



City of Perrysburg

Division of Planning and Zoning

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Brodin L. Walters
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Mark Easterling
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Cody Grodi
Zoning Inspector

Heather Alfaro
Zoning Clerk

September 27, 2019

TO: Board of Zoning Appeals
FROM: Cody Grodi, Zoning Inspector
SUBJECT: October 14th, 2019 Meeting Agenda

AGENDA

5:30 PM: Call Meeting to Order
Roll Call
Approval of September 9, 2019 Meeting Minutes
Approval of September 16, 2019 Meeting Minutes
Administer Oath
Zoning Permit Obligation

APPLICATION, 28-19 – Jack Sculfort is requesting two zoning variances to install one driveway with two curb cuts at the street. The property is located at 25900 Edinborough Circle and is zoned R-1 (Single Family Residential).

NOTE: *Chapter 1250.51(c)(3) Curb Cuts and Driveways:* Only one (1) access/curb-cut onto a public street shall be permitted.

1. The applicant is requesting a zoning variance that would allow for a second driveway with two curb cuts to be installed. This would be in addition to the driveway that leads to the garage. The proposed plan would allow for a “U” shaped driveway to be located in front of the house, creating a total of three curb cuts on the public road.

Recommendation:

1. The Zoning Inspector recommends denial of the variance as it does not meet enough of the conditions needed to grant a variance. The single curb cut driveway leads to the garage and serves for vehicular access into the garage. Removal of the “U” shaped driveway will not create a hardship as there will still be access to the garage and if parking is of concern, on street parking is allowed on this road. There are still options available to the homeowner that will create functionality in the front of the house outside of receiving a variance. A concrete walkway that attaches to the single curb cut driveway would still allow access to the front door. Having three curb cuts on this corner lot can also cause a safety concern.

APPLICATION, 29-19 - Lane Williamson, on behalf of Nineteen Point Nine LLC, is appealing the application of Chapter 1245.34(a)(1), pertaining to window signs located within the Corridor Overlay. The property is located at 840 W. Boundary Street and is zoned C-4 (Highway Commercial).

NOTE: *Chapter 1275.02(e)(1) Appeals to the Board:* Appeals to the Board of Zoning Appeals may be taken after the initial applications to the Zoning Inspector for permit or, where it is apparent that such application would be in vain and useless, appeals may be made by initial applications to the Board. In either event, the procedural provisions of this chapter shall apply and be followed.

NOTE: *Chapter 1245.34(a)(1) Limitation of Signs:* The purpose and intent of this Chapter is to regulate the use of publicly visible displays or graphics; to protect and enhance the character of arterial roadways and surrounding areas; to prevent diminishing property values within these areas; to safeguard the public use and nature of arterial roadways; and to minimize visual distractions to motorists along public roads. The following shall apply to all signs in the Corridor Overlay: Signs and advertising structures shall not obstruct any window, door, fire escape, stairway, ladder or opening intended to provide light, air or ingress and egress for any building or structure.

NOTE: *Chapter 1250.30(j) Definitions:* Sign - Any words, numerals, figures, devices, designs, pictures or trademarks, painted upon or otherwise affixed to a building, wall, board, plate or any other structure for the purpose of making anything known. The definition of a sign shall not include the following: Signs not exceeding one (1) square foot in area and bearing only property numbers, post box numbers or names of occupants of premises; Flags and insignia of any government; Legal notices, identification information or directional signs erected by governmental bodies.

NOTE: *Chapter 1245.31(a) Corridor Overlay Applicability:* The boundaries of the Corridor Overlay are those non-residential properties abutting State Route 25 from the Maumee River to the City Corporate line.

1. The applicant is requesting an administrative appeal on the application of signage located within the Corridor Overlay. The Corridor Overlay consists of all non-residential properties along State Route 25 from the Maumee River to the City Corporation Line. 840 W. Boundary falls within the Corridor Overlay. Within the Corridor Overlay window signage is prohibited. A tenant located at 840 W. Boundary Street has placed signs in the windows.

Recommendation:

1. No recommendation provided.

APPLICATION, 30-19 – Kyle Bates is requesting a zoning variance to allow the installation of an in-ground swimming pool in the side yard. The property is located at 730 Chippewa Lane and is zoned R-3 (Single Family Residential).

NOTE: *Chapter 1250.58(c) Location of Swimming Pools:* Swimming pools, whirlpools, hot tubs, or similar features shall be permitted in the rear yard or within the side yard if a variance is approved by the Board of Zoning Appeals. In all cases, swimming pools shall maintain a minimum setback of five (5) feet from a property line to any deck or patio and of fifteen (15) feet to the water's edge. In all cases, whirlpools, hot tubs or similar features shall maintain a minimum setback of five (5) feet from any property line. The allowable distance from a residence to the above features is subject to any applicable building codes. No such structures may be placed within recorded easements for any purpose.

1. The applicant is requesting a variance to install an in-ground swimming pool that will be partially located in the side yard.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances B, C, D, and F of Ch. 1275.02(c)(3). The side yard, which technically is located directly behind the house, is very narrow and the rear yard is mostly occupied by the driveway. The yard locations and the required swimming pool setbacks strictly limit where the swimming pool could be located. The proposed location of the swimming pool will not alter the character of the neighborhood. Without a variance the installation of a swimming pool would most likely not be possible.

OTHER BUSINESS**ADJOURNMENT**

The next Board of Zoning Appeals meeting is scheduled for November 18th at 5:30 PM in the Municipal Building located at 201 West Indiana Avenue.