



City of Perrysburg

Division of Planning and Zoning

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June 30, 2016

TO: Board of Zoning Appeals
FROM: Mark Easterling, Zoning Inspector
SUBJECT: July 11, 2016 Meeting Agenda

AGENDA

5:30 PM: Call Meeting to Order
Roll Call
Approval of June 13, 2016 Meeting Minutes
Administer Oath
Zoning Permit Obligation

APPLICATION, 26-16 – Steve Wise is requesting one zoning exception to permit front yard setback relief. The properties are identified as parcel numbers Q61-000-901206005001 and Q61-000-901206004001 (located along Water Street), and are zoned “C-1” Neighborhood Commercial. The requested variances would permit the applicant to construct a structure within the required setbacks from the front yard property lines.

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 exception 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.

Recommendation:

1. The Zoning Inspector recommends approval of the exception based on the uniqueness on the property, as the dimensions of the lot leave minimal building space.

APPLICATION, 27-16 – Steve Wise is requesting a zoning variance to provide relief for minimum parking requirements. The properties are identified as parcel numbers Q61-000-901205004000 and Q61-000-901205003000 (located along Water Street), and are zoned “P” Parks. The requested variances would allow zero (0) parking spaces (100% parking relief).

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 Zoning Inspector recommends denial of the variance. The square footage submitted was a miscalculation and it has been determined that the total square footage of the proposed building, according to the dimensions provided, is about 2000 SF. This would make the total number of spaces needed 20, not the listed 14. Also, the applicant is requesting that parking be reduced by one hundred (100) percent (20 spaces), while the maximum set forth in Ch. 1250.02(r) is thirty-three (33%) percent (7 spaces).

APPLICATION, 28-16 – Steve Wise is requesting a zoning variance to provide relief for minimum parking requirements. The properties are identified as parcel numbers Q61-000-901206005001 and Q61-

000-901206004001 (located along Water Street), and are zoned “C-1” Neighborhood Commercial. The requested variances would allow six (6) parking spaces (70% parking relief) on the southern properties.

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.

NOTE: Chapter 1250.06(b)[1] Private Stall Dimensions: [1] The standard-size parking stall shall be at least ten (10) feet wide and twenty (20) feet long unless otherwise noted above.

1. The applicant is requesting a zoning variance to reduce the required amount of parking on the southern properties which would reduce the required parking from 20 spaces to 6 spaces.

Recommendation:

1. The Zoning Inspector recommends denial of the variance based on the zoning code outlined in Ch. 1250.02(r). The applicant is requesting that parking be reduced by seventy (70%) percent (14 spaces), while the maximum set forth in Ch. 1250.02(r) is thirty-three (33%) percent (7 spaces). Also, the exception for front yard setback would not allow for the construction of parking spaces that meet the minimum dimension required as outlined in Ch. 1250.06(b)[1]. If passed, the applicant would need to meet and provide documentation to the Planning and Zoning office that displays the remainder of the requirements outlined in Ch. 1250.02(r)(1-5).

OTHER BUSINESS
ADJOURNMENT