

Board of Zoning Appeals

June 08, 2023

Members present: Phil Rooney, Chairman; Blaine Wells; Kerry Trombley; 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-14-2023-63838

Address: 1450 Sycamore Drive

Zone: R-1 Large Lot Residential

Filed by Curtis Moser, regarding a variance from section 1121.05(A)(1)(b) of the City of Findlay Zoning Ordinance for the front yard setback of a proposed detached garage at 1450 Sycamore Drive. The applicant has proposed to construct a detached garage which will be at 30-feet from the front yard setback. This section utilizes the neighboring properties average depth, which makes it approximately a 42-foot front yard setback.

The owner is asking for the Board of Zoning Appeals to resort back to the language in the zoning code that allowed for a 30-foot front yard setback, rather averaging out the neighboring properties to determine the front yard setback.

The city will not oppose the decision the board makes.

Mr. Trombley asked if the average was calculated with the properties on Oakland Drive?

Mr. Adkins stated yes, were the fronts are.

Mr. Moser, 1450 Sycamore Drive, was sworn in. He stated he bought the property in 2019 and the setback was 30-feet. He bought two lots and had them combined, so he could build a building. He did not know that when you buy a corner lot you have two front yards. He had to put in a 6-inch drainage line that ran about 400-500 feet. If he has to move it another 12 ½ feet in, he would have to tear out part of his patio. He likes his patio and does not think he should have to destroy that to put up a building. The lot is over an acre. Visually it will not impact anyone driving down the street. He stated he has two letters of support. One from the neighbor directly across the street and one from the neighbor to the North.

Mr. Wells asked if we have copies of these letters?

Mr. Moser gave the two letters to the Board members.

Mr. Adkins stated in 2020 is when the language was changed in the Zoning Code, where it went to averages instead of the set amount.

Mr. Rooney asked if there are any communications on this case?

Mr. Adkins stated there are no communications on this case.

Mr. Wells asked Mr. Moser if it was his original intent when he bought the property to put this building up, then Covid hit; then the map amendment happened that changed the language in the code?

Mr. Moser stated yes.

Mr. Wells asked if Mr. Moser had considered moving the location of the building further North, then West to meet the 42-foot setback?

Conversation took place between Mr. Moser and Board Members about moving the location of the garage.

Mr. Trombley stated it is a large lot and he doesn't see a problem with this variance request.

Mr. Trombley made a motion to approve the requested variance on the condition the required permits are obtained within 60 days.

Mr. Brecheisen seconded the motion.

Motion to approve requested variance on the condition the required permits are obtained within 60 days, 4 – 0.

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-15-2023-63877

Address: 1014 Liberty Street

Zone: R-2 Medium Lot Residential

Filed by Richard Palmer, regarding a variance from section 1122.05(B) of the City of Findlay Zoning Ordinance for proposed attached carport at 1014 Liberty Street. The applicant is proposing to construct an attached carport that will be 1-foot and 6-inches from the side property line. This section requires a 5-foot setback from the side property line.

This property is situated inside an older neighborhood and multiple dwellings would not meet a 5-foot setback, due to additions and how the original building was constructed. The owner is proposing to construct an open framed carport, that will be attached to the dwelling. Had the owner construct a detached carport, the request would only be relief from a 3-foot setback.

The city will not oppose the decision the board makes.

Mr. Palmer, 1014 Liberty Street, was sworn in. He stated he wants to build a carport for his car and it would help keep his basement dryer from the rain seepage he gets.

Mr. Trombley asked what the size is of the car port he wants to put in?

Mr. Palmer stated 11 ½ feet high by 40 feet long by 11 feet. 11 feet by 40 feet is the covered area.

Mr. Trombley stated if it was cut back for the 5 feet, it would be pretty small.

Mr. Palmer stated he has letters of support from the neighbors.

Mr. Wells stated he noticed in the one letter of support, it is on the condition that nothing drains on their property. He asked how he intends to address that?

Mr. Palmer stated instead of doing the standard 3-inch rain gutter, he is using 4-inch rain gutter and down spout; and it will be directed right down the edge of the driveway toward the curb.

Mr. Trombley asked if the rain gutters is included in the 1 ½-feet?

Mr. Palmer stated it will hang over a little bit, by 4-inches.

Mr. Rooney asked if there are any communications on this case?

Mr. Adkins stated there are no communications on this case.

Mr. Wells made a motion to approve the requested variance on the condition the required permits are obtained within 60 days.

Mr. Trombley seconded the motion.

Motion to approve requested variance on the condition the required permits are obtained within 60 days, 4 – 0.

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-16-2023-63890

Address: 1132 Tiffin Avenue

Zone: C-2 Medium Lot Residential

Filed by Josh Elchert, regarding a variance from section 1161.12.8(C) of the City of Findlay Zoning Ordinance for a new monument sign at 1132 Tiffin Avenue. The applicant has proposed to build a new 50-square foot monument sign that will be 5-feet from the front property line. This section requires a 10-foot setback from all property lines.

The owner is removing an existing pylon sign, and is proposing to replace it with a monument sign. The pylon sign currently sits approximately 3-feet from the property line. The removal and replacement, will clean up Tiffin Avenues airspace.

The city is supportive of this request and will not oppose the decision the board makes.

Mr. Trombley asked if the current sign is in compliance?

Mr. Adkins stated it is non-compliant.

Mr. Elchert, 1132 Tiffin Avenue, was sworn in. He stated they are getting rid of the sign the city doesn't want and asking for a 5-foot setback instead of the 10-feet in the code.

Mr. Wells asked if this will be a static panel, back lit sign? Nothing digital?

Mr. Elchert stated that is correct. Nothing digital. It's a push through letter sign.

Mr. Rooney asked if there are any communications on this case?

Mr. Adkins stated there are no communications on this case.

Mr. Wells made a motion to approve the requested variance on the condition the required permits are obtained within 60 days.

Mr. Brecheisen seconded the motion.

Motion to approve requested variance on the condition the required permits are obtained within 60 days, 4 – 0.

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-17-2023-63891 & BZA-18-2023-63892

Address: 1333 W. Sandusky Street

Zone: I-1 Light Industrial

Filed by Stephen Keyes, regarding a variance from section 1161.12.17(B)(4)(a) of the City of Findlay Zoning Ordinance for a new billboard sign at 1333 W. Sandusky Street. The applicant has proposed to build a new billboard that will be constructed at the property line abutting the interstate highway right-of-way. This section requires a 25-foot setback from the highway right-of-way property line.

The owner filed an additional request regarding a variance from section 1161.12.17(B)(6) of the City of Findlay Zoning Ordinance for a new billboard sign at 1333 W. Sandusky Street. The applicant has proposed to build a new 672-square foot billboard sign. This section allows for a 300-square foot billboard.

This is the site of a local radio station, situated along interstate 75 and West Sandusky Street. Prior to applying, there were two billboards on premise, that have been demoed. One of the billboards was positioned within feet of the West Sandusky Street right-or-way.

The city does not see an issue with this request due to the location of the billboards that were on premise prior to demolition, but would like to have the ODOTs approval prior to issuing any permits.

The city is supportive of this request and will not oppose the decision the board makes.

In regards to the size request, the city realize that there was a total of four total static billboards that exceeds the allowable size. The city would like to keep in line with the code, but is understanding that ODOT allows a larger billboard along the interstate. In addition to, the company is making it look unique and eye appealing.

The city is supportive of the request and will not oppose the decision the board makes.

Mr. Keyes, 2040 Tiffin Avenue, was sworn in. He stated there has been a lot of work done on the property already. Findlay Radio Club has been there since 1956 and is a big supporter of Findlay and they are hoping to help with their club by investing their dollars on their property.

Mr. Wells asked where we stand with ODOT?

Mr. Keyes stated they have ODOT approval for a 672-foot back to back digital sign on the right of way fence. Variance request matches what ODOT approved. ODOT allows for up to 1200 square feet. 672 square feet is the national standard size, so is 1200, but those are more for setbacks way off of the road, really high signs.

Mr. Trombley asked for confirmation that the sign is built on an oil derig?

Mr. Keyes stated yes. He stated they do things to try to fit.

Mr. Wells stated it matches the overpass. He asked if we have a copy of that ODOT approval for our file?

Mr. Keyes stated he should have brought it, but did not. He stated he has the conditional permit from the state.

Mr. Rooney asked if there are any communications on this case?

Mr. Adkins stated there are no communications on this case.

Mr. Wells asked what the time line is on construction, assuming approval?

Mr. Keyes stated depending on suppliers, end of October, or November time frame, depending on supplies issues they have had from steel manufacturers.

BZA-17-2023-63891 – setback:

Mr. Trombley made a motion to approve the requested variance on the condition the required permits are obtained within 60 days.

Mr. Wells seconded the motion.

Mr. Rooney amended the motion to include the condition of providing the ODOT approved permit.

Motion to approve the requested variance on the condition the ODOT approved permit is provided and the required permits are obtained within 60 days, 4-0.

BZA-18-2023-63892 – size:

Mr. Trombley made a motion to approve the requested variance on the condition the ODOT approved permit is provided and the required permits are obtained within 60 days.

Mr. Wells seconded the motion.

Motion to approve the requested variance on the condition the ODOT approved permit is provided and the required permits are obtained within 60 days, 4-0.

The April 13, 2023 meeting minutes were amended and approved.

The May 11, 2023 meeting minutes were approved.

The meeting was adjourned.



Chairman



Secretary