



City of Perrysburg

Division of Planning and Zoning

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March 14, 2016

TO: Board of Zoning Appeals
FROM: Mark Easterling, Zoning Inspector
SUBJECT: March 14, 2016 Meeting Agenda

AGENDA

5:30 PM: Call Meeting to Order
Roll Call
Approval of February 8, 2016 Meeting Minutes
Administer Oath
Zoning Permit Obligation

APPLICATION, 05-16 – Sarah Churchill on behalf of Primrose School of Perrysburg is requesting one zoning variance to permit six (6) foot fence to be built in the front and side yards of the property. The property is located at 7123 Lighthouse Way, is zoned as PBP (Planned Business Park), and is located in the Urban Village Overlay.

The requested variance would permit the applicant to build a six (6) foot fence in the front and side yards.

NOTE: *Chapter 1250.42 Fences, Walls, Structural Screens, Hedges, and Screen Plantings*
PBP (Planned Business Park) Zoning:

	Max Height	
	Permitted	Restricted
Front Yard	4'	6'
Side Yard	4'	6'

1. The applicant is requesting approval to build a six (6) foot fence in the front and side yards surrounding the building.

Recommendation:

1. No recommendation provided.

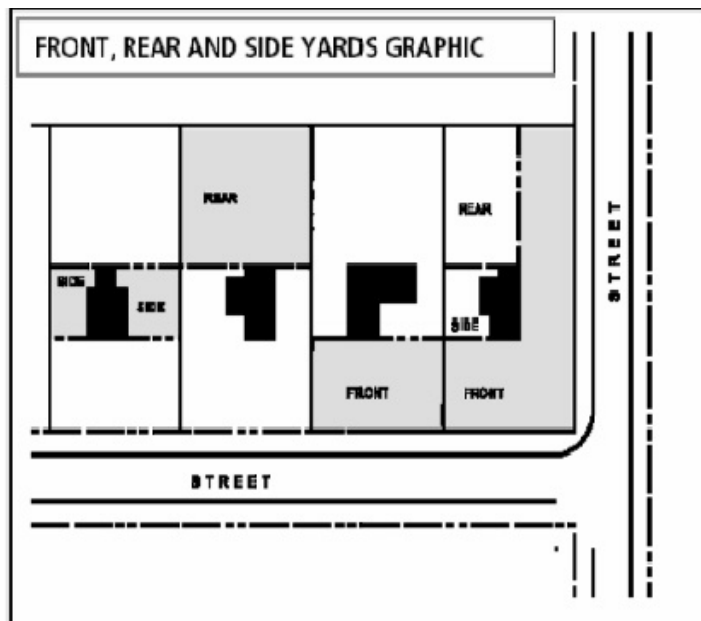
APPLICATION, 06-16 – Richard Speer is requesting an administrative appeal of the definition of a front and a rear yard on a corner lot. The property is located at 26504 Carronade Drive and is zoned as R-3 Single Family Residential.

The requested appeal would redefine the definition of a front and rear yard on this property which would allow the applicant to place a pool in what is now the side yard. This is not an appeal to place a pool in the side yard.

NOTE: Chapter 1275.02(1): Appeals to the Board of Zoning Appeals may be taken after the initial applications to the Zoning Inspector for permit or, where it is apparent that such application would be in vain and useless, appeals may be made by initial applications to the Board. In either event, the procedural provisions of this chapter shall apply and be followed.

NOTE: Chapter 1215.02 (203):

- A. *Front Yard: An open space extending the full width of the lot, depth of which is the minimum horizontal distance between the front lot line and the nearest point of the main building. All yards abutting a street shall be considered front yards for setback purposes.*
- B. *Rear Yard: An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between rear lot line and the nearest point of the main building. On corner lots the rear yard is opposite the narrowest frontage.*
- C. *Side Yard: An open space between a main building and the side lot line. Extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point of the main building.*



1. The applicant is requesting an administrative appeal off the definition of a front and a rear yard on a corner lot.

Recommendation:

1. No recommendation provided.

APPLICATION, 07-16 – Laurel (Lindie) Stevens of Case Construction Co. is requesting an administrative appeal concerning the interpretation and application of Ch. 1250.32(c) pertaining to free standing signs. The property is located at 27207 N. Dixie Highway, is zoned as C-4 Highway Commercial, and resides in the Corridor Overlay district.

The requested appeal would allow for the applicant to replace sign panel that has been removed from the single standing pole with a 76.25 SF sign panel (not including pole height). The frame was completely removed from the pole and has been for more than three months. The applicant also has a freestanding sign in the front yard that is less than 250 feet from the requested replacement.

NOTE: *Chapter 1275.02(1): Appeals to the Board of Zoning Appeals may be taken after the initial applications to the Zoning Inspector for permit or, where it is apparent that such application would be in vain and useless, appeals may be made by initial applications to the Board. In either event, the procedural provisions of this chapter shall apply and be followed.*

NOTE: *1245.34(4): All new and replacement signs within the Corridor Overlay from the effective date of this Zoning Code shall be limited to a freestanding sign no higher five (5) feet, pursuant to the specifications outlined in the sign standards in the sign standards of Section 1250.29.*

NOTE: *Table 1250.32(a):*

	Special District
District	CO (Corridor Overlay)
Maximum Height	6'
Maximum Size	48 SF
Location	10' Setback
Quantity	1 per street frontage, plus 1 for each add'l 500 feet

NOTE: *1250.37(a): Abandoned Signs: Except as otherwise provided in this Zoning Code, any sign located on a zoning lot that becomes vacant or unoccupied for three (3) months or more or any sign which pertains to a time, event or purpose that no longer applies to the zoning lot, shall be deemed to have been abandoned. Permanent signs applicable to an occupancy temporarily suspended because of a change of ownership or management shall not be deemed abandoned unless the zoning lot remains vacant or unoccupied for a period of six (6) months or more. Any nonconforming sign that, for a period of three (3) consecutive months, advertises goods, products, services or facilities no longer available or that directs persons to a location where such goods, products, services or facilities are no longer available shall be deemed to have been abandoned.*

1. The applicant is requesting an administrative appeal to the decision that the sign has lost its non-conforming status. The applicant is requesting the free standing pole be permitted to have a new sign installed upon it.

Recommendation:

1. No recommendation provided.

APPLICATION, 08-16 – Laurel (Lindie) Stevens of Case Construction Co requests one zoning variance to permit the installation of a permanent wall sign. The property is located at 27207 N. Dixie Highway, is zoned as C-4 Highway Commercial, and resides in the Corridor Overlay district.

NOTE: *1250.32(a) Permanent Signs Allowed*

C-4 Zoning (Corridor Overlay):

Max Size: 10% of the façade, up to 75 SF

Max Qty: 1 per façade, up to 3 façades

NOTE: 1250.39 *Other Administrative Procedures*

- 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. D*
- C. *That the variance would not adversely affect the delivery of governmental services (e.g. water, sewer, refuse). F*
- 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 approval for a wall sign replacement. The replacement sign is approximately 534 SF (19.2% of the facade).

Recommendation:

1. No recommendation provided.

APPLICATION, 09-16 – Cynthia Lipinski is requesting one zoning variance to permit the installation of a six (6') fence in her side yard. The property is located at 191 Birchcrest Drive, is zoned as R-3 Single Family Residential.

NOTE: 1250.42(a)(5) *Fences, Walls, Structural Screen, Hedges and Screen Plantings: For fencing purposes the side yard shall consist of the area between the front of the house to the midpoint of the side yard. Any portion of yard between the midpoint of the house and the rear façade of the home shall constitute a rear yard for fencing purposes only.*

1. The applicant is requesting permission to install a 6' tall fence along the side of her residence that extends beyond the midpoint of said residence.

Recommendation:

1. Variance criteria B, C, and D could be met.

OTHER BUSINESS
ADJOURNMENT