

# Board of Zoning Appeals

## December 13, 2018

**Members present:** Chairman, Phil Rooney; Doug Warren; Kerry Trombley; Brett Gies (alternate).

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**Case # 57368-BA-18 (215 Woodley Terrace)** was called and was recognized as being withdrawn by the applicant.

**Case # 57886-BA-18 (2475 Crystal Avenue)** was called and it was determined there was not a quorum. Mr. Rooney and Mr. Gies have a conflict of interest. There will be an attempt to have a quorum for the December 20, 2018 alternate meeting date.

**Case # 57935-BA-18 (221 Garfield Avenue)** was called. Mr. Richard reviewed the case as follows: Filed by James Warner on behalf of Madcass, LLC. The applicant is proposing a new single family dwelling that will be 5 feet from the front lot line. Section 1122.05E.1 of the City of Findlay Zoning Ordinance requires a 15-foot front yard setback. Additionally, the dwelling will have a 3-foot side yard setback, when a 5-foot side yard setback is required, as prescribed by Section 1122.05B.

This is a vacant lot that was supposed to have been rezoned to the R-3, Single Family, High Density district in November. The map for the entire city did not get completed and instead of filing for a zoning amendment, which is a lengthy process, the applicant is seeking these variances. Once the map does indeed, get changed, the variances will be a nonfactor because the applicant is proposing to build the new home according to the present development standards of the R-3 district.

James Warner, 1971 W. Sandusky Street, was sworn in. He reviewed his project and stated that he would meet a 5-foot side yard setback instead of the proposed 3-foot setback that was originally proposed.

Now the request only involves one variance for the front yard setback.

John Henschen, 219 Garfield Avenue, was sworn in. He was satisfied with the request and had no opposition.

No other comments were made regarding this case.

Mr. Warren asked if the porch was open and Mr. Warner indicated the porch would be roofed, but would have a railing and no wall enclosure.

Mr. Warren made a motion to approve the variance request, provided the owner obtained the zoning permit within 60 days.

Mr. Trombley seconded the motion.

The motion passed 3-0.

**Case # 57936-BA- 18 (229 Garfield Avenue)** was called. Mr. Richard reviewed the case as follows: Filed by James Warner, on behalf of Madcass, LLC. The applicant is proposing a lot split from 225 Garfield Avenue that will cause both lots to be nonconforming. Section 1122.06A of the City of Findlay Zoning Ordinance requires lots to be at least 7,500 square feet in area. The lot split will result in one lot being 4,622 square feet in area and the other with an area of 6,818 square feet. Section 1122.06B requires lots in this district to be at least 50 feet wide. One lot will be 43.84 feet. A new dwelling will also be placed on a lot that will be 7.5 feet from the front lot line. Section 1122.05E1 requires a 15-foot front yard setback.

This land once housed a single family dwelling and a nonconforming auto repair establishment. The applicant is creating a third lot that is creating some development difficulties within this zoning district. Once again, this property was to have been rezoned to the R-3, Single Family, High Density district in November. The map for the entire city did not get completed and instead of filing for a zoning amendment, which is a lengthy process, the applicant is seeking these variances. Once the map does, indeed, get changed, the variances will be a nonfactor because the applicant is proposing to build the new home to the present development standards of the R-3 district. The new lots will also meet the current standards in place for the R-3 district.

James Warner, 1971 W. Sandusky Street, was still under oath. He again explained his intentions.

Mr. Trombley made a motion to grant the request, provided the permit was issued within 60 days.

Mr. Warren seconded the motion.

The motion passed 3-0.

Mr. Gies (alternate) was asked to participate in the approval of the November, 2018 minutes since he was present for that meeting.

Mr. Rooney made a motion to approve the minutes.

Mr. Gies seconded the motion.

The motion to pass the minutes was approved 3-0, with Mr. Trombley accounting for the third vote.

The meeting was adjourned.

  
Chairman

  
Secretary