

Board of Zoning Appeals

June 18th, 2020

Minutes

July 14th

**Meeting called to order:**

Chairman Mr. Feick called the meeting to order at 4:30pm. The following voting members were present: Mr. Feick, Dr. Semans, Mr. Delahunt, and Mr. Zeiher. Mr. Matthews was not able to join the remote meeting. Mr. Thomas Horsman represented the Planning Department and Mr. Josh Snyder represented the Engineering Division. City Commission liaison Dave Waddington and clerk for the Planning Department Kristen Barone were also present.

**Review of minutes from June 18th, 2020:**

Mr. Delahunt moved to approve the minutes and Dr. Semans seconded the motion. All members were in favor of the motion and the minutes were approved.

**Swear in of audience and staff members that will offer testimony on any agenda items:**

Mr. Feick swore in everyone wishing to do so.

**1<sup>st</sup> application:**

Mr. Feick stated that the first application on the agenda is for an area variance for 250 East Market St. The applicant is applying for a variance to the Zoning Code Section 1143.08(c) to allow a marque sign that is 55 square feet whereas the Zoning Code permits 30.75 square feet. The property is in the DBD Downtown Business District zoning district.

Mr. Horsman stated that the variance is only required due to the reduction in allowable signage sizes in the Design Review District. Were this building outside the district, the sign would be well under the requirements. The intent of the Design Review District requirements is to ensure that signs do not dominate the facades of the building and are at a pedestrian scale. In staff's opinion, the size of the Falcon Point Lofts Building ensures that the sign would not be out of scale. Also, if all wall frontage were calculated together (combining the eastern and northern facades), the sign would fit within the allowable space. Staff believes this building is a unique situation and staff supports granting the variance. Mr. Horsman then said that he has received two comments from the public regarding this application. The first one comes from Debbie Neil and Jackie Sennish, at 279 Market St, whom stated that they would appreciate if the request would be denied and that they stick to the current zoning code. They said the building is already too large for the space it was built upon and a larger sign will only make the building look more out of place. Also, when you say marque, is it illuminated? They said they may have a smaller building, but had to comply with the zoning code, so they do not understand why the BGSU building would not have to comply as well. Mr. Horsman stated that the next public comment comes from John Hoty, who owns the property at 422 Market St. Mr. Hoty said that he has no objection of this request and offers full support of this project.

Mr. Feick asked Mr. Horsman for clarification on what the zoning code allows is based on.

Mr. Horsman explained that it is based on the building frontage along the street, but it does not take into account the height of the building.

Ryan Brady with Brady Signs clarified that the sign is not illuminated, and there is no digital component.

Mr. Zeiher made a motion to approve the variance and Mr. Delahunt seconded the motion. Mr. Feick abstained from voting on this application, but the rest of the voting members were in favor of the motion, and the variance was approved.

**2nd application:**

Mr. Feick stated that the second application on the agenda is for a floodplain variance for 831 Cedar Point Road. The applicant is applying for a variance to the Zoning Code Section 1157.04(e)(2) to allow construction of an addition to a garage at 0.82 feet above the base flood elevation whereas the zoning code requires 2 feet.

Mr. Snyder explained that in order to comply with the ordinance, the applicant would either have to raise the floor elevation to that addition or add flood vents and he has chosen to do neither of those options, which is why he is requesting a variance.

Brent Gardner, homeowner of 831 Cedar Point Rd stated that his concern is that in order to get in and out of the garage addition and in and out of the house is at the bottom of a stairwell, which will empty into the garage. In order to comply with the elevation rules, there would be no fire safety exit at the bottom of that stairwell.

John Hancock stated that the existing house has been exempt from flood insurance requirements and has already had a removal by FEMA from the flood zone. The garage addition has been designed to comply with FEMA's regulations also. According to FEMA's regulations on needing flood venting, this property would not be required to add that.

Dr. Semans made a motion to approve the variance and Mr. Delahunt seconded the motion. All voting members were in favor of the motion and the variance was approved.

**Old business:**

Mr. Feick asked Mr. Horsman if he could explain what happened with the parking situation for the old Cardinal Grocery Store that was on last month's agenda.

Mr. Horsman explained that the applicant for that property went to Planning Commission last month for site plan approval. He said that there is a section in the site plan zoning code that allows for the Planning Commission to make modifications to parking requirements based off of on street and public parking, so that is what they did.

Mr. Feick asked if they could get a copy of what was approved.

Mr. Horsman said he could send that out to them.

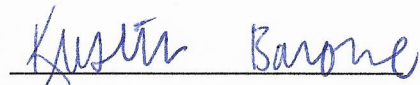
**Next meeting:**

Mr. Horseman stated that he has received two applications for next month's meeting which is scheduled for August 20<sup>th</sup>, 2020.

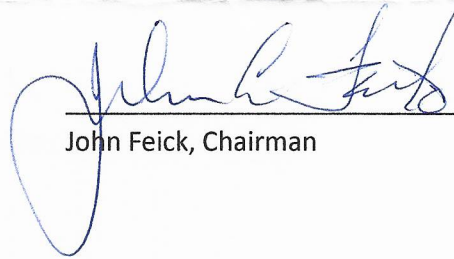
**Adjournment:**

Mr. Delahunt moved to adjourn the meeting and Mr. Zeiher seconded the motion. The meeting ended at 5:00pm.

**APPROVED:**

Handwritten signature of Kristen Barone in blue ink.

Kristen Barone, Clerk

Handwritten signature of John Feick in blue ink, with a large circular flourish on the left side.

John Feick, Chairman