

Minutes of Perrysburg Board of Zoning Appeals

Meeting Held November 13, 2023

CALL TO ORDER - 5:30 PM

The meeting was called to order at 5:30 p.m. by Chairman, Nathan Duricek.

ROLL CALL

Board members present were Scott Anderson, Nathan Duricek, Brian Elmer, Michael McIntyre, and Matthew Sutter (5). Also present was Zoning Inspector, Cody Grodi.

APPROVAL OF OCTOBER 9, 2023 MEETING MINUTES

Mr. McIntyre moved to approve the October 9, 2023 meeting minutes as written. Seconded by Mr. Duricek, and it was unanimously approved (5-0).

ADMINISTER OATH

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

ZONING PERMIT OBLIGATION

Mr. Duricek reminded the applicants that if their application is approved tonight, that they will still need to apply for a permit with the Planning & Zoning Division.

NEW BUSINESS

APPLICATION 39-23

Teresa Kranjec is requesting a zoning variance to allow for a driveway addition. The property is located at 604 Prairie Rose Drive and is zoned R-2 (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.

1. The applicant is requesting a variance that would allow for the driveway to be installed at twenty-six (26) feet wide in the city right-of-way.

.Recommendation:

1. The Zoning Inspector recommends denial of the variance, as the request does not meet enough of the conditions required to grant a variance. The property will still have a reasonable return without the variance. The driveway can be installed at twenty-six (26) feet on the private property side and then taper to twenty-four

(24) feet in the city right-of-way.

Mr. Grodi reviewed Application 39-23. Teresa Kranjec was present via Zoom, and said that she has had a difficult time with her contractor for this project. Mr. McIntyre asked if the request is for an additional four (4) foot portion of sidewalk, and Ms. Kranjec confirmed that the additional sidewalk runs down the length of the left side of the driveway into the city right-of-way. Ms. Kranjec added that she likes the uniformity of the sidewalk addition to the driveway, and Mr. Anderson said that he has an issue with the purpose of widening the driveway with a sidewalk. Mr. Anderson said that the challenge with this request is that he does not consider it a hardship, and Mr. Duricek noted that this request will be a set precedent going forward. The Board agreed that the twenty-four (24) foot wide driveway requirement as allowed per code was sufficient for this property.

Mr. Sutter moved to deny Application 39-23 as submitted. Seconded by Mr. Elmer, and the denial was unanimously approved (5-0).

APPLICATION 40-23

Connie Cronin is requesting a zoning variance to install a sign. The property is located at 26875 N. Dixie Highway and is zoned C-4 (Highway Commercial).

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

CO Special District: Freestanding sign

Maximum Size: 48 Square Feet

Maximum Height: 6 Feet

Setback: 10'

NOTE: *Chapter 1250.39 Variances*

1. 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. A finding of such special conditions or circumstances shall be based on a review of factors including but not limited to the following:

(1) Exceptional narrowness, shallowness or shape of a specific property on the effective date of this chapter or amendment; or

(2) Exceptional topographic or environmental conditions or other extraordinary situation on the land, building or structure; or

(3) The impact on the property of uses or development of immediately adjoining property or properties.

(4) Whether the applicant was aware of the relevant code limitation when the property was sold or leased to it.

(5) Whether the property in question will yield a reasonable rate of return in the absence of the proposed variance, or whether there can be any beneficial use of the property without the proposed variance.

(6) Whether the issue could be resolved by some other method, even if this alternate method is less convenient or most costly to achieve.

(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, garbage).

(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 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 variance to install a sign. The sign will be installed closer to the property line than what is permitted. The sign will be setback two (2) feet from the property line.

Recommendation:

1. The Zoning Inspector recommends denial of the zoning variance as the request does not meet enough of the conditions required to grant a variance. The property still has beneficial use without the variance. Even if denied, the property owner can still install a sign at the required setback.

Mr. Grodi reviewed Application 40-23. Connie Cronin was present, and passed out additional materials to the Board. She added that they were recently awarded the Buick franchise, which in turn meant that they have had to move their Bowling Green business to Perrysburg. Ms. Cronin noted that they are simply replacing the face of the existing monument sign to include the Buick name. She said that this property was built in 1973 in Perrysburg Township, and then annexed into the City of Perrysburg years later. Ms. Cronin added that they need to meet the manufacturers' requirements in order to be in compliance with the guidelines and sign standards for Buick, and added that this sign would be the same size as the existing sign at Yark Chevrolet on Dixie Highway. Mr. Anderson asked Mr. Grodi if the setback of the sign is the issue, and Mr. Grodi confirmed that is the case. There was a brief discussion about the quantity of signs located on this property, and Ms. Cronin noted that this dealership has large frontage along Dixie Highway.

Mr. Anderson moved to approve Application 40-23 as submitted. Seconded by Mr. Sutter, and it was unanimously approved (5-0).

APPLICATION 41-23

Kacy and Tylor Dwornik are requesting two zoning variances in order to keep a recently installed shed. The property is located at 1471 Indian Creek Drive and is zoned R-4 (Single Family Residential).

NOTE: CHAPTER 1250.61(a) Accessory Buildings and Uses: No accessory buildings or uses shall be located in any front or side yard setback except under unusual circumstances where such activity will conflict with the intent and purposes of the zoning code or where enforcement would result in extreme hardship. Either exception shall require approval of the Board of Zoning Appeals.

NOTE: CHAPTER 1250.61(b) Accessory buildings, such as garages and utility buildings, may be located in a rear yard, provided that such buildings are separated 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 allow for a shed to be installed in the side yard of the property.
2. The applicant is requesting a zoning variance to allow for a shed to be installed one (1) foot from the property line.

Recommendation:

1. The Zoning Inspector recommends denial of the zoning variance as it does not meet enough of the criteria needed to grant a variance. The lot has no unusual circumstances that would complicate placing the shed in the rear yard. This property is not a corner lot and the grading is typical of most any lot within the City of Perrysburg. The easement on the lot is a common eight (8) foot easement, which will still leave a large amount of the rear yard as an option for placement of the shed. If denied the variance, the shed will still be able to be placed within the rear yard and there will be beneficial use of the property. The variance is substantial and could change the character of the neighborhood as neighboring properties do not have accessory structures located in the side yard. The property owner has other feasible options that would not require a variance.
2. The Zoning Inspector recommends denial of the zoning variance as it does not meet enough of the criteria needed to grant a variance. The variance request is significant as it will place the shed within one (1) foot from the property line. There are no challenges on the lot that would prevent the shed from being installed the required five (5) feet from the property line.

Mr. Grodi reviewed Application 41-23, and noted that the previous homeowner had

incorrectly installed the shed, and had not obtained a permit. The applicant was not present. Mr. McIntyre asked if the shed is movable, and Mr. Grodi confirmed that it is, but that it's also located on a concrete slab. Mr. Grodi added that the shed will have to be located ten (10) feet from the house in order to comply with the code requirements, and said that the issue was noticed while on routine inspections.

Mr. Sutter moved to table Application 41-23 due to the applicant not being present. Seconded by Mr. Anderson, and the table was unanimously approved (5-0).

OTHER BUSINESS

None.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:06 p.m.

Respectfully submitted,

Heather Alfaro
Zoning Clerk

The next meeting is scheduled for December 11, 2023 at 5:30 p.m.