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August 3, 2020

TO: Board of Zoning Appeals
FROM: Cody Grodi, Zoning Inspector
SUBJECT: August 10, 2020 Meeting Agenda

This meeting is scheduled to take place in the Municipal Building, 201 W. Indiana Avenue, Perrysburg, Ohio. The meeting will also be accessible through a teleconference dial-in number.

In an effort to promote social distancing, the public or interested parties are welcome to listen to the meeting by dialing 866-866-2244, and then entering the Participant Code 8428504#

AGENDA

5:30 PM: Call Meeting to Order
Roll Call
Approval of June 8, 2020 Meeting Minutes
Approval of July 13, 2020 Meeting Minutes
Administer Oath
Zoning Permit Obligation

APPLICATION, 21-20 (Tabled) – Nick and Sarah Sochacki are requesting a zoning variance that would allow for a driveway to be installed with two access points. The property is located at 27896 White Road and is zoned R-2 (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 driveway with two access points to be installed. The proposed plan would allow for a “U” shaped driveway to be located in front of the house.

Recommendation:

1. The Zoning Inspector recommends denial of the variance as it does not meet enough of the conditions needed to grant a variance. There is a private driveway that leads to the garage and serves for vehicular access into the garage. A circular driveway with only one access point onto White Road would be allowed without a variance and is what the Planning and Zoning Division would recommend.

APPLICATION, 27-20 – Timothy Quilter is requesting a zoning variance to allow for an addition to be installed within the front yard setback and the rear yard setback. The property is located at 444 E. Fifth Street and is zoned R-3 (Single Family Residential).

NOTE: Chapter 1230.01 Intensity and Dimensional Standards

R-3 Zoning:

Front Yard = 35'

Rear Yard = 35'

Side Yard Min = 8'

Side Yard Total = 20'

1. The applicant is requesting a zoning variance to install an additional two (2) feet onto the garage. A breezeway will connect the garage to the house, and the garage will be converted to living space. The addition onto the garage will be one (1) foot off of the front property line and thirty-four (34) feet off of the rear property line.

Recommendation:

1. The Zoning Inspector recommends denial of the zoning variance as it does not meet enough of the conditions needed to grant a variance. The spirit and intent of the Code is to prevent garages from being used as living space. By attaching the breezeway from the house to the garage, the garage would technically be viewed as a part of the house and would have to follow the zoning setbacks. However, I don't believe this is what the Code had intended for. This property is zoned single family residential and it is not intended to have two residences on the property. There are other options to create an addition onto the house, however most would require a variance given the narrow size of the lot.

APPLICATION, 28-20 – Raymond Fisher is requesting a zoning variance to allow a fence with a height of six (6) feet be installed in the side yard. The property is located at 880 Walnut Street and is zoned R-3 (Single Family Residential).

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

Zoning District	Location & Maximum Height								
	Front Yard			Side Yard			Rear Yard		
	4'	6'	8'	4'	6'	8'	4'	6'	8'
R-1-R-5	P	Z	*	P	Z	*	P	P	*

1. The applicant is requesting a zoning variance for a six (6) foot fence to be placed in the side yard past the midpoint of the structure.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances B, C, D, E of Chapter 1275.02(c)(3). The house sits farther back from the neighboring property and should not block any views.

APPLICATION, 29-20 – Bradley Beebe is requesting four zoning variances in order to construct an addition onto his existing garage, add a patio, construct a new garage, and add a second driveway. The property is located at 214 W. Second Street and is zoned R-3 (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 1250.61(f) Accessory Buildings and Uses:* The combined footprints of all accessory buildings on a lot shall not exceed the lesser of 5% of the lot size or 4,000 SF. However, the Board of Zoning Appeals may consider an exception to the maximum size requirement providing that the requested size does not exceed 8% of the lot size.

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.

NOTE: *Chapter 1250.58(c) Patios and Swimming Pools:* In all cases, swimming pools shall maintain a minimum setback of five (5) feet from a property line to any deck or patio.

1. The applicant is requesting a zoning variance that would allow for a second driveway to be installed off of the alley. This would allow access to a new proposed garage in the rear yard.
2. The applicant is requesting a variance that would allow for 8% of the lot size in accessory structures. The property owners would install a second garage that is 540 square feet. The lot size is 10,890 square feet, which would allow, by Code, 544 square feet of accessory structures. The variance request would allow for a maximum of 871 square feet of accessory structures on the property.
3. The applicant is requesting a variance for an addition off of the existing garage that would encroach into the required five (5) foot setback. The addition would be three (3) and three (3) inches off of the property line.
4. The applicant is requesting a variance that would allow for a patio to be installed closer than the minimum five (5) feet to the property line. The proposed patio will be approximately three and a half (3 ½) feet off the property line at the closet point.

Recommendation:

1. No recommendation provided.
2. No recommendation provided.
3. The Zoning Inspector recommends denial of the zoning variance as it does not meet enough of the criteria to grant a variance. The existing garage is non-conforming in its current state and this would allow an already non-conforming structure to become more non-conforming. The distance from the structure to the church poses an issue as it is less than ten (10) feet and the fire safety standard is a minimum of ten (10) feet between a garage and another structure.
4. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances B, C, D, E of Chapter 1275.02(c)(3). The patio will only be three (3) feet three (3) inches from the property line before quickly slanting inwards toward the property and meeting the required setback. The area will still be able to be maintained without stepping over the property line and will line up with the garage.

APPLICATION, 30-20 – Andrea Woods is requesting a zoning variance that would allow for the construction of a new house with a reduced front yard setback. The property is located at 319 W. Third Street and is zoned R-3 (Single Family Residential).

NOTE: Chapter 1230.01 Intensity and Dimensional Standards

R-3 Zoning:
Front Yard = 35'
Rear Yard = 35'
Side Yard Min = 8'
Side Yard Total = 20'

1. The applicant is requesting a zoning variance to reduce the required front yard setback. The structure would be five (5) feet off of the front property line, rather than the required thirty-five (35) feet.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based on meeting criteria A, C, D, and F of Chapter 1275.02(c)(3). Due to the grading of the land, building the house at the required setback would require fill dirt be brought in to properly grade out the home. The homeowner has concerns of safety if building on top of the fill dirt.

APPLICATION, 31-20 – Caleb and Jessica Holz are requesting a zoning variance to allow a fence with a height of six (6) feet be installed in the front yard. The property is located at 28282 White Road and is zoned R-2 (Single Family Residential).

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

Zoning District	Location & Maximum Height								
	Front Yard			Side Yard			Rear Yard		
	4'	6'	8'	4'	6'	8'	4'	6'	8'
R-1-R-5	P	Z	*	P	Z	*	P	P	*

1. The applicant is requesting a zoning variance for a six (6) foot fence to be placed in the front yard of the property.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance, with the condition that the fence stop in line with the front of the neighbors garage at 811 Blackhorse Court. This would be approximately forty (40) feet off of the front of the property line. This setback for the fence will ensure a clear visual line of sight for both properties in relation to the street and the sidewalk. Installing the fence to the very front of the property line could make it difficult to see walkers, bikers, and even vehicles. If the variance request is approved with this condition I would find that criteria for variances B, C, D, E of Chapter 1275.02(c)(3) are being met.

APPLICATION, 32-20 – Alan Magsig and Lynn Stefforia are requesting a zoning variance to allow for a fence with a height of six (6) feet be installed in the side yard. The property is located at 922 Walnut Street and is zoned R-3 (Single Family Residential).

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

Zoning District	Location & Maximum Height								
	Front Yard			Side Yard			Rear Yard		
	4'	6'	8'	4'	6'	8'	4'	6'	8'
R-1-R-5	P	Z	*	P	Z	*	P	P	*

1. The applicant is requesting a zoning variance for a six (6) foot fence to be placed in the side yard past the midpoint of the structure.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances B, C, D, E of Chapter 1275.02(c)(3). The fence lines up with the back corner of the neighbor's house, however because of this the fence is six (6) feet beyond the midpoint of the property owners structure.

OTHER BUSINESS

ADJOURNMENT

The next Board of Zoning Appeals meeting is scheduled for September 14, 2020 at 5:30 PM in the Municipal Building located at 201 W. Indiana Avenue.