

Board of Zoning Appeals

June 9, 2016

Members present: Chairman Phil Rooney; David Russell, Secretary; and Doug Warren. Present on behalf of the City is Todd Richard, Zoning Administrator, from the Zoning Department and Deidre Ramthun, Recording Secretary.

The meeting was called to order at 6:00 p.m. by Mr. Rooney. Mr. Rooney introduced the members to the audience and the general rules were reviewed.

Case #54625-BA-16 (317 Crystal Avenue) was introduced. Mr. Richard read his comments as follows: Filed by William Moser for a variance request to section 1162.05D of the City of Findlay Zoning Ordinance. This section requires additions to nonconforming structures to meet applicable setback requirements. The proposed addition will be 3 feet from the side lot line. Since the property is abutting a residential use, the minimum setback requirement is 25 feet, otherwise it is typically 15 feet.

In 1996, the City Planning Commission approved an expansion to the existing plumbing shop. It met all development standards at that time. Since then, the setback requirements have changed and the applicant wants to make a very small expansion to the shop. The lot is only 34.5 feet wide and there is no other alternative so he is seeking some relief from that setback requirement.

Chairman Rooney swore in William Moser, 317 Crystal Avenue, Findlay, Ohio. Mr. Moser stated that currently he can park three vehicles in his plumbing, heating and electrical shop. It allows him to park one more vehicle in a secured area. It's not big enough to get a full size van in and keep it in a secured place. It would have to be kept outside so he'd like to add about a ten foot addition on the front end which is currently a driveway. It doesn't access anything but his property. The addition won't restrict or change anything to the neighbor to the south or north. He owns the property to the north. This will allow a place to put an additional vehicle inside and not have to lock it up outside with tools.

Mr. Richard stated that there is no communication.

Mr. Warren asked how do you enable a house that has about a one foot setback and how you feel about extending this building line when there's roughly four foot of separation between those two buildings.

Mr. Richard said that his guess is that this is a commercial property and he's going to have to go through Wood County and meet building standards. He asked Mr. Moser if he's considered that. Mr. Moser replied, "Yes". Mr. Warren asked if this would require a building permit. Mr. Richard replied, "It should. That's up to the owner to do that, but, yes, it should". Mr. Warren asked that when you get the building permit, they start considering how close you are to other buildings, and there's a lot of that in the permit, isn't there. Mr. Richard stated, "Not in the Zoning permit, but in a building permit, there's probably consideration for a fire wall and that type of thing". Mr. Warren commented that that's probably part of the permit. Mr. Richard stated that when this was done originally, the City had a defacto building code requirement in this. We did not allow openings in the wall along that lot line. The theory was that it would probably be some kind of fire rated solid wall that wouldn't easily be breached

by fire and affect the neighboring property. Mr. Moser stated that his current building overlaps the house by three or four feet so there's three or four feet between. His building is a steel building with a concrete wall inside and the new building will be as such. Years after he built his other structure, they had a garage in the back and it scorched the side of his building and peeled paint but didn't cause any damage inside. It's not a wood structure and it would be hard to burn his building down because it's metal and concrete.

Mr. Warren said that there are a number of unique circumstances – one is the existing building and the fact that what we're doing is continuing an existing building line where the two buildings are already close together. Another one that's unique is the setback of this building is about three times more, it appears, than the adjacent building to the south. It's almost built on the lot line. When you add all this up and look at the neighborhood, there is a consistency issue that says there is not a good alternative on this lot and there's not a good alternative for him to grow other places on the lot. His recommendation is that if you go down the check list, everything's satisfied.

A motion was made by Mr. Warren to recommend approval of the variance request provided that Mr. Moser obtains his permit within 60 days. The motion was seconded by Mr. Russell. The motion was unanimously approved 3-0.

A motion was made by Mr. Rooney to approve the May minutes as written. The motion was seconded by Mr. Warren. The motion to approve the minutes passed 3-0.

The meeting was adjourned.



Chairman



Secretary