



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

Thomas E. King
Administrator
Planning and Zoning

Brodin L. Walters
Deputy Administrator
Planning and Zoning

Julie Liebenthal
Zoning Inspector
Planning and Zoning

April 3, 2013

TO: Board of Zoning Appeals
THRU: Thomas E. King, Planning and Zoning Administrator
FROM: Brodin L. Walters, Deputy Planning and Zoning Administrator
SUBJECT: April 15, 2013 Meeting Agenda

AGENDA

5:30 PM: Call Meeting to Order
Roll Call
Approval of March 11, 2013 Meeting Minutes
Administer Oath
Zoning Permit Obligation

ZONING VARIANCE, 06-13 - Jerome Parker on behalf of Ranger Development Group, LLC requests two (2) zoning variances to permit the installation of a free-standing sign. The subject property is located at 10680 Fremont Pike and is zoned C-4 (Highway Commercial). These variances would permit the applicant to install a 45' high free-standing sign with a 100 S.F. message panel.

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'

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)

- (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 25' higher than otherwise permitted. The total height of the sign is proposed to be 45'.
 2. The applicant is requesting a zoning variance to permit a sign panel that is 10' x 10' or 100 SF. The proposed sign is 52 S.F. larger than what would otherwise be permitted.

Recommendation:

1. No recommendation provided. The Planning and Zoning staff recommends review of required criteria against the applicant's responses as provided on the last two pages of application packet 06-13 and at the time of the meeting.
2. No recommendation provided. The Planning and Zoning staff recommends review of required criteria against the applicant's responses as provided on the last two pages of application packet 06-13 and at the time of the meeting.

ZONING VARIANCE, 07-13 – Norman and Jeanette Fairman requests one (1) zoning variance and two (2) zoning exceptions to permit the construction of multiple additions to a single-family residence. The subject property is located at 854 Hickory Street and is zoned R-3 (Single-Family Residential). The variance and exceptions would permit the applicant to build an addition that is closer to both side property lines and closer to the front property line than would otherwise be permitted.

NOTE: 1230.01 *Intensity and Dimensional Standards*

R-3 Zoning:

Front Yard = 35'
 Rear Yard = 35'
 Side Yard Min = 8'
 Side Yard Total = 20'
 Min. Dwelling Size = 1,200 S.F.
 *** The average front setback in this block is 38'

1. The applicant is requesting a zoning variance to permit a residential addition to be constructed along the southern property line with a side yard setback of 0'. The Planning and Zoning code currently requires that this side yard setback be at least 12'. This request represents 100% relief of this requirement.
2. The applicant is requesting a zoning exception to permit residential additions to be constructed along the northern property line with a side yard setback of 4' - 5'. The Planning and Zoning Code currently requires that this side yard setback be at least 8'. This request represents 38% - 50% relief of this requirement.
3. The applicant is requesting a zoning exception to permit the construction of a 2' x 10' front entrance addition which would extend towards Hickory Street. Currently the average setback in this block is 38', with the current residence setback at only 24' from the front property line. This request represents 16' relief from the average front yard setback which represents 42% relief from this requirement.

Recommendation:

1. The Planning and Zoning staff recommends approval of the variance request to build up to the southern property line. This recommendation is based on several factors such as; the adjacent property is also owned by the applicant, the properties are separated by Grassy Creek, the addition would not reduce views, lighting, ventilation of any owner, the addition would not likely contribute to the communication of fire to another structure and any future purchaser of the property located at 868 Hickory Street would be aware of the addition and its placement to this property. Based on the variance criteria of Chapter 1275.02(c)(3) the Planning and Zoning Division believes that criteria B, C, D and G would be satisfied.
2. The Planning and Zoning staff recommends approval of the reduced side yard setback along the northern property line, in line with the existing structure, so long as neighbors do not object to further encroachment. However, the Planning and Zoning Division does not support, nor can it approve the construction of an addition that would be closer than 10' to the existing garage.
3. The Planning and Zoning staff recommends approval of the exception pertaining to the front yard setback. The additional 2' that is being sought is insignificant to neighboring properties and no negative consequences are foreseen should the exception be granted.

ZONING EXCEPTION, 08-13 – Nick Giovannucci on behalf of his client David Benson requests one (1) zoning exception to permit the construction of a new single-family residence within the required rear yard setback. The subject property is located at 3652 Turtle Creek Dr. and is zoned R-1 (Single Family Residential). This exception would permit the applicant to construct the proposed residence 30' from the rear property line.

NOTE: 1230.01 *Intensity and Dimensional Standards*

R-1 Zoning:

Front Yard = 50'
Rear Yard = 60'
Side Yard Min = 10'
Side Yard Total = 25'
Min. Dwelling Size = 1,800 S.F.

1. The applicant is requesting a zoning exception to permit the construction of a new house 30' from the rear property line, which is 30' closer than would otherwise be permitted. The required rear yard setback is 60'.

Recommendation:

1. The Planning and Zoning staff recommends approval of this zoning exception. The plat clearly indicates the location of the rear yard setback, but it is believed that the rear yard setback was actually drawn differently than it would otherwise be interpreted thorough the application of the Planning and Zoning Code. Upon review of this request it was determined that all other dimensional requirements are being met including minimum front and side yard setbacks. Additionally, it appears as though the request if approved would not place this residence unreasonably close to any adjoining neighbor's property or residence.

ZONING EXCEPTION, 09-13 – Ron Myers requests one (2) zoning exceptions to permit the construction of an addition to a single-family residence within the required front and side yard setbacks. The subject property is located at 928 Maple Street and is zoned R-3 (Single Family Residential). These exceptions would permit the applicant to construct the proposed addition 32' from the front property line and 7' from the northern side property line.

NOTE: 1230.01 *Intensity and Dimensional Standards*

R-3 Zoning:

Front Yard = 35'

Rear Yard = 35'

Side Yard Min = 8'

Side Yard Total = 20'

Min. Dwelling Size = 1,200 S.F.

*** The average front setback in this block is 38.5'

1. The applicant is requesting a zoning exception to permit the construction of a residential addition 32' from the front property line, which is 6 ½' closer than would otherwise be permitted. The required front yard setback is normally 35' but the average setback of this block is 38 ½'. This request represents 17% relief from the requirement.
2. The applicant is requesting a zoning exception to permit the construction of a residential addition 7' from the northern side property line, which is 5' closer than would otherwise be permitted. This request represents 42% relief from the requirement.

Recommendation:

1. The Planning and Zoning staff recommends approval of the request to build an addition 32' from the front property line. The granting of this exception would only provide 6 ½' of relief and would allow for a more functional garage size.
2. The Planning and Zoning staff recommends approval of the reduced side yard setback along the northern property line, in line with the existing structure, so long as neighbors do not object to further encroachment.

OTHER BUSINESS

ADJOURNMENT