



Board of Zoning Appeals

240 Columbus Ave
Sandusky, Ohio 44870

419.627.5715

www.cityofsandusky.com

Agenda

April 20, 2023

4:30 pm

Virtual Meeting via Microsoft Teams and
Live Streamed on www.Youtube.com/CityofSanduskyOH

-
1. Meeting called to order – Roll Call
 2. Review of minutes from the March 16, 2023 meeting
 3. Swear in audience and staff members that will offer testimony on any agenda items
 4. Adjudication hearing to consider the following:
 - **2227 Cleveland Rd.**
An area variance to Zoning Code Section 1143.09 (g) (1) to allow the construction of a pylon sign in the required 15' front setback from the public right-of-way.
 - **936 W. Market St.**
An area variance to Zoning Code Sections 1145.10 & 1145.17(g) to allow the construction of a 4-foot high fence in the required side yard setback. The code only permits a decorative fence in the front and side yard setbacks for a corner lot. Decorative fences are to be a maximum of 3 feet in height.
 5. Other Business
 6. Adjournment Next Meeting: May 18, 2023

Please notify staff at least 2 days in advance of the meeting if you cannot attend.

**Board of Zoning Appeals
March 16, 2023
Meeting Minutes**

Meeting called to order:

Chair Feick called the meeting to order at 4:40 pm. The following voting members were present: Mr. Matthews, and Vice Chair Semans. Mr. Delahunt and Mr. Peugeot were absent and had notified Staff about their absences in advance. Mr. Alec Ochs represented the Community Development Department and Sarah Chiappone represented the Law Department; also present were City Commission Liaison Dave Waddington and clerk Quinn Rambo.

Review of Minutes from February 16, 2023 Meeting and February 23, 2023 Special Meeting:

Chair Feick called for a motion on the minutes for the February 16th and 23rd meetings. Dr. Semans moved to approve the both sets of minutes as presented and Mr. Matthews seconded the motion. All voting members were in favor of the motion and both minutes were approved as presented.

Adjudication Hearing:

1. 1115 Filmore Street-

An area variance to Zoning Code Section 1129.14 to allow the creation of three parcels that do not meet the minimum area requirements for a lot in a R1-40- Single Family Residential Zoning District.

Chair Feick swore in all parties. Mr. Ochs presented the application to the Board. The applicant proposed to create 2 parcels which would not meet the minimum lot area standards and 3 parcels which would not meet the minimum width standards for a buildable lot in a R1-40 single family residential zoning. Staff did speak to the applicant about the feasibility of only creating two parcels at the site to avoid variance requirements but the applicant wanted to proceed with the creation of three parcels. Staff supports the request with the following conditions that all applicable permits are obtained through all applicable departments prior to construction. Chair Feick asked if the board had any questions for the applicant. Mr. Matthews asked how big the houses were that the applicant planned to build. Mr. Aleck Speer, the applicant, stated 3 bedroom, 1 bathroom homes that were approximately 1,000 square feet. Chair Feick asked Staff when the lots were combined. Mr. Ochs stated a record could not be found of when the lots were combined but the lots were historically plotted the same as the applicants proposal. Vice Chair Semans asked Staff if the lots were originally platted as 3. Mr. Ochs confirmed that was correct. Chair Feick asked if there was anyone to speak for or against the request. The applicant spoke in favor of the request. Mr. Stuart Abrams, 1103 Filmore Street, spoke against the request stating there was not enough space for 3 lots and it would be encumbrance on his property and would take away from the enhancement of the neighborhood. He added that the applicant has owned the property for over a year and he had not seen the applicant in the neighborhood or at the house on the current parcel layout. Vice Chair Semans made a motion to approve all variance requests for all lots with Staff conditions. The motion was seconded by Mr.

**Board of Zoning Appeals
March 16, 2023
Meeting Minutes**

Matthews. A vote was called, Chair Feick and Mr. Matthews voted against the variance requests and Vice Chair Semans voted in favor of the requests. The motion failed to pass.

Other Business:

There was no other business.

Adjournment:

Mr. Matthews moved to adjourn the meeting and Vice Chair Semans seconded the motion. All members approved the motion, and the meeting ended at 4:54 pm.

Next meeting:

April 20, 2023

APPROVED:

Clerk

Chair/ Vice Chair

BOARD OF ZONING APPEALS REPORT

APPLICATION FOR AN AREA VARIANCE TO
CONSTRUCT A PYLON SIGN IN THE REQUIRED
FRONT SETBACK AT
2227 CLEVELAND RD. (PARCEL 57-02305.000).

Reference Number: PVAR23-0002

Date of Report: April 4, 2023

Report Author: Alec Ochs, Assistant Planner



City of Sandusky, Ohio Board of Zoning Appeals Report

BACKGROUND INFORMATION

Applicant: Brady Signs Co.
1721 Hancock St.
Sandusky, OH 44870

Owner: EPH Sandusky, LLC
1007 Dockway Dr.
Huron, OH 44839

Site Location: 2227 Cleveland Rd.
Sandusky, OH 44870

Zoning: GB - General Business

Surrounding Zoning:

North: RMF – Residential Multi-family

East: GB - General Business

RMF – Residential Multi-family

South: GB - General Business

West: GB - General Business

Surrounding Uses: Residential, Business

Existing Use: Motel

Proposed Use: Motel

Applicable Plans & Regulations: City of Sandusky Zoning Code Section: 1133 Business Districts, 1143 Sign Regulations

Variance Requested:

- 1) An area variance to allow construction of a pylon sign within the required 15' front setback from the public right-of-way.

SITE DESCRIPTION

Subject Property Outlined in Blue



Zone Map Setbacks



PUD - Planned Unit Development



Parcels



TRO - Transient Rental Overlay



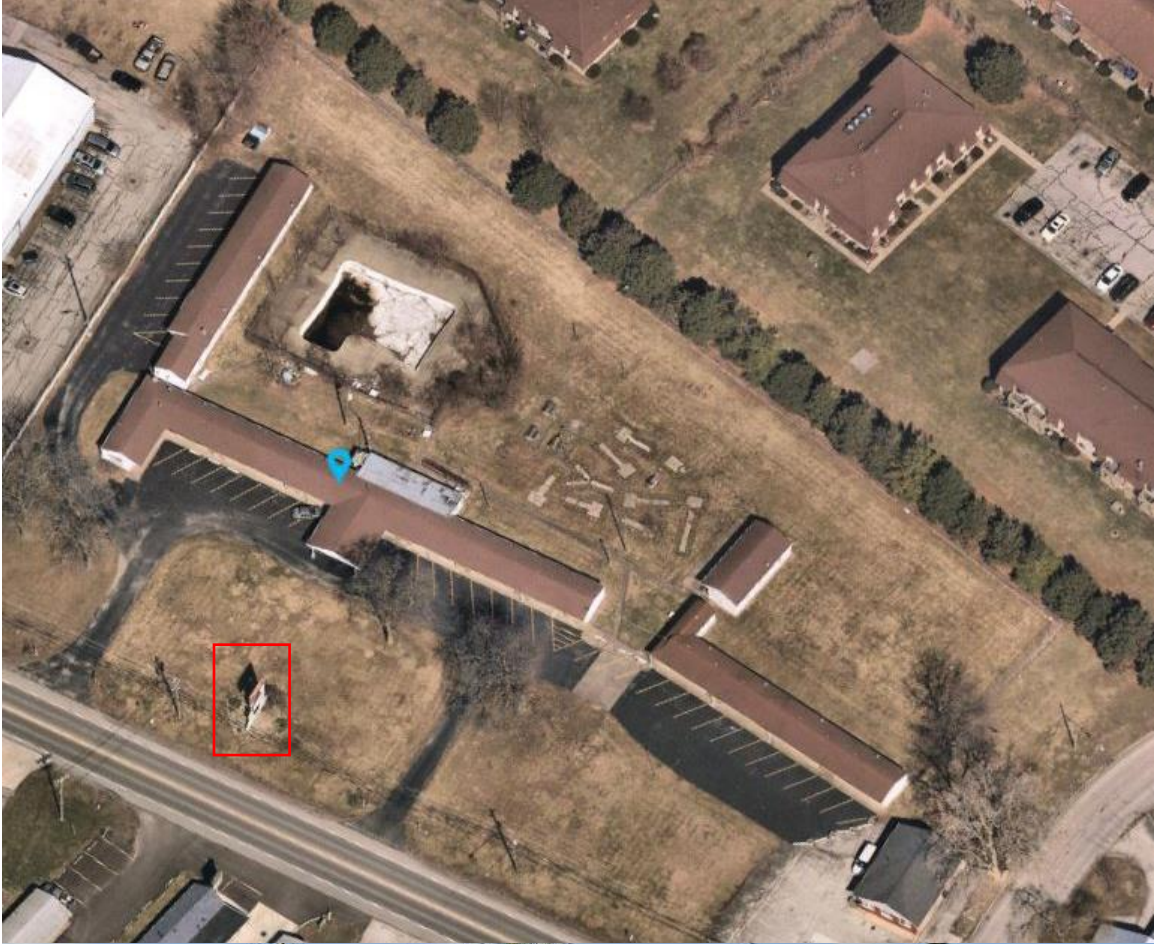
Zoning

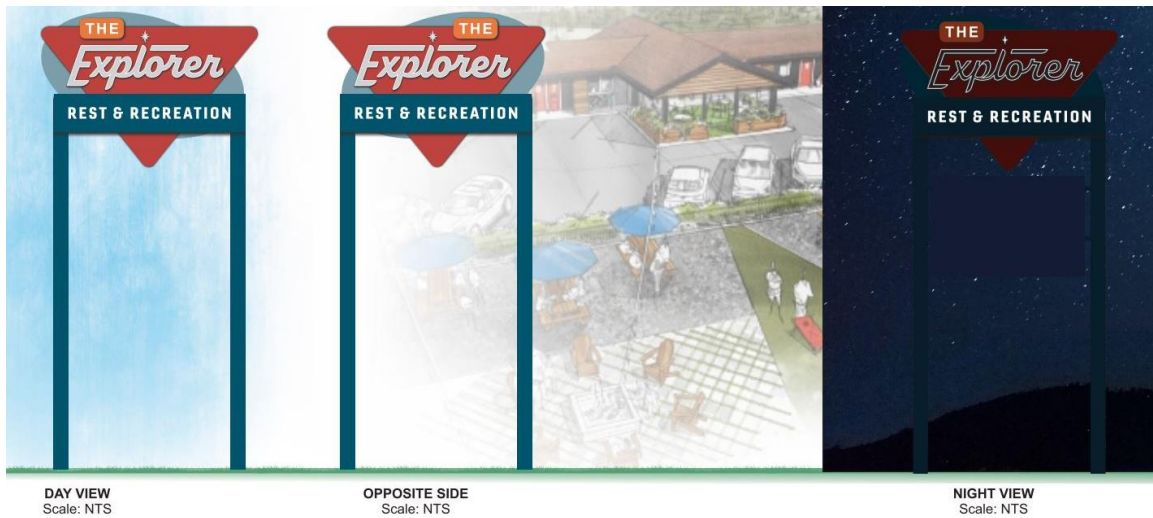
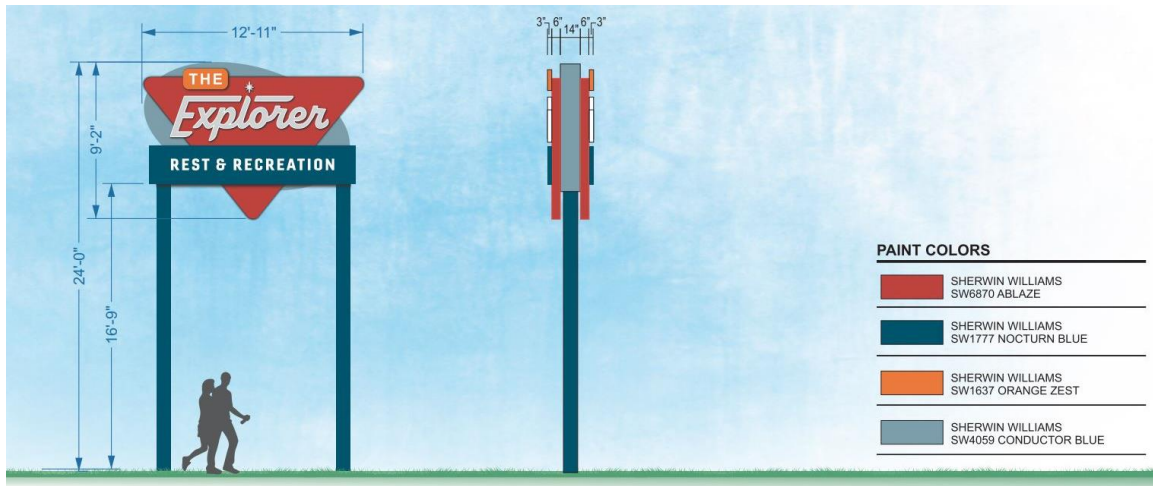
- AG - Agriculture
- CA - Commercial Amusement
- CR - Commercial Recreation
- CS - Commercial Service
- DBD - Downtown Business
- GB - General Business
- GM - General MANufacturing
- LB - Local Business
- LM - Local Manufacturing
- P - Auto Parking

- PF - Public Facilities
- R1-40 - Single Family Residential
- R1-50 - Single Family Residential
- R1-60 - Single Family Residential
- R1-75 - Single Family Residential
- R2F Two-Family Residential
- RB - Roadside Business
- RMF - Multi-Family Residential
- RRB - Residential/Business
- RS - Residential Suburban

Photo of the Property (10/2013)







PROJECT DESCRIPTION

The applicant is proposing to install a pylon sign at 2227 Cleveland Rd. The sign will be double sided and have externally illuminated lighting. The installation will be the main signage to attract drivers off of Cleveland Rd. The sign will be 24' tall and roughly 12'11" wide. The sign is out of the right-of-way and is being placed in what is currently a grassy area.

The variance being requested is:

1. a 10' allowance into the minimum 15' front setback

DIVISION OF PLANNING COMMENTS

The first sign proposal of this application was in the right-of-way and has since been moved. Signs are not permitted in the public right-of-way without a permanent encroachment agreement. Our Public Works department recommends avoiding this process if possible. We appreciate the applicants and owner's response to the Public works request to move this sign out of the right-of-way.

Planning staff talked with Brady signs about the possibility of moving the sign back further, but this would create inadequate space for the food truck park the applicant is proposing at a later phase.

The deep public right of way creates the unique situation for the location variance request at this location.

All other zoning code requirements are met.

RELEVANT CODE SECTIONS

1143.08 ALLOWABLE SIGNAGE.

(c) Business and Commercial Districts.

(...) C. Regardless of the number of businesses or structures on a single parcel, one freestanding sign shall be permitted if the lot frontage is less than 500 feet. If the lot frontage is 500 feet or more, two freestanding signs shall be permitted provided the signs are at least 250 feet apart.

1143.09 SPECIFIC SIGN REQUIREMENTS.

(g) Pylon Signs.

- (1) Shall not be located closer than fifteen feet to any right-of-way.
- (2) Shall have a minimum clearance of 8½ feet above grade.
- (3) Shall not be over thirty (30) feet in height

The Code states that no variance to the provision or requirements of the Zoning Code shall be granted by the Board unless the Board has determined that a practical difficulty does exist or

will result from the literal enforcement of the Zoning Code. The factors to be considered and weighed by the Board in determining whether a property owner has proved practical difficulty include:

Section 1111.06(c)(1)

The applicant has stated:

1. Whether the variance is substantial;

No.

2. Whether the essential character of the neighborhood would be substantially altered or whether adjoining property would suffer a substantial detriment as a result of the variance;

No, the placement of this sign is technically closer conforming to the code than the existing pylon sign which exists in the right-of-way.

3. Whether the variance would adversely affect the delivery of government services (i.e. water, sewer, garbage, fire, police or other);

The proposed variance would not affect the delivery of government services.

4. Whether the property owner purchased the property with the knowledge of the zoning restriction;

No. It wasn't until the preliminary discussions with the City post purchase that it was discovered that the right-of-way was this far back from Cleveland Rd. and we found that the existing pylon sign is in the right-of-way.

5. Whether the property owner's predicament can be resolved through some method other than a variance;

No. If we kept the sign 15' back from the right-of-way it would be placed in the middle of the seating area and adjacent to the food truck park.

6. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by the granting of the variance;

Yes.

7. Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without a variance; and

Yes, however, proper placement of the pylon sign on the property is very important for wayfinding and advertisement to guests and the broader public. Placing the sign as

intended also will not interrupt the broader use and flow of the property related to the truck park concept.

8. Whether the granting of the variance will be contrary to the general purpose, intent and objective of the Zoning Code or other adopted plans of the City.

No.

CONCLUSION/RECOMMENDATION

The proposed structure is semi-permanent, sufficiently set back from the roadway for driver safety, and would not bring a negative impact to the surrounding properties at 2227 Cleveland Rd. (parcel 57-02305.000). Staff supports granting the variance with the following conditions:

1. All applicable permits are obtained through the Building Department, Engineering Department, and any other applicable agency prior to construction.
2. Shall not interfere with the line of sight for any vehicle.

Application for Board of Zoning Appeals

STAFF USE ONLY:

Filing Date: _____ Hearing Date: _____ Reference Number: _____

Address of Property (or parcel number) for Variance Request: 2227 Cleveland Rd (57-02305.000)

Name of Property Owner: EPH SANDUSKY LLC

Mailing Address of Property Owner: 1007 Dockway DR.

City: Huron State: OH Zip: 44839

Telephone #: _____ Email: _____

If same as above check here ☐

Name of Applicant: Brady Signs Co.

Mailing Address of Applicant: 1721 HANCOCK ST

City: SANDUSKY State: OH Zip: 44870

Telephone #: 419-654-5112 Email: ryan@bradysigns.com
Please CC: monica@bradysigns.com

Description of Proposal:

Pylon Sign Installation. Install (1) 24" Tall Custom Pylon Sign Build, per DWS 73234D.

Variance Requested:

5' setback from Cleveland Rd.

Section(s) of Zoning Code:

1143.09(g)(1)

3/9/23

Signature of Property Owner _____ Date _____

APPLICATION #BZA-001

Monica H. Futtler 3-9-23
Signature of Authorized Agent _____ Date _____

UPDATED 12/2/2019

PRACTICAL DIFFICULTIES

(For ALL variance requests)

According to Chapter 1111.06(c)(1) of the Sandusky Code of Ordinances, the Board of Zoning Appeals must determine that a "practical difficulty" exists in order to approve a variance. The Board must consider the following factors. Please completely fill out all sections:

- 1) Would the variance be substantial?

No.

- 2) Would the variance substantially alter the character of the neighborhood or would adjoining property owners suffer a substantial detriment because of the variance? No. The placement of this sign is technically closer to conforming with code than the existing pylon sign which exists in the right-of-way.

- 3) Would the variance adversely affect the delivery of government services (e.g. water, sewer, fire, police)?

No

- 4) Was the property purchased with the knowledge of the zoning restrictions? No. It wasn't until we preliminary discussions with the City post purchase that it was discovered the right-of-way was this far back from Cleveland Rd and we found that the existing pylon sign is in the right-of-way.

- 5) Can the property owner's predicament be resolved through some method other than a variance? No. If we kept the sign 15' back from the right-of-way it would be placed in the middle of the seating area adjacent to the Food Truck Park.

- 6) Would the spirit and intent behind the zoning requirement would be observed and substantial justice done by the granting of the variance? Yes.

- 7) Would the property yield a reasonable return or can there be a beneficial use of the property without a variance? Yes, however, proper placement of the pylon sign on the property is very important for wayfinding and advertisement to guests and the broader public. Placing the sign as intended also will not interrupt the broader use and flow of the property related to the truck park concept.

- 8) Would the granting of the variance be contrary to the general purpose, intent and objective of the Zoning Code or other adopted plans of the City? No

Pylon Sign Concept
Scale: NTS



DAY VIEW
Scale: NTS

OPPOSITE SIDE
Scale: NTS

NIGHT VIEW
Scale: NTS



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BRADY 1721 Hancock Street
Sandusky, OH 44870
Phone: 419-626-5112
www.brady signs.com

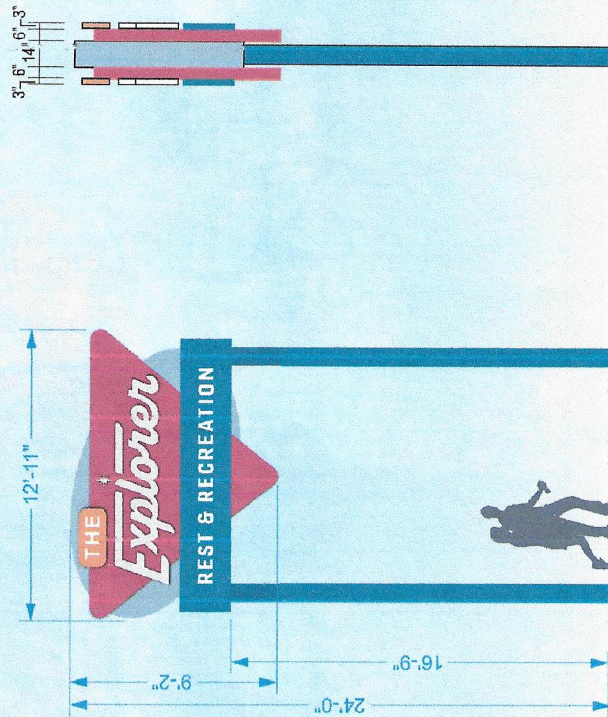
Customer: Explorer R&R Motel

Date: 1/18/23

Location: 2227 Cleveland Rd., W Sandusky OH 44870 File Name: Dwg73234D

Client Approval: _____ Title: _____ Date: _____

Pylon Sign Concept Scale: 3/16" = 1'



Fabrication Specs

"THE" cabinet to be 3" deep aluminum fabricated with copy routed out of face and backed with white acrylic and internally lit with white LEDs

14" deep center cabinet fabricated from aluminum and painted SW Conductor Blue

(2) triangle cabinets to be 6" deep and installed to front and back of center cabinet and painted SW Ablaze

"Explorer" logo to be 3" deep LED lit channel letters with flat plastic faces decorated with opaque white vinyl to give letters neon look when lit at night time

Rest & Recreation cabinet to be 3" deep and to attach to face of triangle cabinet build. Letters to be routed out of face and backed with white acrylic and internally lit with white LEDs.

Structural posts are 10" square tube painted SW Nocturn Blue.

PAINT COLORS

SHERWIN WILLIAMS
SW687C ABLAZE

SHERWIN WILLIAMS
SW1777 NOCTURN BLUE

SHERWIN WILLIAMS
SW1637 ORANGE ZEST

SHERWIN WILLIAMS
SW4655 CONDUCTOR BLUE

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Sandusky, OH 44870
Phone: 419-626-5112
www.brady signs.com



Customer: Explorer R&R Motel

Date: 1/18/23

Location: 2227 Cleveland Rd. W Sandusky OH 44870

File Name: Dwg73234D

Client Approval: _____

Date: _____

BRADY
SIGNS

1721 Hancock Street
Sandusky, OH 44870
Phone: 419-626-5112
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Client Approval: _____ Title: _____ Date: _____

Existing Sign
Scale: NTS



Existing Non-Conforming Mecca Motel Sign
**To be removed and disposed of*

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BRADY SIGNS	1721 Hancock Street Sandusky, OH 44870 Phone: 419-626-5112 www.brady signs.com	These drawings are the exclusive property of Brady Signs. They represent chargeable time spent. They are submitted for your personal use under the agreement that the use of the design is in its entirety or any part will not be reproduced, copied, lent or used for any purpose without written consent from Brady Signs.	Customer: Explorer R&R Motel	Date: 1/18/23
			Location: 2227 Cleveland Rd. W Sandusky OH 44870	File Name: Dwg73234D
			Client Approval: _____	Title: _____

BOARD OF ZONING APPEALS REPORT

APPLICATION FOR AN AREA VARIANCE TO
CONSTRUCT A 4 FT. HIGH FENCE IN THE
REQUIRED SETBACK AT 936 W. MARKET ST.
PARCEL (59-00466.000)

Reference Number: PVAR23-0003

Date of Report: April 5, 2023

Report Author: Alec Ochs, Assistant Planner



City of Sandusky, Ohio Board of Zoning Appeals Report

BACKGROUND INFORMATION

Applicant/Owner: Diane and Jeff Corso
2075 Cleveland Rd.
Sandusky, OH 44870

Site Location: 936 W. Market St.
Sandusky, OH 44870

Zoning: RRB – Residential Business

Surrounding Zoning: North: RRB – Residential Business
LM – Limited Manufacturing
East: RRB – Residential Business
South: RRB – Residential Business
West: RRB – Residential Business

Surrounding Uses: Residential

Existing Use: Residential

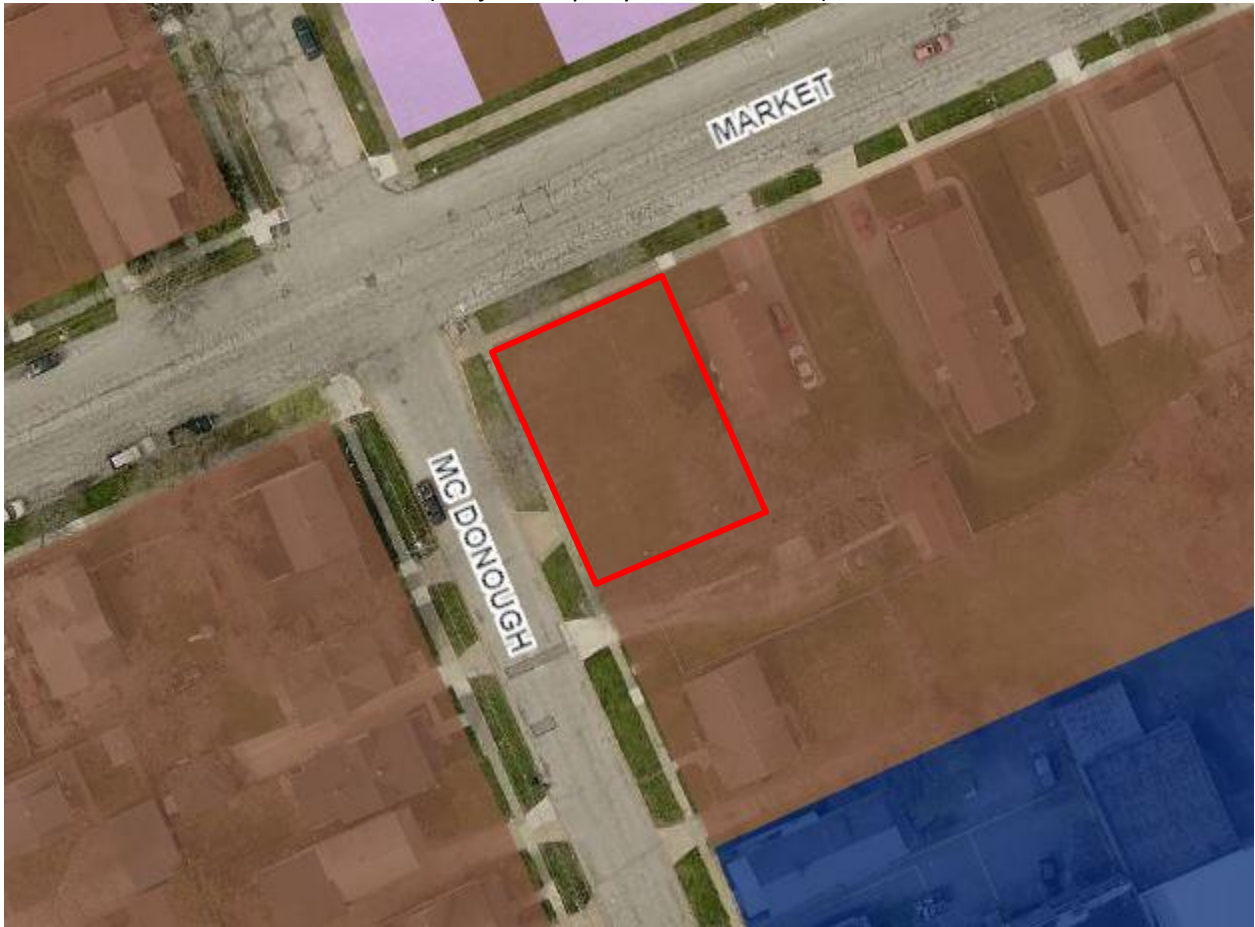
Proposed Use: Residential

Applicable Plans & Regulations: City of Sandusky Zoning Code Sections 1145.10 1145.17(g)

Variance Requested: 1) An area variance to Zoning Code Sections 1145.10 & 1145.17(g) to allow the construction of a 4-foot high fence in the required side yard setback. The code only permits a decorative fence in the front and side yard setbacks for a corner lot. Decorative fences are to be a maximum of 3 feet in height.

SITE DESCRIPTION

(Subject Property Outlined in red)



Zone Map Setbacks



PUD - Planned Unit Development



Parcels



TRO - Transient Rental Overlay



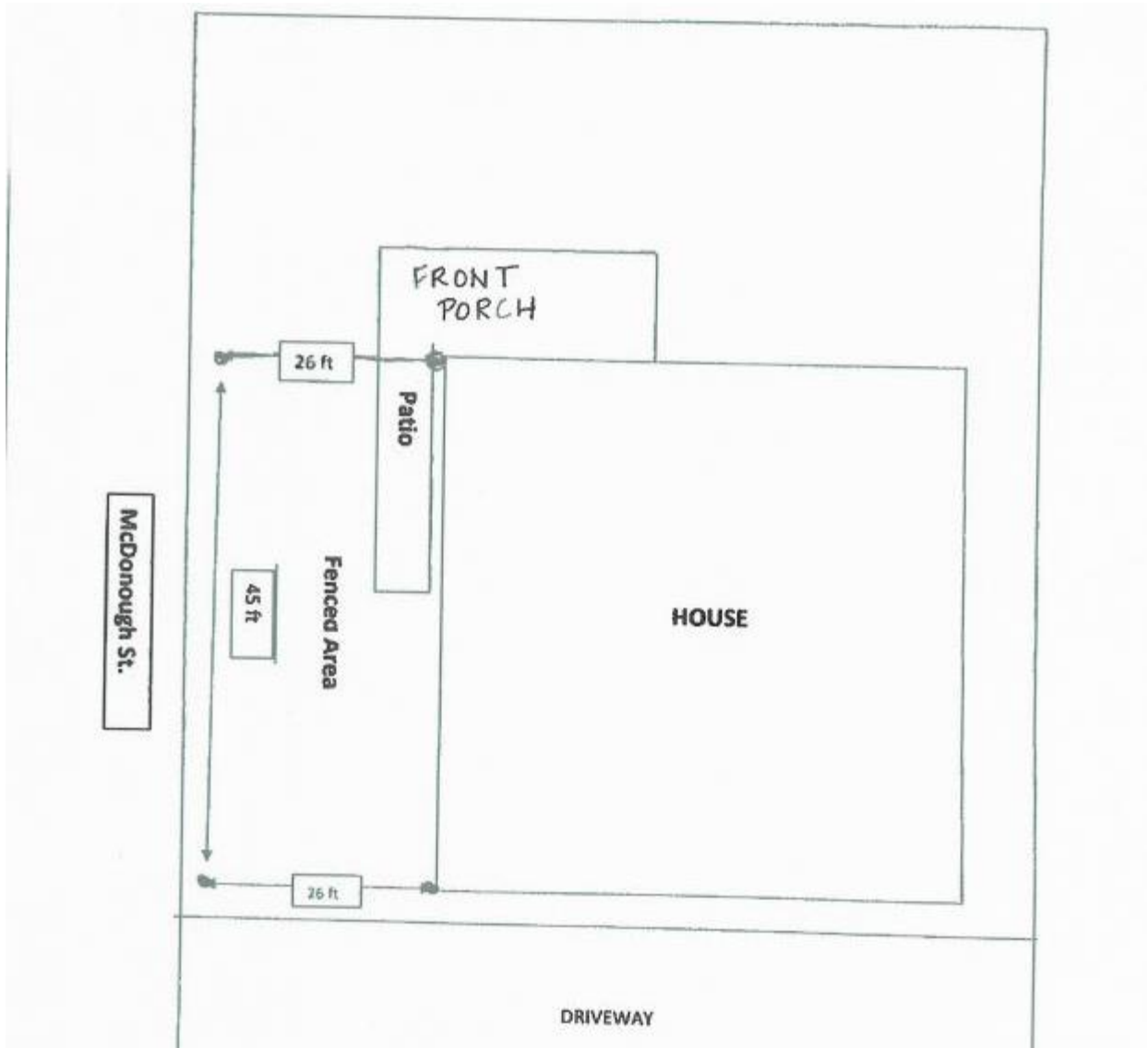
Zoning

- AG - Agriculture
- CA - Commercial Amusement
- CR - Commercial Recreation
- CS - Commercial Service
- DBD - Downtown Business
- GB - General Business
- GM - General MAnufacturing
- LB - Local Business
- LM - Local Manufacturing
- P - Auto Parking

- PF - Public Facilities
- R1-40 - Single Family Residential
- R1-50 - Single Family Residential
- R1-60 - Single Family Residential
- R1-75 - Single Family Residential
- R2F Two-Family Residential
- RB - Roadside Business
- RMF - Multi-Family Residential
- RRB - Residential/Business
- RS - Residential Suburban

Bird eye photo from (3/14/2021)





PROJECT DESCRIPTION

The applicant would like to install a 4-foot aluminum fence in the required side yard setback of a corner lot at 936 W. Market St. The fence is decorative and will be black.

The zoning code restricts fences to a height of 3' in the required front and side yard setbacks of a corner lot. The fence in a front yard must also be a decorative style fence.

DIVISION OF PLANNING COMMENTS

The parcel is unique and does not have much allowable yard to place the proposed fence. Being on a corner lot further restricts the amount of buildable space for the fence. The applicant has stated the fence is for their dogs and due to their lack of backyard space, this is the next best option.

RELEVANT CODE SECTIONS

CHAPTER 1145

Supplemental Area and Height Regulations

1145.17 LANDSCAPE FEATURES AND YARD STRUCTURES.

(g) Fences and Walls.

- (1) Fences and walls may be permitted along the lines of a side yard to a height of not more than four feet above grade and along the lines of a rear yard to a height of not more than six feet above grade, provided that any fence shall be of uniform design, painted and otherwise well maintained. Fences located adjacent to alleys or public rights of way shall be approved by the Director of Planning.
- (2) No barbed wire, spike tips or electrically charged fences shall be permitted in any residential district except where required for public uses.
- (3) On all corner lots, fences and walls proposed for construction within any setback adjacent to a public street shall be submitted to the Director of Planning for approval.
- (4) Where adjacent property lines, due to the configuration of the lots, have different provisions regulating the construction of fencing or walls, the most restrictive provisions shall apply where the fence would interfere with visibility from a driveway.
- (5) Fences shall be permitted in the front yard only as a decorative feature or along a side lot line when adjoining a less restrictive use with approval of the Commission.

1145.10 YARDS ON CORNER LOTS.

The depth of the front yard on a corner lot shall be not less than the required setback from the front lot line as defined in Section 1107.01. The width of the side yard on the side street shall be not less than one-half of the depth of the front yard required from the adjoining lot which abuts on the side street; except, for lots of record, the side yard along the side street may be not less than one-fourth of the depth required for the adjoining front yards, unless shown otherwise on the Zone Map. The interior side yard shall be not less than the minimum width required for a single side yard of an interior lot.

1111.06 POWERS OF THE BOARD OF ZONING APPEALS.

1111.06(c)(1)

The Code states that no variance to the provision or requirements of the Zoning Code shall be granted by the Board unless the Board has determined that a practical difficulty does exist or will result from the literal enforcement of the Zoning Code. The factors to be considered and weighed by the Board in determining whether a property owner has proved practical difficulty include:

The applicant stated:

1. Whether the variance is substantial;

No.

2. Whether the essential character of the neighborhood would be substantially altered or whether adjoining property would suffer a substantial detriment as a result of the variance;

No, there are no adjoining property owners, but believe that will not negatively alter the character of the neighborhood.

3. Whether the variance would adversely affect the delivery of government services (i.e. water, sewer, garbage, fire, police or other);

The proposed variance would not affect the delivery of government services.

4. Whether the property owner purchased the property with the knowledge of the zoning restriction;

No, we were not aware of the restriction.

5. Whether the property owner's predicament can be resolved through some method other than a variance;

No, there is no other location on the property that the fence could be placed.

6. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by the granting of the variance;

No, a tasteful aluminum fence would not impose.

7. Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without a variance; and

N/A

8. Whether the granting of the variance will be contrary to the general purpose, intent and objective of the Zoning Code or other adopted plans of the City.

No, the variance would not be contrary to the intent and objective.

CONCLUSION/RECOMMENDATION

Planning staff supports the requested variance at 936 W. Market St. (parcel 59-00466.000) and suggests the following conditions upon approval:

1. All necessary permits are obtained through the Building, Engineering, Division of Planning and any other applicable agencies prior to construction.
2. The fence is decorated with landscaping along the setback from the sidewalk
3. The fence is setback a minimum of a foot front the side yard property line.

Application for Board of Zoning Appeals

STAFF USE ONLY:

Filing Date: _____ Hearing Date: _____ Reference Number: _____

Address of Property (or parcel number) for Variance Request: 936 W. Market St.

Name of Property Owner: Diane and Jeff Corso

Mailing Address of Property Owner: 2075 Cleveland Rd.

City: Sandusky State: Ohio Zip: 44870

Telephone #: 419-202-4135 Email: dcorso2075@gmail.com

If same as above check here ☐

Name of Applicant: _____

Mailing Address of Applicant: _____

City: _____ State: _____ Zip: _____

Telephone #: _____ Email: _____

Description of Proposal:

To install a 4' black aluminum fence in the secondary front yard as this is a corner lot.

Variance Requested:

To allow for the construction of a 4' black aluminum fence in secondary front yard.

Section(s) of Zoning Code:

City of Sandusky Zoning Code Section 1145.10; 1145.17

Diane Corso
Signature of Property Owner

3/24/23
Date

Signature of Authorized Agent

Date

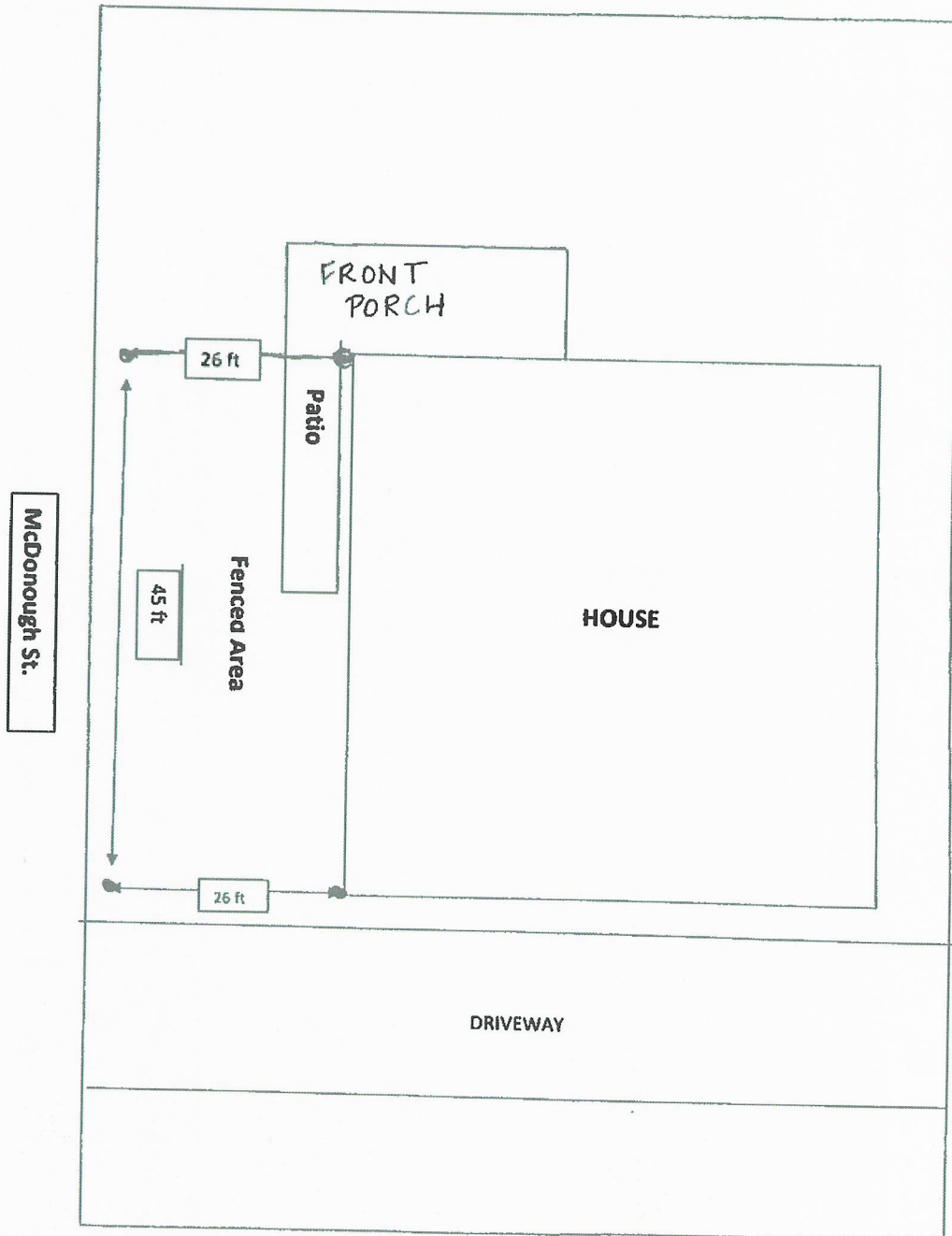
APPLICATION #BZA-001

PRACTICAL DIFFICULTIES
(For ALL variance requests)

According to Chapter 1111.06(c)(1) of the Sandusky Code of Ordinances, the Board of Zoning Appeals must determine that a "practical difficulty" exists in order to approve a variance. The Board must consider the following factors. Please completely fill out all sections:

- 1) Would the variance be substantial?
No
- 2) Would the variance substantially alter the character of the neighborhood or would adjoining property owners suffer a substantial detriment because of the variance?
There are no adjoining property owners, but believe that will not negatively alter the character of the neighborhood.
- 3) Would the variance adversely affect the delivery of government services (e.g. water, sewer, fire, police)?
No
- 4) Was the property purchased with the knowledge of the zoning restrictions?
No, we are were not aware of the restriction.
- 5) Can the property owner's predicament be resolved through some method other than a variance?
There is no other location on the property that the fence could be placed that would not require a variance.
- 6) Would the spirit and intent behind the zoning requirement would be observed and substantial justice done by the granting of the variance?
No, a tasteful aluminum fence would not impose
- 7) Would the property yield a reasonable return or can there be a beneficial use of the property without a variance?
N/A
- 8) Would the granting of the variance be contrary to the general purpose, intent and objective of the Zoning Code or other adopted plans of the City?
No, the variance would not be contrary to the intent and objective.

W. Market St. (North)



Lot Line Rear (South)