

Board of Zoning Appeals  
August 17, 2017  
Minutes

Mr. Zeiher called the meeting to order at 4:30 PM. The following members were present: Mr. Dan Delahunt, Mr. Kevin Zeiher and Mr. Walt Matthews. Ms. Casey Sparks represented the Planning Department and Debi Eversole, Clerk from Community Development. Chairman John Feick was excused. There were 3 voting members present. Dr. William Semans arrived during the second agenda item.

Mr. Matthews moved to approve the meeting minutes from the July 20, 2017 meeting as written. Mr. Delahunt seconded the motion. With no discussion, the motion carried with a unanimous vote.

Mr. Zeiher swore in audience and staff that wished to testify on any of the agenda items.

Ms. Sparks presented that Daniel McGookey had submitted an application for a 10' variance to allow for a ground sign to be placed 5' from the property line at **223 Meigs Street**. The property is zoned as Downtown Business. The applicant had indicated that the proposed location of the 27' square foot sign will improve visibility for vehicular traffic as the current sign appears to be in the right of way. Staff recommended approval of the 10' variance to allow for the monument sign with the condition that the sign meets all zoning requirements for area and height.

Mr. Delahunt moved to accept the recommendation to approve the variance application. Mr. Matthews seconded the motion. The motion was approved with a 3/0 vote in favor.

Dr. Semans arrived as the second agenda item was being presented.

Ms. Sparks presented that Allison Thompson, on behalf of Susan Haas had submitted an application for a 2' variance to construct a 6' high fence around the entire rear and sides of the property located at **4306 Venice Road**. The lot is located about 40' from the street and about 40' from the neighbor. The area is mixed with both residential and businesses. Staff recommends approval as they do not see any detriment to the surrounding neighbors.

Ms. Allison Thompson 4306 Venice Road stated that she is requesting this variance to screen their yard as they are in a high traffic area. They have a garden in the back yard that they would like to be fenced in from the people on foot that travel the area.

Mr. Matthews moved to approve the application. Mr. Delahunt seconded the motion. The motion carried with a unanimous vote.

Brad Clark on behalf of Jan Buckholz had submitted an application for a 13' variance to the rear yard setback for a residential addition at **2231 Karl Ann Drive**. The applicant is proposing a 30' x14' residential addition within the rear yard of the property.

The property located within the rear of this site will be impacted, the applicant owns both properties. The applicant is looking to utilize both properties for living quarters.

Staff recognizes that the rear yard setback for the structure and the existing overhang is currently non-conforming and the applicant is not proposing to alter the existing side yard setbacks. Staff recommends approval of the variance with the condition that all permits are obtained.

Mr. Delahunt asked if the adjoining property faces Stallwood. Ms. Sparks replied yes and that according to the contractor, the applicant intends to use both properties as living quarters.

Mr. Zeiher asked if staff sees any long term issues with the approval of this application. Ms. Sparks stated that if the property sells, both properties would have to be sold together. The property is already in a non-conforming state.

Andrew Miller, Janotta & Herner stated that he is aware that the husband of the applicant has an illness and that this addition would be his living area as it has a lot of windows for him to see outside.

Mr. Delahunt moved to accept staff's recommendation to approve the application. Dr. Semans seconded the motion, which carried with a unanimous vote.

Ms. Sparks presented that Gundlach Sheet Metal Works had submitted an application for a 37' side and rear yard variance to allow for the construction of a building at **118 Division Street**. The applicant plans to construct a storage building that will improve the existing circulation of the site. The deliveries would come off of Columbus, onto Division to unload, and exit onto Neil to Columbus Avenue. The applicant is currently in the rezoning process from R2F to Commercial Service. The applicant is present to answer any questions. Staff added that during the rezoning process, surrounding neighbors came to the meeting and were in full support of this project once they saw the new traffic circulation. Staff recommends approval of the application with the following conditions:

- A 6' fence be constructed to screen the proposed building
- The applicant obtain all building permits before construction
- The building shall not exceed 30' in height so as to not be an impact to residential properties

Mr. Zeiher asked if the residential lot is rezoned. Ms. Sparks stated that yes, several parcels are R2F and were approved through the Planning Commission for rezoning and are now going through City Commission on September 25 for final approval. The lots will also be combined.

Ross Betsch and Andy Gundlach with Gundlach Sheet Metal pointed out to the Board the residential properties on the screen that would need to be rezoned. The building plan is proposed to shrink down 50', keeping it 10' off of the property line to eliminate some of the variance that was requested. The original plan was a "worst case scenario" so that they could keep moving forward with approvals. Mr. Gundlach stated that they are still in negotiations with what the size of the building will actually be. He added that the biggest problem that they have is that semis unload from Columbus Avenue. This project will get them off of the street and on onto Gundlach's property to improve traffic flow on Columbus Avenue.

Dr. Semans confirmed that there are actually 4 lots being rezoned.

Mr. Delahunt asked if this will get delivery traffic off of the street. All traffic for deliveries including UPS deliveries will no longer be on Columbus Avenue. It will be on Gundlach's property. Mr. Delahunt then asked if there were houses on Neil Street where the traffic will be re-routed. Mr. Betsch stated that there are 2 houses currently on Neil that Gundlach has been offered to acquire.

Dr. Semans asked if they were to move the plan to the south, would that be more feasible for the truck traffic. Mr. Betsch stated that they would like to leave the option open for future expansion.

Dr. Semans moved to approve the variances as presented. Mr. Matthews seconded the motion, which carried with a unanimous vote.

Ms. Sparks presented that Firelands Habitat for Humanity had submitted an application for a 10' front yard variance to allow for the construction of a single family residence at **506 Meigs Street**. Section 1129.14 requires a 25' front yard setback. The applicant is proposing an alternative model for this site, as this is the one of the target areas for the Neighborhood Initiative. The applicant has proposed different material types as well as architectural features than the standard Habitat houses. Staff recognizes that the existing lot does make it difficult to conform to the required setbacks based on the size of the home they are proposing. The surrounding residential structures have similar setbacks. Staff recommended the 10' front yard variance with the condition that all permits be obtained by the applicant.

Mr. Matthews asked when the house would be finished.

Mike McCall with Habitat for Humanity stated that time is of the essence. Projects usually start in July and are complete December. Now with a proposed start date of September, the project will not be complete until February. The project will be enclosed by November. The volunteers that support Habitat for Humanity can only build 2 days per week, so it may take a little longer than normal construction of a home.

Mr. Zeiher asked for the size of the lot. Mr. McCall stated that the lot is 52' x 99'. Mr. Delahunt asked how much back yard there would be. Mr. McCall answered 32'. Mr. Delahunt asked if the lot was first offered to the neighbor. Ms. Sparks answered that is generally the procedure but the Housing Manager would answer that best.

Mr. Delahunt asked if the plans were appraised by an appraiser. Mr. McCall stated that when the project is complete, an appraisal will be done. Habitat for Humanity acts as the bank. They put the money in and process a 25 year loan at 0% financing to the new owner.

Mr. Matthews moved to approve the application as written. Dr. Semans seconded the motion, which was approved with a unanimous vote.

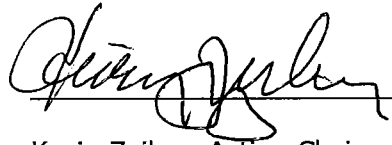
Ms. Sparks stated that there are currently no applications for a September meeting but if something comes in, the Board will be advised.

Mr. Delahunt moved to adjourn the meeting. Dr. Semans seconded the motion and the meeting was adjourned at 5:10pm.

APPROVED:

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Debi Eversole, Clerk



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Kevin Zeiher, Acting Chairperson