

Board of Zoning Appeals

September 13, 2018

Members present: Phil Rooney, Doug Warren, and Kerry Trombley.

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.

Mr. Todd Richard read his comments as follows:

CASE# 57625-BA-18

Address: 2111 Milestone Drive

Zone: M-2, Multi-Family, High Density

Filed by Jerome Parker, Esq., on behalf of Wickford Woods Apartments, LLC. The applicant has proposed to proceed with phase II of the Covington Greens apartment complex. Phase II is required to have 87 more parking spaces than what is proposed (Sections 1161.113A and 1161.11.3C). The required parking will cause the site to exceed the amount of covered area the site is allowed to have by approximately 5% (Section 1126.06C). Finally, one space will encroach into a required 5-foot side yard setback by approximately 2 feet (Section 1161.11.3B).

Phase I of this complex was completed in 2005. At that time, the parking requirement was 2 spaces for every living unit. Now, the applicant is ready to proceed with phase II, which requires 3 spaces for each living unit, which includes ½ space for each living unit for visitors. Ironically, by meeting the parking requirement, the site exceeds the maximum allowable covered area by about 5%. We are treating phase II independent of phase I.

So, the question is, which is the most desirable way to approach this? We would rather see the parking requirement be met and allow the maximum allowable covered area to be exceeded since it is so minor.

Perhaps the one space can be relocated to meet the setback requirement.

Jerry Parker Esq., spoke on behalf of Wickford Woods Apartments LLC.

Mr. Parker thanked the city for the hard work they put into this project and determining the least amount of variances be needed. He further discussed how they have tried as many ways possible to limit the amount of variances that would need to be requested.

Mr. Trombley asked what else has changed on the plan.

Mr. Parker answered that nothing has changed since City Planning Approved the original plans for phase I.

Mr. Trombley asked if the open space requirement would have been met if the parking spaces requirement was not met.

Mr. Parker stated yes.

There was no further discussion and no communications regarding this case.

Mr. Warren made a motion to approve the variance for the open space percent requirement with the condition that the permit must be obtained within 60 days of City Planning Commission approval. Mr. Trombley seconded the motion.

The variance was Approved 3–0. (Warren, Trombley, and Rooney)

CASE# 57628-BA-18

Address: 422 Garfield Avenue

Zone: R-2, Single Family, Medium Density

Filed by Silai Saivandy, regarding a new fence at 422 Garfield Avenue. The applicant has erected a 6-foot high fence approximately 5 feet from the N. Blanchard Street right-of-way. The required setback is 15 feet (Section 1161.03B.1).

During the final inspection of the constructed fence, it was discovered that the fence did not meet the required street side yard setback. The fence is 5.2 feet from the property line along North Blanchard Street. Located within this area, there are multiple houses, buildings, and fences located within feet of the North Blanchard Street right-of-way, this fence could be considered as being in harmony with the neighborhood.

Where the fence has been constructed, there were multiple large pine trees that were removed and probably presented more of a visibility issue than this fence ever will.

Silai Saivandy's son spoke on behalf of his father. (Inaudible on name and address)

Mr. Saivandy spoke about how they did get a permit and went through the proper channels to get approval to put up a new fence. He talked about the condition of trees were located and that they feared they would eventually decay and fall into the dwelling. Also, he reiterated that while looking at the permit and drawing, he assumed the property line was at the edge of pavement and did the 15-foot measurement from that point.

Mr. Trombley asked what was the material used for the fence.

Mr. Saivandy stated that it was a vinyl fence.

Mr. and Mrs. Robinette of 412 Garfield Avenue spoke about how they have no problem with the fence and that it improves the vision when pulling out on to N. Blanchard Street.

There was one other written correspondence from Kurt Bishop stating that they have no issues with the location of the fence that was constructed.

Mr. Trombley made a motion to approve the variance as requested. The variance was Approved 3–0. (Warren, Trombley, and Rooney)

CASE# 57638-BA-18

Address: 524 Tiffin Avenue

Zone: R-1, Single Family, Low Density

Filed by Rick England, regarding an existing 4-foot high fence that is at least 50% open in the required front yard. The applicant is seeking a variance from section 1161.03B.1 of the City of Findlay Zoning Ordinance by making the fence solid.

The proposed variance request is minimal. Currently, the fence poses no visual impediment and the same could be said once the fence is turned into a shadowbox style. Additionally, a similar variance

request was made at 416 H Street and granted by the Board, which allowed a 6-foot high solid fence within 5 feet of the right-of-way. This is a significant factor to consider.

Rick England, was sworn in.

Mr. England talked about his decision wanting to shadow box his 4-foot high fence

There was no further discussion and no communications regarding this case.

Mr. Warren made a motion to approve the variance as requested with the contingency of getting a permit within. The variance was Approved 3-0. (Warren, Trombley, and Rooney)

Minutes for June 14th, 2018, were approved.

Minutes for August 9th, 2018, were tabled.

The meeting was adjourned.



Chairman



Secretary