

BOARD OF ZONING APPEALS

January 13, 2020

The meeting was called to order at 5:30 p.m. by Rob Vela. Board members present were Nathan Duricek, Brian Elmer, Rob Vela, and Becky Williams (4). Niki Decker was absent (1). Also present was Cody Grodi, Zoning Inspector.

ELECTION OF CHAIRMAN AND VICE-CHAIRMAN

Mr. Duricek nominated Mr. Vela to be Chairperson. Seconded by Ms. Williams.
Ayes: (4). Nays: (0).

Mr. Elmer nominated Ms. Decker to be Vice-Chairperson. Seconded by Mr. Vela.
Ayes: (4). Nays: (0)

APPROVAL OF MINUTES

Mr. Vela moved to approve the minutes of the October 14, 2019 meeting as written. Seconded by Mr. Elmer. Ayes: Duricek, Elmer, and Vela (3). Nays: (0).
Abstain: Williams (1).

Mr. Vela moved to approve the minutes of the November 18, 2019 meeting as written. Seconded by Mr. Duricek. Ayes: Duricek, Elmer, and Vela (3). Nays: (0).
Abstain: Williams (1).

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

APPLICATION 01-20 – Pete Scarborough is requesting a zoning exception to install a deck off the front of the house that would be within the front yard setback. The property is located at 170 Edgewood Drive 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 a deck off the front of the house that would be built within the front yard setback. The deck would be twenty (20) feet off of the property line, rather than the required thirty-five (35) feet.

Recommendation:

1. The Zoning Inspector recommends approval of the exception. The deck would be replacing a concrete porch that was deteriorating. The new deck will allow for safer access to the front door than the previous porch. The setback of the new deck will only be three (3) feet closer to the property line than the previous concrete porch.

Mr. Grodi reviewed Application 01-20. Mr. Scarborough confirmed that the concrete porch is being replaced, and that his house currently sits at the front yard setback, so he knew that the porch would need a variance. Ms. Williams asked if the work had already been started, and Mr. Scarborough stated that he was about seventy-five (75) percent done with the work. Ms. Williams asked if any comments had been received from the neighbors, and Mr. Grodi stated that none had been received. Mr. Vela confirmed that there are other properties along Edgewood Drive that set at the front yard setback, and Mr. Grodi agreed. There were no further questions or concerns from the Board, nor the public.

Ms. Williams moved to approve the zoning exception of Application 01-20. Seconded by Ms. Vela. Ayes: (4). Nays: (0).

APPLICATION 02-20 – Joe Diancla, on behalf of Mercy Health, is requesting a zoning variance that would allow for the installation of a wall sign that would exceed the maximum square footage requirement. The property is located at 12621 Eckel Junction Road and is zoned INS (Institutional Use).

NOTE: *Chapter 1250.32(a) Permanent Signs Allowed:*

Wall Sign:

Zoning District: INS

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 194.72 square feet, exceeding the seventy-five (75) square foot maximum. This sign will be located on the façade that faces I-475.

Recommendation:

1. No recommendation provided.

Mr. Grodi reviewed Application 02-20. Joe Diancla, Colonial Signs, was present on behalf of Mercy Health, and noted that the original signage received a variance as well. Mr. Vela confirmed that the signage will be lit, and Mr. Diancla added that it will be LED. There was a brief discussion about how many square feet the original signage exceeded, and Mr. Grodi noted that Mercy Health is also within the Corridor Overlay which has stricter sign regulations. Mr. Diancla added the Mercy hospitals are rebranding their signage with name of the city in which they reside. Mr. Vela asked if any comments had been received from the neighbors, and Mr. Grodi stated that none had been received.

Mr. Elmer moved to approve Application 02-20, and finding B, C, D, and G of Chapter 1275.02(c)(3) to be true. Seconded by Mr. Duricek. Ayes: Duricek, Elmer, and Williams (3). Nays: (0). Abstain: Vela (1).

APPLICATION 03-20 – Dave Schmaltz is requesting a zoning variance to construct a new garage with a reduced setback. The property is located at 1005 Locust Street and is zoned R-3(Single Family Residential).

NOTE: *1250.61(b) Accessory Buildings and Uses: Accessory buildings such as garages and utility buildings, may be located in a rear yard, provided that such buildings are separate from the main structure by at least ten (10) feet and are set back at least five (5) feet from the side and rear lot lines.*

1. The applicant is requesting a zoning variance to construct a new garage on the property. The current structure sits 2 ½ feet off of the property line and the new garage would have the same 2 ½ foot setback off of the side property line.

Recommendation:

The Zoning Inspector recommends approval of the zoning variance based on meeting the criteria for variances C, D, E, & F of Chapter 1275.02(c)(3). Due to the positioning of the house, shifting the garage to the five (5) foot setback will position the garage to where it would be hard to move vehicles in and out of the garage. The homeowner will be making the garage compliant with the distance from the main structure. Currently, the garage sits about four (4) feet from the house, but will be shifted back to be the required ten (10) feet from the main structure.

Mr. Grodi reviewed Application 03-20. Joe Rigg, Rigg Restoration, was present on behalf of the applicant, and added that they will tear out the existing deck for fire purposes. Mr. Vela noted the letters in favor of the project received from the neighbors. Mr. Vela asked about any easements on the property, and Mr. Grodi added that none have been recorded. Mr. Vela asked if any comments had been received from the neighbors, and Mr. Grodi stated that none had been received. There were no further questions or concerns from the Board, nor the public.

Ms. Williams moved to approve Application 03-20 and finding C, D, E, and F of Chapter 1275.02(c)(3) to be true. Seconded by Mr. Vela. Ayes: (4). Nays: (0).

There being no further business, the meeting adjourned at 5:44 p.m.

Respectfully submitted,

Heather Alfaro