Please be advised that the City of Piqua Board of Zoning Appeals meeting will be conducted on Tuesday, May 26, 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 April 28th, 2020

OLD BUSINESS

NEW BUSINESS
1. Recognition/Welcome of New BZA Members

2. Resolution No. 03-20
A resolution requesting a variance to allow construction of a parking lot without concrete curbing

ADJOURNMENT
LOCATION
The April 28, 2020 Board of Zoning Appeals meeting was conducted using a video conferencing application called Zoom.

URL: https://us02web.zoom.us/j/84400106040?pwd=VEl6T094ZjN2cW9XWEV0ZUJGWFVPdz09
Meeting ID: 844 0010 6040

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: Kyrsten French

MEETING MINUTES
Approval of the minutes of February 25, 2020 Board of Zoning Appeals Meeting. Meeting minutes were approved.

NEW BUSINESS
RESOLUTION BZA 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.

Kyrsten French, City Planner provided the staff report.

She noted that the 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. The applicant’s home will block view of the structure from the street.

It is staff’s recommendation to consider granting the request.

Jack Pleasant, applicant, 1305 Park Avenue, spoke on this item. He explained that the reason for the request is to provide storage for large equipment and vehicles that he has for his property business including a dump truck. Currently these items are visibly stored behind the home.

Kyrsten read aloud the two public comments received before the meeting date:

Ruth and Jim Koon, 1307 Park Avenue, stated the following: As neighbors to Jack and Sarah Pleasant at 1305 Park Avenue, we fully support their request for a variance at their property. They have maintained their property to the highest level in the past and we appreciate their desire to improve the property.

A neighbor called with questions about building placement, and upon reassurance that all setback requirements would be adhered to, seemed satisfied. The caller chose not to identify themselves.

The board deliberated and agreed that this item is peculiar because of the large lot size.

After no further public comment or deliberation, a motion was made by David Fishback and seconded by Joe Wilson. Resolution No. BZA 02-20 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 6:12 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.
PURPOSE OF A VARIANCE REQUEST

Where a parcel of land may face hardship, or additional review is sought beyond that of City administration, the Board of Zoning Appeals may review a case for a variance.

Piqua Board of Zoning Appeals will conduct a hearing and take final action at its regularly scheduled meeting, held on the fourth Tuesday of each month at 6:00 PM. Applicants are to make their own case to describe the unusual circumstance leading to the request. Staff will guide applicants through the process as necessary.

The City Planner may help determine if a variance request is warranted in a land use case, as there are other processes, like requesting a Special Use or rezoning a property, that may be more appropriate.

Site Plans submitted should include:

- Property lines and dimensions
- All existing structures (including paved surfaces) on the site
- All proposed structures (including paved surfaces) on the site
- Dimensions to all proposed structure from the adjacent property lines
- Adjacent street names, right-of-way widths, curb lines and sidewalks

All items must be received in the Planning & Zoning office no later than 5:00 P.M. four weeks prior to the scheduled meeting date.

SUBMITTAL REQUIREMENT CHECKLIST

☒ Application  ☒ Site Plan  ☐ Construction and Elevation Drawings (unless waived)  ☒ $25 Fee (Cash or Check)

APPLICANT INFORMATION

☒ Primary Contact  ☐ Billing Contact

Company Name: Bensar Developments Co.

Contact Person First Last Name: Nick Bensman

Mailing Address: 1250 N Vandemark Road, P.O. Box 4517 Sidney, OH 45356-4517

Phone Number: Email:

OWNER INFORMATION

First Last Name: Nick Bensman

Mailing Address: 1250 N Vandemark Road, P.O. Box 4517 Sidney, OH 45356-4517

Phone Number: (937) 498-1164 Email: nbensman@bensar.com
PROJECT LOCATION

Street Address: 1415 Innovation Parkway  |  Parcel ID Number: N44-078566


HISTORICAL RESOURCE INFORMATION

Does the project contain a designated historic resource or is it located within a designated historic district?

☐ Yes  ☒ No

PROJECT INFORMATION - Attach additional page(s) if necessary.

Variance to waive requirement to install curbing at perimeter of parking surface.

Total Estimated Project Cost: $4MM

Start Date: June 2020  |  End Date: Dec 2020

ACKNOWLEDGMENT AND AUTHORIZATION

The undersigned acknowledges that the information provided herein is accurate to the fullest extent of their knowledge.

Applicant Name ___________________________  Date ___________________________

Applicant Signature ___________________________  Title ___________________________
REQUEST
The applicant has requested a variance to the provision § 154.081 (I) which states that a continuous concrete curb will bound all edges of new parking lot construction.

STAFF CONSIDERATIONS
Ferguson Construction Company is preparing to construct a warehousing facility along Innovation Parkway. They have worked closely with city staff to understand code requirements. The applicant has expressed their desire to leave the majority of the parking lot uncurbed, but are proposing curbing where it will direct traffic away from the building.
RESOLUTION No. BZA 3-20

WHEREAS, Ferguson Construction, applicant, has filed a petition for a variance to construct a parking lot without continuous concrete curbing at parcel N44-078566 along Innovation Parkway; and,

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

GENERAL REGULATIONS (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; 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 the request for a variance at parcel N44-078566 along Innovation Parkway. The motion was seconded by ____________ and the request was approved/denied with a vote of ____________ as recorded below.

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