

BOARD OF ZONING APPEALS

MEETING MINUTES

Tuesday, May 12, 2019 at 4:30 PM

BZA 19-03 ~ 325 East Barnes Avenue ~ Variance to Building Setbacks

PRESENT	
Board Members	Tom Mack-Chairman, David Dill, Laurie Sans, Lynn Rausch
Recording Secretary	Roxanne Dietrich
Zoning Administrator	Mark Spiess
ABSENT	
BZA Member	Steve Small
Call to Order	Chairman Mack called the meeting to order at 4:30 pm, roll call was taken with the record reflecting a quorum was present.
Approval of Minutes	Motion: Rausch to approve the minutes from the March 12, 2019 meeting.
Passed	Roll call vote on the above motion:
Yea-4	Yea-Sans, Mack, Rausch, Dill
Nay-0	Nay-
BZA 19-03 Background	Mack read the background on BZA 19-03: an application for Public Hearing has been filed by Shawn and Kari Shortridge, 325 East Barnes Avenue, Napoleon, Ohio. The applicant is requesting a variance to Section 1147 regarding the building setbacks in an R-2 Zone, Low Density Residential. The applicant is requesting the variance to build a 32'x32' building with zero setbacks.
Research and Findings	Spiess read the research and findings for BZA 19-03: Upon approval of this variance and issuance of a zoning permit, a building permit from Wood County Building Inspection shall be required followed by a Certificate of Occupancy. Spiess continued there is an alley that runs beside and behind the house that is a grass alley, it is not a usable stone alley. There are a couple of nice shade trees in the yard and in order to meet the setbacks the trees will have to come down. Originally we talked about vacating the alley, that would have been a pretty big expense and thought it may be easier to ask for a variance, there is a fence all around that is on the line, the building will go to the line instead of having a fence there. Mack asked if the alley has a right-of-way for the City? Dill asked if there were any city utilities in the alley. Spiess answered there is a sewer that comes out; but, no one knows for sure where the sewer is without digging it up, there are services to the houses. Sans asked if city services of any sort will still be able to get through.
Shortridge Testimony	Mack swore in Shawn and Kari Shortridge. Shawn Shortridge said basically a building will be built on the property line, it doesn't affect any traffic or anything that is currently not going through the alley anyway, it is just a grassy area we take care of it and mow it.

Kari Shortridge added between Betty and us we mow it; it doesn't look like an alley it looks like both of our yards we just want a barn for our cars.

**Betty Ward
Testimony**

Mack swore in Elizabeth A. Ward.

Ward began in the paper it said the building there is 16' it is 12'. Two homes sit on Barnes and the sewer line comes to the back of my property and goes out to the alley and makes another jog back to Fifth Street. If something happens to the sewer line it would be the property owners place to dig it up and replace it, I don't know where the line runs, in the middle or side of either one of my properties, I have been wanting to find out, think it was put in in the middle 50's we moved there in 1956, I have three properties that are involved with the alley. Rausch asked if there is a sewer on Barnes for the other properties? Spiess replied the rest come out to Barnes. Ward said mine goes to Brownell, one property had a home and mobile home on the back part of the property, with all the new construction into that alley is it going to do something to those sewers that somebody will have trouble that is my one concern and also the fence is on the property line, alright with me for a long time they had no fence and they have a pool. Mack asked if the fence was approved. Shawn Shortridge answered "yes". Sans asked if there was a concern not knowing where the sewer lines are? Ward said yea if they are going to build a building, they will have equipment coming in. We had the alley from Brownell to the corner and goes to Fourth improved for granddaughter for the school bus to pick her up. Spiess commented equipment was in there before and we had no issues. Mack asked Ward if she opposed to the project or just concerned. Ward replied she is not opposed to the building, there is a building there now, it is 12' not 16' like it said in the paper. Mack asked Spiess what is the square footage for a 32'x32' building plus the building that is there now, is there a rule for square footage. Spiess said the rule says 45% of the total lot and they aren't close to that, once you hit 200 s.f. you have to go to Wood County to get a building permit and all the building code rules would follow. Ward said originally they talked about closing the alley and I had problem with that, I would like to see the alley kept open. Mack stated the only issue we have is the total amount of square footage on the lot and Mark said there is not a requirement issue there that is not being met. Mack asked if there were any further comments.

**Motion to Approve
BZA 19-03**

Motion: Dill Second: Sans
to Approve BZA 19-03 Variance to Property Setbacks at 325 East Barnes Avenue.

**Passed
Yea-4
Nay-0**

Roll call vote on the above motion:
Yea-Sans, Mack, Rausch, Dill
Nay-

Adjournment

Motion: Sans Second: Dill
to adjourn the Board of Zoning Appeals meeting at 4:52 p.m.

**Passed
Yea-4
Nay-0**

Roll call vote on the above motion:
Yea-Sans, Mack, Rausch, Dill
Nay-

June 11, 2019

Tom Mack, Chairman