

BOARD OF ZONING APPEALS

AUGUST 11, 2014

The meeting was called to order at 5:38 p.m. by Vice-Chairman Jonathan Smith. Board members present were: Jason Decker, Eric Nicely, and Jonathan Smith (3). John Brown and Becky Williams were absent. Also present was Julie Liebenthal, Zoning Inspector.

Mr. Nicely moved to approve the minutes of the July 14, 2014 meeting as written. Mr. Smith seconded, and the minutes were approved 2-0. Mr. Decker abstained.

ZONING EXCEPTION 20-14 - Frankie Pallitta of Out Door Living on behalf of his clients, Tate and Melissa Miller, requests one (1) zoning exception to permit the construction of a pergola at the rear of their home within the required rear yard setback. The subject property is located at 1966 Ottawa Lane and is zoned R-3 (Single Family Residential). This exception would permit the applicant to construct the proposed pergola 21' from the rear property line.

NOTE: *1230.01 Intensity and Dimensional Standards*

R-3 Zoning:

Front Yard = 35'

Rear Yard = 35'

Side Yard Min = 8'

Side Yard Total = 12'

1. The applicant is requesting a zoning exception to permit the construction of a pergola 21' from the rear property line, which is 14' closer than would otherwise be permitted. The required rear yard setback is 35'.

Recommendation:

The Planning and Zoning Administrator recommends approval of this zoning exception subject to comments provided by neighbors prior to and/or during the hearing.

Ms. Liebenthal reviewed Zoning Exception 20-14. Mr. Pallitta called attention to an email sent from Steve and Brenda Pohlman, 557 Delaware Drive, who live next door to the Millers, stating that they are aware of the proposed pergola and they recommend that it be approved. Mr. Decker said that if the neighbor most affected by it is okay with it, he has no problem with it.

Mr. Nicely moved to approve Zoning Exception 20-14. Mr. Decker seconded and it was unanimously approved.

ADMINISTRATIVE APPEAL 21-14 - Claudia Williams requests one (1) administrative appeal concerning the interpretation and application of Ch. 1250.29 Sign Regulations. The subject property is located at 629 W. South Boundary Street and is zoned C-4 (Highway Commercial).

NOTE: *Administrative Review: To hear and decide appeals where it is alleged by the applicant that there is an error in any order, requirement, permit, decision or refusal made by the Zoning Inspector or any other administrative official in carrying out or enforcing any provisions of this Zoning Code.*

1. The applicant is seeking an administrative appeal regarding the interpretation that the quantity of signs at the subject location is in excess of the permitted number of signs.

Recommendation:

1. None provided.

Ms. Liebenthal reviewed Administrative Appeal 21-14. Ms. Williams and Tony Walker of Marygrove Awning were present. Ms. Williams said that the bee is not a sign; it has nothing to do with Marco's. She presented a letter from the Perrysburg Schools' Athletic Director urging the Board to allow the sign to stay. Ms. Williams said that the awning that she wants to replace is weathered and she wants her business to look nice and would hate to have to remove the Welcome to Jackets Country because of it. Mr. Walker noted that the graphics on the new awning will be smaller than the existing. Ms. Liebenthal explained that the size of the graphics is not the issue; the Code allows only one sign per façade. The Board did not see a problem with allowing the Welcome to Jackets Country to remain along with a new awning.

Mr. Nicely moved to approve Administrative Appeal 21-14. Mr. Decker seconded and it was unanimously approved.

ZONING VARIANCE 22-14 - Jeff Krabbenbos requests two (2) zoning variances to permit the construction of a residential addition within the required side and rear yard setbacks. The subject property is located at 1031 Lones Drive (Pilcher Addition, Inlot 1230) and is zoned R3 (Single-Family Residential). This variance would permit the construction of a residential addition 20" from the side property line and 6'3" from the rear property line.

NOTE: *1230.01 Intensity and Dimensional Standards*

R-3 Zoning:

Front Yard = 35'

Rear Yard = 35'

Side Yard Min = 8'

Side Yard Total = 12'

1. The applicant is requesting a zoning variance to construct an addition 20" from the side lot line, within the required setback.
2. The applicant is requesting a zoning variance to construct an addition 6'3" from the rear lot line, within the required setback.

Recommendation:

1. The Planning and Zoning Administrator recommends that any decision on this issue be made after ample opportunity for adjoining property owners to provide comment.
2. See above.

Ms. Liebenthal reviewed Zoning Variance 22-14. The applicant was not present at the meeting. The Board reviewed the criteria for approving a zoning variance to see if they could come up with the four necessary to approve the variance. They asked if any comments were received from neighbors. Ms. Liebenthal said that the Planning and Zoning Office heard from two neighbors. One said that they would not be able to see it from their house. The other neighbor was not happy with the proposed addition. Mr. Decker said that whether the applicant was present or not, it is still only 20" off of the property line which is too close.

Mr. Nicely moved to deny Zoning Variance 22-14. Mr. Decker seconded and it was unanimously approved.

There being no further business, the meeting adjourned at 6:01 p.m.

Respectfully submitted,

Mary Jo Sutton