

Board of Zoning Appeals

February 12, 2015

Members present: Chairman, Phil Rooney; Secretary, David Russell; and Douglas Warren.

The meeting was called to order at 6:01 p.m. by Mr. Rooney. Mr. Rooney introduced the members to the audience and the general rules were reviewed.

Case # 52911BA-15 (2131 S. Main Street) was reviewed by Todd Richard, City of Findlay:

This case has been filed by Nancy Moody-Russo regarding a new fence at 2131 S. Main Street. The applicant is seeking a variance from section 1161.03B.1 of the City of Findlay Zoning Ordinance. This section prohibits fences greater than four feet in height to be placed in a required front yard. The applicant has constructed a six foot high aluminum fence in the required front yard without a zoning permit.

The fence has thin vertical spindles with a wide gap between each one. It extends from the garage and ends at the property line where it ties into a four foot high fence made of the same material and is of the same design. As far as any visibility issue is concerned, the large evergreen trees are more of an obstruction than what the fence is.

This appears to be a case where the fence regulation does not apply very well to the subject property.

Mr. Roger Miller, attorney, spoke on behalf of the applicant. Mr. Miller said this fence replaced an old chain link fence. He referenced photos of the old and new fence for comparison. He stated that the new fence was not a perimeter fence and was not a visibility hazard.

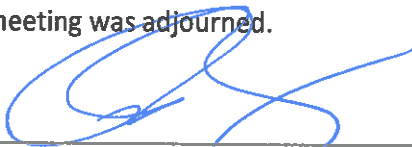
There was no other testimony.

Mr. Warren made a motion to approve. He stated that the owner had no disregard for the code and the property is peculiar since it is a corner lot. The fence blends in well with the surrounding area. Mr. Warren said that the fence contractor (Todd Olson) should have known better and gotten the permit in the first place. A permit must be obtained within 60 days.

Mr. Russell seconded the motion. The motion passed 3-0.

There was a motion to approve the January 8, 2015 minutes by Mr. Rooney. Mr. Russell seconded the motion. The motion passed 3-0.

The meeting was adjourned.



Chairman



Secretary