

# Board of Zoning Appeals

## April 08, 2021

**Members present:** Chairman, Phil Rooney; Sarah Gillespie; Blaine Wells; and Scott Brecheisen.

Mr. Rooney called the meeting to order at 6:00 p.m. and the general rules were reviewed.

The following was introduced by Mr. Erik Adkins:

**Case Number: BZA-05-2021-60664**

**Address: 1912 Sherry Street**

**Zone: R-3 Small Lot Residential**

Filed by Rich Binner, regarding a variance from section 1161.01(C)(2) of the City of Findlay Zoning Ordinance regarding the maximum floor space for a proposed accessory structure at 1912 Sherry Street. The applicant is proposing to construct a new thirty-two hundred (3200) square foot accessory structure to serve as residential storage and parking of vehicles for the tenants of the two adjacent triplexes. This section allows for a maximum floor space of nine hundred (900) square feet.

Currently, the triplex associated with this parcel, and the triplex to the north, only has outside parking. The owner is proposing to build a six-car garage, which strictly will be used by the tenants of the two rentals and storage space for the owners' lawn equipment.

This site is under an acre, which means that the size of the accessory building is limited to 900-square feet. Being there is not an attached garage on-site, the city allows for an additional 576-square feet of floor allowance, however, the building may not exceed 900-square feet. If the owner was allowed to have an accessory structure on a lot by itself, and had the coverage space available, they could construct multiple 900-square foot buildings, however, the zoning does not allow for accessory on parcels without dwellings.

The city is adamant to abiding by the code in this case, but would not be against one building at 1467-square feet instead of 900-square feet, which is the maximum allowable area for a lot without an attached garage. If approved, the board needs to put on record that it is for residential use only, not as a construction storage building nor a retail rental storage.

Mr. Rooney asked if all four (4) lots would be put together?

Mr. Adkins replied that combining all four (4) lots as opposed to the three (3) would require a multiple family zoning due to the two (2) separate triplexes on parcel and may be more difficult to rezone accordingly with HRPC / Council.

Rich Binner of 625 H Street was sworn in.

Mr. Binner stated that at the address the parcels are land locked and backed by the rail road. There is not much that can be done with the empty lots besides providing additional storage to the existing apartments. It does not make sense to build a new house or continue the street in that neighborhood.

Mr. Rooney asked if there were going to be garage bays for the neighboring triplexes.

Mr. Binner replied that there would be six (6) garage bays and roughly a 30' x 30' storage area for lawn and maintenance equipment.

Mr. Wells asked if it would be stick build.

Mr. Binner replied it would be a metal building with 10-foot ceilings to allow for an 8-foot garage door. This would allow a pick-up truck to park in the bay. It will be decorative to match the neighborhood buildings.

Mr. Brecheisen asked if the drive would be stone or black top?

Mr. Binner replied it will be paved with blacktop according to the zoning code.

Mr. Wells asked why he requested 3200 square feet and stated it was a big variance.

Mr. Binner replied that in order to provide adequate parking of 6 garage bays they would require being 8'-10' wide each, in addition the storage equipment.

Mr. Wells asked what type the equipment would be stored.

Mr. Binner stated it would be equipment for the maintenance of the triplexes and lawn care equipment.

Mr. Binner added that the frontage of the lots is technically along Bank Street and that would require him to build a railroad crossing to access the parcels, so combining existing lots and building an accessory structure is the best option to utilize the lot.

Mr. Wells and Binner disused the options available for sizing without variances.

Mr. Adkins replied the maximum size of 1476 square foot of roofed accessory would be allowed due to there not being an attached garage on-site, but the calculations of having the maximum building size on three (3) lots would allow about 2700 square foot of separate buildings.

There was an inaudible discussion about connecting the dwelling to garage in lieu of obtaining the variance to construct a larger building. It was determined that it is an option to cover up to 50% of the lot as long a breezeway connects the dwelling.

Mr. Wells asked Mr. Adkins if 2700 square foot was feasible if the lots were combined.

Mr. Adkins responded, if the lots were separate and each had a dwelling that total of 2700 square feet combined roof accessory structures would be allowed over the four (4) lots. He also referred to the barn building down the street, stating that it is taller than what was being proposed. Also, with the applicants request being limited to the resident use of the triplex tenants it would be conforming to the neighborhood.

Mr. Wells asked Mr. Binner if 2700 square feet would work instead of 3200 square feet.

Mr. Binner replied that it wouldn't give him the storage area he needed for the lawn maintenance.

Mr. Wells asked if he generally mowed and maintained the property himself rather than contracting it out.

Mr. Binner replied he handles the lawn care and maintenance himself. He also stated when he purchased the lots and the first two (2) triplexes were constructed these lots would have been permitted to be used for triplexes in the zoning code, which has changed over the years.

There were no communications

Mr. Rooney commented that he saw no issue with this proposal and thought it would help improve the neighborhood by allowing cars to be parked inside, so long as it is restricted to being as an accessory to the existing triplexes.

Mr. Brecheisen made a motion to approve the requested variance subject to obtaining the required permits within 60 days with the restriction that the building is to be used as a residential garage for the abutting tenants and not to be used for the storage of non-related construction equipment.

Ms. Gillespie seconded the motion.

Motion to approve the requested variance subject to obtaining the required permits within 60 days with the restriction that the building is to be used as a residential garage for the abutting tenants and not to be used for the storage of non-related construction equipment, 4-0.

**Case Number: BZA-07-2021-60737**

**Address: 712 5th Street**

**Zone: R-3 Small Lot Residential**

Filed by Robert Muncy, regarding a variance from section 1123.05(D) of the City of Findlay Zoning Ordinance regarding a rear yard setback for an addition at 712 5th Street. The applicant is proposing to construct a new 28 X 30 attached garage with an eleven (11) foot rear yard setback instead of the required fifteen (15) foot rear yard setback. This section requires a rear yard setback of fifteen (15) percent of the lot depth.

Where the applicant is looking to add the addition to the dwelling for a two-car garage, the property is shorter than the rest of the parcel. If the mentioned section of the parcel were in line with the remainder of the parcels rear property line, the owner would not have to seek relief. The city is not opposed to the approval of the request being the addition will be in the neighboring properties rear yards.

Robert Muncy of 712 5th street was sworn in.

Mr. Muncy states that they purchased a house in dire need of repairs, including the side of the house that this garage will be located on. The over hang is slouching and by allowing the garage to be the same size as the house as requested will allow him to use the garage to strengthen the house.

He also stated that they are investing upwards of \$150,000 in the house, which is a lot for the neighborhood.

There were no communications

Mr. Wells motioned to approve the variance as requested, subject to obtaining the required permits within 60 days.

Mr. Brecheisen seconded the motion.

Motion to approve the variance as requested, subject to obtaining the required permits within 60 days, 4-0.

**Case Number: BZA-06-2021-60558**

**Address: 3441 N. Main Street**

**Zone: I-1 – Light Industrial**

Filed by Valfilm LLC, regarding a variance from section 1141.07(A) of the City of Findlay Zoning Ordinance regarding the height of a proposed silo at 3441 N. Main Street. The applicant is proposing to construct fourth new 67-foot tall silo on-site. This section allows for a maximum height of 60-feet.

The owner was granted a variance during the January meeting to construct silos on-site that would be 67-feet in height. Since that meeting, they had to move one of the silos locations due to various reasons. Being the applicant received a variance for the maximum height recently; the city would be for this request.

There was discussion on the reason for this variance since a similar request was made last month, the applicant was not at the meeting.

Mr. Adkins stated the applicant is looking to relocate one of the silos on the site.

Mr. Inbody commented the applicant stated there is a utility issue and the first silo in front had to be moved to a different location on the site to accommodate.

There were no communications

Mr. Rooney motioned to approve the variance as requested, subject to obtaining the required permits within 60 days.

Ms. Gillespie seconded the motion.

Motion to approve the variance as requested, subject to obtaining the required permits within 60 days, 4-0.

The March 11, 2021 meeting minutes were approved, 4-0.

The meeting was adjourned.



Chairman



Secretary