

# Board of Zoning Appeals

## June 10, 2021

**Members present:** Chairman Phil Rooney; Kerry Trombley; 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-10-2021-60999**

**Address: 237 E Wallace Street**

**Zone: R-2 Medium Lot Residential**

Filed by Lucas Hastings, 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 237 E. Wallace Street. The applicant is proposing to construct a new thirteen hundred-twenty (1320) square foot detached garage. This section allows for a maximum floor space of nine hundred (900) square feet for a detached building.

The owner is looking to tear down the existing 336 square-foot detached garage, and replace it with a 1320 square-foot detached garage. The existing dwelling does not have an attached garage, which would allow for an additional 576 square-foot allotment of maximum floor space. That extra floor space, per code, in addition to the 900 square-foot accessory maximum floor space, is to offset the lack of an attached garage. However, the additional area is not to be combined with the total allowable area for a single accessory structure, and the code still only allows for a total of 900 square feet for a structure.

Being the board has allowed extreme requests get granted variances in the past, and though the city opposes the request, the city would understand if the board were to rule in favor of the request.

Mr. Lucas Hastings, owner of 237 E Wallace Street, was sworn in. He stated that he wants to tear down the existing garage that sits really close to the house and push it back to allow for a larger yard and a large garage that still meets set backs and is under the height limit. The garage will be larger than the square footage allowed for an individual building, however, it will remain under the 33% lot coverage limit. The applicant is trying to build a garage that can accommodate four (4) cars, for his car, his wife's car, and their camper.

Mr. Trombley asked what the height of the building would be?

Mr. Hastings stated it will be 15' 8". A 30' x 44' building with 12' walls and a peak of 15'8"

Mr. Wells asked Mr. Adkins if the issue is the lot coverage?

Mr. Adkins clarified that the issue is the building is over 900 SQ FT. However, the applicant could build a 900 SQ FT building and a 576 SQ FT building side by side if they so choose.

Mr. Trombley stated that 900 SQ FT building is fairly large and there are not many buildings that size in the neighborhood. He also, asked if the applicant explored other options to achieve what he wants?

Mr. Hastings stated that he looked at 900 sq. ft. buildings then attaching a lean tube but discovered that would still require the variance. Ideally, he would just like to have the entire building enclosed for storage. His house is limited in storage and does not have a basement.

Mr. Wells asked Mr. Adkins if the application could in theory build two (2) separate buildings of the same combined square footage as proposed?

Mr. Adkins response that is what some people have done to get around the variance requirement.

Mr. Adkins stated there were no communications.

Mr. Trombley stated for the record that the idea of having a 1' separation between the buildings is silly and since the building is under the height requirement, within setbacks, and under lot coverage he will make a motion to approve the variance as request subject to obtaining the required permits within 60 days.

Mr. Rooney asked what the lot coverage will be before he votes?

There was discussion between Mr. Hastings and Mr. Adkins which determined the Lot coverage was determined to be approximately 31%.

Mr. Rooney stated that he was comfortable knowing that more buildings would not be built on the property after the construction of the proposed garage.

Mr. Wells asked if lot coverage factors in the large concrete drive way?

Mr. Adkins said that the drive way is not part of the lot coverage.

Mr. Brecheisen seconded the motion.

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

The following was introduced by Mr. Adkins:

**Case Number: BZA-11-2021-61013**

**Address: 335 Walnut Street**

**Zone: C-1 Local Commercial**

Filed by Lou Lane LLC, regarding a variance from section 1161.03(B)(1) of the City of Findlay Zoning Ordinance regarding the height of a proposed fence at 335 Walnut Street. The applicant is proposing to construct a new eight (8) foot tall vinyl privacy fence in line with existing deck railing

in the required front yard. This section allows for a maximum height of four (4) feet and be fifty (50) percent open.

The owner is looking to add additional patio area for outdoor sitting and gathering area. The owner is looking to have the fence be an extension of the deck railing, and connecting to the fence in the rear. The fence will be a quality addition in that area to allow for outdoor seating. The city does not oppose the request.

Mr. Tommy Hazleton, of 335 E Walnut street, was sworn in.

Mr. Hazleton stated he wants to expand and improve the property his LLC purchased in March and the requested variance would be a great addition to what he already has done.

Mr. Trombley asked where the fence will be?

Mr. Hazleton stated the fence will be along the east side of the building.

Mr. Adkins referenced the supplemental email that was sent to board members with a survey of the property. He stated the existing fence is being replaced and expanded all the way up to the deck area in the front.

There was discussion among the board (inaudible) over the supplemental email to understand the proposed location of the fence and interpretation of the drawings right-of-way lines.

Mr. Adkins stated this will go up to the property line that meets the railroad Right-of-Way. About 15'-20' from the rail itself, although the exact distance to the rail road ties from the property line is not known.

Mr. Adkins stated there were no commutations on this case.

Mr. Wells made a motion to approve the requested variance subject to obtaining the required permits within 60 days.

Mr. Trombley seconded the motion.

Motion to approve the variance as requested, subject to obtaining the required permits within 60 days, 3-0. Mr. Rooney abstained from the vote.

The April 08, 2021 meeting minutes were approved, (3-0) and the May 13, 2021 Meeting minutes were tabled until next months meeting do to only two (2) members from that meeting are present.

The meeting was adjourned.



Chairman



Secretary