

Board of Zoning Appeals

November 09, 2023

Members present: Phil Rooney, Chairman; Blaine Wells; Scott Brecheisen; and Alex Treece.

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

Case Number: BZA-04-2023-63572
Address: 1028 W. Main Cross Street
Case removed from the table.

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-04-2023-63572
Address: 1028 W. Main Cross Street
Zone: C-2 General Commercial

Filed by Moose Lodge 698, regarding a variance from section 1135.04(B)(2) of the City of Findlay Zoning Ordinance for an addition to the existing commercial building at 1028 W. Main Cross Street. The applicant has proposed to construct an addition to the eastern side of the property that will be 10-feet from the property line. This section requires a 25-foot setback from the side property line when abutting a residential zone.

This matter came before the City Planning Commission in October, in which they voted approval for the project with conditions.

The expansion does abut single family dwellings to the east, and with the addition, the building line will be 15-feet closer to the R-3 properties. With that being stated, there is a need for better screening, which was required during City Planning Commissions approval.

The city will trust the board's decision on this request.

Mr. Wells wanted clarification the City Planning did add in the additional screening as part of their approval?

Mr. Adkins stated, yes.

Mr. Rooney asked, other than that, are there any other changes to the plans?

Mr. Adkins stated they also added parking to the west side of the property.

Mr. Steve Rettig, 1028 West Main Cross Street, Findlay, Ohio representing the owner, was sworn in. He asked that the variance be approved.

Mr. Wells asked Mr. Rettig to explain the additional screening requirements that City Planning put as part of their approval.

Mr. Rettig stated the current East side of the property, the front, approximate third, is very large, 60-foot trees; north of that, it comes down to a four-foot high fence. They prefer to see an eight-foot high fence, with some sort of trees.

Mr. Wells asked if that is defined in the approval?

Mr. Rettig stated, yes. It is conditional upon that.

Mr. Steven Russell, 2800 Gleneagle Drive, Findlay, was sworn in. He stated they don't need to come East, it makes it easier for them, to extend the bar. Why can't they go North where the smoking hut used to be, so then they won't infringe on their easements. He stated his tenant and he, have both picked up beer cans from his yard. He does not want them coming any closer to him.

Mr. Rooney asked which properties is his?

Mr. Russell stated 132.

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

Mr. Adkins stated none other than what we had back in January or February. He stated the Planning Commission did have the same complaints so they asked for more landscaping in the area where there is a driveway right now and parking by the side of the building, will be all green area and trees or arborvitaes in that area to stop foot traffic.

Mr. Wells asked if the new design laid out in a way to discourage foot traffic?

Mr. Rettig stated there will be an eight-foot high fence that will start at the ground. Currently there is a four-foot high fence that starts about 6-8 inches above the ground. This will prevent trash from blowing under the fence. He stated they have alleviated the complaints, so he is not sure what the objection is.

Mr. Treece asked if the extension would go into the parking lot, what happens to the rest?

Mr. Rettig stated that's where the screening and green area will be. The plan is to put the fence up to the building to eliminate that. There may be a gate that will lock, for access to mow, etc., but no pedestrian traffic would go through it.

Mr. Wells made a motion to approve the requested variance contingent upon the required permits be obtained within 60 days.

Mr. Brecheisen seconded the motion.

Motion to approve the requested variance contingent upon the required permits be obtained within 60 days, 4-0.

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-33-2023-64356

Address: 1725 Blaine Street

Zone: R-3 Small Lot Residential

Filed Gary Hindall, regarding a variance from section 1161.01.1(C)(2) of the City of Findlay Zoning Ordinance for a proposed detached garage at 1725 Blaine Street. The applicant is proposing to construct

a 36 X 48 detached garage which exceeds the maximum allowable roofed area for accessory structures by 1678-square feet. This section allows for the maximum total allowed roofed area for an accessory structure is 900-square feet.

The owner currently has 850-square feet of accessory structure amongst four combined lots. With an addition of a 1728-square foot structure, it brings the total to 2578-square feet total. The increase is substantial, but in the owner's defense, they do own four total combined lots.

The city will not oppose the board's decision.

Mr. Gary Hindall, owner of 1725 Blaine Street, was sworn in; along with, Mr. Benjamin Camp, contractor for Mr. Hindall, was sworn in.

Mr. Rooney asked what exactly Mr. Hindall is doing? What does he need the big building for?

Mr. Hindall stated he bought a camper and a truck that are currently sitting outside. He stated the old garage that he has only has a seven-foot tall ceiling. The truck and camper cannot be put in the old garage.

Mr. Brecheisen asked if Mr. Hindall will be tearing down the old garage?

Mr. Hindall stated no, it will be used for storage.

Mr. Brecheisen asked what his plan is to access the building in the rear?

Mr. Hindall stated it will be accessed from Elyria Street and the drive will be blacktopped.

Mr. Wells asked what the point of the extra pictures is?

Mr. Camp stated it is to show similar buildings in the area so the building he wants to build will not look out of place in the area. Pictures are all within a quarter mile from his property.

Mr. Rooney asked if the building to the South are just storage garages? Is the only house to the North?

Mr. Hindall stated they are for storage only; and yes, the only house is to the North.

Mr. Hindall stated he did sell some property off of Elyria Street to Habitat and they put up two houses.

Mr. Camp stated they are just North of where the building will go.

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

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

Mr. Rooney stated it is four lots combined and it is a large lot with large buildings around the area.

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

Mr. Brecheisen seconded the motion.

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

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-34-2023-64419

Address: 731 McManness Avenue

Zone: R-3 Small Lot Residential

Filed by Dennis Laube, regarding a variance from section 1161.01.1(C)(2) of the City of Findlay Zoning Ordinance for a proposed lot split at 731 McManness Avenue. The applicant has proposed to split the lot at 801 McManness Avenue and attaching the accessory structures to 731 McManness Avenue, which would exceed the allowable roofed area for accessory structures by 2544-square feet. This section allows for the maximum total allowed roofed area for an accessory structure is 900-square feet.

The owner is looking to combine half the parcel from a lot split to the parcel to the north and south, which would cause the allowable roofed area to exceed the amount allowed by 2016-square feet. The lot split has been approved by Hancock Regional Planning, but needs this request to be granted to make the property legal.

The city will not oppose the board's decision.

Mr. Rooney asked if these are all being combined into one lot, making a big 'U'?

Mr. Adkins stated, yes.

Mr. Denny Laube and Mr. Dave Laube, owner of 731 McManness Avenue, Findlay, was sworn in.

Mr. Rooney asked if the lot to the North is separate; not included in the lot combination?

Mr. Adkins stated this is about the allowance not the coverage.

Mr. Denny Laube stated only the lot to the South, not the North part.

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 be obtained within 60 days.

Mr. Adkins stated there is no permit required. This is just making the lot legal to record it.

Mr. Brecheisen seconded the motion.

Motion to approve the requested variance, 4-0.

The following was introduced by Mr. Erik Adkins:

Case Number: BZA-35-2023-64435
Address: 2500 Fostoria Avenue
Zone: I-1 Light Industrial

Filed by Fabco Inc., regarding a variance from section 1141.04(B) of the City of Findlay Zoning Ordinance for proposed addition at 2500 Fostoria Avenue. The applicant has proposed to construct new addition to the building that will be 12-feet from the side property line. This section requires a 30-foot setback from the side property line.

The future addition is abutting a detention pond. This request is minimally impacting the surrounding area. This project has already gotten its approvals from the City Planning Commission.

The city will not oppose the board's decision.

Mr. Gary Smalley, 18259 County Road 53, Forest, Ohio, was sworn in. He stated they are adding restrooms and break rooms. It does abut the retention pond.

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

Mr. Adkins stated there is one communication on this case. It was from Redwood Apartments; however, once they realize it wasn't their detention pond that is was near, they were okay with the variance.

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 the 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-36-2023-64437
Address: 521 Sheffield Drive
Zone: R-2 Medium Lot Residential

Filed by Marla Stacey, regarding a variance from section 1161.03(B)(1) of the City of Findlay Zoning Ordinance for a constructed 6-foot high privacy fence at 521 Sheffield Drive. The applicant has constructed a 6-foot high privacy fence that is 0-feet from the front yard property line. This section requires a 25-foot setback from the front yard property line.

This fence was discovered during another inspection of a fence within the immediately in the surrounding neighborhood. Being it is a true corner lot, it does have two 25-foot setback requirements.

With the fence being installed at the property line, it does encroach into the neighbor to the south's front yard.

The city prefers abiding to the zoning code when it comes to this situation, but the city will not oppose the board's decision.

Mr. Jon Stacey, 3914 River Road #2, Cincinnati, Ohio, representing the owner, was sworn in. He stated there was an existing split rail fence on the property. They wanted a 6-foot high fence because of their 120-pound German Shepherd dog. She is not an aggressive dog, but is very territorial of the back yard, the neighbor kids ride their bikes on the side walk. He talked to the neighbor to the South and he was fine with the 6-foot high fence as they have it. He apologized about not getting a permit. He stated he didn't even think about it. Neighbors signed letters saying they are okay with it. It does not obstruct any views of traffic. He stated 2214 Beecher, corner of Beecher and Elizabeth, has the exact same set up with a 6-foot high vinyl privacy fence. To have to come in 15-feet would put the fence in the middle of the back-yard.

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

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

Mr. Wells stated that one of the concerns is always traffic and site line. He stated he drove by and there are not site line issues.

Mr. Wells made a motion to approve the requested variance on the condition the amended permit is picked up within 60 days.

Mr. Brecheisen seconded the motion.

Motion to approve the requested variance on the condition the amended permit is picked up within 60 days, 4-0.

The October 12, 2023 meeting minutes were approved.

The meeting was adjourned.



Chairman



Secretary