

Board of Zoning Appeals
March 16, 2017
Minutes

Chairman Feick called the meeting to order at 4:30 PM. The following members were present: Dr. William Semans, Mr. Kevin Zeiher, Mr. John Mears, Chairman Feick and Mr. Walt Matthews. Also present were Ms. Casey Sparks and Ms. Angie Byington from the Planning Department, Mr. Trevor Hayberger from the Law Department and Debi Eversole as Clerk from Community Development.

There were five voting members present.

Mr. Zeiher moved to approve the minutes from the January 16, 2017 meeting. Mr. Matthews seconded the motion. The motion carried with a unanimous vote.

Chairman Feick swore in audience and staff members that wished to speak for or against the agenda items.

Ms. Sparks reported that Geoffrey Mees has filed an application for a 6' fence within the side yard at **2115 Wilson Street**. The code requires a maximum height of fence located within the side yard to be 4'. Currently on the property there is a 3' vinyl privacy fence along the eastern front and side property lines. The applicant also has a 4' chain link fence with slats within the western side yard of the property. All of the fences have received zoning approval, the existing 6' fence within the eastern front and side of the property received a variance in 2014. The applicant is proposing a 6' high fence along a small portion of the western side yard of the property, in order to create a gated area for their dog. Planning staff recommends approval of the variance requested. Staff recognizes that the code does require the fences to be uniform in design, however the applicant currently has two different styles of fences along the property that were previously approved by both staff and the Board of Zoning Appeals. The applicant has made an effort to match the existing fencing currently on the property.

Geoffrey Mees, 2115 Wilson Street stated that he is proposing to blend the fence into the back yard. All of the fencing matches very well.

Mr. Zeiher moved to approve the application. Mr. Matthews seconded the motion. With no further discussion, the motion carried with a unanimous vote.

Ms. Sparks reported that William Dallas has applied for a variance to construct a 6' garage addition at **1613 Willow Drive**. The garage addition will not alter the existing front yard setback, the addition is remaining within the current 19' 6" front yard setback. The Planning & Zoning Code requires any addition to a nonconforming structure to conform to the yard and height regulations for the district in which it is located. This property is zoned R1-75 which would require a 35' front yard setback. The applicant has proposed several additions to the site and the only addition that will not meet current zoning regulations is the garage addition. Staff is recommending approval of the 19.5' variance, as the existing front yard setback will not be altered.

Bill Dallas, 1613 Willow Drive stated that he is proposing the expansion for additional storage and to keep things orderly under the carport.

Mr. Zeiher moved to approve the application. Dr. Semans seconded the motion. With no further discussion, the motion carried with a unanimous vote.

Ms. Sparks reported that John Frankel and Douglas Swearingen, on behalf of Carla Krebs has filed an application for a 6.2' variance to allow for a portion of the single family dwelling to be constructed at a proposed height of 36.2' at **2241 Cedar Point Road**. The structure is located within the R1-75 zoning district which prohibits the height of the structure to exceed 30'. The applicant has indicated that the increased height is necessary as it will allow the applicant to safely access the top of the structure, while also maintaining the architectural integrity of the structure. The applicant has indicated that an alternative means of accessing the observation deck (like a hatch) would be potentially unsafe for the applicant's guests. The proposed structure is to have an observation deck which will be below the current height restrictions, the only portion of the home that will exceed the height requirements is the staircase structure. The structure exceeding the height requirement will only include stairs and a railing.

The area to the south of the property is the Cedar Point parking lot and north of the property is Lake Erie. The applicant has indicated that the proposed enclosed structure will not adversely affect the views of the adjacent properties. Staff recommends approval of the 6.2' height variance for the single family dwelling. As the board knows there have been other height variances granted within the Chaussee area that staff believes has had a negative impact to the surrounding properties, however staff believes that the factors in this case are different. The location of the lot is adjacent to the Cedar Point parking lot and Lake Erie, reducing the impact to surrounding properties. In the addition the main portion of the structure is lower than the height restrictions, as stated the variance is only for the enclosed structure. Ms. Sparks added that the applicant has representation in the audience tonight and there were 2 e-mails in support that were received prior tonight's meeting. The letters were received from property owners at 2231 Cedar Point Road and 2253 Cedar Point Road.

D.J. Swearingen, Attorney for Dr. Krebs stated the illustrations we in the packet. The proposal works with the architectural structure of the new build and will pose the least amount of risk to the property. There will be no views obstructed and the neighbors will not be impacted.

Chairman ^{Feick Dr} ~~Feick~~ stated that he is not usually in favor of height variances, unless there is no impact on any neighbors. This is a unique occurrence and he would not have objection to this application.

Mr. Matthews moved to approve the application. Dr. Semans seconded the motion and agrees with Chairman Feick's comments. With no further discussion, the motion carried with a unanimous vote.

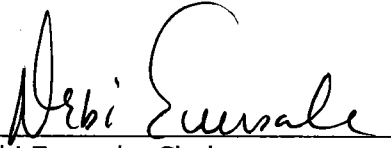
Ms. Sparks stated that there will be an April meeting.

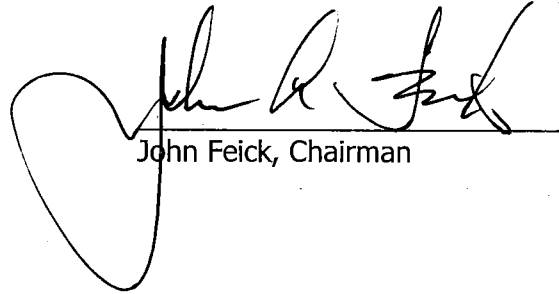
Ms. Sparks added that there will be a Public Open House at the Sandusky State Theatre to discuss the Jackson Street Pier and Shoreline Drive projects. The meeting will run from 6:30 PM – 8:30 PM.

Dr. Semans moved to adjourn. Mr. Mears seconded the motion.

The meeting adjourned at 4:50 PM.

Approved:


Debi Eversole, Clerk


John Feick, Chairman