



City of Vandalia Board of Zoning Appeals

Regular Meeting Agenda

October 8, 2025

Council Chambers

<https://us02web.zoom.us/j/7206872780?omn=89298680042>

6:00 p.m.

1. Call to Order
2. Attendance
3. Reorganization Meeting
 - a. **Nominations for Chair**
 - b. **Nominations for Vice Chair**
4. Old Business
5. New Business
 - a. **BZA 25-0008 – Six Foot Fence in Zone A – 775 Cassel Creek Drive**
6. Approval of Minutes
 - a. **Board of Zoning Appeals Minutes: June 11, 2025**
7. Communications
8. Adjournment

MEMORANDUM

TO: Board of Zoning Appeals
FROM: Ben Graham, Zoning and Planning Coordinator
DATE: October 3, 2025
SUBJECT: **BZA 25-0008** – 775 Cassel Creek Drive - Variance from City Code
Section 1224.01(e)(9)(D)(iii) “Six Foot Fence in Zone A”

General Information

Applicant: Wesley Coehick
2442 Guernsey Dell Avenue
Dayton, Ohio 45404

Existing Zoning: Planned Unit Development (PUD)

Location: 775 Cassel Creek Drive
Vandalia, Ohio 45377

Previous Case(s): None

Requested Action: Recommendation to City Council

Exhibits: 1- Application
2- Letter of Justification
3- Owner Letter
4- Location Map
5- Site Plan
6- Site Pictures

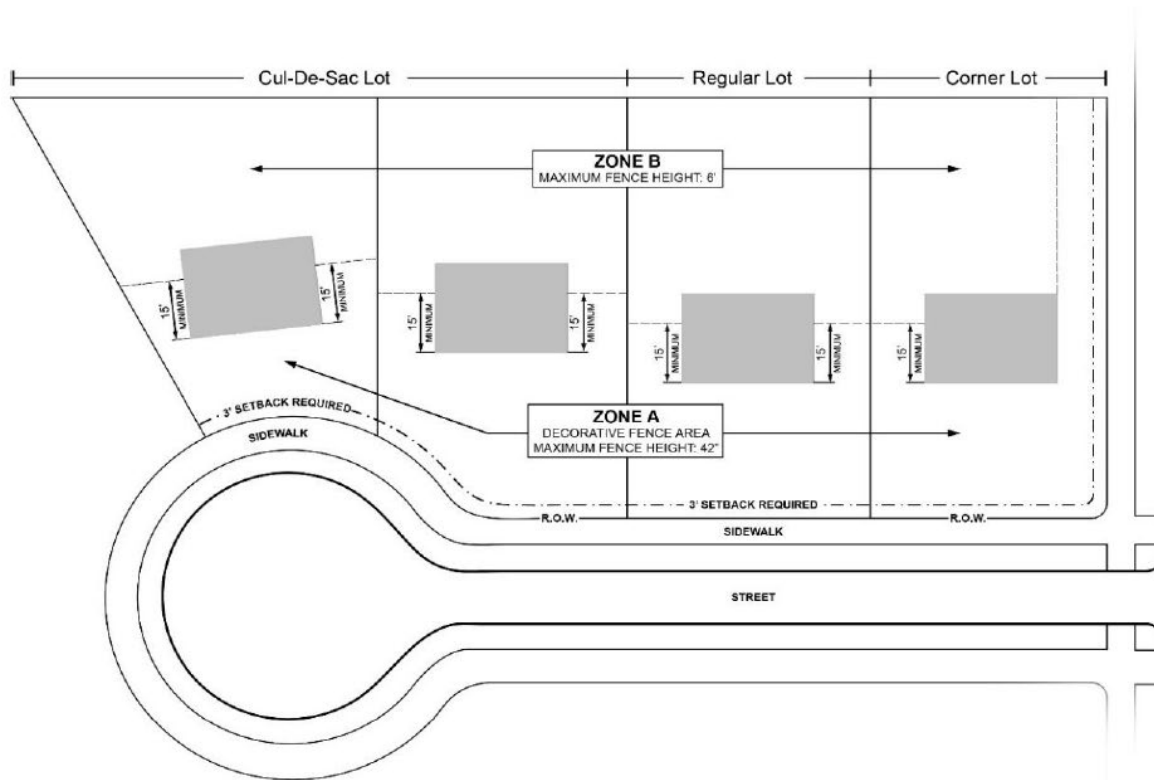
Background

The Applicant, Wesley Coehick, on behalf of Kaytlin Rogers has requested a variance to construct a 6-foot fence on a corner lot within Zone A. City Code Section 1224.01(e)(9)(D)(iii) provides that “Zone A shall be the area lying between the street right-of-way line and a line parallel to and a minimum of 15 feet behind the existing front line of the building foundation. See Figure 1224-C.” Fencing in Zone A shall not exceed 42 inches in height in any residential zoning district¹ and shall not be constructed within 3 feet of an existing right-of-way line.

¹ Fence are permitted to be 48 inches in height in any agricultural zoning district.

The Applicant has proposed adding on to the existing fence with a 6-foot vinyl fence. The new fence would encroach 12 feet into Zone A and would be 28 feet from the right-of-way on Cassel Creek Drive.²

Figure 1224-C: Location of Zones A and B based on lot types.



This lot has frontage on three sides—two along Cassel Creek Road and one along South Brown School Road. According to code, the lot is classified as both a corner lot and a double-frontage lot. Corner lots have front yards on each street frontage. For double-frontage lots, accessory structures are permitted in the area behind the principal building, provided they comply with the setback requirements outlined in Section 1224.01. If the lot were only classified as a double-frontage lot, the fence would be permitted. However, because the property is also a corner lot and the fence extends 12 feet into Zone A, a variance is required.

In the Letter of Justification, the Applicant explained that the proposed fence would be mostly hidden behind the existing tree line and would extend her back yard area. The fence would most likely not be seen and would not be an obstruction for traffic.

² The Planned Unit Development standards specify that no fence, wall, or hedge may extend closer to the street than the required building setback line, which in this PUD is 25 feet.

Variance Criteria

In determining whether a property owner has suffered practical difficulties, the Board of Zoning Appeals and City Council shall weigh the following factors: provided however, an applicant need not satisfy all of the factors and no single factor shall be determinative, to determine the following:

- (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;

Applicant Response: Most backyard are allowed a standard 6' privacy fence. This code for the corner lot will yield a return by not allowing the home owner a standard 6' fence for their backyard.

Staff Comment: Staff feels 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;

Applicant Response: The property would lose a lot of the backyard by the current code for anything over 3 1/2' fence. So if Kaytlin wanted a privacy fence currently she would have to follow her house line and would lose roughly 1/4 of her backyard.

Staff Comment: Staff does not feel this variance is 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;

Applicant Response: The 6' vinyl fence would not alter the neighborhood in anyway as it mostly wouldn't even be seen due to existing tree line. Also the vision for traffic would not be affected as safety is always in mind of the neighborhoods. Everyone would win as the fence going in adds value to the neighborhood and raises adjoining property values.

Staff Comment: Staff does not feel that granting the variance with the proposed condition would substantially alter the character of the neighborhood as the fence would be mostly screened with existing landscaping.

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

Applicant Response: All Government services are located outside of the fence zone.

Staff Comment: Staff does not feel the variance would adversely affect the delivery of government services.

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

Applicant Response: No.

Staff Comment: Staff believes 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;

Applicant Response: Without the variance she could do a see through 42” fence that would not allow her security, privacy and or sound barrier for the busy street s brown school rd that is located behind her house.

Staff Comment: Staff feels the owner’s predicament can be obviated without a variance, but this would require either reducing the fence height at the proposed location or moving the six-foot fence further back on the property.

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

Applicant Response: This unique corner lot has a red light system at the Nearest intersection to the property also has a wooded area that the fence would be installed behind and would likely not be seen from the road, especially any intersection that would cause an obstruction for traffic.

Staff Comment: Staff does not feel the intent behind the zoning code would be strictly observed 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.

Applicant Response: The fence will be behind existing landscaping of a tree line and wouldn’t be seen causing no harm to any public safety that wouldn’t already be existing to the public. The private benefit would be the unwanted sight of the surrounding landscape hidden, the homeowner would have security, privacy in their backyard and sound barrier from traffic. Also the fence will raise her property value which is a benefit to everyone in Vandalia as a whole.

Staff Comment: Staff feels there are no other relevant factors.

Recommendation

Staff recommends the Board of Zoning Appeals to recommend **approval** of the requested variance from City Code Section 1224.01(e)(9)(D)(iii) for the purpose of allowing a six-foot fence to be placed within Zone A at 775 Cassel Creek Drive with the following condition:

1. The fence shall not extend more than 12 feet into Zone A.

The recommendation of the Board of Zoning Appeals will be forwarded to City Council for their review.



Development & Engineering Services Board of Zoning Appeals Application

Complete this page and follow the directions on page 2

Applicant Name: Wesley Coehick

Mailing Address: [Redacted]
Phone Number: [Redacted]
E-mail Address: [Redacted]
Owner Name**: [Redacted]
Mailing Address: [Redacted]

OFFICE USE ONLY
Filing Date 9/10/2025
Hearing Date 10/18/2025
Case No. B2A 25-0008

**** If Applicant is other than owner, written consent of owner is required for variance.**

Phone Number: _____

Location of Property

Street Address: 775 CASSEL CREEK DR VANDALIA OH 45377

(north, south, east, west) side of South side BACK YARD, _____ feet

(north, south, east, west) from the intersection of S BROWN SCHOOL RD

Attach copy of legal description of the property as recorded in the County Recorder's office.

Case Description.

Present Zoning District: PUD Total Acres: _____

Description of the existing use of property: Residential

Description of proposed use of property: Residential

Specific Zoning Code provision that applicant is seeking variance from: 1224 E9

Variance Requested: 6' Fence ZONE A

Request for zoning certificate was refused on 9-3-25

Applicant must also attach a letter justifying the variance, see page 2, Section C for directions.

Applicant/Owner

Date

Wesley Coehick

9/10-25

Zoning Administrator

Date

Br Mh

9/10/25

FILING FEES (office use only):

Residential (\$159.00)

Commercial (\$318.00)

Receipt No.: 25-003934

TOTAL: \$159.00

Variance application requirements and submittal instructions

Turn in the following items for a complete application.

A. **SITE PLAN--** Must submit 5 copies

The applicant/owner shall provide a site plan drawn to scale which shows the following, if applicable:

1. Property/Boundary lines
2. Exterior lot dimensions
3. Size and location of all existing structures
4. Location and size of proposed new construction
5. Setbacks of all structures from property boundary lines
6. Distance between structures
7. Show location of any and all streets, alleys, right-of-ways and easements that are contiguous to the property requesting the Variance
8. Open space, landscaping, signage
9. Photos or graphics that illustrate proposed project

B. **LIST OF PROPERTY OWNERS**

Provide a list of property owners (as recorded in the Montgomery County Auditor's office) adjacent to, contiguous to and directly across the street from the property being considered.

<i>Example:</i>			
<u>Property Address</u>	<u>Parcel I.D. #</u>	<u>Owner Name</u>	<u>Owner Mailing</u>
123 Clubhouse Way	B02 00000 0000	Carol Smith	124 Green Way Vandalia, OH 45377
345 Brown School Rd.	B02 11111 1111	Fred Jones	345 Brown School Rd. Vandalia, OH 45377

C. **LETTER OF JUSTIFICATION**

The applicant shall submit a letter of justification that states how the variance request meets the eight (8) criteria for a variance. See the next section for the standards of a variance and eight criteria that are considered when a variance is given.

D. **VARIANCE REVIEW CRITERIA**

In determining whether a property owner has suffered practical difficulties, the Board of Zoning Appeals and City Council shall weigh the following factors; provided however, an applicant need not satisfy all of the factors and no single factor shall be determinative:

(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;

(2) Whether the variance is 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;

(4) Whether the variance would adversely affect the delivery of government services (i.e., water, sewer, garbage); *NO, Everything is outside of area*

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

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

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

(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.

E. VARIANCE REVIEW PROCEDURE

The review procedure for a variance is as follows:

Step 1 – Application

The applicant shall submit an application in accordance with City Code Section 1214.02. Within 10 days of receipt of an application for a variance, the Administrative Officer shall make a determination of completeness in accordance with the provisions of this chapter.

Step 2 – Staff Review and Transmittal to the Board of Zoning Appeals

Upon determination that an application is complete, the Administrative Officer shall transmit the application to the Board of Zoning Appeals for consideration pursuant to the standards set forth in City Code Section 1214.02.

Step 3 – Recommendation by Board of Zoning Appeals

Within thirty days of receipt of a completed application, the Board of Zoning Appeals shall hold a public hearing to consider an application for a variance at its next regular meeting or in a special meeting. The recommendation of the Board shall be based upon the review standard set forth above and transmitted to the Clerk of Council for final decision. Notice of this public hearing must be made in accordance with Section 1214.02 (c) to (g).

Step 4 – Final Decision by City Council

Within thirty days of the date on which the Clerk of Council receives the recommendation of the Board of Zoning Appeals, unless a longer time is requested by the applicant, City Council shall hold a public hearing to determine whether to grant the proposed variance based upon the application and the review standards listed above.

5) No

6) No not Feasibly, OWNER Would like to Fence area
in for pets also while blocking view of trees and bushes

7) Yes the Code would be observed Tree/bush screening

8)

From: [Wesley Coehick](#)
To: [Ben Graham](#)
Subject: Re: 775 Cassel Creek Drive - Needs Modified
Date: Wednesday, September 10, 2025 11:29:49 AM
Attachments: [image002.png](#)
[image004.png](#)
[image003.png](#)
[image001.png](#)
[image009.png](#)
[image006.png](#)



Questions

- 1) most backyard are allowed a standard 6' privacy fence. This code for the corner lot will yield a return by not allowing the home owner a standard 6' fence for their backyard.
- 2) The property would lose a lot of the backyard by the current code for anything over 3 1/2' fence. So if Kaytlin wanted a privacy fence currently she would have to follow her house line and would lose roughly 1/4 of her backyard.
- 3) The 6' vinyl fence would not alter the neighborhood in anyway as it mostly wouldn't even be seen due to existing tree line. Also the vision for traffic would not be affected as safety is always in mind of the neighborhoods. Everyone would win as the fence going in adds value to the neighborhood and raises adjoining property values.
- 4) All Government services are located outside of the fence zone.
- 5) No
- 6) Without the variance she could do a see through 42" fence that would not allow her security, privacy and or sound barrier for the busy street s brown school rd that is located behind her house.
- 7) This unique corner lot has a red light system at the Nearest intersection to the property also has a wooded area that the fence would be installed behind and would likely not be seen from the road, especially any intersection that would cause an obstruction for traffic.
- 8) The fence will be behind existing landscaping of a tree line and wouldn't be seen causing no harm to any public safety that wouldn't already be existing to the public. The private benefit would be the unwanted sight of the surrounding landscape hidden, the homeowner would have security, privacy in their backyard and sound barrier from traffic. Also the fence will raise her property value which is a benefit to everyone in Vandalia as a whole.

On Mon, Sep 8, 2025 at 11:08 AM Ben Graham <bgraham@vandaliaohio.org> wrote:

Hi Wesley,

I have some free time tomorrow and Wednesday.

- Tuesday between 1:00p.m. to 5:00 p.m.

Wednesday between 10:00 a.m. to 12:00 p.m. and 1:00 p.m. to 3:00 p.m.

Please let me know if any of these times work.

Very Respectfully,

Ben Graham, MPA

Zoning and Planning Coordinator

City of Vandalia, Ohio

333 James E. Bohanan Dr.

Vandalia, OH 45377

937-898-3750 Office

937-415-2329 Direct

937-415-2319 FAX



vandaliaohio.org

From: [Kaytlin Rogers](#)
To: [Ben Graham](#)
Cc: Coehickhomesolutionsllc@gmail.com
Subject: Variance - 775 Cassel Creek Dr
Date: Tuesday, September 16, 2025 4:55:35 PM



Good afternoon Mr. Graham,

I have been working with Coehick Home Solutions and approve/authorized them to seek the variance on behalf of my property.

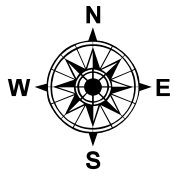
My property is located at:
775 Cassel Creek Drive
Vandalia, Ohio 45377

If you have further questions please do not hesitate to contact me.

Thank you for your time and consideration in this matter.

V/R,

Kaytlin Rogers



1 inch = 21 feet



City of Vandalia Board of Zoning Appeals

775 Cassel Creek Drive

BZA 25-0008 Six Foot Fence in Zone A





775 CASSEL CREEK DR

UTILITY ESMT

UTILITY ESMT

UTILITY ESMT























DRAFT
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