

CITY OF PIQUA, OHIO  
BOARD OF ZONING APPEALS MEETING MINUTES  
MUNICIPAL GOVERNMENT COMPLEX  
6:00 P.M. - TUESDAY, JULY 26, 2022

**TO ORDER**

At approximately 6:00pm Vice Chair Person Wayde Davis called the meeting to order. The Introductory Statement of BZA Duties were outlined as well as the order of business to be followed. Meeting conduct procedures were reviewed and those in attendance were sworn in. All present were asked to stand and raise their right hand. The Vice Chairman administered an oath to all present to testify before the BZA asking them to swear or affirm to tell the truth, and to acknowledge their intent to abide by the oath administered by stating, "I do" or "opposed". All present stood and took the oath to tell the truth with all persons present stating "I do".

**ROLL CALL**

Members Present: Shannon Brandon, Wayne Davey, Wayde Davis

Members Absent: David Fishback

Wayde Davis noted that David Fishback asked to be excused from the Board of Zoning Appeals meeting and that he would be filling the role of Chair for the evening.

**MEETING MINUTES**

Approval of the minutes from the July 14, 2022 Board of Zoning Appeals Meeting were approved by voice vote.

**NEW BUSINESS**

**RESOLUTION BZA 12-22**

A resolution requesting a variance to reduce the side yard set back for an accessory structure at 613 Broadway

Kyrsten French provided a staff report. Kyrsten noted that the applicant, Linda Peltier, has applied for a variance to reduce the side yard setback from the property line to a proposed garage on the south side of the site, and the property line to a driveway on the north side of the site, from 3' in each case to 1.5'.

The proposed garage would be constructed in the rear of the property. In order to fit the requested dimension of the garage (a 24' x 24' garage) and a gravel pad used as an additional parking space, it was requested to reduce the side yard setback of the south property line. Staff recommended proposing to correct the existing nonstandard condition on the north side of the property line of having gravel laid without a setback along with the request.

It was shared that one comment was received related to this resolution.

Greg Monte, 613 Broadway, came forward to speak on behalf of the applicant. He explained that the proposed setback would maximize the use of the property. It was also noted that drainage would be redirected to the alley, rather than towards the neighboring property.

Sarah Deavours, 428 W. North St. came forward to speak on the item. She asked for clarification on what is being proposed and more details on the overhang.

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The board deliberated and discussed that though the lot is narrow, and not out of character for the neighborhood, reasonable adjustments could be made to create livable and comfortable accommodations for the landowner where it would not impact the adjacent neighbors. The board asked for clarification on what the code update will have for setback requirements.

The board deliberated and noted that approving this variance may create conditions to make the current or future neighbors unhappy. A 3 foot setback on the South side and gravel up to the lot line, bordered on the North side was proposed by Shannon Brandon.

The board discussed further that although there was no indication that the current neighbors are unhappy with the proposal, issues may arise with neighbors in the future.

No one else came forward to speak on the item. After no further public comment or deliberation, Wayne Davey made a motion to amend resolution BZA 12-22 to keep the 3 ft setback on the south side of the garage and remove the setback requirement for the gravel area on the north side of the garage. and Shannon Brandon seconded the motion. The amended Resolution BZA 12-22 was approved with a 3-0 vote.

### **RESOLUTION BZA 13-22**

A resolution to appeal the decision of the enforcing official regarding design standards of an accessory structure at 613 Broadway

Kyrsten French provided a staff report and discussed this item alongside 12-22. Kyrsten explained that the applicant has also proposed a garage structure that has a black metal roof, and has requested to appeal the review decisions of the City Planner.

The property owner proposed to construct a metal roof on the new garage. Staff's procedures on evaluating the "match or compliment" **language of § 154.122 has been** very consistent, and has not thus far included accepting a a standing seam metal roof for an accessory structure where the principal has an asphalt shingle roof. Staff has had discussion with the applicant, and points have been made which are worth considering.

As the applicant would prefer a metal roof, they have sought to appeal and seek clarity from the BZA on the "shall match or compliment" language of the code, and staff welcomes the discussion.

Linda Peltier, Applicant, came forward to discuss the proposal. She explained that it is her interest to upgrade the property to invest in Piqua and that she feels that the upgrades are quality and complementary with the neighborhood.

The board discussed their interpretation of the design standard language and what "complement" means. All three members present determined that they considered the term to be broad in scope. They discussed and agreed that it is unfortunate that those constructing new garages need to receive permits and so are burdened by code language for design standards, but those who are not required to seek a permit would unknowingly come out of compliance but nevertheless be allowed to keep a new metal roof.

The board talked through the options for voting on this item and thought that a metal roof particularly can compliment a principal structure, whether the principal structure's roof is metal or some other material, so long as it matches the principal roof's color. They agreed that this should not pertain to siding, since siding is a lot more visible on a structure, metal buildings vary in quality and could be said to not complement a principal structure in the sense that they may

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not elevate the property's appearance without further design requirements. Re-roofing can take place without a zoning permit, so there are many cases of metal roofs on garages where homes don't have them, or vice versa. Without strict enforcement, the burden to comply falls on new builds only, and this is rarely a problem for siding.

No one else came forward to speak on the item.

After no further public comment or deliberation, Shannon Brandon made a motion to amend resolution BZA 13-22 to direct staff to allow metal roofs to be a material type meeting the "match or complement" design language of the code, and Wayne Davey seconded the motion. Resolution BZA 13-22 was approved with a 3-0 vote.

### **OTHER BUSINESS**

### **ADJOURNMENT**

With no other business before the Board, a motion was made and seconded to adjourn the meeting. With all those present in favor the meeting was adjourned at approximately 7:25 P.M.

Attending the meeting to prepare the meeting minutes provided herein was Bethany Harp, City of Piqua Development Department. Comments requesting corrections, additions or deletions to the content of this record should be directed to Ms. Harp at [bharp@piquaoh.org](mailto:bharp@piquaoh.org).