

BOARD OF ZONING APPEALS

MAY 9, 2016

The meeting was called to order at 5:35 p.m. by Chairman Craig Pickerel. Board members present were Greg Bade, John Brown, Niki Decker, and Craig Pickerel (4). Absent was Jason Decker (1). Also present was Mark Easterling, Zoning Inspector.

Approval of Minutes

Mr. Brown moved to approve the minutes of the April 11, 2016 meeting as submitted. Mr. Bade seconded and they were unanimously approved.

APPLICATION 13-16- Donald Weiss is requesting a zoning variance to permit a six (6') foot chain-link fence to be installed past the halfway point of his residence in the side yard. The property is located at 28693 Hufford Road and is zoned R-2 Single Family Residential.

The requested variance would allow the applicant to place the fence approximately four (4) feet in front of the air conditioning unit, ten (10) feet from the front edge on the north side of the residence. The fence would also be six (6) feet from the front edge of the residence on the south side of the property.

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 applicant is requesting permission to install a six (6) foot fence past the midpoint of his home in the side yards on the north and south sides of the property. The owner has expressed concern over his neighbor's dogs and would like the fencing for additional security to protect his family and property.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance to allow the air conditioning unit to be enclosed in the fence. I would also recommend that the fence on the south side of the property be kept to the half way point of the home for aesthetic purposes as it would not diminish the purpose of the fence. (Ch. 1275.02(c)(3)-B,C,D,F)

Mr. Easterling reviewed Application 13-16. Mr. Weiss was present and provided pictures of the property. He said that several times they had loose dogs in the neighborhood and once his visiting granddaughter was bit by the neighbor's dog. He said he has asked the neighbors to keep the dogs at home, but they still get loose. There were no neighbors present, however Mr. Easterling reported that one neighbor contact the Planning and

Zoning Office to say that she did not mind the change. Another neighbor was asked and said that they also did not mind.

Mr. Bade moved to approve Application 13-16 finding b, c, d and f of Ch. 1275.02 (c)(3) to be true. Seconded by Mr. Brown. Ayes: (4). Nays: (0).

APPLICATION 14-16 - Florence Espen is requesting two zoning variances to permit front yard setback relief. The property is a corner lot located at 226 Cherry Street and is zoned R-3 Single Family Residential. The requested variance would permit the applicant to construct an addition to the home within both the fifteen (15) foot and the thirty-five (35) foot front yard setbacks from the property line.

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'

NOTE: *Chapter 1230.02 (b) Front Yard Exception: In "R-2", "R-3" or "R-4" districts, when fifty percent (50%) of the developed frontage in one (1) block on one (1) side of the street has front yards that are greater or less than the minimum front yard required, any building to be erected thereon shall not project beyond the average of the existing front yards, except that a minimum front yard of fifteen (15) feet shall be maintained in all instances. This exception shall not apply in rural areas where density of development is less than one (1) family / acre.*

1. The applicant is requesting a zoning exception to reduce the required front yard setback. The exception would permit the front yard setback to be reduced to two (2) feet, rather than the required fifteen (15) feet.
2. The applicant is requesting a zoning exception to reduce the required front yard setback. The exception would permit the front yard setback to be reduced to seventeen (17) feet, rather than the required fifteen (35) feet.

Recommendation:

1. The Zoning Inspector recommends approval of the variance based on the fact the applicant had a fire forcing them to rebuild the garage. The uniqueness in location, size, and shape of the property limits the building requirements. The average front yard setback on neighboring properties sits at zero. Therefore, per Ch. 1230.02(b), the minimum setback would default to fifteen (15) feet not allowing the homeowner to replace the previous existing structure. (Ch. 1275.02(c)(3) - A,C,D,F)

2. The Zoning Inspector recommends approval of the variance based on the fact the applicant had a fire forcing them to rebuild the garage. The uniqueness in location, size, and shape of the property limits the building requirements. (Ch. 1275.02(c)(3) - A,C,D,F)

Mr. Easterling reviewed Application 14-16. Stephanie Hennigan, a resident of the home, was present and said they really need the variance because the floor had a crack in it. There was a discussion about average setbacks and right of way in historic homes in Perrysburg. Ms. Hennigan said that their home was originally built in 1927. Mr. Easterling noted that the majority of historic homes in Perrysburg were built before present day restrictions. Mr. Bade asked if they were reusing the existing slab. Ms. Hennigan said yes, the foundation would be built around it, and added that the neighbors would like to see this addition done.

Mr. Pickerel moved to approve Application 14-16 finding a, c, d, and f of Ch. 1275.02 (c)(3) to be true. Seconded by Mr. Brown. Ayes: (4). Nays: (0).

APPLICATION 15-16 - Michael and Brenda Stewart are requesting one zoning exception to permit front yard setback relief. The property is located at 963 Locust, and is zoned "R-3" single Family Residential. The requested exception would permit the applicant to construct a porch within the required thirty-five (35) foot setback from the front property line.

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 applicant is requesting a zoning exception to reduce the required front yard setback. The exception would permit the front yard setback to be reduced to approximately twenty-three (23) feet, rather than the required thirty-five (35) feet.

Recommendation:

1. The Zoning Inspector recommends approval of the variance based on the uniqueness of the property in terms of setbacks throughout Locust Street. The two houses to the north and south of the property both have front yard setback distances less than thirty (30) feet. This would allow the resident to build a new porch on the home. To replace the old one the resident would have to remove the old footer and they are unable to do so. (Ch. 1275.02(c)(3) –B,C,D,F)

Mr. Easterling reviewed Application 10-16. Mr. and Mrs. Stewart were present and provided pictures of the proposed change.

Mr. Pickerel moved to approve Application 15-16 finding b,c,d, and f of Ch. 1275.02 (c)(3) to be true. Seconded by Mr. Bade. Ayes: (4). Nays: (0).

APPLICATION 16-16- Stephen Fowler is requesting one zoning variance to permit six (6') foot fence panels in his front yard. The property is a corner lot located at 201 Walnut

Street, and is zoned "R-4" Single Family Residential. The requested variance would allow the applicant to install six (6') foot privacy fence in his front yard.

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 applicant is requesting approval to build a six (6') foot privacy fence in the front yard.

Recommendation:

1. No recommendation provided.

Mr. Easterling reviewed Application 16-16. Mr. Fowler was present and indicated his residence is on a corner lot with a lot of traffic. Mr. Bade asked if Mr. Fowler intends to landscape. Mr. Fowler said yes, he plans on doing the landscaping on the outside of the fence first and then inside the fence. Mr. Fowler asked if he would need approval from the Historic Landmarks Commission. Mr. Easterling said he believes his yard is outside of the Historic District. Mr. Bade moved to approve Application 16-16. Seconded by Mr. Pickerel. Ayes: (4). Nays: (0).

There being no further business, the meeting adjourned at 6:10 p.m.

Respectfully submitted,

Janet Perry

