



Agenda

Board of Zoning Appeals

Date: April 4, 2023
To: Board of Zoning Appeals
From: Cody Grodi, Zoning Inspector
Re: **Items for the April 10, 2023 Meeting**

1. Call to Order - 5:30 PM
2. Roll Call
3. Approval of March 13, 2023 Meeting Minutes
4. Administer Oath
5. Zoning Permit Obligation
6. New Business

APPLICATION 09-23

AMERICAN FENCE AND SUPPLY IS REQUESTING A ZONING VARIANCE TO KEEP A FENCE. THE PROPERTY IS LOCATED AT 485 EDGEWOOD DRIVE AND IS ZONED R-3 (SINGLE FAMILY RESIDENTIAL).

NOTE: CHAPTER 1250.42 FENCES, WALLS, STRUCTURAL SCREENS, HEDGES, AND SCREEN PLANTINGS:

R1 - R5 ZONING:

- 4' MAXIMUM IN FRONT YARD
- 4' MAXIMUM IN SIDE YARD
- 6' MAXIMUM IN REAR YARD

1. THE APPLICANT IS REQUESTING A ZONING VARIANCE TO KEEP A RECENTLY INSTALLED SIX (6) FOOT FENCE. THE FENCE HAS BEEN INSTALLED IN THE SIDE YARD BEYOND THE MIDPOINT OF THE HOME.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based

on meeting the criteria for variances B, C, D, and E of Chapter 1275.02(c)(3). The property is a corner lot. Due to the yard determinations, the homeowner's yard area directly behind the house is considered the side yard. If the property owners were to install the fence at the mid-point, it would run directly into a window and limit the amount of usable yard space.

APPLICATION 10-23

JANE WEEDON AND LEANNE ROCK ARE REQUESTING A ZONING VARIANCE TO INSTALL A FENCE. THE PROPERTY IS LOCATED AT 1025 BRAMPTON PARK ROAD AND IS ZONED R-4 (SINGLE FAMILY RESIDENTIAL).

NOTE: CHAPTER 1250.42 FENCES, WALLS, STRUCTURAL SCREENS, HEDGES, AND SCREEN PLANTINGS:

R1 - R5 ZONING:

4' MAXIMUM IN FRONT YARD

4' MAXIMUM IN SIDE YARD

6' MAXIMUM IN REAR YARD

1. THE APPLICANT IS REQUESTING A ZONING VARIANCE TO INSTALL A FIFTY-FOUR (54) INCH TALL FENCE IN THE FRONT AND SIDE YARD.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances B, C, D, and E of Chapter 1275.02(c)(3). The property is a corner lot. Due to the HOA requirements, this is the only fence that the property owners can install. If installed where permitted by code, the property owners would lose a large amount of usable yard space.

APPLICATION 11-23

CASSIE CAMPBELL IS REQUESTING A ZONING VARIANCE TO KEEP A FENCE. THE PROPERTY IS LOCATED AT 411 W. SECOND STREET AND IS ZONED R-3 (SINGLE FAMILY RESIDENTIAL).

NOTE: CHAPTER 1250.42 FENCES, WALLS, STRUCTURAL SCREENS, HEDGES, AND SCREEN PLANTINGS:

R1 - R5 ZONING:

4' MAXIMUM IN FRONT YARD
4' MAXIMUM IN SIDE YARD
6' MAXIMUM IN REAR YARD

1. THE APPLICANT IS REQUESTING A ZONING VARIANCE TO KEEP A RECENTLY INSTALLED SIX (6) FOOT FENCE. THE FENCE HAS BEEN INSTALLED IN THE SIDE YARD BEYOND THE MIDPOINT OF THE HOME.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances B, C, D, and E of Chapter 1275.02(c)(3). The six (6) foot portion of the fence sits behind the neighbor's house. The fence then transitions to a four (4) foot fence as it runs along the side of the neighbor's house.

APPLICATION 12-23

MELCHIOR BUILDING COMPANY IS REQUESTING A ZONING VARIANCE IN ORDER TO MODIFY AN EXISTING SIGN. THE PROPERTY IS LOCATED AT 900 W. SOUTH BOUNDARY STREET AND IS ZONED C-4 (HIGHWAY COMMERCIAL).

NOTE: CHAPTER 1250.33(A) PERMANENT FREESTANDING SIGNAGE
C-4 ZONING DISTRICT:
MAXIMUM HEIGHT: 10'
MAXIMUM SIZE: 72 SF
LOCATION: 10' SETBACK
QUANTITY: 1 PER STREET FRONTAGE

NOTE: CHAPTER 1250.38 NONCONFORMING SIGNS

- A. IT IS THE INTENT OF THIS SECTION THAT THE CONTINUED USE OF NONCONFORMING SIGNS SHALL NOT BE ENCOURAGED.
- B. A NONCONFORMING SIGN SHALL IMMEDIATELY LOSE ITS NONCONFORMING DESIGNATION IF:
 1. THE STRUCTURE OF THE SIGN IS ALTERED IN ANY WAY, WHICH TENDS TO OR MAKES THE SIGN LESS IN COMPLIANCE WITH THE REQUIREMENTS OF THIS ZONING CODE THAN IT WAS BEFORE THE ALTERATION.
 2. THE SIGN IS RELOCATED TO A POSITION MAKING IT LESS IN COMPLIANCE WITH THE REQUIREMENTS OF THIS

ZONING CODE.

3. THE SIGN STRUCTURE IS REPLACED.

4. AFTER THE DATE OF DECEMBER 31, 2022, ANY CHANGE IS MADE TO THE SIGN FACE, ITS MESSAGE OR STRUCTURE.

C. ON THE OCCURRENCE OF ANY ONE OF ONE (1), TWO (2), OR THREE (3) THE SIGN SHALL BE IMMEDIATELY BROUGHT INTO COMPLIANCE WITH THIS ZONING CODE WITH A NEW PERMIT SECURED THEREFORE, OR THE SIGN SHALL BE REMOVED.

1. THE APPLICANT IS REQUESTING A VARIANCE TO MODIFY THE EXISTING SIGN. THE SIGN DOES NOT CURRENTLY MEET THE REQUIRED SETBACK. THE SIGN IS SETBACK EIGHT (8) FEET OFF OF THE PROPERTY LINE INSTEAD OF THE REQUIRED TEN (10) FEET.

Recommendation:

1. The Zoning Inspector recommends denial of the zoning variance as the request does not meet enough of the conditions required to grant a variance. The property still has beneficial use without the variance. Even if denied, the property owner can install a new sign that will conform to the guidelines set forth in the Perrysburg Codified Ordinances. The code is very clear that the intent of the code section is not to encourage the continued use of nonconforming signs.

APPLICATION 13-23

SCOTT BURNS IS REQUESTING A ZONING VARIANCE IN ORDER TO INSTALL A NEW SIGN. THE PROPERTY IS LOCATED AT 25481 N. DIXIE HIGHWAY AND IS ZONED C-4 (HIGHWAY COMMERCIAL).

NOTE: CHAPTER 1250.33(A) PERMANENT FREESTANDING SIGNAGE

C-4 ZONING DISTRICT:

MAXIMUM SIZE: 10% OF FACADE, UP TO 75 SF

QUANTITY: 1 PER FACADE, UP TO 3 FACADES

1. THE APPLICANT IS REQUESTING A VARIANCE TO INSTALL A NEW SIGN. THE SIGN WILL EXCEED THE MAXIMUM SQUARE FOOTAGE. THE SIGN IS ONE HUNDRED AND SIXTEEN (116) SQUARE FEET, WHICH EXCEEDS THE MAXIMUM OF SEVENTY-FIVE (75) SQUARE FEET PERMITTED BY CODE.

Recommendation:

1. The Zoning Inspector recommends denial of the zoning variance as the request does not meet enough of the conditions required to grant a variance. The property still has beneficial use without the variance. Even if denied, the property owner can install a new sign that can conform to the guidelines set forth in the Perrysburg Codified Ordinances. There is not a hardship that would prevent the applicant from meeting the size requirement.

7. Other Business

8. Adjournment

The next Board of Zoning Appeals meeting is scheduled for May 8, 2023 at 5:30 P.M. in the Municipal Building at 201 W. Indiana Avenue.

cc: Media