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October 29, 2015

TO: Board of Zoning Appeals
FROM: Brody Walters, Planning & Zoning Administrator
SUBJECT: November 9, 2015 Meeting Agenda

AGENDA

5:30 PM: Call Meeting to Order
Roll Call
Approval of October 12, 2015 Meeting Minutes
Administer Oath
Zoning Permit Obligation

ZONING VARIANCE, 17-15 – Myra Gueli of Toledo Sign, on behalf of the Country Charm shopping center requests two (2) zoning variances to permit the installation of two free-standing signs. The subject property is located at S.W. corner of the intersection of Louisiana Avenue and South Boundary St. (Parcel numbers; Q61-400-080102003000 and Q61-400-080102006000) with the closest address being 110 W. South Boundary St. The subject property is zoned C-3 (Community Shopping).

The requested variances would permit the applicant to install two free-standing signs within the required 10' sign setback at a distance of 0' from the property line along both Louisiana Avenue and W. South Boundary.

NOTE: 1250.32(a) *Permanent Signs Allowed*
C-3 Zoning:

Max Height: 10'
Max Size: 72 SF
Location: 10' setback

NOTE: 1250.39 *Other Administrative Procedures*

The Board of Zoning Appeals may grant a variance only if it finds that all of the following apply:

- (a) That the literal enforcement of the requirements of this chapter would involve practical difficulties based on the presence of special conditions and circumstances which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district. (see factors 1-6)

- (b) That granting the variance will not cause a substantial adverse effect to property or improvements in the vicinity or will not materially impair the intent and purposes of the requirement being varied or of this chapter, and is the minimum variance necessary to provide relief.
 - (c) That the variance would not adversely affect the delivery of governmental services (e.g. water, sewer, refuse).
 - (d) That the variance as granted would not confer on the applicant any special privilege, or deprive the applicant of rights, when compared with those rights commonly enjoyed by immediately adjoining properties.
 - (e) That the variance request is not one where the specific conditions pertaining to the property are so general or recurrent in nature as to make the formulation of a general regulation for those conditions reasonably practicable.
1. The applicant is requesting a 0' setback from the property line for the installation of a free-standing monument sign to be installed as shown on Exhibit A (attached).
 2. The applicant is requesting a 0' setback from the property line for the installation of a free-standing monument sign to be installed as shown on Exhibit B (attached).

Recommendation:

1. No recommendation provided.
2. No recommendation provided.

ZONING VARIANCE, 18-15 – Bob Bailey of DGL Engineers, on behalf of Schuetz Container requests a 4 zoning variances to permit the construction of a new warehouse building on a vacant property. The subject property is located between 1899 and 2105 Wilkinson Way and is proposed to be attached to the existing Schuetz Container property located to the south. The property is zoned I2 (General Industrial). These variances would permit the applicant to construct a 76,000 SF warehouse building with a parking lot and air handling units closer to the property lines than otherwise permitted.

NOTE: 1230.01 *Intensity and Dimensional Standards*

I-2 Zoning:

Front Yard = 60' (yards along Spafford Dr. & N Wilkinson Way)
 Rear Yard = 40' (along northern property line)
 Side Yard Min = 25' (along western property line)
 Side Yard Total = 50'

1. The applicant is requesting a variance to locate 2 air handlers (accessory structures) in the side yard as opposed to the permitted rear yard.
2. The applicant is requesting a variance to permit 7 parking spaces within the required front yard.
3. The applicant is requesting a variance to allow the building to be located 21' from Spafford Dr. which is 39' closer than is otherwise permitted.
4. The applicant is requesting a variance to allow the construction of a bridge/conveyor to be installed up to the property line/ right-of-way of Spafford Dr. which is 60' closer than is otherwise permitted.

Recommendation:

1. The Planning and Zoning Administrator recommends approval of the zoning variance subject to the applicant providing a screening and/or landscaping plan of sufficient quality to minimize the visibility the units from the public right-of-ways. Variance criteria b, c, d and g could be satisfied.
2. The Planning and Zoning Administrator recommends denial of the zoning variance. The site plan appears to provide room elsewhere on site for the parking spaces to be located outside of the front yard setback, even if they are less convenient.
3. The Planning and Zoning Administrator recommends approval of the zoning variance. The existing Schuetz Container building is approximately the same distance from Spafford Drive. Variance criteria c, d, f, g could be satisfied.
4. The Planning and Zoning Administrator recommends approval of the zoning variance subject to approval of above variance #2 and an aerial easement being provided by the City of Perrysburg. Variance criteria b, c, d, and f could be met.

