

BOARD OF ZONING APPEALS

March 9, 2020

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, Rob Vela, and Becky Williams (5). Also present was Cody Grodi, Zoning Inspector.

APPROVAL OF MINUTES

Ms. Williams moved to approve the minutes of the February 10, 2020 meeting as written. Seconded by Mr. Elmer. Ayes: (5). Nays: (0).

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

APPLICATION 06-20 – Eduardo Restrepo is requesting a zoning variance that would allow for the installation of a 4 ½ foot fence in the front yard. The property is located at 109 Waverly Point Road and is zoned R-4 (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 that would allow for the installation of a 4 ½ foot fence that would extend into the front yard. This lot is located on a corner and has two front yards.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances B, C, D, and E of Ch. 1275.02(c)(3). The variance is not substantial as it is only six (6) inches taller than what is permitted. The character of the neighborhood would not be altered as the homeowners association requires the fence height to be four and a half (4 ½) feet.

Mr. Grodi reviewed Application 06-20. Mr. Restrepo was present. Mr. Vela asked about the fence that was in the application, and Mr. Grodi added that it's an example of a neighboring property in the subdivision. Mr. Grodi noted that a neighbor did call about the application, but only to inquire about the request. There were no further questions or concerns from the Board, nor the public.

Ms. Williams moved to approve Application 06-20, and finding B, C, D, and E of Chapter 1275.02(c)(3) to be true. Seconded by Mr. Vela. Ayes: (5). Nays: (0).

APPLICATION 07-20 – Matt Uhl, on behalf of Yark Chevrolet, is requesting two zoning variances that would allow for the installation of two new wall signs that would both exceed the maximum square footage allowed. The property is located at 26997 N. Dixie Highway and is zoned C-4 (Highway Commercial).

NOTE: Chapter 1250.32(a) Permanent Signs Allowed:

Wall Sign:

Zoning District: CO

Maximum Size: 10% of façade up to 75 SF

Quantity: 1 per façade up to 3

1. The requested variance would permit the applicant to install one permanent wall sign that is 124.5 square feet, exceeding the seventy-five (75) square foot maximum. This sign will be located on the front façade facing N. Dixie Highway.
2. The requested variance would permit the applicant to install one permanent wall sign that is 160.5 square feet, exceeding the seventy-five (75) square foot maximum. This sign will be located on the south façade of the building.

Recommendation:

1. No recommendation provided.
2. No recommendation provided.

Mr. Grodi reviewed Application 07-20. Matt Uhl, Reason Sign, was present on behalf of Yark Chevrolet, and he added that the variances are being requested due to the National Sign Program from General Motors. Ms. Williams asked what Yark Chevrolet does if signage isn't approved from other municipalities under the GM Sign Program. Mr. Grodi confirmed that the signs are within the ten (10) percent of the façade but that this location is also in the Corridor Overlay, and so there is a seventy-five (75) percent square foot maximum for all signs. Ms. Decker asked about the square footage per sign per façade, and Mr. Uhl noted that the sign on the south façade is the smaller of the two. Mr. Vela noted that if the negative space of the sign is not included in the total square footage then it's not too far off. Mr. Vela asked if the signs could be separated into two different signs, and Mr. Grodi added that the City recognizes it as one sign that is boxed in. There was further discussion on the size of the front sign as it is bigger than the south side. Mr. Uhl added that if the front sign were not approved as proposed that the next step down for GM signs is a twenty-five (25) inch letter set which would not fill the tower very well. Mr. Grodi asked how far back the building sits from the road, and Mr. Uhl stated that it's approximately 160 feet from the curb. Mr. Elmer asked if there will be signage at the road too, and Mr. Uhl said that there is currently no signage planned. Mr. Vela asked if any comments had been received from the neighbors, and Mr. Grodi stated that none had been received. There was a brief discussion on how the proposed signage at Yark compares to the neighboring dealership. There were no further questions or concerns from the Board, nor the public.

Mr. Vela moved to approve variances #1 and #2 of Application 07-20, and finding C, D, E, and F of Chapter 1275.02(c)(3) to be true. Seconded by Ms. Williams. Ayes: (5). Nays: (0).

APPLICATION 08-20 – Hess Carpentry, on behalf of Matt and Ellen Kang, is requesting two zoning variances that would allow for a driveway to exceed the maximum width and to be installed within the required setback from the side property line. The property is located 308 W. Front Street and is zoned R-3 (Single Family Residential).

NOTE: *Chapter 1250.51(c)(2) Residential Driveways:* Residential driveways shall be a minimum of ten (10) feet wide and a maximum of twenty-four (24) feet wide where it meets the curb, alley or street.

NOTE: *Chapter 1250.51(b)(7)* No portion of a driveway shall be closer than five (5) feet to a side or rear property line.

1. The applicant is requesting a variance that would allow for the driveway to extend across the entire length of the property. The driveway width would be approximately seventy-two (72) feet.

2. The applicant is requesting to install a driveway that would be approximately one (1) foot off of the property line.

Recommendation:

1. The Zoning Inspector recommends approval of the variance, with the condition that the driveway not exceed more than twelve (12) feet beyond the garage. If approved with this condition the request would meet the criteria for a variance based on meeting criteria C, D, E, and F of Chapter 1275.02(c)(3). The driveway in front of the garage is not long enough to accommodate a vehicle. The recommended driveway would allow for one (1) car to be parked parallel to the garage. If additional parking is needed, on-street parking is available on Cherry Street. The recommended driveway would also eliminate the need for the second variance request.

2. No recommendation provided.

Mr. Grodi reviewed Application 08-20. Robert Hess, Hess Carpentry, was present on behalf of the application, and he stated that there is currently parking off of the alley, and presented pictures to the Board. Mr. Vela confirmed that Mr. Grodi's recommendation was that the driveway not exceed more than twelve (12) feet beyond the garage. Mr. Grodi explained the "grandfathering" clause to Mr. Hess, and added that once alterations or the footprint is changed then it's no longer considered grandfathered. Mr. Hess added that the request for the seventy-two (72) foot wide driveway is due to the fact that there are plans to put a pool in with decking that will be placed all along the rear yard. Ms. Williams confirmed that the existing fence will be moved up closer to the house. Mr. Hess added that the Kang's have four children, and three of them are driving, so parking is tough for them. Ms. Decker confirmed that there is no access off of Front Street. Ms. Williams stated that the width is wide compared to the neighbor next door, but that she understands the situation. Ms. Williams noted that the Code has changed over the last few years. She asked the opinion on Mr. Grodi's recommendation. Mr. Hess added that he spoke with a neighbor behind the Kang's and that she didn't have a problem with the improvements. Kate MacPherson, 305 W. Second Street, added that she lives behind the Kang's off of the alley, and that she is familiar with their request. Ms. MacPherson said that she supports their request with a few changes by looking at the whole picture. She shared a few suggestions for the Kang's driveway request. Mr. Vela added that he's concerned about the concrete slab butting up to the neighboring property. There was a brief discussion to table the application, so that the Kang's could submit a different plan with updated widths and dimensions. There were no further questions or concerns from the Board, nor the public.

Mr. Vela moved to table Application 08-20. Seconded by Ms. Williams. Ayes: (5). Nays: (0).

APPLICATION 09-20 – Otterbein Perrysburg is requesting two zoning exceptions in order to construct an addition off of the rear of two buildings. The property is located at 3525 Rivers Edge Drive and is zoned R-M (Multiple Family Residential).

NOTE: Chapter 1230.01 Intensity and Dimensional Standards

R-M Zoning:

Front Yard = 25'

Rear Yard = 30'

Side Yard Min = 15'

Side Yard Total = 30'

1. The applicant is requesting a zoning exception to encroach five (5) feet into the required side yard setback. This would put the addition on House E ten (10) feet from the property line.
2. The applicant is requesting a zoning exception to encroach four (4) feet six (6) inches into the required side yard setback. This would put the addition on House D ten (10) feet six (6) inches from the property line.

Recommendation:

1. The Zoning Inspector recommends approval of the zoning exception. The addition would not compromise the overall look of the neighborhood. Neighboring properties also have large rear yards so a detriment should not occur.
2. The Zoning Inspector recommends approval of the zoning exception. The addition would not compromise the overall look of the neighborhood. Neighboring properties also have large rear yards so a detriment should not occur.

Mr. Grodi reviewed Application 09-20. Jeff Kmet, Otterbein Perrysburg, was present on behalf of the application. Mr. Grodi confirmed that the request is for the side yard setback because it's encroaching on the neighboring property's rear yard off of Five Point Road. Mr. Vela asked if there were any drainage issues, or if any comments were received from the neighbors. Mr. Grodi said that none were received, and Ms. Williams added that there is a neighboring property owner present in the audience that lives in Middleton Township. Mr. Vela confirmed that they were matching the additions to the existing, and Mr. Kmet agreed. There were no further questions or concerns from the Board, nor the public.

Mr. Elmer moved to approve exceptions #1 and #2 of Application 09-20. Seconded by Ms. Williams. Ayes: (5). Nays: (0).

There being no further business, the meeting adjourned at 6:04 p.m.

Respectfully submitted,

Heather Alfaro