

# Board of Zoning Appeals

November 12, 2015

**Members present:** Chairman, Phil Rooney; Sharon Rooney; George McAfee.

The meeting was called to order at 6:02 p.m. by Mr. Rooney. Mr. Rooney introduced the members to the audience and the general rules were reviewed.

**Case # 54140-BA-15 (11815 TR 145)** was brought up first by the chairman. Mr. Rooney has a conflict of interest with this case, therefore, there is no quorum. Mr. Richard told the applicant that an effort would be made to have the case heard on November 19<sup>th</sup> and they would be notified of the status. If there is no quorum for that date, the hearing would have to wait until December.

Mr. Richard will check with the Law Director to make sure Mr. McAfee does not have a conflict of interest since there is a Marathon pipeline easement on the plan.

**Case # 54119-BA-15 (422 W. Sandusky Street)** was introduced. Mr. Richard gave his review as follows:

Filed by the Hancock Historical Museum, the applicant is seeking a variance from section 1161.12.2B of the City of Findlay Zoning Ordinance. This section requires a sign to be at least 10 feet from the front lot line. The new sign will be approximately 1 foot from the front lot line.

The new sign is nearly identical to the current sign. There are landscape features that make the sign difficult to see and placing it near the front lot line will allow the sign to be more visible. It is unknown how or when the current sign was erected in its current location.

Sarah Sissor, of the Hancock Historical Museum, was sworn in. She said the new sign is made of new materials, but is very similar to what is there right now.

It was recognized that there is no visibility issue.

Mr. McAfee made a motion to approve the variance with the permit being obtained within 60 days. Mrs. Rooney made a second to the motion. The motion passed 3-0.

**Case # 54141-BA-15 (8470 W. Woodland Trail)** was introduced.

Filed by Gary Parenteau, the applicant is seeking a variance from section 1161.01F of the City of Findlay Zoning Ordinance. This section prohibits accessory buildings from exceeding 18 feet in height. The applicant has constructed a detached garage that is 21.5 feet in height.

A zoning permit was issued for this structure. It was indicated on the permit application that the building would be between 16 to 17 feet in height. The zoning permit also states that the building cannot exceed 18 feet in height.

A routine inspection revealed the building to be approximately 21.5 feet in height at the peak. Apparently, the applicant wanted the pitch of the roof to match the dwelling and the contractor never checked the height during construction. The project is nearly complete.

We understand that there may be cases where there is a desire to have an accessory building match or blend in with the architecture of the dwelling. It's probably something more typical in some of the older neighborhoods that once had carriage houses. However, it's pretty clear from what is indicated on the application and what is on the permit of what the intent was to be.

The only alternatives are to either attach the garage to the dwelling with a connection that is significant and makes it a part of the dwelling, or lower the structure.

Mike Smith, 10375 CR 95, was sworn in. Mr. Smith is the contractor. He stated that he was matching the roof line and never thought to check the height during construction. It was clearly an oversight. He made the garage match the house exactly. The upstairs was only constructed for storage. It is not designed for anything else.

Mrs. Rooney told the contractor that he should have known better. The permit is very clear on what was to be constructed. She feels the Board is in a difficult situation because other contractors will want to do the same thing.

Mr. McAfee mentioned the conditions necessary to grant the variance did not seem evident.

There was a discussion on the alternatives and the meaning of attaching the garage to the dwelling. There is presently no prescribed standard.

Mr. Gary Parenteau, 8470 W. Woodland Trail, was sworn in. He said the original plans were given to a different contractor. He stated that those plans were approved by Mr. Richard. Mr. Richard had no recollection of that. It was determined a permit was never issued based on those plans.

Mr. Parenteau stated that the building is not visible from the street. He said he would tear into his kitchen and make the attachment.

Mrs. Rooney was concerned how other builders may approach this issue in the future. Mrs. Rooney does not think attaching will be appropriate.

Mr. Richard stated that this is a large lot and not a 50 foot wide lot that would make this height more noticeable.

Mr. Rooney made a motion to approve the October 8, 2015 minutes. Mrs. Rooney made a second. The minutes were approved 3-0.

The meeting was adjourned.



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Chairman



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Secretary