

Agenda for the Board of Building and Zoning Appeals Regular Meeting- Huron City Hall – Council Chambers September 11, 2023 5:30p.m.

- I. Call to Order
- II. Roll Call
- III. Adoption of the Minutes- N/A
- IV. Swearing in of those testifying before the Board

*When testifying before the board, please step to the podium, **sign in,** and state your name and address for the record.

V. New Business

PPN 42-01132.000 117 Ohio Street Rear Yard Setback Variance for an attached garage.

PPN 45-00346.000 24 Dayton Ave Rear, Front, Side Setback Variances- for a rebuild of a 2-story home on the parcel.

VI. Adjournment



TO: Chairman Kath and Board Members

FROM: Erik Engle, Planning Director

RE: 117 Ohio

DATE: September 11, 2023

Current Zoning District: R-2 Parcel No.: 42-01132.000

Existing Land Use: Single Family Residential

Property Size: 0.1752 acres

Traffic Considerations: Ohio Street dead ends to the north at the lake.

Project Description- Area Variance

The applicant is proposing a two-car attached garage to the rear of the home. R-2 Zoning rear yard setback is 30', as proposed, the garage would be 19'-8" from the property line. The applicant has noted that the property has a 20' sewer easement that runs along the driveway and property line, limiting the location where a structure can be placed on the parcel.

Since the proposed variance falls under the "area variance" category, the following criteria should be examined in order to establish if there are practical difficulties in the use of the property (The Seven (7) Way Test-Duncan vs The Village of Middlefield):

- 1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the 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 governmental services (for example, water, sewer, garbage).
- 5. Whether the property owner purchased the property with knowledge of the zoning restriction or if the need for the variance is "self-imposed". (The owner created the situation)
- 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 substantial justice done by granting the variance.

Staff Analysis:

The applicant is proposing an attached two car garage to the rear of the 2-story home. The parcel is zoned R-2, setbacks pursuant to 1123.03 (e):

25' Front Yard Setback

30' Rear Yard Setback

8' min./20' total Side Yard Setbacks.

As proposed, the attached two-car garage will require a rear yard setback variance of 10'-4". The side yard setbacks and height are compliant with the code. As noted, the property contains a 20' sanitary sewer easement through the driveway and rear yard that would limit the location of a structure in those areas.

As submitted, the proposed attached garage will require the following variance pursuant to Section 1123.03 (e),

Rear Yard Setback Variance of 10'-4"

Motion Examples [PLEASE STATE WHY YOU ARE APPROVING OR DENYING FOR THE RECORD]

Motion to **APPROVE** the variance request:

I make the motion to **approve** the request for an area variance at 117 Ohio Street for a rear yard setback variance of 10'-4" as submitted. The testimony presented in this public hearing has shown that the granting of this variance is not significant, will not adversely affect the public health, safety, or welfare; will not alter the essential character of the neighborhood; will not cause a hazard or a nuisance to the public; and will serve the spirit and intent of the zoning regulations.

OR

Motion to **DENY** the variance request:

I make the motion to **deny** the request for an area variance at 117 Ohio Street for a rear yard setback variance of 10'-4" as submitted, as sufficient testimony has **not** been presented in this public hearing that the requested variance meets the criteria set forth in the seven-way test as the project:

(Choose one or more appropriate finding(s) and specific items based on the seven-way test)

- Variance hardship is self-imposed
- Can be feasibly obviated through some other method other than a variance(s)
- Will adversely affect the public health, safety, and welfare.
- Will alter the essential character of the neighborhood.
- Will cause a hazard or a nuisance to the public.
- Will be contrary to the public interest.



CITY OF HURON

Planning & Zoning Department 417 MAIN STREET, HURON, OH 44839

THE BOARD OF BUILDING AND ZONING APPEALS APPLICATION

Completion of all applicable sections required. Incomplete applications will not be accepted.

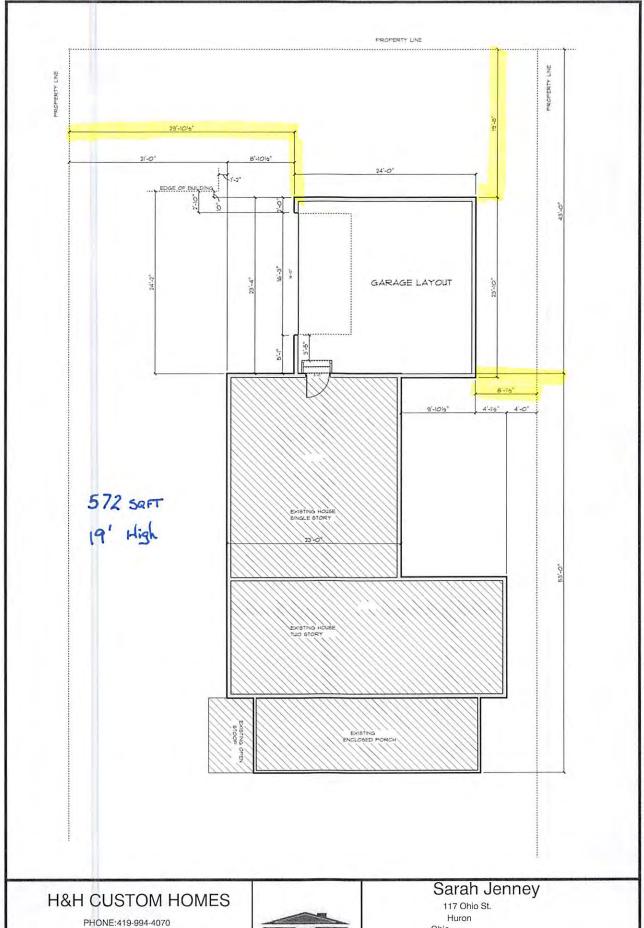
We, the undersigned represent that we are the title owners of the following described property situated in the City of Huron, OH:

Applicant's Name Doug Price - Ht H Custon Homes, UC
Property Owners' Name: Sarah Jenkey
Address: 117 Ohio St.
City, State, Zip: Hyron, Ohio 44839
Phone Number 419-569-5019
Email: Saeah 15 42 Chotmail. Com
Location of Project:
Lot/Parcel #: 42-0/132,000 Zoning District:
Address: //7 Ohio 5t, Huron, OH 44839.
Year purchased: 2018 . Year the existing structure was constructed: 1905
Single Story Home:Two Story Home:
Provide a brief summary of your proposed project:
Would like to ADD A two CAR GARAGE At the END
of the house
Type:
• Area Variance: Subdivision Regulations Parking Setbacks X Height Size Flood Plain
• Use Variance:
Conditionally Permitted Use:

REA	Rear Setback is 30' AND WE Would Need A VARIANCE 10'4" to build the garage, leaving 19'8"
Zonin	Conditionally Permitted Use Approval ollowing uses shall be permitted only if authorized by the Board of Building & g Appeals in accordance with the provisions of Section 1139.02. State the type of us proposed and the applicable code section:
Code	Section:(skip to Page 7, Sign and Date Application)
	(skip to rage 7, Sign and Date Application)
	Use and/or Area Variance Questionnaire
1.	The property in question [will will not] yield a reasonable return and there [can/cannot] be a beneficial use of the property without the variance because: No other way to mitigate the garage. There is a 20' Sewer pasement that Runs along her solveway and
2.	The variance is [substantial]insubstantial] because: With the 20' sewer easement that news nown the Property line, there is NO other way to build the garage by the way we ARE submitting in for.
3.	The essential character of the neighborhood [would/would not] be substantially altered or adjoining properties [would/would not] suffer a substantial detriment as a result of the variance because: No impossing sight nestrictions
4.	The variance [would would not] adversely affect the delivery of governmental services, (e.g., water, sewer, garbage)

6.	The applicant's predicament feasibly [can some method other than a variance.	cannot) be resolved through
7.	The spirit and intent behind the zoning reconstruction observed and substantial justice [done no	
8.	We believe the request should be granted decreated by the property: (explain the hards)	nip that exists pursuant to the code)
Was Envil	he 20' sower EASOMENT that RUNS Ale hiveway has left us with NO other place Day WE ARE proposing. We have ASKED O DIRDNMENTAL Services if we could build ACC NIED OUR REQUEST	Prie County Department of
wor app	hereby certify that I am the owner of record of tork is authorized by the owner of record and/or oplication as an authorized agent and agree to cond ordinances of the city. I certify all information applemental documents are true and accurate to	I have been authorized to make this onform to all applicable laws, regulations, on contained within this application and
the said its com	a addition, I, the undersigned responsible party are property owner) of the property described he aid property, at a reasonable time and to the extension of the compliance with the City's Zoning and/or Buildingthority to grant access to said property.	rein, do hereby consent to entry upon ent necessary, by the City of Huron and pose of inspecting said property for
Date	rate: 8-8-23 Signed Applicant	- H&H Custom Homes, LLC
Date	Signed Property Owner An (REQUIRI	ED)
	*************	***********
	ZONING DEPT. U	
Date	Pate received: 4/11/2 Application Complete	
\$15	150 filing fee receipted:	
Con	Comments	Hearing Date

6.

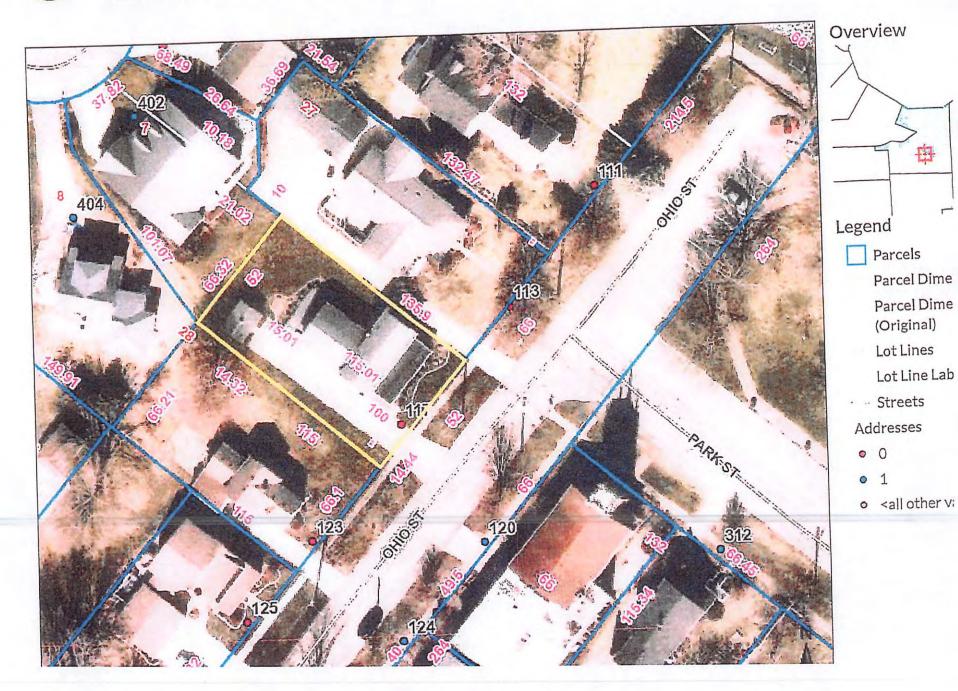


16573 ST. RT. 3 LOUDONVILLE OHIO 44842



Huron Ohio 44839

DRAWN BY: J.B.	PAGE: 1	
SCALE: 1/8"=1"	- I AGE.T	
DATE: Thursday, August 3, 2023	Revision 1	



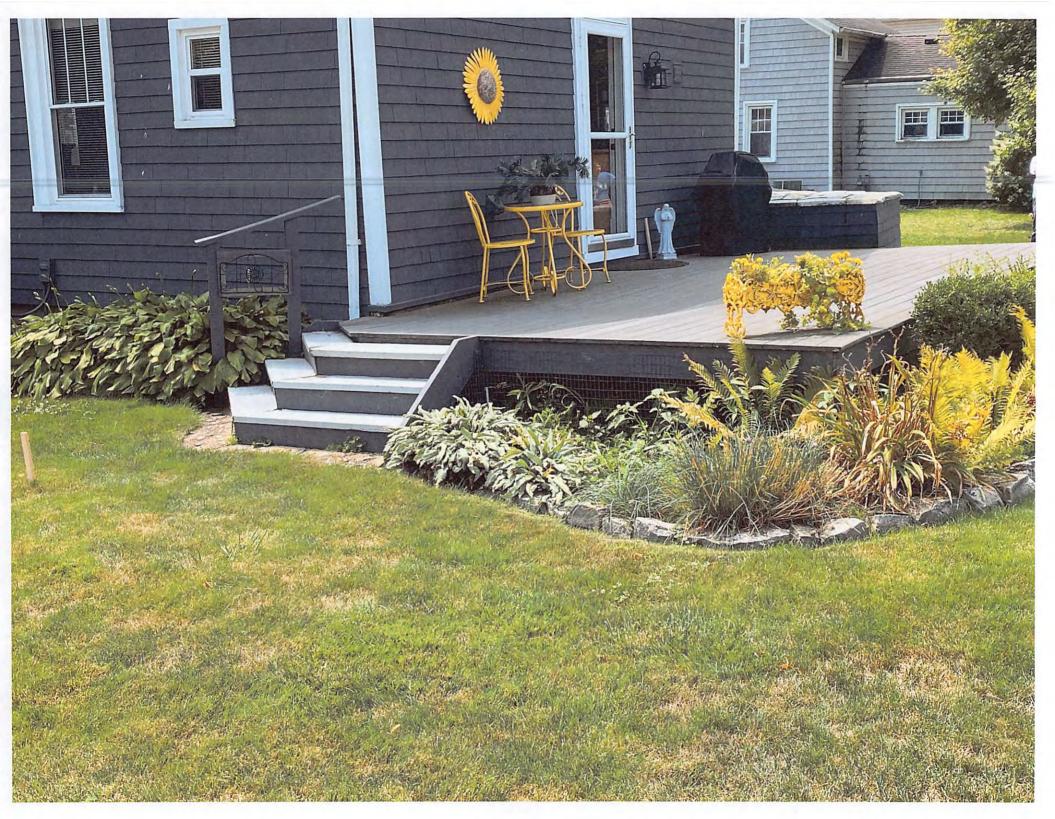
Parcels

Parcel Dime Parcel Dime (Original) Lot Lines

Lot Line Lab





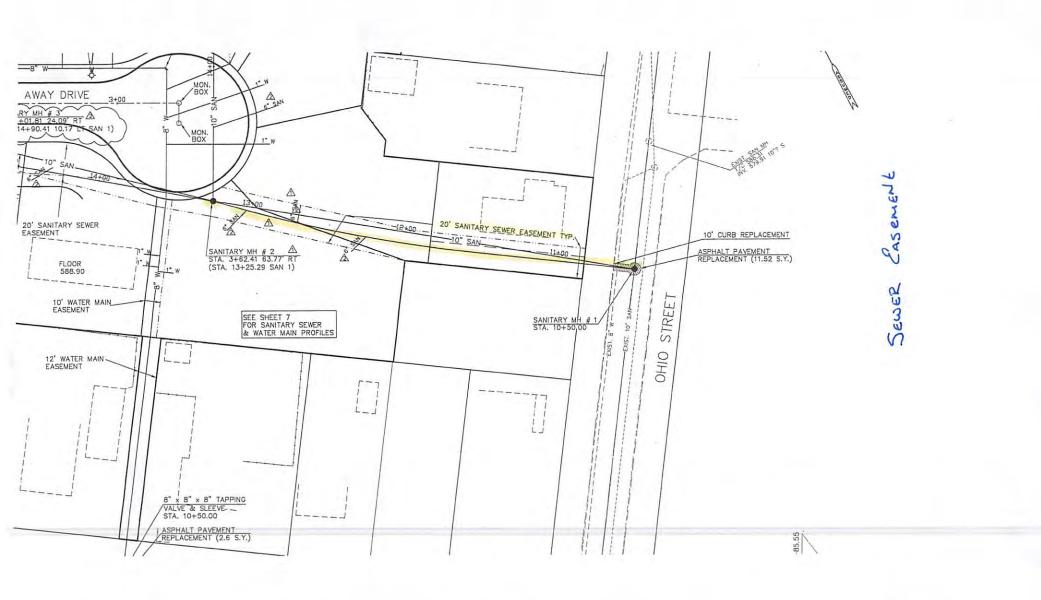












Neighbors surrounding Sarah Jenney

David & Gayle Kelley

113 Ohio Street Huron, Ohio 44839

David & Julia Davis

125 Ohio Street Huron, Ohio 44839

Susan Coughlan

402 Sail Away Dr. Huron, Ohio 44839

Todd & Cynthia Netkowicz

404 Sail Away Dr. Huron, Ohio 44839



TO: Chairman Kath and Board Members

FROM: Erik Engle, Planning Director

RE: 24 Dayton Ave **DATE:** September 11, 2023

Current Zoning District: R-1 Parcel No.: 45-00346.000

Existing Land Use: Single Family Residential

Property Size: 0.08494 acres +/-, Frontage 50', Depth 74'

Traffic Considerations:

Project Description- Area Variance

Applicant is proposing to demolish the pre-existing/nonconforming "A" Frame home, front deck extension, remove the existing storage shed, and rebuild a two-story home with a very similar footprint.

Since the proposed variance falls under the "area variance" category, the following criteria should be examined in order to establish if there are practical difficulties in the use of the property (The Seven (7) Way Test-Duncan vs The Village of Middlefield):

- 1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the 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 governmental services (for example, water, sewer, garbage).
- 5. Whether the property owner purchased the property with knowledge of the zoning restriction or if the need for the variance is "self-imposed". (The owner created the situation)
- 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 substantial justice done by granting the variance.

Staff Analysis:

The home is located within the R-1 Zoning District, is preexisting/nonconforming to setbacks, and the lot itself is noncompliant with min. lot area or frontage. Applicant is proposing to demo the existing home, shed and front yard deck that extends to front property line, rebuild a two-story home, and replace the driveway. As existing, the current home does not meet any setback

requirements, the driveway is not compliant with the 3' side yard setback, and the front yard deck extends right up to the front property line.

1123.01 R-1 Zoning Requirements

(e) Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed, except as otherwise provided in this Zoning Ordinance:

Dwelling Stories	Lot Area	Lot Frontage	Front Yard Depth		e Yards st/Sum	Rear Yard Depth
1	9,000sf	75'	30'	7'	15'	30'
2	9,000sf	75'	30'	8'	20'	30'

As proposed, the front yard setback will be greatly improved by the removal of the current deck section that extends to the property line. The front setback as proposed will be 26' from the property line, requiring a 4' variance. The rear yard setback is remaining the same, and will require a 22' variance, the south side yard setback remains the same, requiring a 1' variance and the north side setback has been increased, requiring a 5' north side setback variance.

As submitted, the proposed rebuild of a home will require the following variances:

Existing Setbacks	Proposed Setbacks	Variances Required
Front Yard 0 (Deck)	Front Yard 26' (deck)	4'
Rear Yard 8'	Rear Yard 8'	22'
Side Yards 7' & 11'	Side Yards 7' & 15' (22' total)	1' variance for two story

The new driveway will be compliant with the 3' side yard setback and will be widened to the allowed 24'. The proposed height of the new home will be under the max height of 35'. These items will all be verified within the permit plan reviews through Zoning & Building Departments.

Motion Examples [PLEASE STATE WHY YOU ARE APPROVING OR DENYING FOR THE RECORD]

Motion to **APPROVE** the variance request:

I make the motion to **approve** the request for an area variance at 24 Dayton Ave for a front yard setback variance of 4', a rear yard setback variance of 22', a 1' side yard setback on the south, as submitted. The testimony presented in this public hearing has shown that the granting of this variance is not significant, will not adversely affect the public health, safety, or welfare; will not alter the essential character of the neighborhood; will not cause a hazard or a nuisance to the public; and will serve the spirit and intent of the zoning regulations.

OR

Motion to **DENY** the variance request:

I make the motion to **deny** the request for an area variance at 24 Dayton Ave for a front yard setback variance of 4', a rear yard setback variance of 22', and a 1' side yard setback on the south, as submitted, as sufficient testimony has **not** been presented in this public hearing that the requested variance meets the criteria set forth in the seven-way test as the project:

(Choose one or more appropriate finding(s) and specific items based on the seven-way test)

- Variance hardship is self-imposed
- Can be feasibly obviated through some other method other than a variance(s)
- Will adversely affect the public health, safety, and welfare.
- Will alter the essential character of the neighborhood.
- Will cause a hazard or a nuisance to the public.
- Will be contrary to the public interest.



CITY OF HURON

Planning & Zoning Department 417 MAIN STREET, HURON, OH 44839

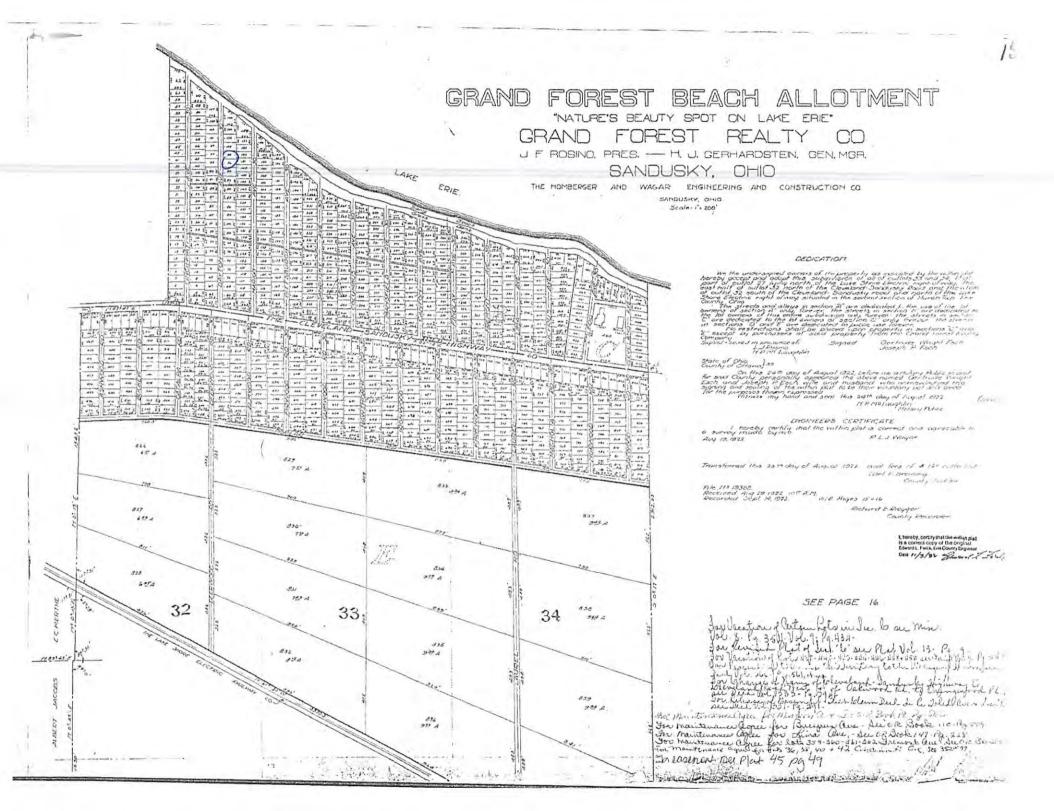
THE BOARD OF BUILDING AND ZONING APPEALS APPLICATION Completion of all applicable sections required. Incomplete applications will not be accepted.

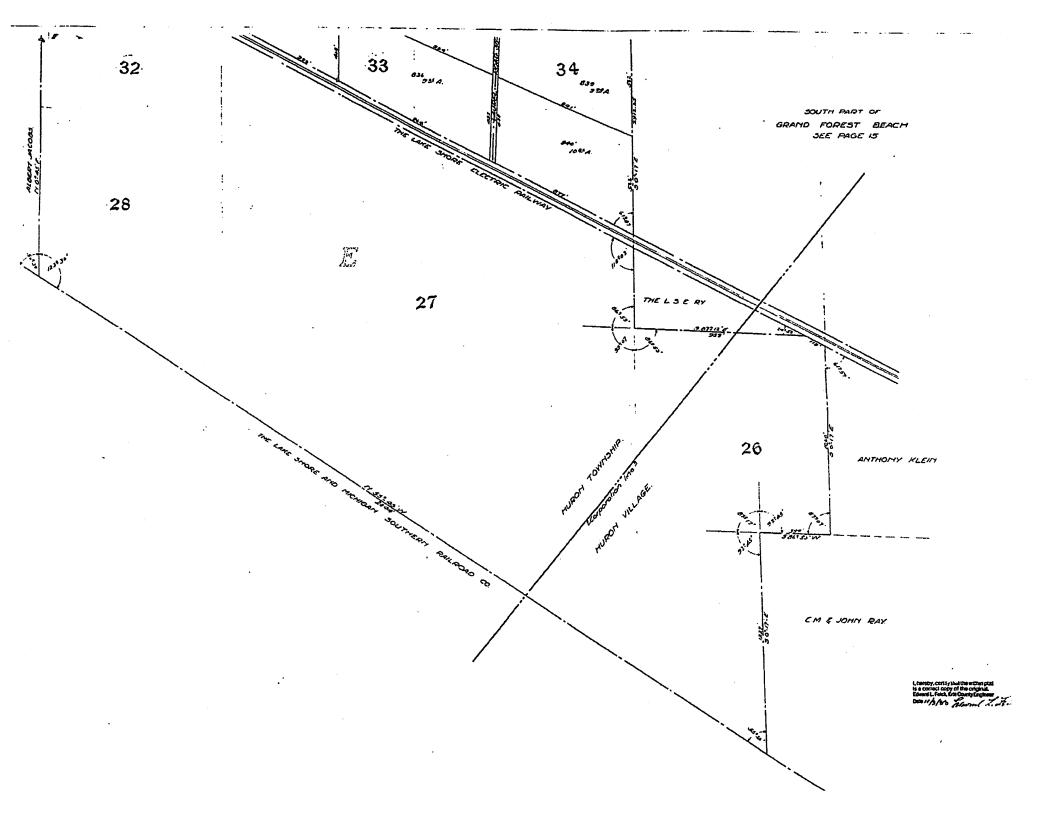
We, the undersigned represent that we are the title owners of the following described property situated in the City of Huron, OH:

Applicant's Name Doselas A mastesas
Property Owners' Name: Danies A mostus
Address: 24 Daylon Ave Horon On 44830
City, State, Zip: 110-00, 00 44839
Phone Number (400)541-7335 440541-4328
Email: digmera aol com
Location of Project:
Lot/Parcel #: <u>45 -00346 .00</u> Zoning District:
Address: Dung Hoon, OH 44839.
Year purchased: Year the existing structure was constructed:
Single Story Home:Two Story Home:
Provide a brief summary of your proposed project:
Take draw corrend House
Reposited news constantion on
Corrent Sett Dades
Туре:
Area Variance: Subdivision Regulations Parking Setbacks Height SizeFlood Plain
Use Variance:
Conditionally Permitted Use:

	dested. Example: Area variance-1' side setback variance is required for the proposed stion; Use Variance-State the type of use; or Conditionally Permitted Use approval)
Zonir	Conditionally Permitted Use Approval following uses shall be permitted only if authorized by the Board of Building & an accordance with the provisions of Section 1139.02. State the type of use proposed and the applicable code section:
Code	Section: (skip to Page 7, Sign and Date Application)
	Use and/or Area Variance Questionnaire
1.	The property in question [will/will not] yield a reasonable return and there [can/cannot] be a beneficial use of the property without the variance because:
2.	The variance is [substantial/insubstantial] because:
3.	The essential character of the neighborhood [would/would not] be substantially altered or adjoining properties [would/would not] suffer a substantial detriment as a result of the variance because:
4.	The variance [would/would not] adversely affect the delivery of governmental services, (e.g., water, sewer, garbage)
5.	The applicant purchased the property [with/without] knowledge of the zoning restriction. Year the property was purchased: Year the structure(s) was constructed: \

	The applicant's predicament feasibly [can/cannot] be resolved through some method other than a variance.
7.	The spirit and intent behind the zoning requirement [would/would not] be observed and substantial justice [done/not done] by granting the variance because
	Dev. Dospor De Const. 12
	existing roome
8.	We believe the request should be granted due to the following hardship which is created by the property: (explain the hardship that exists <i>pursuant to the code</i>)
	Be copy to voild a livery
- 1	yours march worse
	CX:345
	N .
	ddition, I, the undersigned responsible party (owner, occupant, tenant, or agent for property owner) of the property described herein, do hereby consent to entry upon
its o	property, at a reasonable time and to the extent necessary, by the City of Huron and fficers, employees, and/or agents for the purpose of inspecting said property for pliance with the City's Zoning and/or Building Codes. I further certify that I have ority to grant access to said property.
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its of command authors and the command authors and the command authors are also and the command authors are also and authors are also also and authors are also and authors are also and also are also also and also are also also also also also also also also	property, at a reasonable time and to the extent necessary, by the City of Huron and fficers, employees, and/or agents for the purpose of inspecting said property for pliance with the City's Zoning and/or Building Codes. I further certify that I have ority to grant access to said property. 1. 1. 25.23 Signed Applicant (REQUIRED) The purpose of inspecting said property for purpose of inspecting said property for pliance with the City's Zoning and/or Building Codes. I further certify that I have ority to grant access to said property. 2. 25.23 Signed Applicant (REQUIRED)
Date Date Date Com	property, at a reasonable time and to the extent necessary, by the City of Huron and fficers, employees, and/or agents for the purpose of inspecting said property for pliance with the City's Zoning and/or Building Codes. I further certify that I have ority to grant access to said property. : 7 25 23 Signed Applicant : 7 25 23 Signed Property Owner (REQUIRED) ***********************************





Summary

Parcel Number 45-00346.000
Map Number 45179140004

 Map Number
 4517914000

 Location Address
 24 DAYTON

 Legal Acres
 0.0000

Legal Description 96 DAYTON AVE

(Note: Not to be used on legal documents.)

Neighborhood 4554589-OFF THE WATER-NORTHSIDE OF CLE

Tax District 42-HURON CITY
School District HURON CSD
Homestead Reduction NO
Owner Occupancy Credit YES

Foredosure NO

Land Use 510-SINGLE FAMILY DWELLING

(Note: Land Use is for valuation purposes only. Consult the local jurisdiction for zoning and legal use.)

Download Land Use descriptions

Notes

Map Number: 042 Personal Property District: 22-0130

Owners

Owner AddressTax Payer AddressCOCKRELL DOUGLAS ACOCKRELL DOUGLAS A24 DAYTON AVENUE24 DAYTON AVENUEHURON OH 44839HURON OH 44839

Land

Land Type	Calculated Acres	Actual Frontage	Effective Frontage	Depth	Depth Factor	Unit Rate	Appraised Value (100%)
F-FRONT LOT [DEPTHA]	0	50	50	74	71%	500	\$17,750
Total	0.0000						\$17,750

Dwellings

Card	1	Heating	No Heating
Number of Stories	1	Cooling	Central AC
Style	01-SINGLE FAMILY	Basement	
Year Built	1959	Attic	384
Year Remodeled	0	Finished Living Area	768
Rooms	4	First Floor Area	768
Bedrooms	2	Upper Floor Area	0
Full Bath	1	Half Floor Area	0
Half Bath	0	Finished Basement Area	0
Family Rooms	0	Total Basement Area	0
Dining Rooms	0	Fireplace Openings	0
Grade	D+	Fireplace Stack Count	0
Grade Adjustment	85.0000	Value	-
Condition	AV-AVERAGE	1382	

Additions

Card 1

Line	Description	Area	Appraised Value (100%)
1	WDDK-WOOD DECK	174	\$2,610
2	WDDK-WOOD DECK	240	\$3,600

Improvements

Card 2

Description	Dimensions	Area	Year Built	Appraised Value (100%)
SHED	14×8	112	1998	\$1,020
Total				\$1,020

Appraised Value

If the value information is unavailable or does not display, it may be due to this being a new parcel and the information will be available in a future year. If you have questions please contact the Erie County Auditor's Office by email at

	ecaoweriecount	<u>y.on.gov</u> or by phone at (419) 62/-/	746.		
Assessed Year	2022	2021	2020	2019	2018
Land Value	\$17,750	\$17,750	\$17,750	\$17,750	\$17,750
CAUV Value	\$0	\$0	\$0	\$0	\$0
Improvements Value	\$71,300	\$71,300	\$56,660	\$56,660	\$56,660
Total Value (Appraised 100%)	\$89,050	\$89,050	\$74,410	\$74,410	\$74,410

Taxable Value (35% of Appraised Value)

If the value information is unavailable or does not display, it may be due to this being a new parcel and the information will be available in a future year. If you have questions please contact the Erie County Auditor's Office by email at

	Country of the Country	Former of by priorie at (417) 027-7	740.		
Assessed Year	2022	2021	2020	2019	2018
Land Value	\$6,210	\$6,210	\$6,210	\$6,210	\$6,210
CAUV Value	\$0	\$O	\$0	\$0	\$0
Improvements Value	\$24,960	\$24,960	\$19,830	\$19,830	\$19,830
Total Value (Assessed 35%)	\$31,170	\$31,170	\$26,040	\$26,040	\$26,040

Tax History

Tax Year (click for detail)	Prior Charges	Full Year Total	Payments	Half Year Due	Full Year Due
EJ 2022 Pay 2023	\$0.00	\$1,454.22	\$1,454.22	\$0.00	\$0.00
⊞ 2021 Pay 2022	\$0.00	\$2,185.80	\$2,185.80	\$0.00	\$0.00
⊕ 2020 Pay 202)	\$0.00	\$2,065.55	\$2,065.55	\$0.00	\$0.00

For tax bills and related information, please visit the Erie County Treasurer's website by clicking here

Special Assessments

Every assessment code begins with a letter C - County, M - City or Village or T - Township. This represents the type of entity who established the assessment.

Click HERE for a list of Entity and Assessment Codes

Project Number			
(click for detail)	Tax Year	First Half Net	Second Half Net
□ CLJ424S001 - DELQ SEWER - GRAND FOREST BEAC.	2022 Pay 2023	\$161.83	\$0.00
■ M2042490001 - HURON CITY STREET LIGHTS	2022 Pay 2023	\$11.61	\$11.60
⊕ C134245001 - DELQ SEWER - GRAND FOREST BEAC.	2021 Pay 2022	\$896.99	\$0.00
	2021 Pay 2022	\$11.61	\$11.60

Click to expand the 2021 Pay 2022 to see the Tax Details in the Tax History section above for the current payments and balances.

Payments

Payment Date	Amount Paid
7/6/2023	\$646.19
2/13/2023	\$808.03
6/30/2022	\$644.40
2/1/2022	\$1,541.40
7/1/2021	\$552.49
2/12/2021	\$1,513.06
7/2/2020	\$576.92
2/11/2020	\$1,299.38
6/26/2019	\$579.97
2/8/2019	\$1,212.86
7/10/2018	\$542.64
2/15/2018	\$542.65
6/29/2017	\$537.91
2/8/2017	\$1,110.37
7/1/2016	\$524.79
2/9/2016	\$603.63

Sales

Sale Price	Seller	Buyer	No. of Properties
\$81,500	PAPADAKOS ARI P	COCKRELL DOUGLAS A	1
\$70,000	DUNFEE EUGENE L & MONICA	PAPADAKOS ARI P	1
\$O	UNKNOWN	DUNFEE EUGENE L & MONICA	0
	\$81,500	\$81,500 PAPADAKOS ARI P \$70,000 DUNFEE EUGENE L & MONICA	\$81,500 PAPADAKOS ARI P COCKRELL DOUGLAS A \$70,000 DUNFEE EUGENE L & MONICA PAPADAKOS ARI P

Recent Sales In Area

Sale date range:

From: 08/03/2020 To: 08/03/2023

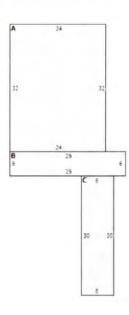
Historical Grand List

Browse all Erie County Historical Grand List Documents



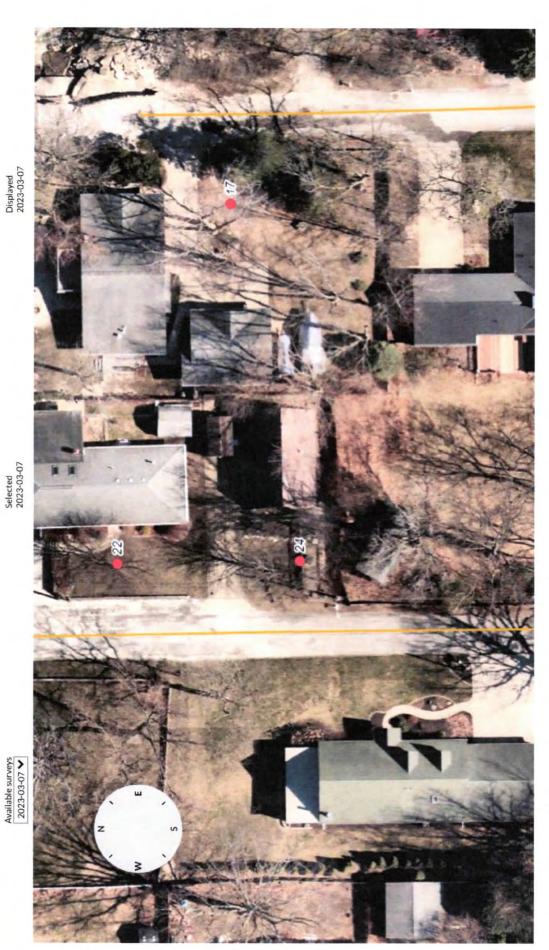
Sketches

Note: Sketch items labeled O1 through O9 are Other Improvements and more detail about these items can be found under the Improvements tab. Click HERE for Sketch Codes and Descriptions



Grid Sc	ale: 5ft
A	A/1SFR (ATTIC / 1 STORY FRAME) 768 sqft
В	WDDK (WOOD DECK) 174 sqft
C	WDDK (WOOD DECK) 240 saft





Schneider Schneider

DAYTON AVE.

