

Board of Zoning Appeals
June 15 2017
Minutes

Chairman Feick called the meeting to order at 4:30 PM. The following members were present: Dr. Semans, Mr. Dan Delahunt and Chairman John Feick. Ms. Casey Sparks and Ms. Angela Byington represented the Planning Department; Mr. Trevor Hayberger represented the Law Department and Courtney Dunlap-Knoll, Clerk from Code Enforcement. Mr. Kevin Zeiher arrived before the agenda items were presented and Mr. Matthews arrived during the second agenda item.

Mr. Delahunt moved to approve the meeting minutes from the May 18, 2017 meeting as written. Dr. Semans seconded the motion. With no discussion, the motion carried unanimously.

Chairman Feick swore in audience members and staff that wished to speak on any of the applications on the agenda during the adjudication hearing.

Ms. Sparks reported that Kelly Dete has filed an application for a 5' variance to the front yard setback to allow the construction of a residential addition at **1915 Cedar Point Road**. The property is zoned as R1-75 which would require a 35' front yard setback. The applicant is proposing to raze the existing detached garage and build an attached garage. The applicant has indicated that the addition within the front yard will not extend past the existing front plain of the current residential structure. The current home has an existing residential setback of 30'. Other than the front setbacks, the proposed residential addition will meet all other required setbacks per Section 1129.14. Planning Staff would recommend approval of similar cases within this area and the applicant is proposing to uphold the character of the home and neighborhood by constructing the residential addition within the same plain of the existing single family dwelling.

Mr. Stephen Zigo, Norwalk, Ohio stated that he is the architect for the project stated that he had no additional comments.

Mr. Zeiher moved to approve the request and recommend that the 5' variance be conditioned that all building permits are obtained and that the residential addition does not exceed the required height of 30'. Dr. Semans seconded the motion. With no further discussion, the motion was approved unanimously (4/0).

Ms. Sparks reported that Duwayne Rapp has filed an application for a 10x8 shed in the rear yard of the property located at **430 Lawrence Street**. The property is zoned as R2F residential two family. The property is located on a corner lot as such the code would require the shed to be setback from the side street line not less than required for the adjacent main building plus five feet. The applicant has also proposed to locate the fence closer than 10' from the main structure. Staff recognizes that there is limited area for the proposed shed to meet the setback requirements due the size of the existing garage and the size of the rear lot. Planning staff also recognizes that the proposed garage meets the required lot coverage for the rear lot

and would not provide an impact to surrounding property owners. Staff would recommend approval of the variance with the condition that the shed receive a building permit.

Mr. Feick asked if anyone wished to speak in favor of the request. Mr. Duwayne Rapp, 904 Stone Street stated that he has been approving the property at Lawrence Street. He stated that this is a vinyl shed that would not be a permanent structure and no cement slab would be put in. He needs more room in his garage.

Mr. Delahunt asked which way the doors would open. Mr. Rapp stated that the doors would open toward the house.

Mr. Delahunt moved to approve the request. Mr. Zeiher seconded the motion. With no further questions, the motion was approved with a unanimous vote (5/0).

Ms. Sparks reported that James Matthews has filed an application for a 6' chain-link fence within the side yard and a 3' chain-link fence within the front yard on the lot adjacent to **1215 Ransom Street**. The property owner received the lot through the Land Bank in July 2013. The Zoning Code requires a 4' fence within the side yard and a 3' decorative fence within the front yard. The applicant has requested the 6' high fence within the side yard for screening purposes. Planning staff recognizes that the Board of Zoning Appeals has recommended approval of other 6' high fences within the side yard and the applicant is proposing to begin the 6' fence behind the front plain of the adjacent residential property; as such staff would recommend approval of the side yard fence. Planning staff would recommend denial of the non-decorative fence within the front yard as the code does require a uniform design amongst fences. Planning Staff does recognize that if a decorative fence is utilized within the front yard of the property, this would create a situation in which three different fencing types are on the property. As the Board is aware the code encourages a uniform design in fencing types.

Chairman Feick asked if Staff knew which property owner had a problem with the request. Ms. Sparks stated that it was the neighbor where they are putting the side yard fence.

Mr. Delahunt asked whether Staff recommended the Board approve the 3' decorative fence. Ms. Sparks stated that from a Staff perspective, they could not recommend approval of a non-decorative fence as it may set a standard against Zoning Code requirements. However, the request would create a uniform design in fencing types on this property, which is what the Zoning Code encourages. She stated that it would be up to the Board to approve or deny.

The Board discussed that the chain-link fencing in the front yard would be beneficial to the applicant as opposed to different types of fencing on one property. Mr. Feick stated that for the Boards purpose and moving forward, that he doesn't have a problem with approving a non-decorative fence but there has to be a rational reason. It was also noted that chain-link fencing can be made more decorative. Chairman Feick stated that this is a unique situation.

Dr. Semans made a motion to approve the variance for a 6' fence within the side yard. Mr. Zeiher seconded the motion. With no further discussion, the motion was approved with a 4/0 vote; Mr. Matthews abstained.

Dr. Semans moved to approve a 3' chain-link in the front yard to match the fence to be constructed in the side yard in order to keep uniformity in the fencing. Mr. Zeiher seconded the motion. With no further discussion, the motion was approved with a 4/0 vote; Mr. Matthews abstained.

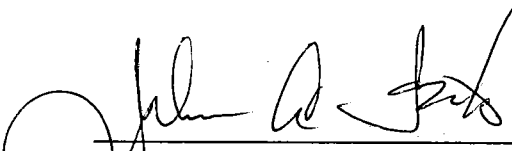
Ms. Sparks announced that there is a Public Meeting next Thursday June 22, 2017 in the State Room, State Theatre on Columbus Avenue from 6:00pm – 8:00pm to discuss the Sandusky East Bay Plan.

The regularly scheduled meeting will be July 20, 2017. Mr. Feick notified Staff that he will not be in attendance for that meeting.

With no further business, the meeting was adjourned at 4:50pm.

APPROVED:

Debi Eversole, Clerk



John Feick, Chairman