

BOARD OF ZONING APPEALS

OCTOBER 14, 2013

The meeting was called to order at 5:30 p.m. by Chairperson Becky Williams. Board members present were: John Brown, Jason Decker, Eric Nicely, Jonathan Smith, and Becky Williams (5). Also present was Planning and Zoning Administrator Brody Walters.

Mr. Smith moved to approve the minutes of the August 12, 2013 meeting as written. Mr. Nicely seconded and they were unanimously approved.

ZONING EXCEPTION, 28-13 – Randy and Sheryl Fork request one (1) zoning exception to permit the construction of a residential addition to the rear of their home. The subject property is located at 521 E. Front Street and is zoned R1 (Single Family Residential). The requested exception would permit the applicant to construct the addition with a 33'8" setback from the rear property line.

NOTE: *1230.01 Intensity and Dimensional Standards*

R-1 Zoning:

Front Yard = 50'

Rear Yard = 60'

Side Yard Min = 10'

Side Yard Total = 25'

Min. Dwelling Size = 1,800 SF

1. The applicant is requesting a zoning exception to reduce the required rear yard setback. The exception would permit the rear yard to be 33'8", rather than the normally required 60'.

Recommendation:

1. The Planning and Zoning Administrator recommends approval of the zoning exception based on the location of the improvement and existing landscaping. This recommendation is subject to approval by the Historic Landmarks Commission and is subject to change based on input received prior to or during the meeting.

Eric Beale of Duket Architects was present to represent Mr. and Mrs. Fork. Mr. Walters noted that the house currently does not meet the required rear yard setback. Mr. Beale said that he does not know why the house was built so far back; his client purchased the home many years after it was built. Mr. Beale said that the rear of the yard is heavily wooded and the house is quite a distance from neighboring houses. Ms. Williams said that she stopped by the location, and she thinks this will be a beautiful addition.

Mr. Decker moved to approve Zoning Exception 28-13 as submitted. Mr. Nicely seconded and it was unanimously approved.

ZONING VARIANCE, 29-13 – Mitch Ogle requests a zoning variance to permit the installation of a 6' fence in a residential front yard. The subject property is located at 12315 Roachton Road and is zoned R-M (Multi-Family Residential).

NOTE: *1250.42 Fences, walls, structural screens, hedges and screen plantings*

6' fences, walls and structural screens are permitted in residential front yards with the approval of the Board of Zoning Appeals.

1. The applicant is requesting a zoning variance to allow the installation of a 6' fence in a front yard to provide security around a generator in accordance with Perrysburg Fire Division regulations. This variance would allow for an additional 2' in height than what is permitted without a variance.

Recommendation:

1. The Planning and Zoning Administrator recommends approval of the zoning variance due to the fact that the Perrysburg Fire Division has required fencing to comply with the Fire Code. Additionally, this recommendation is subject to additional landscaping (or other means acceptable to the Board) around the enclosure to better screen the generator from public view. (Ch. 1275.02(c)(3) – C, D, F, G)

Mr. Walters stated that the Administration is looking at how to handle issues like this in the future where there is a conflict between the Zoning Code and requirements of other divisions. Mr. Ogle said that the generator is kind of hidden by a brick wall and you can only see it from one side. Ms. Williams asked if the fence is going to be freestanding. Mr. Ogle said that the fence will be built around the concrete pad that holds the generator. Ms. Williams asked Mr. Ogle if he has any problems with the Board adding a landscaping requirement. Mr. Ogle said he is okay with it. The Board reviewed the requirements of Chapter 1275.02 (c)(3) finding A, B, C and D to be true.

Mr. Smith moved to approve Zoning Variance 29-13 with the condition of additional landscaping around the fence to be approved by the Planning and Zoning Administrator. Mr. Decker seconded and it was unanimously approved.

There being no further business, the meeting adjourned at 5:43 p.m.

Respectfully submitted,

Mary Jo Sutton