



City of Perrysburg

Division of Planning and Zoning

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April 25, 2018

Brodin L. Walters
Administrator
Mark Easterling
Deputy Administrator

Cody Grodi
Zoning Inspector

Heather Alfaro
Zoning Clerk

TO: Board of Zoning Appeals
FROM: Cody Grodi, Zoning Inspector
SUBJECT: May 14, 2018 Meeting Agenda

AGENDA

5:30 PM: Call Meeting to Order
Roll Call
Approval of April 9, 2018 Meeting Minutes
Administer Oath
Zoning Permit Obligation

APPLICATION, 12-18 – Ray Frick is requesting three zoning variances that would allow him to exceed the maximum square feet allowable for accessory structures, to exceed the maximum width for a residential driveway, and to be within the required setback for a patio. The property is located at 617 Louisiana Avenue and is zoned R-3 (Single Family Residential).

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: 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.

NOTE: Chapter 1250.58(c) Location of 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 variance that would allow up to eight (8) percent of the lot size in accessory structures in order to install a garage that is 22' x 24'. The lot size is 7,257.096 square feet, which would allow, by code, 362.8 square feet of accessory structures. The variance would allow for 528 square feet of accessory structures on the property.
2. 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 applicant is seeking a variance that would allow for an approximately ninety (90) foot wide driveway.

3. 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 16'x14' and will be approximately one (1) foot off the property line.

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 new garage will be within the same footprint as the old garage, only the orientation of the garage is being altered. The allowed square footage for accessory structures would only allow for a small single car garage.
2. The Zoning Inspector recommends denial of the zoning variance as it does not meet enough of the required criteria to grant a variance. The existing curb cut and existing concrete could be removed, as it will not be needed to access the garage. The variance is substantial and the property owner's predicament can be obviated feasibly through another method other than a variance.
3. The Zoning Inspector recommends denial of the zoning variance as it does not meet enough of the required criteria to grant a variance. The patio could be installed in the rear yard as opposed to the side yard. This location would cause less infringement on the neighboring property.

APPLICATION, 13-18 – 1021 Sandusky LLC is requesting two zoning variances that would allow for the installation of one free standing sign within the required setback and that would exceed the maximum height permitted. The property is located at 1021 Sandusky Street and is zoned C-1 (Neighborhood Commercial).

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

Freestanding/Ground Sign

Zoning District: C-1
Maximum Height: 6'
Maximum Size: 24 SF
Setback: 30'
Quantity: 1

1. The first requested variance would permit the applicant to install a permanent freestanding sign with a seven (7) foot setback off of Sandusky Street and a one (1) foot setback off of Three Meadows Boulevard, contrary from the minimum thirty (30) foot setback from the property line.
2. The second requested variance would permit the applicant to install a permanent freestanding sign that would be eight (8) feet in height, contrary from the maximum six (6) foot height restriction.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances A, D, E, and F of Ch. 1275.02(c)(3). Due to the location of the parking lot, installing the sign at the required thirty (30) foot setback would position the sign somewhere within the parking lot.
2. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances A, D, E, and F of Ch. 1275.02(c)(3). There is an elevated planter located within the City right- of-way, which would block a portion of the sign if installed at six (6) feet.

APPLICATION, 14-18 – J.D. Youngblood and Megan Gorey are requesting one zoning variance that would allow them to construct a six (6) foot fence in the front yard. The property is a corner lot located at 240 East Indiana Avenue, and is zoned R-3 (Single Family Residential).

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

	Max Height	
	Permitted	*Restricted
Front Yard	4'	6'
Side Yard	4'	6'
	*Requires BZA Approval	

1. The applicants are requesting a variance that would allow for them to construct a six (6) foot fence in the front yard for noise and safety purposes.

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(3). The variance is not substantial as there are already portions of six (6) foot fence panels in the front yard. The new fence would provide safety for the homeowner's pets and screening from the arterial street (Sandusky Street).

APPLICATION, 15-18 – Royal Deli Foods is requesting one zoning variance that would allow them to install two sign graphics in the windows, covering more than 25% of the windows. The property is located at 112 West Front Street and is zoned C-2 (Central Business).

NOTE: Chapter 1250.33(a) Temporary Signs Allowed:

Table 1250.33(a) Temporary Signs Allowed			See Sections 1250.33(b) - (h) for explanation and restrictions.		
Within Non-Residential Districts	Number of Signs	Max. Size	Other Restrictions	Location & Height	Permit Y/N
Window Sign	unlimited	No more than 25% window coverage on facade			N

1. The requested variance would permit the applicant to install two sign graphics in the windows that face towards West Front Street. The signs would cover 100% of the windows, as opposed to the maximum 25% window coverage.

Recommendation:

1. No recommendation provided.

APPLICATION, 16-18 – Randy Rasure is requesting one zoning variance that would allow him to exceed the maximum width for a residential driveway. The property is located at 12100 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(3). The driveway will be a direct replacement of what was previously there, however the driveway has changed from asphalt to concrete. The new driveway would meet up with the pre-existing curb cuts.

APPLICATION, 17-18 – Eric and Katie Himich are requesting one zoning variance to permit the construction of an accessory structure within the front and side yard. The property is located at 349 East Sixth 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.

1. The applicant is requesting approval to construct a garage in the front and 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 Ch. 1275.02(c)(3). The garage would not be able to be installed in the rear yard due to a pre-existing in-ground pool. This lot has a front yard on two of the three sides of property, leaving no place to construct an accessory structure within the regulations.

APPLICATION, 18-18 – Scott Shealy is requesting one zoning variance to permit a driveway, with two curb cuts, to be constructed. The property is located at 4002 McCallister Drive and is zoned R-1 (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 McCallister Drive and a curb cut off of Chapel Creek Drive, creating a “U” 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 amount of parking area is of concern. The front yard is very larger and a turn-around driveway would most likely not exceed the 35% front yard lot coverage maximum. There are methods available that may resolve the issue outside of receiving a variance. This is a new construction house and the driveway design does not qualify for a hardship.

APPLICATION, 19-18 – Barney’s Real Estate Investment, LLC is requesting one zoning variance to construct a new building within the required front yard setback. The property is located at 26475 North Dixie Highway and is zoned C-4 (Highway Commercial).

NOTE: *Chapter 1230.01 Intensity and Dimensional Standards:*

C-4 Zoning:

Front Yard = 50’

Rear Yard = 30’

Side Yard Min = 10’

Side Yard Total = 20’

1. The applicant is requesting a zoning variance to reduce the required front yard setback. The variance would permit the front yard setback to be reduced to thirty-six (36) feet, rather than the required fifty (50) feet.

Recommendation:

1. The Zoning Inspector recommends denial of the variance as it does not meet enough of the conditions needed to grant a variance. The length of the property is long enough to allow the building to be constructed at the required fifty (50) feet and still allow for the rear yard setback to

be met. The purposed rear yard setback is one hundred and five (105) feet. If the building were to be constructed at the required fifty (50) foot front yard setback that would give the building a rear yard setback of ninety-two (92) feet. The requested variance does not qualify for a hardship and there would still be beneficial use on the property without a variance being issued. Additionally, the adjacent parcels meet the required front yard setback and because of this the character of the area may be altered if this variance were to be granted.

OTHER BUSINESS
ADJOURNMENT

The next Board of Zoning Appeals meeting is scheduled for June 11, 2018 at 5:30 PM in the Municipal Building located at 201 West Indiana Avenue.