



City of Perrysburg

Division of Planning and Zoning

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August 4, 2017

Brodin L. Walters
Administrator

Mark Easterling
Deputy Administrator

Cody Grodi
Zoning Inspector

Heather Alfaro
Zoning Clerk

TO: Board of Zoning Appeals
FROM: Mark Easterling, Deputy Administrator
SUBJECT: August 14, 2017 Meeting Agenda

AGENDA

5:30 PM: Call Meeting to Order
Roll Call
Approval of July 10, 2017 Meeting Minutes
Administer Oath
Zoning Permit Obligation

APPLICATION, 27-17 – Barbara & John Wilch are requesting one zoning variance to construct a detached garage in their front yard. The property is located at 201 E. South Boundary Street and is zoned R-3 (Single Family Residential).

NOTE: 1250.61(a) Accessory Buildings and Uses: No accessory building or uses shall be located in any front or side yard setback except under unusual circumstances where such activity will not conflict with the intent and purposes of this Zoning Code or where enforcement would result in extreme hardship. Either exception shall require approval of the Board of Zoning Appeals.

NOTE: 1250.61(b) Accessory Buildings and Uses: Accessory buildings such as garages and utility buildings, may be located in a rear yard, provided that such buildings are separate from the main structure by at least ten (10) feet and are set back at least five (5) feet from the side and rear lot lines.

1. The applicant is requesting a variance to construct a portion of detached garage in a front yard, approximately twenty-three (23) feet from the front property line.

Recommendation:

1. The Deputy Administrator recommends denial of the variance as it does not meet enough of the conditions needed to grant a variance. The situation can be resolved through other methods aside from receiving a variance, and the applicant's situation does not demonstrate a need.

APPLICATION, 28-17 – Tanya Kaminski is requesting one zoning variance that would allow her to construct a six (6) foot fence in her front yard. The property is located at 26658 Ft. Meigs Road, and is zoned R-1 (Single Family Residential).

NOTE: Chapter 1250.42 Fences, Walls, Structural Screens, Hedges, and Screen Plantings:

	Max Height	
	Permitted	*Restricted
Front Yard	4'	6'
Side Yard	4'	6'
	*Requires BZA Approval	

1. The applicant is requesting a variance to construct a six (6) foot fence that would allow her to enclose a portion of the front yard along Heilman Road.

Recommendation:

1. The Deputy Administrator recommends approval of the zoning variance based on meeting the criteria for variances A, C, D, and F of Ch. 1275.02(3). The new fence will allow the applicant to bring the property into compliance with the property maintenance code.

APPLICATION, 29-17 – Thomas Current is requesting one zoning exception to permit rear yard setback relief. The property is located 760 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 exception to reduce the required rear yard setback. The exception would permit the rear yard setback to be reduced to twenty-four (24) feet, rather than the required thirty (30) feet. The exception would allow for the applicant to keep the recently installed patio.

Recommendation:

1. The Deputy Administrator recommends approval of the exception. The installation of the patio is not substantial, does not encroach upon neighboring property lines, and is of great quality.

APPLICATION, 30-17 – Todd Friesner is requesting two zoning variances to permit a driveway to be constructed. The property is located 417 East Front Street 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.

NOTE: Chapter 1250.51(c)(3) Curb Cuts and Driveways: The total area of a driveway shall not exceed thirty-five percent (35%) of the area of the front yard located on private property.

1. The applicant is requesting a zoning variance that would allow for a driveway with two curb cuts to be reinstalled.
2. The applicant is requesting a zoning variance that would allow for his driveway to occupy fifty-one percent (51%) of his front yard.

Recommendation:

1. The Deputy Administrator recommends denial of the variance as it does not meet enough of the conditions needed to grant a variance. A curb cut could be removed and a turn-around driveway

could be installed to bring the driveway further into compliance. There are methods available that may resolve the issue outside of receiving a variance.

2. The Deputy Administrator recommends denial of the variance as it does not meet enough of the conditions needed to grant a variance. The amount of concrete can be further reduced to and achieve the same results to create a safe ingress and egress to the property.

APPLICATION, 31-17 – Jerry Abair is requesting one zoning variance to permit parking relief. The properties are identified as parcel numbers Q61-000-901205003000, Q61-000-901205004000, Q61-000-901205004001, Q61-000-901205005000, Q61-000-901205006000 (located along Water Street), and are zoned P Parks.

NOTE: *Chapter 1250.02(r) General Parking Requirements:* The number of off-street parking spaces required for the uses located in and permitted in C-1, C-3, C-4 and INS districts may be reduced up to thirty-three percent (33%) of the total required, provided that the following conditions are met:

- (1) The number of off-street parking spaces required for the use or uses exceed fifteen (15).
- (2) The applicant shall submit an acceptable site plan showing that an adequate reserve of land is set aside for additional parking spaces, so that the total depicted on the plan is adequate to meet the requirements under 1250.03 of this Chapter. The plan shall indicate the reserve area so that all dimensional requirements as to spaces, aisles and other applicable requirements of this Chapter can be met. The reserve area shall not be used for water retention, for required greenbelts or as the location for replacement trees or other deciduous or evergreen trees required by this Chapter. The landscape plan submitted for the site shall include a plan for the reserve area.
- (3) The City has determined that the applicant has submitted substantial evidence showing that the parking needs of the specific occupant will be less than would be required by this Chapter.
- (4) The property owner shall execute an agreement prepared by the City Law Director requiring the construction of the additional spaces within one hundred and eighty (180) days of notification that the City has determined a need exists for such spaces. The agreement shall run with the land, be binding upon successors and assigns and shall be recorded with the County Recorder.
- (5) A permit for change of occupancy shall not be issued until the City has reevaluated the need for parking by the new occupant relative to the number of spaces required by this Chapter.

NOTE: *Chapter 1250.03(b)(g) Private clubs or lodge halls:* One (1) for each seventy-five (75) square feet of usable floor area.

NOTE: *Chapter 1215.02(81) Floor Area, Usable:* For the purposes of computing off-street parking requirements, that area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients, or customers. Such floor area that is used or intended to be used principally for the storage or processing of merchandise, for hallways or for utilities or sanitary facilities, shall be excluded from this computation of usable floor area. Measurement of usable floor area shall be the sum of the horizontal area of the several floors of the building, measured from the exterior faces of the exterior walls.

1. The applicant is requesting a zoning variance to reduce the required amount of parking on the northern properties which would reduce the required parking from 14 spaces to 0 spaces.

Recommendation:

1. The Deputy Administrator recommends approval of the zoning variance based on meeting the criteria for variances A, C, D, and F of Ch. 1275.02(3). The uniqueness of the lot does not provide adequate space to provide the standard 10'x20' parking spaces as the land begins to descend three (3) feet beyond the property line.

APPLICATION, 32-17 – Jerry Abair is requesting one zoning variance to permit front yard setback relief. The properties are identified as parcel numbers Q61-000-901205003000, Q61-000-901205004000, Q61-000-901205004001, Q61-000-901205005000, Q61-000-901205006000 (located along Water Street), and are zoned “P” (Parks). The requested variance would permit the applicant to construct a structure within the required setback from the front yard property line. *(Note: Application variances were previously approved by City Council 8/11/16 and has since expired. There were no changes made to this application)*

NOTE: Chapter 1230.01 Intensity and Dimensional Standards:

P Zoning:

Front Yard = 50’

Rear Yard = 75’

Side Yard Min = 20’

Side Yard Total = 50’

1. The applicant is requesting a zoning variance to reduce the required front yard setback. The variance would permit the front yard setback to be reduced to three (3) feet, rather than the required fifty (50) feet. *(Previously approved)*

Recommendation:

1. The Deputy Administrator recommends approval of the zoning variance based on meeting the criteria for variances A, C, D, and F of Ch. 1275.02(3). The side setbacks do not infringe on neighboring properties, nor city properties or the city right of way. The setbacks would not interfere with access to the multi-use path.

APPLICATION, 33-17 – Jerry Abair is requesting one zoning variance to permit front yard setback relief. The properties are identified as parcel numbers Q61-000-901206004001 and Q61-000-901206005001 (located along Water Street), and are zoned “C-1” (Neighborhood Commercial). *(Note: Application variances were previously approved by BZA 7/11/16 and has since expired. There were no changes made to this application)*

NOTE: Chapter 1230.01 Intensity and Dimensional Standards:

C-1 Zoning:

Front Yard = 30’

Rear Yard = 25’

Side Yard Min = 0’

Side Yard Total = 0’.

1. The applicant is requesting a zoning variance to reduce the required front yard setback. The variance would permit the front yard setback to be reduced to fifteen (15) feet, rather than the required thirty (30) feet. *(Previously approved)*

Recommendation:

1. The Deputy Administrator recommends approval of the zoning variance based on meeting the criteria for variances A, C, D, and F of Ch. 1275.02(3). The side setbacks do not infringe on neighboring properties, nor city properties or the city right of way. The setbacks would not interfere with access to the multi-use path.

OTHER BUSINESS

ADJOURNMENT