

Minutes of the City of Vandalia Board of Zoning Appeals
June 11, 2025

Agenda Items

1. Call to Order
2. Attendance
3. Old Business
4. New Business
 - a. BZA 25-0007 – Total Accessory Structure Area – 842 Donora Drive
5. Approval of Minutes
 - a. Board of Zoning Appeal Minutes: May 14, 2025
6. Communications
7. Adjournment

Members Present:	Mr. Mike Johnston, Mr. Steve Stefanidis, Mr. Kevin Larger, and Mr. Robert Wolfe
Members Absent:	Mr. Mike Flannery
Staff Present:	Mr. Michael Hammes, City Planner
Others Present:	Ms. Penny Baker

1. Call to Order

Mr. Johnston called the meeting to order at 6:02 p.m.

Mr. Hammes described the BZA as a recommending body that evaluated the BZA application and stated that the City Council would make the final decision on all appeal and variance requests but will not hold its own public hearing. He noted that City Council would hear the request at its July 21, 2025, regular meeting.

Mr. Hammes administered the oath to all persons speaking before the Board of Zoning Appeals.

2. Attendance

Four of the members were in attendance. Mr. Flannery was absent.

3. Old Business

Mr. Hammes confirmed that there was no old business.

4. New Business

a. BZA 25-0007 – Total Accessory Structure Area – 842 Donora Drive

Mr. Hammes stated that the Applicant, Steve Baker has requested a variance to allow the construction of a 160 square foot shed. The total area of all accessory structures will exceed 4% of the total lot area and 40% of the principal building footprint at 842 Donora Drive. City Code Section 1224.01(b)(9)(B) provides the total lot area of all accessory buildings and structures identified in Table 1224-1, shall not occupy more than 4% of the total lot area. City Code Section 1224.01(b)(9)(C) provides that any lot in a residential zoning district, regardless of size, shall be permitted to have structures allowed in Table 1224-1 that have an aggregate square footage of 600 square feet or a square footage equal to 40% of the principal building footprint, whichever is less.

Mr. Hammes explained that the applicant has proposed adding a 160 (10x16) square foot shed to the rear yard of his property. There is an existing 672 square foot detached garage on the property. The total area of both accessory structures would be 832 square feet. The lot is approximately 7,523 square feet; the total lot area of all accessory structures would be 11.05% if the variance is approved. The house is approximately 875 square feet; the total area of all accessory structures would be 95.08% of the principal building footprint if the variance is approved. The maximum area to build on this lot is 301 square feet. The detached garage currently exceeds the maximum area allowed for accessory structures by 371 square feet. The proposed shed would further exceed the nonconformance by 531 square feet.

Mr. Hammes referred to maps of the property and showed the existing residential structure and detached garage. He identified the location of the proposed shed in the rear yard.

Mr. Hammes reported that the Applicant stated in their Letter of Justification that the proposed variance “will not adversely affect the adjacent owners” and the shed will help them keep their “property clean and looking good.” He added that Staff had received no comments on the matter from the public.

Mr. Johnston opened the public hearing and invited the applicant to address the Board.

Ms. Penny Baker, of 842 Donora Drive, addressed the Board. She stated that her husband had owned the property before their marriage. When she moved in, she brought a number of totes and other items with her. She reported that her husband “would like to have his garage back.”

Mr. Stefanidis asked if the shed would be placed on concrete. Ms. Baker replied that they planned to install a concrete pad to raise the shed up and avoid a wet area at the rear of their yard.

Mr. Stefanidis asked if the shed would be connected to electricity. Ms. Baker did not know of any plans to install electric service to the shed, but would ask her husband before the next meeting.

Hearing no further comments from the public, Mr. Johnston closed the public portion of the meeting.

Variance Criteria

Mr. Johnston then proceeded to the variance review criteria.

- (1) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance;

BZA Comment: The Board agreed the property in question will yield a reasonable return and the property has a beneficial use without granting of the variance.

- (2) Whether the variance is substantial;

BZA Comment: The Board agreed the variance is not 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;

BZA Comment: The Board agreed that granting the variance would not substantially alter the character of the neighborhood. Staff notes that 31 out of 50 houses on Donora Drive already exceed this requirement.

- (4) Whether the variance would adversely affect the delivery of government services (i.e., water, sewer, garbage);

BZA Comment: The Board agreed the variance would not adversely affect the delivery of government services.

- (5) Whether the property owner purchased the property with knowledge of the zoning restriction;

BZA Comment: The Board agreed the property owner did not have knowledge of the zoning restriction before purchasing the property.

- (6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance;

BZA Comment: The Board agreed the owner's predicament cannot be obviated without a variance.

- (7) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance;

BZA Comment: The Board agreed that the intent behind the zoning code would be observed and that substantial justice would be done by granting the variance.

- (8) Any other relevant factor to assist the Board of Zoning Appeals in weighing and balancing the public and private benefits and harms of the requested relief; and

BZA Comment: The Board agreed there are no other relevant factors.

Mr. Johnston reported that Staff recommends that the Board of Zoning Appeals recommend **approval** of the requested variance from City Code Section 1224.01(b)(9) for the purpose of allowing the construction of a 160 square foot shed with the existing 672 square foot detached garage.

Hearing no questions, Mr. Johnston called for a motion.

Mr. Larger made the motion to recommend **approval** of the requested variance from City Code Section 1224.01(b)(9) for the purpose of allowing the construction of a 160 square foot shed with the existing 672 square foot detached garage.

Mr. Stefanidis seconded the motion. The motion passed 4-0.

Mr. Hammes advised the applicant that it would be in his best interest to attend the City Council Study Session on June 16, 2025, at 5:30 p.m. and the City Council Meeting on July 21, 2025, at 7:00 p.m.

5. Approval of Minutes

a. Board of Zoning Appeal Minutes: May 14, 2025

Mr. Stefanidis made a motion to approve the May 14, 2025, Meeting Minutes. Mr. Wolfe seconded the motion. The motion passed 3-0. Mr. Larger did not vote on the motion.

Mr. Stefanidis made a motion to excuse Mr. Flannery. Mr. Wolfe seconded the motion. The motion passed 4-0.

6. Communications

Mr. Hammes reported the meeting scheduled for June 25, 2025, has been canceled.

Mr. Hammes asked the members to advise him if they would be available on July 30 for a training session with the Law Director.

7. Adjournment

Mr. Wolfe made a motion for adjournment. Mr. Stefanidis seconded the motion. The motion passed 4-0.

The meeting was adjourned at 6:19 p.m.

Mike Johnston
Vice Chair