

BOARD OF ZONING APPEALS

August 9, 2021

The meeting was called to order at 5:30 p.m. by Vice-Chairperson Niki Decker. Board members present were Niki Decker, Nathan Duricek, Brian Elmer, Craig Reiter, and Megan Wolfinger (5). Also present was Cody Grodi, Zoning Inspector.

ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON

Mr. Elmer nominated Ms. Decker to be Chairperson. Seconded by Mr. Duricek. Ayes: Decker, Duricek, Elmer, and Wolfinger (4). Nays: (0). Abstain: Reiter (1).

Ms. Decker nominated Mr. Duricek to be Vice-Chairperson. Seconded by Mr. Elmer. Ayes: Decker, Duricek, Elmer, and Wolfinger (4). Nays: (0). Abstain: Reiter (1).

APPROVAL OF MINUTES

Mr. Elmer moved to approve the minutes of the June 12, 2021 meeting as written. Seconded by Mr. Duricek. Ayes: (5). Nays: (0).

Ms. Decker administered an oath to those that would be speaking at the meeting.

APPLICATION 28-21 – James Chandler is requesting a zoning variance for the location of an accessory structure. The property is located at 2013 Kenton Trail and is zoned R-3 (Single Family Residential).

NOTE: 1250.61(a) 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.

1. The applicant is requesting a zoning variance to construct a pavilion that will be partially located in the front yard. The majority of the pavilion will be located in the rear yard, however two (2) feet of the structure will be located in the front yard.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances C, D, E, and F of Chapter 1275.02(c)(3). The property has a thirty (30) foot drainage easement in the rear yard, which no structure can be placed in. With the addition of a new pool and shed, finding a location for the pavilion is difficult due to this lot being a corner lot.

Mr. Grodi reviewed Application 28-21. James Chandler was present, and added that he has a lot of easements on his property which limits his ability to install structures. He added that his contractor has started the work, but that they have not gone beyond the two (2) foot request in his application. Mr. Grodi confirmed that neighbor comments were not received. There were no further questions or concerns from the Board, nor the public. Mr. Chandler withdrew his application.

APPLICATION 29-21 – Nicholas Pflgebraar is requesting a zoning variance to construct a new porch. The property is located at 121 Cherry 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 build a porch on the front of the house, which will be within the required front yard setback. The porch will not be built any closer to the property line than the current porch, however it will be wider than the current one.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances A, B, C, and D of Chapter 1275.02(c)(3). This property is located in the older part of town. The house itself does not meet the current front yard setbacks. The porch will not come any closer to the property line, however since the applicant is widening the footprint of the porch, it would be required that the new porch meet today's zoning setbacks.

Mr. Grodi reviewed Application 29-21. Nick Pflgebraar was present, and added that their existing porch is sinking and in disrepair. He said that his neighbor Kate MacPherson recently designed a new drawing for their variance request, and he presented that to the Board. Mr. Pflgebraar added that the new drawing visually makes more sense and that it's more appropriate. There were no further questions or concerns from the Board, nor the public.

Mr. Elmer moved to approve Application 29-21, and finding B, C, D, and G of Chapter 1275.02(c)(3) to be true. Seconded by Ms. Wolfinger. Ayes: (5). Nays: (0).

APPLICATION 30-21 – Perrysburg Heritage LLC is requesting a zoning variance in order to keep a recently installed deck. The property is located 407 W. Front 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 keep a deck that has been installed at the rear of the property. The deck is located nine (9) feet off the rear property line.

Recommendation:

1. No recommendation provided.

Mr. Grodi reviewed Application 30-21. The applicant was not present. Mr. Grodi confirmed that the entire structure from the rear of the house leading down to the rear property line is viewed as one deck. Ms. Decker asked if any comments had been received from nearby neighbors, and Mr. Grodi confirmed that none had been received. There was a brief discussion about when the deck was installed, and the setback off of the rear property line. There were no further questions or concerns from the Board, nor the public.

Ms. Wolfinger moved to approve Application 30-21, and finding B, C, D, and F of Chapter 1275.02(c)(3) to be true. Seconded by Mr. Reiter. Ayes: Elmer, Reiter, and Wolfinger (3). Nays: Decker and Duricek (2).

APPLICATION 31-21 – Eric Risner is requesting a zoning variance to construct a garage addition. The property is located at 715 Hickory 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 construct an addition off of the attached garage. The garage will be set back twenty five (25) feet and four (4) inches off of the front property line.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances C, D, E, and F of Chapter 1275.02(c)(3). The property owner has considered other options that would not require a variance. However, due to the house placement on the lot, the other options are not feasible. The addition will allow for storage of items so that they can be stored out of sight from neighbors.

Mr. Grodi reviewed Application 31-21. The applicant was not present. The Board briefly discussed the variance request. Mr. Grodi noted that Sharon Seitz-Dennis, 502 E. Seventh Street, called in to say that she has no objections with the request. There were no further questions or concerns from the Board, nor the public.

Mr. Elmer moved to approve Application 31-21, and finding B, C, D, and G of Chapter 1275.02(c)(3) to be true. Seconded by Ms. Decker. Ayes: (5). Nays: (0).

APPLICATION 32-21 – Julian Verdugo is requesting a zoning variance in order to keep a fence that has been installed. The property is located at 242 Queensland Boulevard and is zoned R-3 (Single Family Residential).

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

R1 - R5 Zoning: 4' Maximum in Front Yard
4' Maximum in Side Yard
6' Maximum in Rear Yard

1. The applicant is requesting a variance that would allow for a six (6) foot fence to remain past the midpoint of the house. The six (6) foot privacy fence has been installed in line with the front of the house.

Recommendation:

1. No recommendation provided.

Mr. Grodi reviewed Application 32-21. Julian Verdugo was present, and added that they replaced a dilapidated fence. He said that with the way that the vegetation grows that it made sense to bring the fence forward towards the front of the house, and added that he talked with the neighbors at 230 Queensland Boulevard that are directly affected by the new fence. There was a brief discussion about the midpoint of the house. Mike Murphy, 229 Queensland Boulevard, said that he appreciates the improvements and recommends the variance. Mr. Grodi confirmed that there were no other comments received from neighboring property owners. There were no further questions or concerns from the Board, nor the public.

Mr. Duricek moved to approve Application 32-21, and finding B, C, D, and E of Chapter 1275.02(c)(3) to be true. Seconded by Mr. Elmer. Ayes: (5). Nays: (0).

APPLICATION 34-21 – James Scheff is requesting a zoning variance for the location of an accessory structure. The property is located at 1919 Lexington Drive and is zoned R-3 (Single Family Residential).

NOTE: 1250.61(a) 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.

1. The applicant is requesting a zoning variance to place a shed in the side yard of the property.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances C, D, E, and F of Chapter 1275.02(c)(3). The property has two different eight (8) foot utility easements in the rear and side yards, which no structure can be placed in. This lot is a corner lot.

Mr. Grodi reviewed Application 34-21. James Scheff was present, and added that he didn't realize that he needed a permit. He noted that he has a deep front yard and a narrow rear yard, and that his house sits further back than the neighboring properties on his street. Mr.

Grodi confirmed that there were no comments received from neighboring property owners. There were no further questions or concerns from the Board, nor the public.

Ms. Wolfinger moved to approve Application 34-21, and finding C, D, E, and F of Chapter 1275.02(c)(3) to be true. Seconded by Ms. Decker. Ayes: (5). Nays: (0).

APPLICATION 35-21 – Douglas Kinder is requesting a zoning variance to install a fence. The property is located at 644 Beverly Court and is zoned R-3 (Single Family Residential).

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

R1 - R5 Zoning: 4' Maximum in Front Yard
4' Maximum in Side Yard
6' Maximum in Rear Yard

1. The applicant is requesting a variance that would allow for a six (6) foot fence to be installed in the side yard past the midpoint of the house. The six (6) foot privacy fence will be installed in line with the front of the house.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances C, D, E, and F of Chapter 1275.02(c)(3). This property is a corner lot with high visibility to the side yard.

Mr. Grodi reviewed Application 35-21. The applicant was not present. There was a brief discussion about this corner lot and the delineation between front and side yards. Ms. Wolfinger confirmed that they are replacing split rail fence with privacy. Mr. Grodi added that there were no comments received from neighboring property owners. There were no further questions or concerns from the Board, nor the public.

Mr. Elmer moved to approve Application 35-21, and finding C, D, E, and F of Chapter 1275.02(c)(3) to be true. Seconded by Mr. Reiter. Ayes: (5). Nays: (0).

APPLICATION 36-21 – Aaron Schoen, on behalf of Carronade Park, is requesting a zoning variance for an entrance sign. The property is located at Parcel Q61-400-090302001005 and is zoned RM (Multi-Family Residential).

NOTE: *Chapter 1250.32(a) Permanent Signs Allowed:*

RM Zoning:

Maximum Height: 6'

Maximum Size: 32 SF

Setback: 25' from property line

1. The applicant is requesting a variance that would permit the construction of a permanent freestanding sign with a reduced setback from the front property line.

The freestanding sign is proposed to have a setback of fourteen (14) feet from the front property line.

Recommendation:

1. No recommendation provided.

Mr. Grodi reviewed Application 36-21. Aaron Schoen was present, and added that the entrance drive is narrow and will be bottle-necked with street trees and a bend in the road which will hinder the sign visibility. Mr. Schoen shared pictures of the street view from Google maps with the Board, and added that the proposed sign will be angled so that it is visible, composed of high quality materials, low in height, and landscaped. Mr. Schoen noted that the eastern portion of the drive will feature a connecting pillar and a fence rail that will pick up the same dimension as the sign on the western portion of the entrance drive. Mr. Grodi confirmed that the square footage of the sign was allowed by Code, and that no comments were received from neighboring property owners. There were no further questions or concerns from the Board, nor the public.

Ms. Decker moved to approve Application 36-21, and finding C, D, F, and G of Chapter 1275.02(c)(3) to be true. Seconded by Mr. Elmer. Ayes: (5). Nays: (0).

OTHER BUSINESS

Mr. Grodi noted the Special Board of Zoning Appeals meeting set for August 19, 2021, at 5:30pm, and distributed the packets to the Board.

There being no further business, the meeting adjourned at 6:27 p.m.

Respectfully submitted,

Heather Alfaro