

CITY OF PIQUA, OHIO
BOARD OF ZONING APPEALS MEETING MINUTES
MUNICIPAL GOVERNMENT COMPLEX
6:00 P.M. – TUESDAY, SEPTEMBER 28, 2022

TO ORDER

At approximately 6:00pm Chair Person David Fishback 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 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: David Fishback, Shannon Brandon, Wayne Davey
Members Absent: Wayde Davis

MEETING MINUTES

Approval of the minutes from the August 23, 2022 Board of Zoning Appeals Meeting were approved by voice vote.

NEW BUSINESS

RESOLUTION BZA 17-22

A Resolution to consider a variance to allow a concrete slab to remain after demolition work is complete at 1035 W. Greene Street

Kyrsten French, City Planner, provided a staff report. It was noted that the applicant French Oil Machinery, has applied to demolish one of the buildings on their site, which has been used primarily for storage and has become less useful over time to their operations. Typically a demolition permit would require that all structures and features of the site would be removed, and the site would be prepped for redevelopment. The site has many non-standard conditions, including a gravel parking lot and unusual platting. The business plans to remain operating and continue the use of the entire site.

Staff recommends a condition to be placed on the variance to ensure that if a replat were submitted, any portioned off-site positioned for individual resale must be brought into compliance with demolition standards, or a site plan is associated showing how site upgrades would be made. With this understanding, the staff recommends approval of the variance request.

The board deliberated and asked for clarification on the staff recommendation. It was agreed that if the land is to be further developed after the demolition of the structure, the property owners would be required to remediate and bring other items into compliance.

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There were no additional comments from the public.

After no further public comment or deliberation, Wayne Davey made a motion to approve resolution BZA 17-22 and Shannon Brandon seconded the motion. Resolution BZA 17-22 was approved with a 3-0 vote.

RESOLUTION BZA 18-22

A Resolution to consider a variance to allow a new lot to be created without a reduced minimum lot frontage

Kyrsten French, City Planner, provided a staff report. The applicant, St. Mary's Development Corporation, is requesting to replat a new lot, zoned R1, without the minimum road frontage of 50' required by the R1 zoning category. As a housing developer, St. Mary's makes use of federal tax credits with a long list of requirements, and one of the requirements for their current housing facility, Wood Street Lofts, is to reapportion the unused piece of land into its own lot. St. Mary's has some interest in the future of the new lot and the potential to build new units.

As the parcel is zoned R1, a rezoning would have to take place before any future development that would connect through the access easement shown on the attached replat. The site is not able to be developed as it is. Staff may recommend a change to OS-Open Space or a similar category under the new zoning code update to signal to the market that the site has no development potential at this time. Any future proposal will be accompanied by a rezoning and public hearing process with the Planning and City Commission. Staff recommends approval of this request.

Wes Young, applicant, St. Mary's Development Corporation, came forward to speak on the item. He discussed that the available funding tools are the driver of this request and that he asked to hold off on rezoning until it is determined what the highest and best use is. He noted that St. Mary's does not anticipate selling the property because of HUD requirements.

The board deliberated about any potential issues that may arise with this request. They discussed that the property is unbuildable at this time and there are no issues. The board noted for the record that there are weeds in the detention pond that should be cleared out at the Wood Street Lofts.

There were no additional comments from the public.

After no further public comment or deliberation, Shannon Brandon made a motion to approve resolution BZA 18-22 and Wayne Davey seconded the motion. Resolution BZA 18-22 was approved with a 3-0 vote.

RESOLUTION BZA 19-22

A Resolution to consider a variance to reduce the front yard setback at 1835 W. High Street

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Kyrsten French, City Planner, provided a staff report. The applicant, Ferguson Construction Company, is requesting a variance for a reduced front yard setback to 20' at 1835 W. High Street, to construct an office and upgraded front facade for P & R Specialty. The P & R Specialty lot, and all surrounding industrial land, is zoned I1 - Light Industrial. To help produce some separation between residences and industrial development, a minimum setback of 50' is required on I1 lots where they abut are across the street from residential development.

The location of the property does not have a direct connection to a neighborhood. The expansion proposed by P & R Specialty is quite attractive and will offer the road frontage a much more polished appearance than the existing facade, improve property values, and serve as a model for other manufacturing facilities as well. Staff recommends approval of the variance request.

The applicant was present and available for any questions from the board.

The board deliberated and asked for clarification on building materials. They agreed that what is presented is an upgrade to the building.

There were no additional comments from the public.

After no further public comment or deliberation, Wayne Davey made a motion to approve resolution BZA 19-22 and Shannon Brandon seconded the motion. Resolution BZA 19-22 was approved with a 3-0 vote.

RESOLUTION BZA 20-22

A Resolution to consider the decision of the enforcing official concerning a sign at 1213 South Street

Kyrsten French, City Planner, came forward and explained that she would be representing the Code Compliance Staff. She noted that the existing sign structure was abandoned and non-conforming. She went on to explain the process of receiving a code violation as well as the sign permit procedure.

She shared with the board information also included in the packet: email correspondence between herself and a local sign contractor regarding the sign in question, noting that the existing structure would need to come down and a new conforming sign would need to be proposed.

Ms. French also shared email correspondence with the Development Administrative staff and the appellant regarding the sign application process. Ms. French also explained the reason for a sign permit and how it exists to ensure compliance and protect the applicant from future issues.

Christina Farrall and Doug Fay, 1213 South St., came forward to speak on the item. Ms. Farrall noted that her assistant reached out to the Development Office and asked for a site visit. She explained that she did not receive a site visit and chose to interpret the sign code on their own. It was their interpretation that the work completed on the

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existing structure was a sign reface and that this did not require a zoning permit. Mr. Fay noted that they had not heard back from the sign contractor either.

The board asked for clarification on what the code language states about refacing a sign. They explained to the appellant that their decision is based on whether or not they believed that the Code Enforcer made the correct decision in giving a code violation notice. In this case, the board agreed that the sign is not in compliance with sign standards and would need to be removed.

There were no additional comments from the public.

After no further public comment or deliberation, Shannon Brandon made a motion to approve the decision of the enforcing official by way of resolution BZA 20-22 and Wayne Davey seconded the motion. Resolution BZA 20-22 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 6:50 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.