% of the size of the main structure.

Ms. McMahon reviewed the variance criteria, noting the applicant could achieve reasonable use of the property without a variance by reducing the garage size or moving it back five feet. The setback variance represents a 7% deviation, and the size variance constitutes a 13% overage. She noted that the large, wooded nature of neighboring lots makes it unlikely the variances would alter the neighborhood's character or impact the delivery of public services. While Mr. Asadorian has owned the property since 2002, the provision allowing taller garages with proper setbacks was only added in 2020. Whether Mr. Asadorian knew of the zoning changes at the time is unclear and may warrant further inquiry. McMahon emphasized the intended use of the garage's second floor remains uncertain. Earlier submissions included

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multiple rooms, while a recent revision presented a single large open space. Clarifying the second floor's purpose is important to determining whether the spirit and intent of the Zoning Code would be upheld if the variance were granted. She also stated that Mr. Asadorian has provided emails from his neighbors indicating they do not object to the request.

Mr. Bryan swore in Mr. Asadorian, who explained he had chosen the location of the new detached garage based upon the location of the trees on the property and his desire not to have to take any trees down. He intends to store cars in the garage and use additional space for storage of other items. He has no plans to use the garage as a dwelling space or a short-term rental.

Mr. Anson noted the new garage wouldn't be visible, except to the neighbors who have confirmed that they do not object to the proposed project. Mr. Asadorian explained that building an attached five car garage would make the garage out of proportion with the size of his house.

Mr. Anson made a motion that was seconded by Mr. Shega to grant a 381 sq. ft. variance for the size of the detached garage (a 13% variance above 50% requirement) and 5 ft. variance from the 60 ft. setback requirement for an accessory garage in a R-1 District, with the following conditions: that the garage/accessory structure be served by an electric line; not have water or sewer connections; and not be used as a living unit. Roll Call Vote: Mr. Moyer, yes; Mr. Barnhart, yes; Mr. Anson, yes; Mr. Shega, yes. The motion was approved.

Request for Variance by Erik Eckert (Applicant), with the support of the Peninsula Foundation (Property Owner), for the 1601 W. Mill Street property, from the Required Number of Parking Spaces requirement set forth in Section 1125.04(a), the Setback Adjacent to Residential Use requirement set forth in Section 1125.06(0)(4), and the Landscape Screen Adjacent to Residential Use requirement set forth in Section 1125.06(p)

Mr. Bryan read the variance request aloud.

Ms. McMahan summarized the variance requests and explained that Mr. Eckert is proposing to add a 550-square-foot addition to an existing building at 1601 W. Mill Street that is currently owned by the Peninsula Foundation. The addition would be on the east side of the current building. The first floor is intended for retail use or possibly a restaurant. A second story would be built across the structure to accommodate two two-bedroom apartments, which is permitted under zoning regulations in the Commercial district, provided there is commercial use on the first floor. The total new building size would be 4,760 sq. ft. and would comply with all setback and height requirements for the Commercial district.

The main issue concerns parking. Depending on the ground floor use (retail only or retail with restaurant and patio seating), the building would require either 16 or 21 parking spaces. The site plan identifies nine on-site spaces, including a handicapped space, Mr. Eckert has secured an agreement for the use of seven additional spaces from the nearby Purple Brown store. This arrangement achieves and maintains compliance for both properties. Mr. Eckert also proposes to work with the Village to convert the unsafe pull-in spaces along W. Mill Street into five parallel parking spaces. Those spaces would be public parking spaces that cannot currently be counted toward his parking requirement. If the full 21-space requirement applies, Mr. Eckert would need a variance for five spaces. If the 16-space requirement applies, no variance as to the amount of parking spaces is necessary. The Code also requires a 10-foot setback between parking areas and residential properties, along with landscaping. To fit eight diagonal spaces, the plan reduces that setback to zero and instead proposes a solid privacy fence, with landscaping only in areas where space permits.

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Ms. McMahon reviewed the variance criteria, stating that while the site is already in use, the proposed development would provide significant public benefit by adding retail and residential capacity. The parking variance is relatively minor if the parallel spaces could be counted, but the request to eliminate the residential setback is more substantial. The chosen layout, however, offers greater privacy for adjacent homes than an earlier plan that placed parking closer to N. Locust Street. Ms. McMahon noted the property has long-standing parking challenges, and any redevelopment will likely require variances due to the constraints of this lot. The proposal supports the Village's goals for downtown development, while minimizing the impact on nearby residential areas.

Ms. McMahon recommended that if the variance is approved, it should include the following conditions: securing a copy of a written parking agreement with the Peninsula Foundation for the additional Purple Brown Store property parking spaces, requiring the installation and maintenance of the privacy fence, and collaborating with the Village to install the parallel public parking spaces along W. Mill Street.

Mr. Bryan swore Erik Eckert in, and Mr. Eckert introduced himself and explained he has been connected to the community since 1971, when his father began redeveloping property in the area. Over the years, he has been involved in several local projects, including structural restoration efforts. He expressed a deep commitment to preserving the unique character of the Village. Mr. Eckert emphasized the building has been created with flexibility in mind, allowing for future adaptability and multiple possible uses on the first floor, including retail or food service. His design complies with all zoning regulations related to height, setbacks, and building codes. The initial site plan did not require variances. He revised the layout to better accommodate the concerns of neighboring residents. The original parking layout met the 10-foot residential setback. The parking area was later moved closer to the residential boundary and made to include a solid privacy fence to shield the adjacent home. Those changes were made to reduce the visual and physical impact of the project on neighbors and avoid the permitted full-height construction of the addition next to the adjacent residential structure and keep parking to a minimum near the property line with the residence. Mr. Eckert noted that under current calculations, the project meets the 16-parking-space requirement if the first floor remains strictly retail. If the use shifts to include a restaurant, he acknowledged a variance would be necessary to meet the higher parking requirement. He clarified that outdoor seating could be added in the future if granted a variance, but it's not essential to the viability of the project. He discussed his plans to add five parallel parking spaces along the street, which, while not required, would benefit the project and community. Those spaces would be public and not reserved, though they might provide future flexibility if additional seating or carry-out food service is introduced. Mr. Eckert expressed his desire to contribute positively to the Village, preserve its architectural integrity, and work collaboratively with residents and the Planning Commission. He emphasized that while he meets the current code for the project as designed, the requested variances are intended to further reduce neighborhood impact and enhance the overall design in keeping with the Village's character.

Greg Canda was sworn in and expressed concerns about ongoing parking congestion near the proposed project, noting that visitors often park informally in front of the building and that spaces are frequently taken by nearby businesses or Park visitors. He questioned whether these informal spots are considered official parking.

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Mr. Eckert explained that the current diagonal parking along the roadway is unregulated and would be formalized as parallel parking spaces in his plan. He added that he could add more parking along N. Locust Street within the Code requirements, but he does not want to overdevelop the site. He also clarified that the seven spaces in the Purple Brown lot are shared spaces and are not specifically reserved for his business.

Ms. McMahon confirmed that the five new on-street spaces would remain public and require coordination with the Village, while the rear lot spaces can be designated for Mr. Eckert's use, similar to other businesses.

Mr. Eckert added that if funding becomes available, a utility pole could be moved to add one more parking space, but that would depend on coordination with the power company.

Daniel DeAngelo who is on the Board of the Peninsula Foundation, was sworn in. He stated he supported the variances and explained that relocating the parking area behind the building was intended to reduce the impact on the neighbors and maintain the Village's residential character. He added that the existing fence adequately buffers the adjacent home, making it a suitable alternative to the required landscaping.

Amy Frank-Hensley was sworn in. Ms. Frank-Hensley, the neighbor to the north of the proposed project, acknowledged the efforts made by Mr. Eckert and the Peninsula Foundation to address local concerns. She raised issues regarding the neighborhood's predominantly residential character and the potential overdevelopment of the site. She highlighted a pending request to rezone her property and others on N. Locust Street to residential and emphasized the community's preference for cautious development, as outlined in the Area Master Plan. She questioned the necessity of the 550-square-foot expansion and the impact of added street parking, which contradicts the Plan's vision for a more pedestrian-friendly area.

Mr. Eckert responded that while economic feasibility is a factor, the project has already been scaled down significantly to respect neighboring properties and community aesthetics. He expressed openness to further collaboration on landscaping and screening to address resident concerns.

Karen Walters, Richard Slocum, Doug Steidl, and Sean Hensley were sworn in for the following discussion. Mr. Slocum expressed concern over the proposed on-street parking on W. Mill, noting that it was not part of the Master Plan and could exacerbate an already congested intersection with poor sidewalks and heavy pedestrian use. He recommended holding off on adding parking there until broader Village parking solutions are explored, such as using the existing lot on N. Locust. He emphasized the importance of maintaining space for future sidewalk improvements and supported enhancing accessibility and traffic calming in the area. Ms. Walters and Mr. Hensley echoed concerns about past proposals for extensive street parking along the property line, while acknowledging and appreciating revisions made to the design to lessen the impact on the neighborhood. Mr. Hensley also raised issues about an underground water tank on his property potentially being under Mr. Eckert's development area. Mr. Eckert clarified the project would maintain an appropriate distance from the tank and stated he prefers to use gravel for the driveway to minimize runoff. He has worked with his engineers to address stormwater drainage via swales and catch basins. He offered to grant the Hensleys a perpetual easement to protect their tank.

Ms. McMahon confirmed gravel is an allowable surface under the Village Code. She explained the Zoning Code contemplates the actual use of adjoining properties, not just the zoning designation, to determine requirements, in order to protect residential property owners

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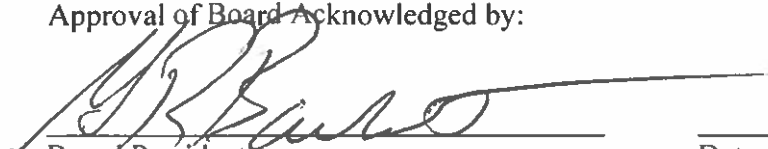
using commercially zoned lots as homes. Mr. Eckert reiterated his willingness to collaborate on drainage, buffering, and screening solutions, and emphasized that the revised plan balances economic feasibility with neighborhood compatibility.

Mr. Barnhart made a motion that was seconded by Mr. Anson to determine that the variance related to the number of parking spaces was not required and approve the 10 ft. parking setback adjacent to residential use variance and landscape screen adjacent to residential use variance upon the conditions that: (1) the Village is provided with a copy of the recorded parking easement agreement with the Peninsula Foundation to share 7 parking spaces on the adjoining parcel (Perm. Parcel No. 1110643) with the subject parcel.; and (2) the applicant install and maintain an 8-foot privacy fence in compliance with the Village Zoning Code requirements adjacent to the parking area on the subject property to screen the residential use to the north of the site. Roll Call Vote: Mr. Moyer, yes; Mr. Barnhart, yes; Mr. Anson, yes; Mr. Shega, yes. The motion was approved.

**Additional Business:** None.

**Adjournment:** Mr. Shega made a motion to adjourn that was seconded by Mr. Anson. Roll Call Vote: Mr. Moyer, yes; Mr. Barnhart, yes; Mr. Anson, yes; Mr. Shega, yes. The motion was approved. The meeting adjourned at 7:57 p.m.

Approval of Board Acknowledged by:

  
\_\_\_\_\_  
Board President

3/10/26  
\_\_\_\_\_  
Date