

# Board of Zoning Appeals

## October 12, 2023

**Members present:** Phil Rooney, Chairman; Blaine Wells; Scott Brecheisen; and Brody Yingling.

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-32-2023-64321**

**Address: 752 Howard Street**

**Zone: C-1 Local Commercial**

Filed by C and D Stoney Tavern Ltd., regarding a variance from section 1133.04 of the City of Findlay Zoning Ordinance for a new addition at 752 Howard Street. The applicant is proposing a new 12 X 20 addition to the rear of the building that will have a 0-foot setback from the Broad Avenue right-of-way. This section requires a 25-foot setback from the Broad Avenue right-of-way.

The owner requested a variance on August 11<sup>th</sup>, 2022, for a new proposed building that was 10-feet from the Broad Street right-of-way that was granted by the board. This request is to expand the building with the current footprint, for a 12 X 20 addition. However, the current footprint cannot be expanded due to the original building being built 4-tenths of a foot within the city right-of-way.

The city does not allow for a non-conforming building to be rebuilt within the city right-of-way, this request at 0-feet, would require the owner to move the new addition in 4-tenths of a foot to be within the property line. The city was for the request that came through in 2022, however, continuing at the property line, the city is opposed to this request but will support the decision the board makes.

Mr. Jacob Garlock, Garlock Brothers Construction, representing the owner, was sworn in. He stated they want to rebuild the one-story attachment to the current building following the same footprint as it is now. The current addition is in pretty bad shape with holes in the roof and the siding is all peeled off, so the owner just wants to tear that off and rebuild it. He stated the owner originally was looking at building a new addition or tear the complete building down and rebuild a new building but the cost was more than he could fathom. He is just going to start making improvements to the existing building, as finances allow. He does not foresee the four-tenths feet being an issue.

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

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

Inaudible....

Mr. Adkins stated the four-tenths would make it inside the right-of-way.

Mr. Brecheisen asked if he was ok with moving it back four-tenths to make it even with the property line or is he wanting to keep it four-tenths into the right-of-way?

Mr. Garlock stated it is only 5-inches so it's ok to move it four-tenths to be out of the right-of-way or even in from right-of-way four-tenths.

Mr. Rooney stated they cannot grant a variance to be in the right-of-way. He stated as long as they agree to be out of the right-of-way, the board could grant a variance.

Mr. Wells wanted confirmation that they are being asked to grant a variance of 25-feet on the condition that it be moved in four-tenths?

Mr. Adkins stated yes. They are asking for a 100% relief from the 25-feet.

Mr. Rooney stated if they had to meet the 25-foot setback, the current building isn't 25-feet, so the new addition would not even be attached to the building. The building has been this way for as long as he can remember and since it will be improving the property, he does not see a problem with it.

Mr. Rooney made a motion to grant the requested variance with the condition it be out of the city right-of-way and required permits are obtained within 60 days.

Mr. Adkins stated it will have to go to City Planning Commission for administrative approval first.

Mr. Rooney amended his motion: Motion to grant the requested variance with the condition it be out of the city right-off-way and required permits be obtained within 60 days after City Planning Commission administrative approval.

Mr. Brecheisen seconded the motion.

Motion to grant the requested variance with the condition it be out of the city right-off-way and required permits be obtained within 60 days after City Planning Commission administrative approval, 4-0.

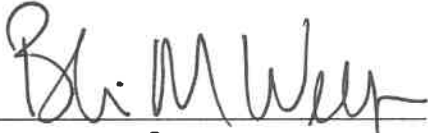
The September 14, 2023 meeting minutes were approved.

The meeting was adjourned.



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Chairman



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Secretary