CALL TO ORDER

ROLL CALL

MEETING MINUTES

Minutes of BZA Meeting from October 22, 2019

NEW BUSINESS

Resolution No. 06-19 A resolution requesting a variance to allow the expansion of loading docks at the property located at 1747 Commerce Drive

Resolution No. 07-19 A resolution requesting a variance to allow the expansion of curb cut at the property located at 1747 Commerce Drive

Resolution No. 08-19 A resolution requesting a variance to allow a temporary gravel driveway at the property located at 1747 Commerce Drive

Resolution No. 09-19 A resolution requesting a variance to allow a 1 foot setback from side lot line to driveway at the property located at 321 N Downing Street

ADJOURNMENT
CALL TO ORDER

At approximately 6:00pm 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: Skip Murray, Cindy Pearson, David Fishback
Staff Members: Kyrsten French

MEETING MINUTES

Approval of the minutes of September 24, 2019 Board of Zoning Appeals Meeting. Meeting minutes were approved.

NEW BUSINESS

Resolution No. BZA 05-19

A resolution requesting a variance to allow a gravel parking lot to be located at 1990 Covington Avenue

Kyrsten French, City Planner provided the staff report.

Kyrsten explained the nature of the request and provided an aerial image for context. The applicant intends to screen the storage area with a mix of trees that contain evergreen plantings to provide mitigation that would be an upgrade to the current condition. Staff advised that this proposal poses no negative externalities to the neighboring lots or the public.

Blair Elliott, owner of 1990 Covington Avenue, Elliott Land and Hardscaping, came forward. He explained that he has owned the subject property for approximately one month. The purpose of his request is to store landscaping materials and equipment on the proposed gravel lot. He stated that he is going to provide tree screening along 36 to keep materials hidden. There are future plans to fence in the lot.

Board members discussed and were all in agreement that this is an upgrade to the building and commended the applicant for his business and plans.
After no further public comment or deliberation, a motion was made by Cindy Pearson and seconded by David Fishback. Resolution No. BZA 05-19 was approved with a 3-0 vote.

**OTHER BUSINESS**

None

**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 6:15 P.M.

Attending the meeting to prepare the meeting minutes provided herein was Bethany Harp, Administrative Assistant, 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.
REQUEST
The applicant, who represents Crayex Corporation, is requesting three variances:

1) to expand the legal non-conforming state of the loading docks (§ 154.083)
2) to expand the curb cut on Commerce Drive (§ 154.081), and
3) to allow for a temporary gravel driveway in the back of the lot (§ 154.081).

STAFF CONSIDERATIONS
The Crayex property is located in a well-developed industrial area. Traffic on Commerce Drive largely consists of trucks and employees of the many industrial businesses of the street. Given this state, the loading docks do not present hazard or nuisance. The addition of a loading dock to the several that already exist would close the gap in the concrete driveway and would allow trucks to back out and turn around onsite rather than on Commerce Drive, increasing vehicle safety.

From a planning perspective, the highly industrial nature of this street does not lend well to encouraging a “walkable” environment. There are currently no sidewalks installed. The additional curb cut would not create an increased hazard to pedestrians.

The gravel drive will not be visible from the street, and may erased completely by building expansion in the coming years.
WHEREAS, George Mooreman, representative of Crayex Corporation, has requested a variance at the address 1747 Commerce Drive to expand the legal non-conforming state of the existing loading docks; and,

WHEREAS, the City of Piqua Code of Ordinances section 154.083 establishes:

On the same premises with every building or structure, or part thereof, erected and occupied for commerce, industry, public assembly, or other uses involving the receipt or distribution by vehicles of materials or merchandise in B General Business, CBD Central Business, I-1 and I-2 Districts, there shall be provided and permanently maintained adequate space for standing, loading and unloading service in order to avoid undue interference with public use of the streets or alleys in conformance to the following provisions:

(D) Projection into yards. Off-street loading space may occupy all or any part of any required side or rear yard space.

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 approve 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.

<table>
<thead>
<tr>
<th>Mr. David Fishback</th>
<th>AYE</th>
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<th>ABSTAIN</th>
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<tr>
<td>Mrs. Cindy Pearson</td>
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<td>Mr. Skip Murray</td>
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WHEREAS, George Mooreman, representative of Crayex Corporation, has requested a variance at the address 1747 Commerce Drive to expand the existing nonstandard driveway; and,

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

(H) In any district a driveway may be located in a required front or rear yard of a premises to provide a suitable means of ingress or egress directly from and to a public street, alley, or highway. The minimum and maximum widths of driveways serving the use types in the following use categories shall be as set forth below.

<table>
<thead>
<tr>
<th>Use Category</th>
<th>Minimum Width</th>
<th>Maximum Width</th>
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<tbody>
<tr>
<td>Light Industrial and Heavy Industrial Uses</td>
<td>12 feet</td>
<td>48 feet</td>
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WHEREAS, George Mooreman, representative of Crayex Corporation, has requested a variance at the address 1747 Commerce Drive to allow for a temporary gravel driveway in the back of the lot and,

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

(J) All parking lots, parking spaces, and driveways shall be surfaced with a bituminous or portland cement concrete pavement or other similar dust free material deemed equal by the enforcing official, except for parking lots, parking spaces, or driveways located in the rear yard of a residential use located in a residential district, in which case the parking lot, parking space, or driveway may be surfaced with an aggregate material. The pavement composition of all parking lots, parking spaces, and driveways shall be designed to a strength and thickness adequate to support the anticipated traffic loads, with all pavement designs subject to the approval of the City Engineer…; and,

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

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BOARD OF ZONING APPEALS

APPLICATION REQUESTING A ZONING VARIANCE

- PLEASE TYPE OR PRINT -

APPLICANT NAME: GEORGE MOOREMAN

APPLICANT ADDRESS: 250 S. KINNA DRIVE

CITY: TIPT CITY STATE: OH ZIP: 45371

PHONE: (937) 477 - 3229

LEGAL INTEREST OF APPLICANT: GENERAL CONTRACTOR

OWNER NAME: CRAYEX CORP

BUSINESS NAME: CRAYEX CORP

OWNER ADDRESS: 1747 COMMERCE DRIVE

CITY: PIQUA STATE: OH ZIP: 45356

PHONE: (937) 773 - 7000

PROPERTY LOCATION WHERE VARIANCE IS BEING REQUESTED

STREET ADDRESS: 1747 COMMERCE DRIVE

CITY: PIQUA STATE: OHIO ZIP: 45356

LOT NUMBER: PT. O.L.313 ZONING DESIGNATION: I-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: SEE ATTACHED LETTER

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: 10/23/19

SIGNATURE OF APPLICANT: [Signature]

DATE: 10/23/19

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

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

$25.00 FEE PAID - X RECEIVED BY -

RECEIPT NO.: 205145 DATE: 10/28/19
October 25, 2019

Board of Zoning Appeals
201 West Water St.
Piqua, Ohio 45356

Re: Crayex Corp
Pt. O.L.313
1747 Commerce Dr.

Description of Variance Request:

A variance is hereby requested for the above facility to permit the following improvements in order to allow for the expansion of the manufacturing plant:

1. Relocation of perimeter access drive to the westerly side of the existing building;
2. Expansion and addition of trailer loading docks in front of the facility with direct access to Commerce Drive;
3. Expansion of curb cut and drive aprons on Commerce Drive;
4. Relocation and addition to temporary gravel drive in rear of facility.

Sincerely,

M.L.Oxner PE,PS
F:201903 - Crayex
REQUEST
The applicant is requesting a variance to reduce the required driveway setback from 3 feet to 1 foot from the side property line (§ 154.081). The residents would like to be able to park two cars side-by-side in the driveway.

STAFF CONSIDERATIONS
In the applicant's favor for this request, street parking is periodically difficult when the YMCA hosts events. The applicant has also explained that the owners of the church property are not opposed to allowing the driveway so close.

While it does appear to be quite difficult to manage parking on this lot, from a regulatory perspective, the wish to park side by side for easier ingress/egress does not present well as a "hardship" when parking in parallel is in fact possible on the lot. Not every lot contains the right conditions for parking multiple cars, particularly so in the historic downtown area, but the relative difficulty of parking is a typical tradeoff for the ease of walking downtown. From a safety standpoint, it seems unwise to permit a driveway within 1-2 feet of an existing building. For these reasons it is staff's recommendation to deny this request.
WHEREAS, David Wright, owner and applicant, has requested a variance to allow a one foot setback from side lot line to driveway at the property located at 321 N Downing Street, zoned (R1) One Family Residential; and,

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

(A) All required parking spaces shall be located on the same lot as the use for which they are required, subject to the regulations of the district in which they are located. The minimum setback from a front, side, or rear lot line for a parking lot, parking space or driveway serving a residential use shall be three feet; and,

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.
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☐ 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 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.
BOARD OF ZONING APPEALS

APPLICATION REQUESTING A ZONING VARIANCE

-PLEASE TYPE OR PRINT-

APPLICANT NAME  DAVID WRIGHT
APPLICANT ADDRESS  321 N. DOWNING ST.
CITY  Piqua  STATE  OH  ZIP  45356
PHONE  (937)  418-0153
LEGAL INTEREST OF APPLICANT  SELF

OWNER NAME  DAVID WRIGHT
BUSINESS NAME
OWNER ADDRESS  321 N. DOWNING ST.
CITY  Piqua  STATE  OH  ZIP  45356
PHONE  (937)  418-0153

PROPERTY LOCATION WHERE VARIANCE IS BEING REQUESTED
STREET ADDRESS  321 N. DOWNING ST.
CITY  Piqua  STATE  Ohio  ZIP  45356
LOT NUMBER  N44-002440  ZONING DESIGNATION  RESIDENTIAL

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
WE ARE REQUESTING TO INSTALL A DRIVEWAY 1 FT FROM OUR PROPERTY LINE

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  DAVID WRIGHT  DATE  11-5-19
SIGNATURE OF APPLICANT  DAVID WRIGHT  DATE  11-5-19

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

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

$25.00 FEE PAID - 8 - RECEIVED BY - Beatancy Harp
RECEIPT NO. - 205183  DATE - 11/6/19
November 15, 2019

*** PUBLIC HEARING NOTICE ***

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

TIME: 6:00 PM  
DATE: Tuesday, November 26, 2019  
LOCATION: Commission Chambers – 2nd Floor  
Municipal Government Complex  
201 W. Water Street

This letter serves to notify persons who may have an interest in an agenda item to be discussed at the above referenced public hearing. A public hearing affords citizens and other parties with standing the opportunity to speak in favor of, or object to, an item submitted for consideration. If you desire to state your opinion concerning this matter and will be unable to attend the public hearing, please submit your statement in writing to this office prior to 5pm on the date of the meeting.

You may view the Board of Zoning Appeals agenda packet in its entirety online at http://piquaoh.org/city-government/boards-and-committees/board-of-zoning-appeals/ or by visiting the Development Office.

Please contact the Development Department at (937) 778-2049 if you have any questions pertaining to this notice.

Kyrsten French  
City Planner