CALL TO ORDER
ROLL CALL
MEETING MINUTES         July 24, 2012
OLD BUSINESS            NONE

NEW BUSINESS

1. Resolution 07-12
   A resolution requesting a variance to exceed the 40 feet maximum height standard in the I-1 Light Industrial zoning district to allow the construction of a structure to be located at 1747 Commerce Drive.

2. Resolution 08-12
   A resolution requesting a variance to eliminate the curbing requirement in the parking regulations to allow the construction of a parking lot improvement to be located at 1747 Commerce Drive.

3. Resolution 09-12
   A resolution requesting a variance to reduce the curbing requirement in the parking regulations to allow the construction of a parking lot improvement to be located at 1249 W. High Street.

4. Resolution 10-12
   A resolution requesting a variance to reduce the lighting requirement in the parking regulations to allow the construction of a parking lot improvement to be located at 1249 W. High Street.

5. Resolution 11-12
   A resolution requesting a variance to reduce the screening requirement in the parking regulations to allow the construction of a parking lot improvement to be located at 1249 W. High Street.

OTHER BUSINESS

ADJOURNMENT
CALL TO ORDER

At 5:30 Chairperson Mr. Steve Reindel called the meeting to order. The Chair read the Introductory Statement of BZA Duties and outlined the order of business to be followed. The Chair reviewed the meeting conduct procedures and swore in those persons in attendance. The Vice Chair asked all persons present to stand and raise their right hand. The Vice Chair administered an oath to all persons 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 persons present stood and took the oath to tell the truth with all persons present stating “I do”.

ROLL CALL

Members Present: Steve Reindel, Chairman, Mike Taylor, Skip Murray and Dan Henthorn

Members Absent: Dan Patrizio

Staff Members: Chris Schmiesing, and Becky Cool,

Attendees: Paul Lee, Daniel Goetze-Lambe

Motion was made by Mr. Murray, seconded by Mr. Henthorn to excuse Mr. Patrizio from the July 24, 2012 Board of Zoning Appeals Meeting. Voice vote, Aye: Mr. Reindel, Mr. Murray, Mr. Taylor, and Mr. Henthorn. Nay: None.

OLD BUSINESS

MEETING MINUTES

Mr. Reindel stated the February 28, 2012 Board of Zoning Appeals minutes are on the agenda but due to the lack of board members in attendance at that meeting the minutes will not be will not be brought back to the table at this time.

Approval of the April 24, 2012 Board of Zoning Appeals minutes. Moved by Mr. Henthorn, seconded by Mr. Taylor. Roll call, Aye; Mr. Reindel, Mr. Patrizio, Mr. Taylor, and Mr. Henthorn. Nay, None. Motion carried on a 4-0 vote. Minutes were approved.

NEW BUSINESS

1. Resolution BZA 06-12

A resolution requesting a variance to reduce the minimum setback of an principal structure located at 708 N. College Street from 10 feet to 1’-6” feet.
Mr. Schmiesing presented Staff comments stating the Applicant has applied for a variance to expand her existing deck in the rear of the property. This particular lot is an irregular lot that has been subdivided in the past in a densely developed neighborhood. This lot is only about 52' x 50', as a typical lot is normally around 100' x 50'. Now with the small lot they have a minimal rear yard setback only being about 19". The applicant would like to put a deck on the back of the property, but come out more on the side yard of the property. They would still maintain the 19" setback along the rear edge of the deck, and the side yard setback is satisfied. However given the reduced depth of the lot the rear yard setback is not in compliance with the applicable standard and that is the reason the applicant has to come before the Board of Zoning Appeals to request a variance. The Staff opinion is that this is with merit, and is a reasonable request that the BZA should consider approving at this time.

Daniel Goetze-Lambes, contractor for the applicant came forward and gave a brief explanation of the plans he has for the deck. The applicant has a daughter in a wheelchair and by extending the deck they would be able to still hear her in the house if she should need help, and be able to move in and out of the home. In the future they would like to build a ramp for her to be able to get outside.

Mr. Reindel stated he drove by the property and noticed there was a fence along the property line in the rear and asked if the deck would go all the way to the fence. Mr. Goetze-Lambes stated the deck would stop about 19" away from the fence, and would be in line with the house.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. BZA 06-12.

All Board members present were in agreement to grant the variance at this time based on staff comments.

Moved by Mr. Henthorn, seconded by Mr. Murray to approve the variance as requested. Roll call, Aye: Mr. Henthorn, Aye; Mr. Reindel, Aye; Mr. Taylor, Aye; and Mr. Murray, Aye; Nay: None.

A roll call vote was taken and Resolution No. BZA 06-12 was approved with a vote of 4-0.
OTHER BUSINESS

None

Mr. Schmiesing stated regarding the February 28, 2012 meeting minutes, they are sent out electronically for review, and any changes or corrections are noted. At this time no corrections or changes have been received concerning the minutes and he would like to proceed with approving the minutes at this time.

Motion was made by Mr. Taylor, seconded by Mr. Murray to bring the February 28, 2012 BZA minutes back to the table for approval. Voice vote, Mr. Reindel, Aye; Mr. Taylor, Aye; Mr. Murray, Aye; and Mr. Henthorn, Aye. Nay: None.

Moved by Mr. Murray, seconded by Mr. Taylor to approve the February 28, 2012 Board of Zoning Appeals minutes. Voice vote, Mr. Henthorn, Aye, Mr. Murray, Aye; Mr. Reindel, Aye; and Mr. Taylor, Aye. Nay: None.

ADJOURNMENT

With no other business before the Board, a motion was made by Mr. Murray, seconded by Mr. Reindel. With all those present in favor the meeting was adjourned at 5:45 p.m.
RESOLUTION No. BZA 07-12

WHEREAS, Crayex Corporation, owner of 1747 Commerce Drive in the City of Piqua, Ohio, being in a district zoned I-1 Light Industrial, has filed a petition to variance the 40 feet maximum height regulation to allow a structure height of 75 feet for a building improvement to be located at the subject property.

WHEREAS, the City of Piqua Code of Ordinances section 154.027 establishes:

(G) Height and area regulations. The maximum height and minimum lot requirements within the I-1 Light Industrial District shall be as follows.

(1) General requirements within this District shall be as follows.

<table>
<thead>
<tr>
<th>Minimum lot area</th>
<th>None</th>
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<tbody>
<tr>
<td>Minimum lot frontage</td>
<td>None</td>
</tr>
<tr>
<td>Minimum front yard setback</td>
<td>25 feet</td>
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<tr>
<td>Minimum side yard setback</td>
<td>15 feet</td>
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<tr>
<td>Minimum rear yard setback</td>
<td>15 feet or 30 feet if abutting an alley.</td>
</tr>
<tr>
<td>Maximum height</td>
<td>40 feet</td>
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</tbody>
</table>

WHEREAS, the Board of Zoning Appeals has considered whether the variance requested:

☐ Is necessary to permits the owner a reasonable use of the land.
☐ Is justified due to peculiar exceptions and unusual circumstances found at this location that are not generally found within the neighborhood concerned.
☐ Will constitute a change in the district map
☐ Will impair an adequate supply of light and air to adjacent property.
☐ Will increase the congestion in public streets.
☐ Will increase the public danger of fire and safety.
☐ Will materially diminish or impair established property values within the surrounding area.
☐ Will in any other respect impair the public health, safety, comfort, morals, and welfare of the citizens of the city.

NOW THEREFORE BE IT RESOLVED that ____________ motioned to ____________ the variance request and the motion was seconded by ____________ and the Board of Zoning Appeals recorded the following vote affirming or rejecting the motioned action.
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RESOLUTION No. BZA 08-12

WHEREAS, Crayex Corporation, owner of 1747 Commerce Drive in the City of Piqua, Ohio, being in a district zoned I-1 Light Industrial, has filed a petition to variance the curb requirement to allow construction of a parking lot improvement to be located at the subject property.

WHEREAS, the City of Piqua Code of Ordinances section 154.081 establishes:

(I) A continuous concrete curbing or other similar physical barrier designed to retain the parking lot, parking space, or driveway surface material and prevent vehicles from leaving the surface shall be provided at the boundaries of all parking lots, parking spaces, and driveways. A continuous concrete curbing or other similar physical barrier shall not be required at the boundaries of parking lots, parking spaces, and driveways serving a residential use located in a residential district, except for when the parking lot, parking space, or driveway surface is constructed with an aggregate material, in which case a landscape timber or other similar physical barrier designed to retain the parking lot, parking space, or driveway surface material is required.

WHEREAS, the Board of Zoning Appeals has considered whether the variance requested:

☐ Is necessary to permits the owner a reasonable use of the land.
☐ Is justified due to peculiar exceptions and unusual circumstances found at this location that are not generally found within the neighborhood concerned.
☐ Will constitute a change in the district map
☐ Will impair an adequate supply of light and air to adjacent property.
☐ Will increase the congestion in public streets.
☐ Will increase the public danger of fire and safety.
☐ Will materially diminish or impair established property values within the surrounding area.
☐ Will in any other respect impair the public health, safety, comfort, morals, and welfare of the citizens of the city.

NOW THEREFORE BE IT RESOLVED that ____________ motioned to ____________ the variance request and the motion was seconded by ____________ and the Board of Zoning Appeals recorded the following vote affirming or rejecting the motioned action.
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BOARD OF ZONING APPEALS

APPLICATION REQUESTING A ZONING VARIANCE

APPLICANT NAME: James J. Connell
APPLICANT ADDRESS: 3650 Somerset Drive
CITY: Beavercreek  STATE: Ohio  ZIP: 45431
PHONE: (937) 673-6554  jim.connell@juno.com
LEGAL INTEREST OF APPLICANT: Agent for Owner

OWNER NAME: Creaxx Corporation
BUSINESS NAME: Creaxx Corporation
OWNER ADDRESS: 1747 Commerce Drive
CITY: Piqua  STATE: Ohio  ZIP: 45356
PHONE: (937) 418-1088  Ben Trumbull, V.P.

PROPERTY LOCATION WHERE VARIANCE IS BEING REQUESTED
STREET ADDRESS: 1747 Commerce Drive
CITY: Piqua  STATE: Ohio  ZIP: 45356
LOT NUMBER:  ZONING DESIGNATION:

TYPE OF VARIANCE BEING REQUESTED - (CIRCLE ONE) ZONING OR - SIGN

-CHECK ALL BOXES THAT APPLY-
☐ ZONING ENFORCEMENT APPEAL  ☐ AREA VARIANCE
☐ SPECIAL DRIVEWAY  ☐ PARKING VARIANCE
☒ HEIGHT VARIANCE  ☐ ZONING MAP BOUNDARY LINE
☐ SETBACK VARIANCE  ☐ OTHER CHANGING

BRIEFLY DESCRIBE VARIANCE REQUEST: NEED VARIANCE FOR BUILDING TO

House New Process Equipment

I hereby certify that the proposed request is authorized by the owner of record and agree to conform to all applicable laws of the City of Piqua, Ohio.

SIGNATURE OF OWNER: [Signature]
DATE: 9-4-12

SIGNATURE OF APPLICANT: [Signature]
DATE: 9-4-12

NOTE - BOTH OWNER AND APPLICANT DATED SIGNATURES IN INK REQUIRED TO PROCESS REQUEST

*****************************************************************************************
OFFICE USE ONLY

$25.00 FEE PAID: $50.00  RECEIVED BY: [Signature]
RECEIPT NO.: 206646  DATE: 9-10-12
STAFF REPORT

Date: September 14, 2012
To: Board of Zoning Appeals
From: Chris Schmiesing, City Planner
Subject: Resolution 07-12 and 08-12

GENERAL INFORMATION

Location: 1747 Commerce Drive
Zoning: I-1 Light Industrial

DISCUSSION/FINDINGS

The proposed variance if approved will allow for an increase in the maximum height allowance and eliminate the curbing requirement to allow construction of a new building addition and driveway relocation.

Is this request necessary to permit the owner a reasonable use of the land?
- and -

Is this request justified due to peculiar exceptions and unusual circumstances found at this location that are not generally found within the neighborhood concerned?

Staff Analysis: The proposed improvements are necessary to the type of manufacturing process conducted at this location and the improvements will be consistent with improvements typical found in this neighborhood.

Will the request constitute a change in the district map?

Staff Analysis: This request will not require a change in the zoning map.

Will this request impair an adequate supply of light and air to adjacent property?

Staff Analysis: It is unlikely that the proposed construction will impair the supply of light and air to adjacent property.

Will this request increase the congestion in public streets?

Staff Analysis: It is unlikely that the proposed construction will increase the congestion in the public streets.

Will this request increase the public danger of fire and safety?

Staff Analysis: It is unlikely that the proposed construction will increase the public danger of fire and safety.
Will this request materially diminish or impair established property values within the surrounding area? And, will this request in any other respect impair the public health, safety, comfort, morals, and welfare of the citizens of the city?

*Staff Analysis:* It is unlikely that the proposed construction will impair established property values, public health, safety, comfort, morals, or the welfare of the neighborhood, community, or citizens.

**CONCLUSION**

It is staff’s conclusion that authorizing the proposed variance...

- will yield the property owner a reasonable use of the property
- will not result in a substantial deviation from the code requirements
- will not substantially alter the character of the neighborhood or be a detriment to the adjoining properties
- will not adversely affect the delivery of government services
- will not relieve the property owner from conforming to all other applicable standards
- will solve a problem difficult to remedy by other means
- will preserve the spirit and intent of the zoning requirements and serve substantial justice with reference to the circumstances and conditions known to exist within the neighborhood concerned.

**RECOMMENDATION**

Staff recommends that the Board of Zoning Appeals **approve** the requested variance.
RESOLUTION No. BZA 09-12

WHEREAS, Piqua City Schools Board of Education, owner of 1249 W. High Street in the City of Piqua, Ohio, being in a district zoned R-1 On-family Residential, has filed a petition to variance the curb requirement to allow construction of a parking lot improvement to be located at the subject property.

WHEREAS, the City of Piqua Code of Ordinances section 154.081 establishes:

(I) A continuous concrete curbing or other similar physical barrier designed to retain the parking lot, parking space, or driveway surface material and prevent vehicles from leaving the surface shall be provided at the boundaries of all parking lots, parking spaces, and driveways. A continuous concrete curbing or other similar physical barrier shall not be required at the boundaries of parking lots, parking spaces, and driveways serving a residential use located in a residential district, except for when the parking lot, parking space, or driveway surface is constructed with an aggregate material, in which case a landscape timber or other similar physical barrier designed to retain the parking lot, parking space, or driveway surface material is required.

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NOW THEREFORE BE IT RESOLVED that ____________ motioned to ____________ the variance request and the motion was seconded by ____________ and the Board of Zoning Appeals recorded the following vote affirming or rejecting the motioned action.
### RESOLUTION No. BZA 09-12

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BOARD OF ZONING APPEALS

APPLICATION REQUESTING A ZONING VARIANCE

- PLEASE TYPE OR PRINT -

APPLICANT NAME ____________________________ Fanning Howey Associates, Inc.

APPLICANT ADDRESS ____________________________ 540 East Market Street

CITY ________ Celina ________ STATE ________ Ohio ________ ZIP ________ 45822 ________

PHONE ( _____ ) 305 - 0605 ________

LEGAL INTEREST OF APPLICANT ____________________________ Piqua City Schools

OWNER NAME ____________________________ Board of Education, Piqua

BUSINESS NAME ____________________________

OWNER ADDRESS ____________________________ 719 East Ash Street

CITY ________ Piqua ________ STATE ________ Ohio ________ ZIP ________ 45356 ________

PHONE ( _____ ) 773 - 4321 ________

PROPERTY LOCATION WHERE VARIANCE IS BEING REQUESTED

STREET ADDRESS ____________________________ High Street Primary School; 1249 West High Street

CITY ________ Piqua ________ STATE ________ Ohio ________ ZIP ________ 45356 ________

LOT NUMBER ____________________________ ZONING DESIGNATION ________ R-1 ________

TYPE OF VARIANCE BEING REQUESTED - (CIRCLE ONE) ZONING - OR - SIGN

- CHECK ALL BOXES THAT APPLY -

☐ ZONING ENFORCEMENT APPEAL ☐ AREA VARIANCE

☐ SPECIAL DRIVEWAY ☐ PARKING VARIANCE

☐ HEIGHT VARIANCE ☐ ZONING MAP BOUNDARY LINE

☐ SETBACK VARIANCE ☒ OTHER

BRIEFLY DESCRIBE VARIANCE REQUEST ____________________________

To eliminate the requirement for barrier curbing at boundaries of parking lot improvements. Reference 154.081(I)

I hereby certify that the proposed request is authorized by the owner of record and agree to conform to all applicable laws of the City of Piqua, Ohio.

SIGNATURE OF OWNER ____________________________ DATE ________ 9/17/12 ________

SIGNATURE OF APPLICANT ____________________________ DATE ________ 9/14/2012 ________

NOTE - BOTH OWNER AND APPLICANT MUST SIGN SIGNATURES IN INK REQUIRED TO PROCESS REQUEST

***************************** OFFICE USE ONLY *****************************

$25.00 FEE PAID - 25 - RECEIVED BY - 8 - 1000 ________

RECEIPT No. ________ 806052 ________ DATE ________ 9-17-12 ________

674 - 9-12
RESOLUTION No. BZA 10-12

WHEREAS, Piqua City Schools Board of Education, owner of 1249 W. High Street in the City of Piqua, Ohio, being in a district zoned R-1 On-family Residential, has filed a petition to variance the lighting requirement to allow construction of a parking lot improvement to be located at the subject property.

WHEREAS, the City of Piqua Code of Ordinances section 154.081 establishes:

(K) If the parking lot is to be open for use after dark it shall be provided with an average of two foot candles of light at the parking lot surface and a minimum of 0.5 foot candles. Lights shall be shielded so as not to shine directly or in an offensive manner on the adjoining residential property or the public right-of-way.

WHEREAS, the Board of Zoning Appeals has considered whether the variance requested:

☐ Is necessary to permits the owner a reasonable use of the land.
☐ Is justified due to peculiar exceptions and unusual circumstances found at this location that are not generally found within the neighborhood concerned.
☐ Will constitute a change in the district map
☐ Will impair an adequate supply of light and air to adjacent property.
☐ Will increase the congestion in public streets.
☐ Will increase the public danger of fire and safety.
☐ Will materially diminish or impair established property values within the surrounding area.
☐ Will in any other respect impair the public health, safety, comfort, morals, and welfare of the citizens of the city.

NOW THEREFORE BE IT RESOLVED that ___________ motioned to ___________ the variance request and the motion was seconded by ___________ and the Board of Zoning Appeals recorded the following vote affirming or rejecting the motioned action.

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BOARD OF ZONING APPEALS

APPLICATION REQUESTING A ZONING VARIANCE

-PLEASE TYPE OR PRINT-

APPLICANT NAME Fanning Howey Associates, Inc.
APPLICANT ADDRESS 540 East Market Street
CITY Celina STATE Ohio ZIP 45822
PHONE ( 419 ) 305 - 0605
LEGAL INTEREST OF APPLICANT Piqua City Schools

OWNER NAME Board of Education, Piqua
BUSINESS NAME
OWNER ADDRESS 719 East Ash Street
CITY Piqua STATE Ohio ZIP 45356
PHONE ( 937 ) 773 - 4321

PROPERTY LOCATION WHERE VARIANCE IS BEING REQUESTED
STREET ADDRESS High Street Primary School; 1249 West High Street
CITY Piqua STATE Ohio ZIP 45356
LOT NUMBER ZONING DESIGNATION R-1

TYPE OF VARIANCE BEING REQUESTED -(CIRCLE ONE) ZONING OR- SIGN

-CHECK ALL BOXES THAT APPLY-
☐ ZONING ENFORCEMENT APPEAL ☐ AREA VARIANCE
☐ SPECIAL DRIVEWAY ☐ PARKING VARIANCE
☐ HEIGHT VARIANCE ☐ ZONING MAP BOUNDARY LINE
☐ SETBACK VARIANCE ☑ OTHER

BRIEFLY DESCRIBE VARIANCE REQUEST To eliminate the requirement for parking
lot lighting. Reference 154.081(K)

I hereby certify that the proposed request is authorized by the owner of record and
agree to conform to all applicable laws of the City of Piqua, Ohio.

SIGNATURE OF OWNER Jeffrey L. Piń Date 9/17/12

SIGNATURE OF APPLICANT Michael D. Leuty Date 9/14/2012

NOTE - BOTH OWNER AND APPLICANT DATED SIGNATURES IN INK REQUIRED TO PROCESS REQUEST

**************************************************************************OFFICE USE ONLY**************************************************************************

$25.00 Fee Paid - 25. ² RECEIVED BY - G. Cox

RECEIPT No. 2012-52 DATE 9-17-12
∠ 62A - 10-12
RESOLUTION No. BZA 11-12

WHEREAS, Piqua City Schools Board of Education, owner of 1249 W. High Street in the City of Piqua, Ohio, being in a district zoned R-1 On-family Residential, has filed a petition to variance the lighting requirement to allow construction of a parking lot improvement to be located at the subject property.

WHEREAS, the City of Piqua Code of Ordinances section 154.081 establishes:

(L) When a parking lot abuts a residential zone, there shall be permanently maintained along the boundary, screening as provided in the applicable district requirements.

WHEREAS, the Board of Zoning Appeals has considered whether the variance requested:

☐ Is necessary to permits the owner a reasonable use of the land.
☐ Is justified due to peculiar exceptions and unusual circumstances found at this location that are not generally found within the neighborhood concerned.
☐ Will constitute a change in the district map
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BOARD OF ZONING APPEALS

APPLICATION REQUESTING A ZONING VARIANCE

APPLICANT NAME: Fanning Howey Associates, Inc.

APPLICANT ADDRESS: 540 East Market Street

CITY: Celina

STATE: Ohio

ZIP: 45822

PHONE: (419) 305-0605

LEGAL INTEREST OF APPLICANT: Piqua City Schools

OWNER NAME: Board of Education, Piqua

BUSINESS NAME: ---

OWNER ADDRESS: 719 East Ash Street

CITY: Piqua

STATE: Ohio

ZIP: 45356

PHONE: (937) 773-4321

PROPERTY LOCATION WHERE VARIANCE IS BEING REQUESTED

STREET ADDRESS: High Street Primary School; 1249 West High Street

CITY: Piqua

STATE: Ohio

ZIP: 45356

LOT NUMBER: ---

ZONING DESIGNATION: R-1

TYPE OF VARIANCE BEING REQUESTED: — (CIRCLE ONE) ZONING — OR — SIGN

— CHECK ALL BOXES THAT APPLY —

☐ ZONING ENFORCEMENT APPEAL

☐ SPECIAL DRIVeway

☐ HEIGHT VARIANCE

☐ SETBACK VARIANCE

☐ OTHER

BRIEFLY DESCRIBE VARIANCE REQUEST: To eliminate the requirement for screening along parking lot boundaries adjacent to the Residential zones. Reference 154.081(M)

I hereby certify that the proposed request is authorized by the owner of record and agree to conform to all applicable laws of the City of Piqua, Ohio.

SIGNATURE OF OWNER: [Signature]

DATE: 8/17/12

SIGNATURE OF APPLICANT: [Signature]

DATE: 9/14/2012

NOTE: BOTH OWNER AND APPLICANT MUST SIGN. SIGNED SIGNATURES IN INK REQUIRED TO PROCESS REQUEST

**********************************************************************************OFFICE USE ONLY**********************************************************************************

$25.00 FEE PAID — 25 — RECEIVED BY — [Signature]

RECEIPT NO. — 306652 — DATE — 9/17/12

Z A - 11-12
STAFF REPORT

Date: September 14, 2012
To: Board of Zoning Appeals
From: Chris Schmiesing, City Planner
Subject: Resolution 09-12, 10-12, and 11-12

GENERAL INFORMATION

Location: 1249 W. High Street
Zoning: R-1 One-family Residential

DISCUSSION/FINDINGS

The proposed variance if approved will allow for a reduction and/or elimination of the curbing, lighting, and screening requirements related to the a proposed enlargement of an existing nonstandard parking lot.

Is this request necessary to permit the owner a reasonable use of the land?

   Staff Analysis: The requested variances are not necessary to allow for a reasonable use of the land.

Is this request justified due to peculiar exceptions and unusual circumstances found at this location that are not generally found within the neighborhood concerned?

   Staff Analysis: There are no peculiar exceptions or unusual circumstances found at this property that are not generally found in this neighborhood.

Will the request constitute a change in the district map?

   Staff Analysis: This request will not require a change in the zoning map.

Will this request impair an adequate supply of light and air to adjacent property?

   Staff Analysis: It is unlikely that the proposed construction will impair the supply of light and air to adjacent property.

Will this request increase the congestion in public streets?

   Staff Analysis: It is likely that the proposed construction will increase the congestion in the public streets at drop-off and dismissal times on school days.

Will this request increase the public danger of fire and safety?

   Staff Analysis: It is unlikely that the proposed construction will increase the public danger of fire and safety.
Will this request materially diminish or impair established property values within the surrounding area? And, will this request in any other respect impair the public health, safety, comfort, morals, and welfare of the citizens of the city?

Staff Analysis: It is unlikely that the proposed construction will impair established property values, public health, safety, comfort, morals, or the welfare of the neighborhood, community, or citizens.

CONCLUSION

It is staff’s conclusion that reducing or eliminating the referenced requirements will increase the degree of non-standard conditions found at this location, and, authorizing the proposed variances...

- Are not necessary to yield the property owner a reasonable use of the property
- Will result in a substantial deviation from the code requirements
- Will not substantially alter the character of the neighborhood or be a detriment to the adjoining properties
- Will not adversely affect the delivery of government services
- Will not relieve the property owner from conforming to all other applicable standards
- Will not solve a problem difficult to remedy by other means
- Will not preserve the spirit and intent of the zoning requirements and serve substantial justice with reference to the circumstances and conditions known to exist within the neighborhood concerned.

RECOMMENDATION

Recognizing that concerns related to expense are not an acceptable basis for justifying variance from adopted community standards, staff recommends that the Board of Zoning Appeals carefully consider whether or not the requested variances can be reasonable justified, and reminds the board that it is imperative that the board provide reasonable explanation for actions taken.
September 14, 2012

*** MEETING NOTICE ***

Please be advised that the City of Piqua Board of Zoning Appeals will conduct a meeting at the time and location stated below.

TIME: 6:00 PM
DATE: Tuesday, September 25, 2012
LOCATION: Commission Chambers – 2nd Floor
Municipal Government Complex
201 W. Water Street

To view the Board of Zoning Appeals packet in its entirety, visit http://www.piquaoh.org/agenda_zoning_bd.htm, or stop by the Development Office.

Please contact me if you have any questions pertaining to this notice.

Chris Schmiesing

Christopher W. Schmiesing
City Planner
# BOARD OF ZONING APPEALS

**9-25-2012 Mailing List**

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**AGENDA PACKET TO:**

BOARD OF ZONING APPEALS

**EGOV-MEETING NOTICE TO:**

- GARY HUFF
- CHRIS SCHMIESING
- BOARD OF ZONING APPEALS
- AMY WELKER
- CHRIS BOEKE
- CITY COMMISSION
- DEAN BURCH
- DEBBIE STEIN
- FRED ENDERLE
- BILL MURPHY
- LORNA SWISHER
- MARTIN KIM
- STACY WALL
- AMY HAVENAR
- BRUCE JAMISON

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