



Agenda

Board of Zoning Appeals

Date: May 2, 2023
To: Board of Zoning Appeals
From: Cody Grodi, Zoning Inspector
Re: **Items for the May 8. 2023 Meeting**

1. Call to Order - 5:30 PM
2. Roll Call
3. Approval of April 10, 2023 Meeting Minutes
4. Administer Oath
5. Zoning Permit Obligation
6. New Business

APPLICATION 14-23

ENVIROTRAC LTD. IS REQUESTING A ZONING VARIANCE IN ORDER TO MODIFY AN EXISTING SIGN. THE PROPERTY IS LOCATED AT 26471 SOUTHPOINT ROAD AND IS ZONED PBP (PLANNED BUSINESS PARK).

NOTE: CHAPTER 1250.33(A) PERMANENT FREESTANDING SIGNAGE

PBP ZONING DISTRICT:

MAXIMUM HEIGHT: 6'

MAXIMUM SIZE: 48 SQUARE FEET

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 MEET THE REQUIRED SETBACK. THE SIGN IS SETBACK EIGHT (8) FEET FROM 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 owner still has beneficial use of the property with the variance. Even if denied, the property owner can install a new sign the will conform to the guidelines set forth in the Perrysburg Codified Ordinances. The code section is very clear that the intent of the code section is to not encourage the continued use of nonconforming signs.

APPLICATION 15-23

DEBORAH LABADIE IS REQUESTING A ZONING VARIANCE TO INSTALL A SHED. THE PROPERTY IS LOCATED AT 143 W. SEVENTH STREET AND IS ZONED R-3 (SINGLE FAMILY RESIDENTIAL).

NOTE: 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 7.25% OF THE LOT SIZE IN ACCESSORY STRUCTURES. THE PROPERTY OWNER WOULD LIKE TO CONSTRUCT A SHED THAT WILL BE ONE HUNDRED AND TWENTY (120) SQUARE FEET.

THE PROPERTY WOULD HAVE TWO ACCESSORY STRUCTURES THAT TOTAL SEVEN HUNDRED AND EIGHTY-SEVEN (787) SQUARE FEET, WHILE BY CODE ONLY FIVE HUNDRED AND FORTY-FOUR (544) SQUARE FEET WOULD BE ALLOWED.

Recommendation:

1. No recommendation provided.

APPLICATION 16-23

BRETT POHLMAN IS REQUESTING A ZONING VARIANCE TO CONSTRUCT AN ADDITION. THE PROPERTY IS LOCATED AT 840 LITTLE CREEK DRIVE AND IS ZONED R-4 (SINGLE FAMILY RESIDENTIAL).

NOTE: *CHAPTER 1230.01 INTENSITY AND DIMENSIONAL STANDARDS*

R-4 ZONING:
FRONT YARD = 35'
REAR YARD = 30'
SIDE YARD MIN = 6'
SIDE YARD TOTAL = 16'

1. THE APPLICANT IS REQUESTING A ZONING VARIANCE TO CONSTRUCT AN ADDITION TO THE FRONT OF THE HOUSE. THE ADDITION WILL BE SETBACK EIGHTEEN (18) FEET OFF OF THE FRONT PROPERTY LINE.

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 variance is substantial as the request will allow a portion of the house to be constructed half way into the front yard building area setback. This will alter the character of the neighborhood as no other corner lots within the vicinity encroach into the front yard building setback. The property owners do have other options to explore that would not require a variance.

APPLICATION 17-23

M. FAROOQ AND GRACE AFRIDI ARE REQUESTING A ZONING VARIANCE TO ALLOW FOR A DRIVEWAY TO BE INSTALLED. THE

PROPERTY IS LOCATED AT 102 WALNUT STREET AND IS ZONED R-4 (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 (60) FEET IN WIDTH ALONG THE ALLEY. A PORTION WILL BE DRIVEWAY ACCESS TO THE GARAGE, WHICH WILL THEN CONNECT INTO A LARGE PARKING AREA ON THE SIDE OF THE GARAGE.

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. It is reasonable for the owners to install a driveway at twenty-four (24) feet and if additional parking is needed, on-street parking is permitted.

APPLICATION 18-23

CHELSEA KILLIAN IS REQUESTING A ZONING VARIANCE TO EXCEED THE MAXIMUM HEIGHT OF A FENCE PERMITTED IN A SIDE YARD. THE PROPERTY IS LOCATED AT 202 QUAIL ROAD 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 THAT WOULD ALLOW FOR A SIX (6) FOOT FENCE TO BE INSTALLED IN THE SIDE YARD PAST THE MIDPOINT OF THE HOUSE.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based on meeting criteria for variances B, C, D, and E of Chapter 1275.02(c)(3). Due to this property being a corner lot, the area directly behind the house is the side yard. There is a deck located in this area that would create difficulties if the fence were to be installed at the midpoint of the house.

7. Other Business

APPLICATION 13-23 (TABLED)

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 FAÇADE, UP TO 75 SQUARE FEET
QUANTITY: 1 PER FAÇADE UP TO 3 FAÇADES

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 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 still install a new sign that conforms 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.

8. Adjournment

The next Board of Zoning Appeals meeting is scheduled for June 12, 2023 at 5:30 P.M. in the Municipal Building at 201 W. Indiana Avenue.

cc: Media

