

BOARD OF ZONING APPEALS

JUNE 10, 2019

The meeting was called to order at 5:30 p.m. by Chairman Rob Vela. Board members present were Niki Decker, Nathan Duricek, Brian Elmer, and Rob Vela (4). Jason Decker was absent (1). Also present was Cody Grodi, Zoning Inspector.

APPROVAL OF MINUTES

Mr. Vela moved to approve the minutes of the April 8, 2019 meeting as written. Seconded by Mr. Duricek. Ayes: Duricek, Elmer, and Vela (3). Nays: (0). Abstain: N. Decker (1).

Mr. Vela moved to approve the minutes of the May 13, 2019 meeting as written. Seconded by Ms. Decker. Ayes: N. Decker, Duricek, and Vela (3). Nays: (0). Abstain: Elmer (1).

Mr. Vela administered an oath to those that would be speaking at the meeting.

APPLICATION 15-19 – Caleb Holz is requesting a zoning variance to install a second curb-cut on the property. The property is located at 28282 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 curb-cuts to be installed. The purposed plan would allow for a curb-cut off of White Road that would be approximately fifty-six feet away from the existing driveway at the street. The new driveway would then tie into the existing driveway creating a horseshoe shaped driveway.

Recommendation:

1. The Zoning Inspector recommends denial of the variance as it does not meet enough of the conditions needed to grant a variance. In place of a second curb-cut, a turn-around driveway could be installed if the safety when backing out of the driveway is of concern. The application states multiple times that the request for the second curb-cut is due to business trailers, however the Perrysburg Codified Ordinances states that home occupations should have no exterior storage, the business should be conducted wholly indoors, there shall be no additional parking demand or increase in traffic, and that no equipment shall be used which creates noise and vibrations that are inconsistent with the residential uses.

Mr. Grodi reviewed Application 15-19. Mr. Holz was present, and asked about the conditions that need to be met for a variance, and Mr. Grodi referenced Chapter 1275.02(c)(3). Mr. Holz added that he is requesting a variance for safety reasons associated with backing out of his driveway and the trees that block his view. Mr. Vela reviewed the plans and confirmed that Mr. Holz was starting to build a circle driveway.

Mr. Holz stated that there is an eighteen (18) foot City right-of-way in towards his home from the City sidewalk, which would create a bottle-neck with a circle driveway and the City owned property. Mr. Holz added that currently there are trees that he could remove if needed, but that the trees block the view of his three trucks from the street. Mr. Holz questioned why Mr. Grodi recommended a circle driveway, rather than a U-shaped drive, and Mr. Grodi added that a circle driveway would address the safety concerns. Mr. Vela clarified that Mr. Holz's property is zoned residential, and so the board is reviewing his application as such. Mr. Vela added that applying for a variance does not guarantee that the variance will be approved. Ms. Decker clarified that the business and equipment needs to be stored within the home to align with the Code. Mr. Holz said that his machines and equipment are stored indoors, but that his trucks and trailers are not. There was a brief discussion about existing U-shaped driveways that have been grandfathered in. Mr. Vela asked if there had been any comments received from the neighbors, and Mr. Grodi referenced the fax that was received from a neighboring property that is not in agreement with the variance request.

Mr. Vela moved to deny Application 15-19, stating that it does not meet enough of the criteria to grant a variance. Seconded by Ms. Decker. Ayes: (4). Nays: (0).

APPLICATION 16-19 – Jeffrey Schramm is requesting two zoning variances to construct a new garage with a reduced setback, and exceeding the maximum size. The property is located at 322 E. Seventh Street and is zoned R-3 (Single Family Residential).

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 1250.61(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.*

1. The applicant is requesting a zoning variance to construct a new garage in the location of the existing garage. The current structure sits approximately two (2) feet off of the property line and the new garage would sit two (2) feet off of the side property line.
2. The applicant is requesting a zoning variance to construct a garage that will exceed more than five (5) percent of the square footage of the lot. The current structure is 420 square feet, and the proposed new garage is 480 square feet, eight (8) percent of the lot size.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances C, D, E, & F of Chapter 1275.02(c)(3). Due to the narrow size of the lot meeting the required setback on the side while not pushing the garage into the front yard would be difficult. The structure will not

come any closer to the property line than the current garage. Neighboring properties also have structures that are within a few feet off the property line.

2. The Zoning Inspector recommends approval of the zoning variance. The maximum five (5) percent would make it difficult for fitting a larger vehicle within the garage. Many garages in the neighborhood are of similar size to the proposed garage.

Mr. Grodi reviewed Application 16-19. Mr. Schramm was present, and added that he is proposing a new garage that is wider in size to the south side of the property. Mr. Vela asked if there had been any comments received from the neighbors, and Mr. Grodi stated that none had been received. John Davis, 332 E. Seventh Street, said that he doesn't understand the need for a larger garage, and raised a concern about an apartment within the garage. Mr. Grodi stated that by Code the garage cannot be occupied as a second residence. Mr. Vela noted that the current garage is rather small, and Mr. Schramm added that his current garage is in disrepair, and that he will be using the same driveway. Nate Rethorn, 318 E. Seventh Street, stated that he supports a new garage.

Mr. Elmer moved to approve Application 16-19 #1 finding B, C, D, and E of Chapter 1275.02(c)(3) to be true. Seconded by Mr. Duricek. Ayes: (4). Nays: (0).

Mr. Vela moved to approve Application 16-19 #2. Seconded by Ms. Decker. Ayes: (4). Nays: (0).

APPLICATION 17-19 – Amber and Adam Hastings are requesting a zoning exception to reduce the front yard setback in order to install a deck off the front of the house. The property is located at 175 Birchcrest Drive 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 applicants are requesting a zoning exception to reduce the required front yard setback. The exception would permit the homeowner to install a deck off the front of the house. The deck would be twenty-four (24) feet off of the property line, rather than the required thirty-five (35) feet.

Recommendation:

1. The Zoning Inspector recommends approval of the exception. The house itself is only at thirty four (34) feet off the property line. The deck would be replacing a similar sized concrete slab that is currently in front of the front door. The new deck will allow for safer access to the front door then the previous porch and stairs.

Mr. Grodi reviewed Application 17-19. Contractor Al Wilson, 8035 Providence Road, Neapolis, Ohio was present on behalf of the applicants, and added that several of the

homes in the neighborhood already have this same front porch arrangement. He stated that the original concrete has settled therefore the need for a new front porch. Mr. Vela confirmed that other homes in the neighborhood were located within the twenty (20) foot to thirty-five (35) foot setback. Mr. Wilson added that they were likely built before the zoning setbacks were significantly reduced. Mr. Vela confirmed that the footprint will remain the same. Mr. Vela asked if there had been any comments received from the neighbors, and Mr. Grodi stated that none had been received.

Mr. Elmer moved to approve Application 17-19 with the exception that the structure be twenty-three feet and six inches (23.6) off of the property line. Seconded by Mr. Vela. Ayes: (4). Nays: (0).

APPLICATION 18-19 – DGL Consulting Engineers are requesting seven zoning exceptions that would allow for the installation of seven driveways exceeding the maximum width. The site is located at 24736 Five Point Road and is zoned RM (Multiple Family Residential).

NOTE: *Chapter 1250.51(c)(2) Curb Cuts and Driveways: Residential driveways shall be a minimum of ten (10) feet wide and a maximum of twenty four (24) feet wide where it meets the curb, alley or street.*

1. The applicant is requesting a variance to install seven driveways, exceeding the maximum twenty-four (24) feet, which would serve fourteen units. Six of the seven driveways would have a width of 26.25 feet, while the one driveway not located in the cul-de-sac would have a width of 30.67 feet.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning exception. Due to the configuration of the buildings the driveways are angled and meet near the street. The buildings in the cul-de-sac are closer to each other than the rest of the development.

Mr. Grodi reviewed Application 18-19. Brian Gruber, Ridgestone Builders, and Bob Bailey, DGL Consulting Engineers, were present. Mr. Vela noted from the drawings that there are fourteen (14) units with double-wide driveways, and Mr. Gruber confirmed, and added that it will be safer and less clustered. Mr. Vela questioned why the driveways couldn't be twenty-four (24) feet wide as allowed by Code, and Mr. Gruber added that this is a senior geared community. He stated that a wider driveway would help with the ease of turning out of the driveway, and allow for access to back straight out. Mr. Bailey confirmed that one of the driveways is wider due to the angle of the cul-de-sac. Mr. Vela asked if there had been any comments received from the neighbors, and Mr. Grodi stated that none had been received.

Ms. Decker moved to approve Application 18-19 as submitted. Seconded by Mr. Vela. Ayes: (4). Nays: (0).

APPLICATION 19-19 – Phillip Szalkowski is requesting one zoning variance that would allow him to exceed the maximum width for a residential driveway. The property is located at 12070 Eckel Junction Road and is zoned R-3 (Single Family Residential).

NOTE: *Chapter 1250.51(c)(2) Curb Cuts and Driveways: Residential driveways shall be a minimum of ten (10) feet wide and a maximum of twenty four (24) feet wide where it meets the curb, alley or street.*

1. The applicant is requesting a variance to install a driveway that would have a greater width than the maximum twenty-four (24) feet allowed. The driveway would be a re-installation of a previous non-conforming driveway that had a width of thirty-six (36) feet.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances B, C, D, and E of Ch. 1275.02(c)(3). The driveway will be a direct replacement of what was previously there. The new driveway would meet up with the pre-existing curb-cuts. Due to the speed and traffic on Eckel Junction Road the driveway width will allow for an easier turn in and out for the homeowner.

Mr. Grodi reviewed Application 19-19. Mr. Szalkowski was present, and added that the contractor did not pull the permit before the driveway was ripped out. He added that the old driveway was thirty-one (31) years old, and with the addition of Costco down the street that it's a safety factor with the traffic. Mr. Vela asked if there had been any comments received from the neighbors, and Mr. Grodi stated that none had been received.

Mr. Elmer moved to approve Application 19-19, and finding B, C, D, and E of Chapter 1275.02(c)(3) to be true. Seconded by Mr. Vela. Ayes: (4). Nays: (0).

There being no further business, the meeting adjourned at 6:15 p.m.

Respectfully submitted,

Heather Alfaro