

Minutes of Perrysburg Board of Zoning Appeals

Meeting Held October 10, 2022

CALL TO ORDER - 5:30 PM

The meeting was called to order at 5:34 P.M. by Vice Chairman Scott Anderson.

ROLL CALL

Board members present were Scott Anderson, Brian Elmer, Michael McIntyre, and Matthew Sutter (4). Chairman Nathan Duricek arrived at 5:38 P.M. (1). Also present was Cody Grodi, Zoning Inspector.

APPROVAL OF SEPTEMBER 12, 2022 MEETING MINUTES

Mr. Elmer moved to approve the minutes of the September 12, 2022 meeting as written. Seconded by Mr. Anderson. Ayes: Anderson, Elmer, and Sutter (3). Nays: (0). Abstain: McIntyre (1).

ADMINISTER OATH

Mr. Anderson administered an oath to those that would be speaking at the meeting.

ZONING PERMIT OBLIGATION

NEW BUSINESS

APPLICATION 51-22

Andrea Rees is requesting a zoning variance to install an addition to the house. The property is located at 140 W. Sixth Street and is zoned R-3 (Single Family Residential).

NOTE: *Chapter 1230.01 Intensity and Dimensional Standards*

R-3 Zoning:

Front Yard = 35'

Rear Yard = 35'

Side Yard Min = 8'

Side Yard Total = 20'

1. The applicant is requesting a zoning variance to construct an addition to the front of the house. The addition will be set back thirteen (13) feet off of the front property line.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances C, D, E, and F of Chapter 1275.02(c)(3). The property owner's house does not meet the current setbacks as set forth by the code. There are houses nearby that are closer to the property line than what the proposed addition will be, so the character of the neighborhood won't be altered. The addition will be setback twenty-two (22) feet from the sidewalk.

Mr. Grodi reviewed Application 51-22. Andrea Rees was present, and said that they are adding on to their front porch with a 10' x 10' pad that is bigger than it previously was. She added that they are also extending the roof line.

Mr. Sutter moved to approve Application 51-22 as submitted, and finding C, D, E, and F of Chapter 1275.02(c)(3) to be true. Seconded by Mr. Elmer. Ayes: Anderson, Elmer, McIntyre, and Sutter (4). Nays: (0).

APPLICATION 52-22

Kraig Mackett is requesting a zoning variance in order to install an accessory structure and a patio in the side yard. The property is located at 2351 Sunflower Court and is zoned R-2 (Single Family Residential).

NOTE: *Chapter 1250.61(a) Accessory Buildings and Uses*

No accessory building or uses shall be located in any front or side yard setback except under unusual circumstances where such activity will not conflict with the intent and purposes of this Zoning Code or where enforcement would result in extreme hardship. Either exception shall require approval of the Board of Zoning Appeals.

1. The applicant is requesting a variance to install a gazebo and a patio in the side yard.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances B, D, E, F of Chapter 1275.02(c)(3). The gazebo and patio will maintain the required setback off of the side property line. Due to the existing in-ground swimming pool and large easements in the rear yard, placement in the rear yard would be difficult.

Mr. Grodi reviewed Application 52-22. Kraig Mackett was present, and added that they have a high pressure gas line that is thirty (30) feet off the rear of the property line. Mr. Elmer confirmed that neighboring comments had not been received, and Mr. Mackett stated that his neighbors are aware of his request. There was a brief discussion about

setbacks related to this request.

Mr. Sutter moved to approve Application 52-22 as submitted, and finding B, D, E, and F of Chapter 1275.02(c)(3). Seconded by Mr. McIntyre. Ayes: (5). Nays: (0).

APPLICATION 53-22

Benjamin Ward is requesting a zoning variance to allow for a driveway to be installed. The property is located at 244 W. Sixth Street and is zoned R-3 (Single Family Residential).

NOTE: *Chapter 1250.51(c)(2) Residential Driveways: Residential driveways shall be a minimum of ten (10) feet wide and a maximum of twenty-four (24) feet wide where it meets the curb, alley or street.*

1. The applicant is requesting a variance that would allow for the driveway to extend sixty-one (61) feet in width along Cherry Street.

Recommendation:

1. The Zoning Inspector recommends denial of the variance, as the request does not meet enough of the conditions required to grant a variance. The homeowner could have built the garage in a way in which a variance would not be required. The hardship has been brought on by the homeowner and not due to a pre-existing condition. The request is substantial as the proposed driveway width is more than double what is permitted by code. Additionally, if the amount of parking of vehicles is a concern, on-street parking is permitted.

Mr. Grodi reviewed Application 53-22. Benjamin and Colleen Ward were present. Mr. Ward noted that his garage was approved by the BZA, and that his contractor attended that meeting. He added that his goal at this point is to get the cars off of the street. The Board briefly discussed the width of the proposed driveway. Mr. McIntyre asked if there was a driveway design that would not require a variance, and Mr. Grodi said that driveways are allowed to be installed twenty-four (24) feet wide at the street. He added that a neighbor called stating that they were not in favor of the request, and that they wished to remain anonymous. Mr. Grodi confirmed that the Board could grant conditional approval for this request if they would like.

Mr. Anderson moved to grant conditional approval of Application 53-22 with the amended curve to the driveway as drawn during the meeting at a width of sixty-one (61) feet, and finding B, C, D, and G of Chapter 1275.02(c)(3) to be true. Seconded by Mr. Elmer. Ayes: (5). Nays: (0).

APPLICATION 54-22

Brian Wahl is requesting a zoning variance to keep a shed. The property is located

at 707 Louisiana Avenue and is zoned R-3 (Single Family Residential).

NOTE: *Chapter 1250.61(f) Accessory Buildings and Uses:* The combined footprints of all accessory buildings on a lot shall not exceed the lesser of 5% of the lot size or 4,000 SF. However, the Board of Zoning Appeals may consider an exception to the maximum size requirement providing that the requested size does not exceed 8% of the lot size.

1. The applicant is requesting a variance that would allow for 5.2% of the lot size in accessory structures. The property owner has constructed a shed that has now exceeded the total amount of accessory structure square footage allowed. The property has two accessory structures that total six hundred and sixty six (666) square feet, while by code only six hundred and thirty six (636) square feet would be allowed.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances A, C, D, and E of Chapter 1275.02(c)(3). The small lot size would not allow for the desired shed size. The shed will allow for the owner to store lawn equipment, so that they can utilize the garage for parking vehicles.

Mr. Grodi reviewed Application 54-22. The applicant was not present. Mr. Grodi noted that the permit that was approved in the office utilizes the exterior square footage of the accessory building, rather than the interior measurements that the homeowner installed the structure for. Elaine Cantner, 627 Louisiana Avenue, called in favor of the variance request.

Mr. Anderson moved to approve Application 54-22 as submitted, and finding A, C, D, and E of Chapter 1275.02(c)(3) to be true. Seconded by Mr. McIntyre. Ayes: (5). Nays: (0).

OTHER BUSINESS

APPLICATION 49-22 (Tabled)

Pete Huffman is requesting a zoning variance in order to construct an addition. The property is located at 415 W. Fifth Street and is zoned R-3 (Single Family Residential).

NOTE: *Chapter 1230.01 Intensity and Dimensional Standards*

R-3 Zoning:

Front Yard = 35'

Rear Yard = 35'

Side Yard Min = 8'

Side Yard Total = 20'

1. The applicant is requesting a zoning variance to construct an addition to the front of the house. The addition will be set back seventeen (17) feet off of the front property line.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances A, D, E, and F of Chapter 1275.02(c)(3). The addition will not encroach into the front yard any more than the existing deck that has since been removed.

Mr. Grodi reviewed (Tabled) Application 49-22. Pete Huffman was present, and stated that they are removing and replacing a deteriorating deck off of the front of the home.

Mr. Sutter moved to approve Application 49-22 as submitted, and finding A, D, E, and F of Chapter 1275.02(c)(3) to be true. Seconded by Mr. Elmer. Ayes: (5). Nays: (0).

ADJOURNMENT

There being no further business, the meeting adjourned at 6:14 P.M.

Respectfully submitted,

Heather Alfaro