



City of Perrysburg

Division of Planning and Zoning

201 West Indiana Avenue
Perrysburg, Ohio 43551-1582
(419) 872-8060 • Fax (419) 872-8019
www.ci.perrysburg.oh.us

Brodin L. Walters
Administrator
Planning and Zoning

Julie Liebenthal
Zoning Inspector
Planning and Zoning

Mary Jo Sutton
Zoning Clerk
Planning and Zoning

April 30, 2014

TO: Board of Zoning Appeals
FROM: Brodin L. Walters, Planning and Zoning Administrator
SUBJECT: May 12, 2014 Meeting Agenda

AGENDA

5:30 PM: Call Meeting to Order
Roll Call
Approval of April 14, 2014 Meeting Minutes
Administer Oath
Zoning Permit Obligation

ZONING VARIANCE, 06-14 – Kyle Sniecinski requests one (1) zoning variance to permit the construction of a 6' fence in a side-yard. The subject property is located at 12164 Jefferson Street and is zoned R-4 (Single-Family Residential).

NOTE: *1250.42 Fences, Walls and Structural Screens*

6' Structural Screens are permitted in residential side yards with the approval of the Board of Zoning Appeals.

1. The applicant is requesting permission to install a 6' tall fence along the side of his residence for the keeping of dogs. The proposed fencing includes approximately forty feet of 6' tall fencing in the side yard.

Recommendation:

1. It is recommended to deny the applicant's request. Based on the variance criteria of Chapter 1275.02(c)(3) it is believed that only criteria B, C, and D would be satisfied. It should be noted that recommendations to approve 6' high fences in the side yard have previously been provided by the Planning and Zoning Administrator and will continue to be as deemed appropriate. This application does involve 6' fencing in side yard but solely for animal containment rather than privacy as other applications have indicated.

ZONING EXCEPTION, 07-14 – Edwin Glynn of Greenworks Remodeling on behalf of Todd Welborn requests one (1) zoning exception to permit the construction of a residential addition within 8' of a side property line. The subject property is located at 442 W. Sixth Street and is zoned R-3 (Single-Family Residential).

NOTE: 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 exception to reduce the required side yard setback. The exception would permit the smallest side yard to be 6.5', rather than the normally required 8'.

Recommendation:

1. The Planning and Zoning Administrator recommends approval of the zoning exception based on the existing conditions including the proximity of the existing house to the property line.

ZONING EXCEPTION, 08-14 – Kenneth Haas requests one (1) zoning exception to permit the construction of a front porch addition to an existing residence. The subject property is located at 508 Colony Ct. and is zoned R-3 (Single-Family Residential).

NOTE: 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 exception to reduce the required front yard setback. The exception would permit the front yard to be 31', rather than the normally required 35'.

Recommendation:

1. The Planning and Zoning Administrator recommends approval of the zoning exception.

ZONING VARIANCE, 09-14 - Steve Taylor on behalf of Taylor Hyundai requests one (1) zoning variance to permit the modification of an existing free-standing sign. The subject property is located at 12681 Eckel Junction Rd. and is zoned C-4 (Highway Commercial).

NOTE: 1250.32(a) *Permanent Signs Allowed*

C-4 Zoning:

If sign height is $\leq 10'$

Max size – 72 SF

Setback – 10'

If sign height is $\leq 20'$

Max size – 48 SF

Setback – 40'

With $> 200'$ of freeway

Frontage, one additional sign

≤ 200 SF area

NOTE: 1250.39 *Other Administrative Procedures*

The Board of Zoning Appeals may grant a variance only if it finds that all of the following apply:

- (a) That the literal enforcement of the requirements of this chapter would involve practical difficulties based on the presence of special conditions and circumstances which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district. (see factors 1-6 which typically include dimensional irregularities of the lot, impact on neighboring properties, beneficial use of the property, alternative options that are less convenient or costly)
- (b) That granting the variance will not cause a substantial adverse effect to property or improvements in the vicinity or will not materially impair the intent and purposes of the requirement being varied or of this chapter, and is the minimum variance necessary to provide relief.
- (c) That the variance would not adversely affect the delivery of governmental services (e.g. water, sewer, refuse).
- (d) That the variance as granted would not confer on the applicant any special privilege, or deprive the applicant of rights, when compared with those rights commonly enjoyed by immediately adjoining properties.
- (e) That the variance request is not one where the specific conditions pertaining to the property are so general or recurrent in nature as to make the formulation of a general regulation for those conditions reasonably practicable.

1. The applicant is requesting a zoning variance to permit a sign that is 56 SF larger than otherwise permitted. The total square footage of the sign is proposed to be 256 SF.

Recommendation:

1. It is recommended to deny the applicant's request based on the perceived inability to convincingly address conditions A, B, D and E of Ch. 1250.39. However, it is recommended to request the applicant's testimony as it relates to these criteria and any issues that may not have been identified by the applicant in the submission.

ZONING EXCEPTION, 10-14 – Cheryl Stieben Palicki requests one (1) zoning exception to permit the construction of a deck to the side of an existing residence. The subject property is located at 114 Pine Street and is zoned R-3 (Single-Family Residential).

NOTE: 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 exception to reduce the required side yard setback. The exception would permit the side yard to be 5', rather than the normally required 8'.

Recommendation:

1. The Planning and Zoning Administrator recommends approval of the zoning exception subject to input provided by neighboring property owners prior to and/or during the meeting.

ZONING VARIANCE, 11-14 - Nathan and Meaghan Duricek request a zoning variance to permit the installation of a 6' privacy fence in a front yard. The subject property is located at 302 E. Sixth Street and is zoned R-3 (Single Family Residential).

NOTE: 1250.42 *Fences, walls, structural screens, hedges and screen plantings*

6' fences, walls and structural screens are permitted in residential front yards with the approval of the Board of Zoning Appeals.

1. The applicant is requesting a zoning variance to allow the installation of a 6' fence in a front yard. This variance would allow for the construction of a 6' fence, two feet taller than what is permitted without a variance.

Recommendation:

1. The Planning and Zoning staff recommends approval of the zoning variance due to the fact that the proposed fence location is substantially distant from the roadway and there does not appear to be any significant sight obstructions for motorists. (Ch. 1275.02(c)(3) – B, C, D, G). The right away along locust street appears to end approximately 5' to the east of the sidewalk, therefore if the request is approved it should be no closer than 5' to the sidewalk.

ZONING VARIANCE, 12-14 – Anastasia Willey requests one (1) zoning variance to permit the construction of a 6' fence in a front and side-yard. The subject property is located at 509 Mulberry Street and is zoned R-3 (Single-Family Residential).

NOTE: 1250.42 Fences, Walls and Structural Screens

6' Structural Screens are permitted in residential front and side yards with the approval of the Board of Zoning Appeals.

1. The applicant is requesting permission to install a 6' tall fence to enclose the area behind the house to contain children and a pet.

Recommendation:

1. It is recommended to approve the applicant's request. Based on the variance criteria of Chapter 1275.02(c)(3) it is believed that criteria B, C, D, E and G would be satisfied. Additionally, the fence location reasonably situation in relation to the existing structures on site and does not create any site obstructions.

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