

Minutes of Perrysburg Board of Zoning Appeals

Meeting Held July 14, 2025

CALL TO ORDER - 5:30 PM

Vice Chairman Michael McIntyre called the meeting to order at 5:31 p.m.

ROLL CALL

Board members present were Michael McIntyre, Mark Schrock, Erin O'Rear, and Bill Williams (4). Eric Nicely was absent (1). Mark Easterling, Deputy Planning & Zoning Administrator, was also present.

APPROVAL OF JUNE 9, 2025 MEETING MINUTES

Ms. O'Rear moved to approve the June 9, 2025, meeting minutes as written. Seconded by Mr. McIntyre, and the minutes were unanimously approved (4-0).

ADMINISTER OATH

Mr. McIntyre administered an oath to those that would be speaking during the meeting.

ZONING PERMIT OBLIGATION

Mr. Easterling reminded the applicants that if their request is approved tonight, they will still need to apply for a zoning permit the next day or thereafter.

NEW BUSINESS

APPLICATION 23-25

TODD BERMAN, ON BEHALF OF TONY AND GAY DEIGER, IS REQUESTING A ZONING VARIANCE TO EXPAND THE APRON PORTION OF THE DRIVEWAY. THE PROPERTY IS LOCATED AT 3120 RIVERWOOD COURT AND IS ZONED R-2 (SINGLE FAMILY RESIDENTIAL).

NOTE: *CHAPTER 1250.51(C)(2) CURB CUTS AND 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 TO EXPAND A SHARED DRIVEWAY APPROACH TO THIRTY (30) FEET WIDE.

RECOMMENDATION:

1. The Deputy Administrator recommends denying the request to make the driveway apron thirty (30) feet wide instead of the maximum twenty-four (24) feet allowed by the City's zoning code. According to the zoning code, Chapter

1275.02(c)(3), a variance can only be granted if certain conditions are met, and this request does not meet enough of them. The property owner can still use and access their driveway reasonably with a twenty-four (24) foot-wide shared approach, just like every other property on this cul-de-sac. There is nothing unique or unusual about this property that would necessitate a wider driveway.

The requested increase is a twenty-five (25) percent expansion beyond what the code allows, which is considered a significant change. It would stand out from the other driveways on the street and change the consistent appearance of the neighborhood. This cul-de-sac, like others in the Sanctuary subdivision, was designed with shared driveway aprons that are no more than twenty-four (24) feet wide. In fact, on several nearby properties, the entire shared apron and driveway are located entirely on one property, even though it still serves two homes. This shows that the subdivision was intentionally designed with this shared-access layout in mind.

Additionally, the need for the variance was created by the owner and builder. When the driveway permit was submitted, the builder showed a different driveway layout than what was built. They went ahead and paved the driveway wider than allowed, without approval, in anticipation of getting a wider apron later. That decision led directly to this request, making the problem self-created. While there is one other driveway apron on the street that is wider than twenty-four (24) feet, it was built before the zoning code was updated in 2006 and doesn't fall under the current rules.

In summary, the request cannot be supported, nor does it meet the criteria to be granted a variance. The driveway functions as it is; a wider apron would be out of character for the neighborhood, and the issue was caused by decisions made after the original permit was approved.

Mr. Easterling reviewed Application 23-25. Todd Berman, Berman Building Company, was present on behalf of the application and admitted that they messed up in the process with the submitted plot plan, denoting the house and driveway orientation for permits. He presented the Board with additional visual documentation and added that the neighbor with whom the driveway will be shared is in favor of the variance request. There was a brief discussion about the shared driveway courtyards within this cul-de-sac, and Mr. Easterling noted that these homes were designed with the intention that the courtyards be shared. Mr. Berman addressed the conditions of Chapter 1275.02(c)(3) needed to grant a variance, and said that he believes that their request meets four of the conditions, and further explained his reasoning. He shared that an attorney was consulted regarding this request, and Mr. Berman read that prepared statement. Mr. McIntyre noted the two letters of support for this request that were included with the application, and Mr. Easterling added that he spoke with Developer Ed Bryant today, and Mr. Bryant clarified that he is in support of the request if the Planning & Zoning Division is in support. Mr. Easterling added that every cul-de-sac within the Sanctuary is the same size and that the driveway is usable with the shared approach. He added that trespassing does not apply in this instance and that it is a

substantial request in nature. Mr. Easterling stated that he believes that condition "D" is the only portion of Chapter 1275.02(c)(3) that aligns with this request. Mr. Berman clarified that he was unaware that there was a twenty-four (24) foot-wide maximum curb cut allowance. Mr. Schrock asked if the existing driveways within the neighborhood were built similarly. Mr. McIntyre said that he drove around the cul-de-sac, noting that there was a lot of concrete within the courtyards and that the request seemed minor. Mr. Easterling added that the neighbors at 3114 Riverwood Court had expressed their favor with this request.

Mr. McIntyre moved to approve Application 23-25 as submitted, and found criteria B, C, D, and E of Chapter 1275.02(c)(3) to be true. Seconded by Mr. Williams. Ayes: McIntyre, O'Rear, and Williams (3). Nay: Schrock.

APPLICATION 24-25

CASEY STENGLE IS REQUESTING A ZONING VARIANCE TO CONSTRUCT A PERGOLA. THE PROPERTY IS A CORNER LOT LOCATED AT 26781 OTTEKEE DRIVE AND IS ZONED R-3 (SINGLE FAMILY RESIDENTIAL).

NOTE: CHAPTER 1250.61(A) ACCESSORY BUILDINGS AND USES: NO ACCESSORY BUILDING OR USES SHALL BE LOCATED IN ANY FRONT OR SIDE YARD SETBACK EXCEPT UNDER UNUSUAL CIRCUMSTANCES WHERE SUCH ACTIVITY WILL NOT CONFLICT WITH THE INTENT AND PURPOSES OF THIS ZONING CODE OR WHERE ENFORCEMENT WOULD RESULT IN EXTREME HARDSHIP. EITHER EXCEPTION SHALL REQUIRE APPROVAL OF THE BOARD OF ZONING APPEALS.

1. THE APPLICANT IS REQUESTING A VARIANCE TO CONSTRUCT A PERGOLA IN THE SIDE YARD.

RECOMMENDATION:

1. The Deputy Administrator recommends approval of the variance request, as the application satisfies criteria B, C, D, and F outlined in Chapter 1275.02(c)(3) of the City of Perrysburg Zoning Code. The subject property is a corner lot, and the applicant proposes to construct a pergola in the side yard. Due to the orientation of the home, what functions as the rear yard is technically classified as a side yard under the zoning code. As a result, no accessory structure can be constructed on the property without a variance. The proposed pergola otherwise meets all applicable zoning requirements and presents no visual or safety concerns.

Mr. Easterling reviewed Application 24-25. Casey Stengle, Rescom Property Services, was present on behalf of the application and added that the orientation of the rear yard has changed since the home was originally built. Mr. Easterling clarified that this is an

open-sided structure with a roof (pergola). There was further discussion about the front yard constitutions regarding this corner lot property.

Mr. Williams moved to approve Application 24-25 as submitted, and found criteria B, C, D, and F of Chapter 1275.02(c)(3) to be true. Seconded by Ms. O'Rear, and the variance was unanimously approved (4-0).

OTHER BUSINESS

ELECTION OF CHAIR

Ms. O'Rear nominated Mr. McIntyre to be Chair, and he accepted. Seconded by Mr. Schrock, and the nomination was unanimously approved (4-0).

ELECTION OF VICE-CHAIR

Mr. McIntyre nominated Ms. O'Rear to be Vice-Chair, and she accepted. Seconded by Mr. Schrock, and the nomination was unanimously approved (4-0).

ADJOURNMENT

There being no further business, the meeting adjourned at 6:09 p.m.

Respectfully submitted,

Heather Alfaro
Recording Secretary

The next meeting is scheduled for August 11, 2025 at 5:30 p.m. in the Municipal Building at 201 W. Indiana Avenue.