

BOARD OF ZONING APPEALS

AUGUST 8, 2016

The meeting was called to order at 5:31 p.m. by Chairman Craig Pickerel. Board members present were Jason Decker, Niki Decker and Craig Pickerel (3). Greg Bade and John Brown were absent (2). Also present was Mark Easterling, Zoning Inspector.

Approval of Minutes

Mr. Decker moved to approve the minutes of the July 11, 2016 meeting as submitted. Mr. Pickerel seconded and they were unanimously approved.

APPLICATION, 29-16 – Josh and Katherine Stagner are requesting one zoning variance to permit the installation of a six (6') fence in their side yard. The property is located at 901 Walnut Street and is zoned R-3 Single Family Residential.

NOTE: *1250.42(a)(5) Fences, Walls, Structural Screen, Hedges and Screen Plantings: For fencing purposes the side yard shall consist of the area between the front of the house to the midpoint of the side yard. Any portion of yard between the midpoint of the house and the rear façade of the home shall constitute a rear yard for fencing purposes only.*

1. The applicant is requesting permission to install a 6' tall fence along the side of their residence that extends beyond the midpoint of said residence by six (6) feet.

Recommendation:

1. The Zoning Inspector recommends approval of the variance. The proposed fence location does not pose any safety/visibility concerns. Additionally, the fence is high quality and visually attractive (Ch. 1275.02(c)(3) –B, C, D, F)

Mr. Easterling reviewed Application 29-16. Mr. and Mrs. Stagner were present. Mr. Stagner said that they do not currently have a mandoor on their garage and he would like to install one and have it on the inside of the fence. Mr. Pickerel asked if any comments were received from neighbors. Mr. Easterling said nothing was received.

Mr. Decker moved to approve Application 29-16 based on finding criteria B, C, D and F of 1275.02(c)(3) to be true. Ms. Decker seconded and it was unanimously approved.

APPLICATION, 30-16 – Paul LeCompte is requesting two zoning variances to permit an existing accessory structure to remain in his side yard and within five (5) feet of the rear property line. The accessory structure is located at 445 West Fifth 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 approval to keep the existing accessory structure within the side yard.
2. The applicant is requesting approval to keep the existing accessory structure within the side yard five (5) foot set back. (Structure is currently approximately one (1) foot from the property line.)

Recommendation:

1. The Zoning Inspector recommends approval of the variance. The existing structure location does not pose any safety or visibility concerns (Ch. 1275.02(c)(3) –B, C, D, F)
2. The Zoning Inspector recommends approval of the variance subject to input provided by neighboring property owners prior to and/or during the meeting. The existing structure location would not cause any future issues with maintenance or repairs. (Ch. 1275.02(c)(3) –B, C, D, F)

Mr. Easterling reviewed Application 30-16. Mr. LeCompte was in attendance and said that he purchased the property last month from Phil Dombey, but he was not aware of the rules. No comments were received from neighbors.

Mr. Pickerel moved to approve Application 30-16, items 1 and 2, finding B, C, D and F of Section 1275.02(c)(3) to be true. Mr. Decker seconded and it was unanimously approved.

APPLICATION, 31-16 – Paul LeCompte is requesting two zoning variance to permit an existing patio to remain in his side yard and within five (5) feet of the rear property line. The patio is located at 445 West Fifth 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 approval to keep the existing patio structure within the side yard.
2. The applicant is requesting approval to keep the existing patio within the side yard five (5) foot set back. (Patio is currently approximately six (6) inches from the property line.)

Recommendation:

1. The Zoning Inspector recommends approval of the variance. The existing structure location does not pose any safety or visibility concerns. (Ch. 1275.02(c)(3) –B, C, D, F)
2. The Zoning Inspector recommends approval of the variance subject to input provided by neighboring property owners prior to and/or during the meeting. (Ch. 1275.02(c)(3) –B, C, D, F)

Mr. Easterling reviewed Application 31-16. This application also pertained to Mr. LeCompte's property and as stated previously, no comments were received from neighbors.

Mr. Pickerel moved to approve Application 31-16 finding B, C, D and F of 1275.02(c)(3) to be true. Ms. Decker seconded and it was unanimously approved.

APPLICATION, 32-16 – Robert Friedley is requesting one zoning variance to permit an addition to the existing accessory structure in the side yard of the property. The accessory structure and is located at 12983 Five Point Road and is zoned as R-2 (Single Family Residential).

The requested variance would permit the applicant to construct an addition to the existing accessory structure in the side yard.

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 approval to construct an addition to the accessory structure that would extend into the side yard.

Recommendation:

1. The Zoning Inspector recommends approval of the variance. Although the addition to the accessory structure will be constructed in the side yard, it still meets the minimum setback requirements from the residence and the property line. (Ch. 1275.02(c)(3) –B, C, D, F)

Mr. Easterling reviewed Application 32-16. Mr. Friedley said that he would like to add a 12' addition to the west side of his 24' x 24' garage. He said there is only a cornfield on that side of his property. He explained that his house was constructed while in Perrysburg Township. Mr. Pickerel asked if any comments were received from neighbors and Mr. Easterling said there were none.

Mr. Decker moved to approve Application 32-16 finding B, C, D and F of 1275.02(c)(3) to be true. Mr. Pickerel seconded and it was unanimously approved.

There being no further business, the meeting adjourned at 5:45 p.m.

Respectfully submitted,

Mary Jo Sutton