*** MEETING NOTICE ***

Please be advised that the City of Piqua Board of Zoning Appeals meeting will be conducted on Tuesday, April 28, 2020 at 6:00 PM using a video conferencing application called Zoom.

Board members, staff members, and agenda item applicants will attend the meeting using Zoom and will have live audio and video feeds.

All others wishing to attend may do so via phone or computer in listen only mode. Those who wish to attend must submit a request for meeting access information via email by **noon on the date of the meeting**. Request for meeting access may be submitted via email to Bethany Harp at bharp@piquaoh.org.

Neighbors and others with standing in this matter may submit public comment on an item until **noon on the day of the meeting** by emailing Bethany Harp at bharp@piquaoh.org. Public comments submitted by the date/time noted will be presented to the Board of Zoning Appeals at the public hearing proceedings.


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

Kyrsten French
City Planner

Enc.
CALL TO ORDER

ROLL CALL
Clerk Calls the Roll

MEETING MINUTES
Minutes of BZA Meeting from February 25, 2020

OLD BUSINESS

NEW BUSINESS
Resolution No. 02-20
A resolution requesting a variance to increase the maximum number of private garage accessory structures located at the property known as 1305 Park Avenue

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, David Fishback, Joe Wilson
Staff Members: Chris Schmiesing

MEETING MINUTES
Approval of the minutes of November 26, 2019 Board of Zoning Appeals Meeting. Meeting minutes were approved.

NEW BUSINESS
Resolution No. BZA 01-20
A resolution requesting a variance to increase the maximum square footage and number of primary and secondary signs at the property known as 308 Looney Rd.

Chris Schmiesing, Community and Economic Development Director provided the staff report.

Chris clarified that the request contains six separate sign variance requests for the new Kettering Health Network building. Typically increased sign square footage may be warranted if a building is particularly large, long, complex, or has a large amount of parking and/or street frontage, or is set back a large distance from a public street. Four of the six variance requests relate directly to public health and safety. Emergency and Ambulance signage, as well as parking lot directional signage, are related directly to getting patients to a healthcare provider in as timely a manner as possible. Staff has reviewed the requests for increased signage and has found them to be acceptable deviations from the zoning code.
Jon Cowell, applicant, Kettering, came forward and stated that he works at Select Signs alongside Kettering Health Network on this sign project. He noted the importance of the directional and emergency signage. He stated that the city staff has been easy to work with and the variance request is a comfortable compromise.

Jimmy Phillips, Centerville, came forward and stated that he is the Director of Marketing and Communications for Kettering Health Network. The Piqua location is scheduled to open in August of 2020. He noted that the increased signage is important, as it provides easy access and an increased level of care as it relates to public safety.

After no further public comment or deliberation, a motion was made by Joe Wilson and seconded by David Fishback. Resolution No. BZA 01-20 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 6:17 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.
RESOLUTION No. BZA 2-20

WHEREAS, Jack Pleasant, applicant, has filed a petition to variance the maximum number of private garage accessory structures located at the subject property known as 1305 Park Avenue; and,

WHEREAS, the City of Piqua Code of Ordinances section 154.121 establishes:

ACCESSORY BUILDINGS (B) (5) Number. The maximum number of accessory buildings permitted on a single lot shall be limited to three with no more than one accessory building to be occupied by a private garage accessory use; and,

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 at 1305 Park Avenue, Piqua, Ohio. The motion was seconded by _____________________ and the request was approved/denied with a vote of _____ as recorded below.

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Application Requesting a Zoning Variance

1. Applicant’s Name  
   Jack Pleasant  
   Phone 937-541-1218

   Applicant’s Address  
   1305 Park Ave  P.O. Box 45356

2. Owner’s Name  
   Jack Pleasant  
   Phone 937-541-1218

   Owner’s Address  
   1305 Park Ave  P.O. Box 45356

3. Type of legal interest held by applicant  
   Owner

4. Location of Variance Request
   A. Legal description (Lot No. or attach legal description)  
      N44-094340
   B. Address  
      1305 Park Ave  P.O. Box 45356

5. Zoning Designation  
   Residential

6. Type of Variance Being Requested – Check all that Apply:
   □ Zoning Enforcement Appeal  
   □ Area Variance  
   □ Special Driveway  
   □ Parking Variance  
   □ Height Variance  
   □ Zoning Map Boundary Line  
   ☑ Other

7. Describe the reason for the requested variance:
   2nd Garage

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 Applicant  
   Jack Pleasant  
   Date 4-8-20

Signature of Owner  
   Jack Pleasant  
   Date 4-8-20

Note: Both the owner and the applicant shall sign when application is made by someone other than the owner.

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

Parcel ID #:  
N44-094340

$25.00 Fee Paid  
Date Fee Paid

Receipt No.  
Received By
REQUEST
The applicant has requested a variance to the provision that only one garage accessory building may be permitted on a lot.

§ 154.121  ACCESSORY BUILDINGS (B) (5) Number. The maximum number of accessory buildings permitted on a single lot shall be limited to three with no more than one accessory building to be occupied by a private garage accessory use.

STAFF CONSIDERATIONS
The site is surrounded by a mature mix of evergreen and deciduous trees on three sides. The principle structure, the applicant’s home, will block view of the structure from the street. While the new garage structure will have to meet code requirements for aesthetics to compliment the house, in reality it will hardly be visible to anyone but the homeowner.

This site spans more than 5 acres, where the typical residential lot in Piqua is between .15 to .3 acres. The zoning code currently lacks language to scale the numerical cap on garage structures to lot size or any other standard. It is reasonable to judge that at some point beyond the norm, a lot may be so large that enforcing this provision would place an undue burden on a homeowner while failing to provide any meaningful good to the community, or protect against any harm.

It is up to the Board to judge whether this lot’s dimensions or some other quality makes it atypical to the point of warranting a variance. It is staff’s recommendation to consider granting the request.
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