



City of Perrysburg

Division of Planning and Zoning

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April 28, 2017

TO: Board of Zoning Appeals
FROM: Mark Easterling, Deputy Administrator
SUBJECT: May 8, 2017 Meeting Agenda

AGENDA

5:30 PM: Call Meeting to Order
Roll Call
Approval of April 10, 2017 Meeting Minutes
Administer Oath
Zoning Permit Obligation

APPLICATION, 13-17 – Pete Kimball is requesting one zoning variance that would allow him to replace a damaged fence with a new style six (6) foot fence in the side yard. The property is a corner lot located at 1047 E. Boundary Street, 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 applicant is requesting a variance to replace six (6) foot fence and enclose his side yard.

Recommendation:

1. The Deputy Administrator recommends approval of the zoning variance based on meeting the criteria for variances B, C, D, and F of Ch. 1275.02(3). Also, a storm caused damage to the original fence and the applicant would be placing the new fence in the same location as the existing damaged fence.

APPLICATION, 14-17 – Mark Rich on behalf of Canterbury REV, Inc. is requesting one zoning variance to allow the construction of one sign larger than the maximum of 18 SF. The property is parcel number Q61-100-230000001000 located on Hull Prairie Road just south of Roachton Road and is zoned “R-4” (Single Family Residential).

NOTE: Chapter 1250.34(d)(1): In the A-1, R-1 through R-5, and RM districts, the maximum dimensions permitted shall be ten feet high and twenty feet long

1. The requested variance would permit the applicant to install a permanent freestanding sign at the corner of Hull Prairie Road and what will be Canterbury Boulevard. The sign would be approximately 50’ longer than what is permitted.

Recommendation:

1. No recommendation provided.

APPLICATION, 15-17 – Brian Hufford is requesting one zoning exception for side yard setback relief. The property is located at 932 Maple Street and is zoned as R-3 (Single Family Residential).

NOTE: Chapter 1230.01 Intensity and Dimensional Standards:

P Zoning:

Front Yard = 35’

Rear Yard = 35’

Side Yard Min = 8’

Side Yard Total = 20’

1. The applicant is requesting the exception as to allow for an addition to be placed on the rear of the primary residence. The addition is approximately 930 Sq. Ft. and would sit approximately 5’ from the side yard property line.

Recommendation:

1. The Zoning Inspector recommends approval of the exception based on size of the lot. The addition is not expanding any further into the side yard than what is already existing and would therefore not add to the property’s nonconforming status.

APPLICATION, 16-17 – Jerry Abair is requesting two zoning variances to permit front and side setback relief. The properties are identified as parcel numbers Q61-000-901205004000, Q61-000-901205003000 (located along Water Street), and are zoned “P” (Parks). The requested variances would permit the applicant to construct a structure within the required setbacks from the front and rear property lines. (*Note: Application was variances were previously approved and denied 4/11/16 and has since expired. There were no changes made to this application*)

NOTE: Chapter 1230.01 Intensity and Dimensional Standards:

P Zoning:

Front Yard = 50’

Rear Yard = 75’

Side Yard Min = 20’

Side Yard Total = 50’

NOTE: Chapter 1230.02(h): No building, structure, fence or planting shall be permitted closer than fifteen (15) feet from a public watercourse or drainage ditch as measured from the top of the slope. A means of access shall be provided to permit the movement of maintenance equipment along an unobstructed travel way on at least one (1) side of the watercourse or drainage ditch.

1. The applicant is requesting a zoning variance to reduce the required side yard setback. The variance would permit the side yard setback to be reduced to 2', rather than the required twenty 20'. *(Previously approved)*
2. The applicant is requesting a zoning variance to reduce the required setback distance to a public watercourse. The variance would permit the setback to be reduced to 5', rather than the required 15'. *(Previously approved)*

Recommendation:

1. The Deputy Administrator recommends approval of the variance. The side setbacks do not infringe on neighboring properties, nor city properties or the city right of way. The setbacks would not interfere with access to the road. (Ch. 1275.02(c)(3) – A, D, C, F)
2. The Deputy Administrator recommends denial of the variance based on purposed setbacks from watercourse. The currently purposed setback of five (5) feet not only sits on a slope but also sits in a floodplain area. A distance this close to the watercourse in an active floodplain area poses both risk and hazard for the potential development.

APPLICATION, 17-17 – Jerry Abair is requesting one zoning variance to permit parking relief. The properties are identified as parcel numbers Q61-000-901206003000, Q61-000-901206004001, Q61-000-901206005001 (located along Water Street), and are zoned “C-1” (Neighborhood Commercial).

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
- (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 11 spaces to 0 spaces.

Recommendation:

1. The Deputy Administrator recommends denial of the variance. With the anticipated traffic of membership during events, this building would demonstrate a need for parking spaces. The applicant is requesting that parking be reduced by one hundred (100) percent (21 spaces), while the previous variance granted would reduce the parking requirement to 11 (50%).

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