

Minutes of Perrysburg Board of Zoning Appeals

Meeting Held December 12, 2022

CALL TO ORDER - 5:30 PM

The meeting was called to order at 5:30 p.m. by Chairman Nathan Duricek.

ROLL CALL

Board members present were Scott Anderson, Nathan Duricek, Brian Elmer, and Michael McIntyre (4). Matthew Sutter arrived at 5:35 p.m. (1). Also present was Cody Grodi, Zoning Inspector.

APPROVAL OF NOVEMBER 14, 2022 MEETING MINUTES

Mr. Anderson moved to approve the minutes of the November 14, 2022 meeting as written. Seconded by Mr. Elmer. Ayes: Anderson, Duricek, Elmer, and McIntyre (4).

ADMINISTER OATH

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

ZONING PERMIT OBLIGATION

NEW BUSINESS

Application 60-22

Joni King is requesting a zoning variance in order to keep a recently installed shed. The property is located at 415 W. Third Street and is zoned R-3 (Single Family Residential).

NOTE: *Chapter 1250.61(b) Accessory Building and Uses: Accessory buildings and uses may be located in a rear yard, provided that such uses are set back at least five (5) feet from the side and rear lot lines.*

1. The applicant is requesting a zoning variance to keep a recently installed shed. The shed is installed three (3) feet off of the property line.

Recommendation:

1. The Zoning Inspector recommends denial of the zoning variance as it does not meet enough of the criteria to grant a variance. There are no easements, topography issues, or unique yard scenarios that prevent the shed from being located five (5) feet off of the property line.

Mr. Grodi reviewed Application 60-22. Joni King was present, and added that the shed was installed 7-8 years ago. She presented additional pictures of her property and the location of the shed to the Board. Mr. Grodi said that he realized that the shed was too close to the property line once Ms. King's neighbor had a survey completed prior to the installation of her fence. Mr. Anderson noted that there is a service alley behind the house. Kelli Fisher, 421 W. Third Street, was present and said that she installed her fence eight (8) inches off of the property line next to Ms. King. The Board briefly discussed the possibility of relocating the shed, and if that would be a reasonable request. Mr. Grodi noted that he wrote his recommendation from the viewpoint that the shed is new in nature due to the fact that a permit was not pulled for the structure when it was installed.

Mr. McIntyre moved to approve Application 60-22 as submitted, and finding B, C, D, and F of Chapter 1275.02(c)(3) to be true. Seconded by Mr. Anderson. Ayes: Anderson, Duricek, Elmer, and McIntyre (4). Nays: (0). Abstain: Sutter (1).

Application 61-22

Jeffrey and Leslie Zilba are requesting a zoning variance in order to install a shed. The property is located at 1683 Watermill Lane and is zoned R-3 (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 applicants are requesting a variance to construct a shed in the front yard.

Recommendation:

1. The Zoning Inspector recommends denial of the zoning variance as it does not meet enough of the criteria needed to grant a variance. The structure can be placed in the back corner of the rear yard. The structure will be able to maintain the required setbacks in this location and remain outside of any easements.

Mr. Grodi reviewed Application 61-22. Leslie and Jeffrey Zilba were present, and added that they are unable to install the shed in the left corner of their rear property due to the location of the junction box. Ms. Zilba said that she has removed dying trees to place the shed in the proposed location. Mr. Grodi confirmed that tree plantings in a row would be considered a fence, and would have specific requirements per the code. Mr. Grodi asked if it would be possible to install the shed in front of the pine trees, and Ms. Zilba said that location could be intrusive to their next-door neighbors. Karen and Mark

Scheider, 1711 Watermill Lane, were present and said that from their front door they would be looking at the shed in its proposed location. Mr. Scheider added that there is an active HOA for the neighborhood, and that there is a provision against sheds. He noted that the proposed location would extend outward ahead of the house. Mr. Duricek said that he would prefer the shed be installed behind the house.

Mr. Anderson moved to deny Application 61-22, due to the request not meeting enough of the criteria needed to grant a variance. Seconded by Mr. Sutter. Ayes: (5). Nays: (0).

Application 62-22

Sandi Bauerschmidt is requesting a zoning variance to install an addition. The property is located at 320 W. Indiana Avenue 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 rear of the house. The addition will be set back two (2) feet off of the side property line.

Recommendation:

Mr. Grodi reviewed Application 62-22. Sandi Bauerschmidt was present, and said that they would like to add on to the footprint of the home so that they can construct a bigger bathroom. She noted that they had a survey of the property completed two years ago, and that there is an abandoned alley along the eastern property line. Mr. Grodi confirmed that the City owns the alley, and that they are not interested in vacating it.

Mr. Sutter moved to approve Application 62-22 as submitted, and finding C, D, E, and F of Chapter 1275.02(c)(3) to be true. Seconded by Mr. Duricek. Ayes: (5). Nays: (0).

Application 63-22

Suzanna Beard is requesting a zoning variance to install an addition. The property is located at 316 W. Seventh 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 house. The addition will be set back twenty (20) feet and six (6) inches off of the front property line.

Recommendation:

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 addition will not encroach any more into the side yard than the existing house.

Mr. Grodi reviewed Application 63-22. Suzanna Beard was present, and showed additional pictures to the Board. The neighbor at 326 W. Seventh Street spoke and said that he was concerned about the overhead in-bound power line. Ms. Beard said that the work will not begin until spring 2023, and that they are working to update the house as it has no working furnace.

Mr. McIntyre moved to approve Application 63-22 with the understanding that the addition be set back twenty (20) feet and six (6) inches off of the front property line, and finding C, D, E, and F of Chapter 1275.02(c)(3) to be true. Seconded by Mr. Duricek. Ayes: (5). Nays: (0).

OTHER BUSINESS

Application 59-22 (Tabled)

James Wisser is requesting a zoning variance in order to keep a recently installed shed. The property is located at 649 Locust Street and is zoned R-3 (Single Family Residential).

NOTE: *Chapter 1250.61(b) Accessory Building and Uses: Accessory buildings and uses may be located in a rear yard, provided that such uses are set back at least five (5) feet from the side and rear lot lines.*

1. The applicant is requesting a zoning variance to keep a recently installed shed. The shed is installed approximately fifteen (15) inches off of the property line.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances A, C, D, E of Chapter 1275.02(c)(3). Due to the lot being located on a corner, placement of the shed is difficult. The proposed location keeps the shed in the rear yard and allows for maintenance around the

structure.

Mr. Grodi reviewed Application 59-22 (Tabled). Mr. Elmer moved to untable Application 59-22. Seconded by Mr. Sutter. Ayes: (5). Nays: (0). James Wisser was present, and added that he has three front yards on his property, and that the proposed location of his shed is the only spot that falls within the rear yards of his neighbors.

Mr. Sutter moved to approve Application 59-22 as submitted, and finding A, C, D, and E of Chapter 1275.02(c)(3) to be true. Seconded by Mr. Elmer. Ayes: (5). Nays:

ADJOURNMENT

There being no objections, the meeting adjourned at 6:18 p.m.

Respectfully submitted,

Heather Alfaro