BOARD OF ZONING APPEALS AGENDA
CITY OF PIQUA, OHIO
6:00 P.M. – SEPTEMBER 22, 2015
MUNICIPAL GOVERNMENT COMPLEX
COMMISSION CHAMBERS – 201 W. WATER STREET

CALL TO ORDER
ROLL CALL
MEETING MINUTES March 24, 2015

NEW BUSINESS

Resolution No. 03-15 A Resolution requesting a variance to place a 10’ x 14’ shed in the side yard of his property located at 1512 Echo Lake Drive

ADJOURNMENT
CALL TO ORDER
At 6:00 Vice Chairperson Skip Murray 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 Chairman asked all persons present to stand and raise their right hand. The Chairman 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: Mark Spoltman, Skip Murray, Dustin Davis, Earl Slater
Members Absent: Steve Reindel
Staff Members: Chris Schmiesing, Becky Cool

Moved by Mr. Slater, seconded by Mr. Spoltman to excuse Mr. Reindel from the March 24, 2015 Board of Zoning Appeals Meeting. Roll call, Aye: Mr. Murray, Mr. Davis, Mr. Slater, Mr. Spoltman. Nay: None.

Attendees: Matt & Katie Poeppelman

MEETING MINUTES
Approval of the September 23, 2014 Board of Zoning Appeals minutes.
Moved by Mr. Slater, seconded by Mr. Davis. Motion carried on a voice vote 4-0 vote in support of the motion. Minutes were approved.

Moved by Mr. Spoltman, seconded by Mr. Davis to change the order of the meeting to move Resolution No. BZA 2-15 forward at this time. Roll call, Aye: Mr. Murray, Mr. Davis, Mr. Slater, Mr. Spoltman. Nay: None.

NEW BUSINESS
Resolution No. BZA 02-15
A Resolution requesting a variance to exceed the maximum height standard in Code Section 154.123 (B) Fences, to allow the construction of a six foot fence in the side yard located at 2112 Wilshire Drive.

City Planner Chris Schmiesing presented the Staff Report.

This is a request for a six foot privacy fence the applicant would like to install in what is a front yard by zoning code definition because the property is located on a corner lot at 2112 Wilshire Drive. It has two front yards by definition.
The standards applicable maximum height for a front yard fence is 42 inches for various reason including sight distance. It is not uncommon to find corner lots where property owners like to increase the area of the backyard by utilizing some of the “front yard” space towards the street as part of the rear yard. This represents somewhat of a peculiar circumstance only found on a corner lot. There are several other locations with corner lots and fencing in the city, one being right across the street on Lambert Drive, and one at the corner of Nicklin Avenue and Park Avenue. Both property owners maintained a very generous buffer between the sidewalk and the fence so that the fence would not encroach on the comfort level of the pedestrians. With the information the applicant has presented staff recommends approval of the variance at this time.

Applicant Matt Poeppelman came forward to answer questions. No questions were asked by the Board Members at this time. Mrs. Poeppelman came forwarded and provided a packet of information and pictures stating the reasons for their request for the six foot fence, and example pictures of other fences on corner lots in the city.

PUBLIC COMMENT

No one came forward to speak for or against the resolution.

All Board members in attendance were in agreement to approve the variance.

Mr. Murray stated he appreciates the applicant’s thoroughness, and for taking the time to put together the very informational packet they presented to explain their reason for the variance at this time.

Mr. Spoltman motioned to approve the variance request as submitted and Mr. Slater seconded the motion. Roll call vote on the motion resulted in Mr. Spoltman, Mr. Murray, Mr. Davis, and Mr. Slater voting Aye in support of the motion. The resolution was approved by a 4-0 vote.

**Resolution No. BZA 01-14**

A Resolution nominating and appointing the chair and vice chair of the BZA.

Vice Chairman Murray reviewed the nomination process and opened the floor for nominations for chair and vice chair. Mr. Murry moved to nominate and appoint Mr. Reindel as Chair, seconded by Mr. Slater. Mr. Slater moved to nominate Mr. Murray as Vice Chair, seconded by Mr. Spoltman. Mr. Reindel will serve as Chair of the BZA and Mr. Murray
will serve as Vice Chair. All in favor voted aye in support of the motion.

OTHER BUSINESS
None

ADJOURNMENT
With no other business before the Board, a motion was made by Mr. Slater, seconded by Mr. Murray. With all those present in favor the meeting was adjourned at 6:15 P.M.
RESOLUTION NO. BZA 03-15

WHEREAS, Michael Davis, 1512 Echo Lake Drive, in the City of Piqua, Ohio, being in a district zoned R-1AA (One-Family Residential), has filed a petition for a variance to place a 10' x 14' shed in the side yard at the property located at 1512 Echo Lake Drive, Piqua, Ohio 45356.

WHEREAS, the City of Piqua Code of Ordinances Chapter 154.121 (A) (1) a) establishes that:

154.121 ACCESSORY BUILDINGS

(A) Accessory buildings shall conform to the general height and area regulations of the district in which the structure is located, unless otherwise specifically stated in this code.

(1) Location

(A) When the accessory building is accessory to a principal use, and is to be constructed on a lot contiguous to an improved public street, the accessory buildings shall only be permitted in the rear yard, unless attached the principal structure by a breezeway or a similar unenclosed structure, in which case the accessory building may be permitted in a side or rear yard, subject to the to the applicable setback requirements.

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

- Is necessary to permit 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 approve/deny the request for a variance as described and by the documents included herewith. The motion was seconded by ____________ and the request was approved/denied with a vote of ________ as recorded below.

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<th>AYE</th>
<th>NAY</th>
<th>ABSTAIN</th>
<th>ABSENT</th>
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<tbody>
<tr>
<td>Mr. Mark Spoltman</td>
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<td>Mr. Skip Murray</td>
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<td>Mr. Dustin Davis</td>
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<td>Mr. Earl Slater</td>
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BOARD OF ZONING APPEALS

APPLICATION REQUESTING A ZONING VARIANCE

- PLEASE TYPE OR PRINT -

APPLICANT NAME  Michael D. Davis
APPLICANT ADDRESS  1512 Echolake Dr.
CITY  Piqua  STATE  OH  ZIP  45356
PHONE  (937)  778-1678
LEGAL INTEREST OF APPLICANT  OWNER

OWNER NAME  Michael D. Davis
BUSINESS NAME  Same
OWNER ADDRESS  Same
CITY  STATE  ZIP
PHONE  (937)  778-1678

PROPERTY LOCATION WHERE VARIANCE IS BEING REQUESTED
STREET ADDRESS  1512 Echolake Dr
CITY  Piqua  STATE  Ohio  ZIP  45356
LOT NUMBER  8900  ZONING DESIGNATION  R1AA

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  Place shed in side yard 10' x 14'

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  Michael D. Davis  DATE  9-15-15

SIGNATURE OF APPLICANT  Michael D. Davis  DATE  9-15-15

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

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

$25.00 FEE PAID   $25.00 RECEIVED BY  B. McCall
RECEIPT NO.  215899  DATE  9-15-15
## BOARD OF ZONING APPEALS

<table>
<thead>
<tr>
<th>RESOLUTION</th>
<th>NAME</th>
<th>MAILING ADDRESS</th>
<th>CITY STATE ZIP</th>
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<tr>
<td>BZA-3-15</td>
<td>Michael Davis</td>
<td>1612 Echo Lake Drive</td>
<td>Piqua, OH 45356</td>
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<tr>
<td>BZA 3-15</td>
<td>Scarlet Cox</td>
<td>1603 Echo Lake Drive</td>
<td>Piqua, OH 45356</td>
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<td>BZA-3-15</td>
<td>Martin Pettus</td>
<td>1508 Echo Lake Drive</td>
<td>Piqua, OH 45356</td>
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<td>BZA 3-15</td>
<td>Jeremy Sulenberger</td>
<td>1603 Echo Lake Drive</td>
<td>Piqua, OH 45356</td>
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<td>BZA-3-15</td>
<td>Barbara Scherer</td>
<td>1611 Echo Lake Drive</td>
<td>Piqua, OH 45356</td>
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**MEETING NOTICE AND AGENDA TO:**

MUNICIPAL GOVERNMENT COMPLEX PUBLIC BULLETIN BOARD

**Entire Packet To:**

GARY HUFF

AGENDA PACKET TO:

CHRIS SCHMIESING

EGOV-MEETING NOT:

AMY WELKER

CITY COMMISSION

DEAN BURCH

DEBBIE STEIN

AMY WELKER

JUSTIN SOMMER

LORNA SWISHER

MARTIN KIM

STACY WALL

AMY HAVENAR

BRUCE JAMISON

PIQUA DAILY CALL

DAYTON DAILY NEWS

WPTW

PIQUA CHANNEL 5

MIAMI COUNTY HOMEBUILDERS ASSOC

EMAIL
September 16, 2015

*** 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:** 6:00PM  
**DATE:** Tuesday, September 22, 2015  
**LOCATION:** Commission Chambers – 2nd Floor  
Municipal Government Complex  
201 W. Water Street

This letter serves to notify those persons who may have an interest in an agenda item to be discussed at this meeting. View the Board of Zoning Appeals packet in its entirety online at [http://www.piquaoh.org/agendazoningbd.htm](http://www.piquaoh.org/agendazoningbd.htm) or by visiting the Development Office.

This is your opportunity to speak in favor of, or object to, an item to be considered. If you desire to state your opinion concerning this matter and will be unable to attend the meeting, please submit your statement in writing to this office prior to 5pm on the date of the meeting.

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

Christopher W. Schmiesing  
City Planner  
Enc.