

BOARD OF ZONING APPEALS

MARCH 11, 2019

The meeting was called to order at 5:30 p.m. by Chairman Rob Vela. Board members present were Niki Decker, Nathan Duricek, Brian Elmer, and Rob Vela (4). Jason Decker was absent. Also present were Cody Grodi, Zoning Inspector, and Mark Easterling, Deputy Planning and Zoning Administrator.

APPROVAL OF MINUTES

Mr. Vela moved to approve the minutes of the February 11, 2019 meeting as written. Seconded by Ms. Decker. Ayes: Decker, Duricek, and Elmer (3). Nays: (0). Abstain: Vela (1).

Mr. Vela administered an oath to those that would be speaking at the meeting.

APPLICATION 05-19 – Matthew and Tiffany Laney are requesting a zoning exception in order to construct an addition that would extend into the front yard setback. The property is located at 1745 Kettle Run Boulevard and is zoned R-3 (Single Family Residential).

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 homeowner to install an addition off of the garage that would be twenty-two (22) feet off of the property line, rather than the required thirty-five (35) feet. This is a corner lot and has two front yards.

Recommendation:

1. The Zoning Inspector recommends approval of the exception. Due to this lot being located on a corner, it poses a unique issue due to the two required front yard setbacks. The addition will still maintain approximately sixty-five (65) feet from Fort Meigs Road. With the addition, there will still be access to the ditch on both sides.

Mr. Grodi reviewed Application 05-19. Mr. Laney was present, and he added that there will be no obstruction of vehicles towards Ft. Meigs Road. Mr. Vela confirmed that the ditch is City property. Mr. Grodi noted that no comments had been received from neighbors. Ms. Decker asked if they will be adding on to the driveway, and Mr. Laney said that they will be opening the driveway past the sidewalk and closer to the garage with added space. Mr. Laney stated that his intention is for the addition to look like it was always there. There were no further comments or questions from the board, nor the public.

Mr. Vela moved to approve the zoning exception of Application 05-19. Seconded by Ms. Decker. Ayes: (4). Nays: (0).

APPLICATION, 06-19 – Homestead Developers are requesting a zoning exception to reduce the front yard setback on forty-seven (47) primary buildings. The property is located at 24736 Five Point Road and is zoned RM (Multiple Family Residential).

NOTE: Chapter 1230.01 Intensity and Dimensional Standards

RM Zoning:

Front Yard = 25'

Rear Yard = 30'

Side Yard Min = 15'

Side Yard Total = 30'

1. The applicant is requesting a zoning exception to reduce the required front yard setback. The exception would permit the developers to install forty-seven (47) buildings with a seventeen and a half (17 ½) foot setback, rather than the required twenty-five (25) foot setback.

Recommendation:

1. The Zoning Inspector recommends denial of the exception. Vehicular parking in the driveways may become problematic, as vehicles will most likely be forced to park over the sidewalks due to the front yard setback relief. This is a new development and the arrangement of the units can be laid out so that the required twenty-five (25) foot setback is being met. With a twenty-five (25) foot setback the lot would still have a beneficial use. There is no evident uniqueness about this lot that would show reason for an exception. Additionally, the Falls at Rivers Edge, which will connect with this development has a setback of twenty-five (25) feet. The character of the neighborhood would be altered as the new development would not be consistent with the existing neighborhood.

Mr. Grodi reviewed Application 06-19. Matt Gruber was present on behalf of Homestead Developers. Mr. Gruber stated that the majority of lots with RM zoning don't have public streets, and that he met with Mr. Brody Walters, Planning & Zoning Administrator on February 28, 2019 to discuss private versus public street access. Mr. Gruber noted that down River's Edge Drive there is currently a forty (40) foot deep sewer with no easement, and that the intention was to provide public streets so that the City has access. Mr. Gruber distributed Plan A to the board indicating a nine and a half (9.5) foot setback from his original meeting with Mr. Walters, to compare to Plan B where they are currently requesting a seventeen and a half (17.5) foot setback. Mr. Gruber added that they want to continue the neighborhood scape as a villa style senior rental community that will allow people to age in place. Mr. Grodi noted that he reviews the BZA applications, and that his denial relates to the vehicular issue with the proposed setback. There was a brief discussion about next steps associated with the neighborhood. Mr. Grodi confirmed that the board can approve with conditions. Ms. Decker asked if they could meet a twenty (20) foot setback, and Mr. Gruber added that it would be tight because their goal is to differentiate themselves from the others. Mr. Elmer added that his concern is to connect the flow of the new neighborhood to the next neighborhood. Mr. Vela asked if there had been any comments received from neighbors, and Mr. Grodi stated that neighbors

inquired about the notice but that they did not state their intent. There were no further questions from the board, nor the public.

Mr. Vela moved to approve the zoning exception of Application 06-19 with the condition that the front yard setback be twenty (20) feet. Seconded by Ms. Decker. Ayes: (4). Nays: (0).

There being no further business, the meeting adjourned at 5:51 p.m.

Respectfully submitted,

Heather Alfaro