

CITY OF PIQUA, OHIO
BOARD OF ZONING APPEALS MEETING MINUTES
TUESDAY, APRIL 24, 2012

MUNICIPAL GOVERNMENT COMPLEX - COMMISSION CHAMBERS

CALL TO ORDER

At 6:00 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, Dan Patrizio, Vice Chair, Mike Taylor, and Dan Henthorn

Members Absent: Skip Murray

Staff Members: Chris Schmiesing, and Becky Cool, Clerk

Attendees: Victory Kirk, 800 Manier Ave. and Duaine Flora, 1616 W. High St. Piqua, OH 45356

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

Moved by Mr. Patrizio, seconded by Mr. Taylor to amend the April 24, 2012 BZA Agenda to include the Swearing in of Daniel Henthorn as a Member of the Board of Zoning Appeals. Voice vote, Aye: Mr. Reindel, Mr. Patrizio, Mr. Taylor, and Mr. Henthorn. Nay, None.

Chairman Reindel read the Oath of Office as Board Member of the Board of Zoning Appeals to Daniel Henthorn.

OLD BUSINESS

MEETING MINUTES

Moved by Mr. Patrizio, seconded by Mr. Taylor to bring the April 26, 2011 Board of Zoning Appeals Minutes that were tabled at the February 28, 2012 BZA Meeting back to the table for approval at this time. Voice vote: Mr. Reindel, Mr. Patrizio, Mr. Taylor, and Mr. Henthorn. Nay: None. Motion carried on 4-0 vote.

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Approval of the April 26, 2011 meeting minutes tabled from the February 28, 2012 Meeting due to the lack of attendance by Board Members. Voice vote, Aye; Mr. Reindel, Mr. Patrizio, Mr. Taylor, and Mr. Henthorn. Nay, None. Motion carried on a 4-0 vote.

Moved by Mr. Patrizio, seconded by Mr. Taylor to table the February 28, 2012 Board of Zoning Appeals minutes due to the lack of attendance by Board Members in attendance at that meeting. Voice vote, Aye: Mr. Reindel, Mr. Patrizio, Mr. Taylor, and Mr. Henthorn. Nay: None. Motion carried on a 4-0 vote. The February 28, 2012 BZA minutes will be on the next agenda for approval by the Board.

NEW BUSINESS

1. Resolution BZA 04-12

A resolution requesting a variance to reduce the minimum setback of an accessory building located at 800 Manier Avenue from 10 feet to 7 feet.

Mr. Schmiesing presented Staff comments stating the Applicant has applied for a variance to expand his existing 20 x 20 garage to a 24 x 32 garage. In submitting the application there was some miscommunication, and after reviewing it and getting some additional information from the applicant with regards to the driveway location there is no variance necessary at this time concerning the setbacks with the garage. Therefore the Resolution as currently presented is no longer necessary. The applicant is present and stated previously before the meeting he would like to build the garage with a roof design that is not compliant with the design standards applicable for an accessory structure. That particular portion of the code does not fall under the purview of the Board of Zoning Appeals to issue a variance or an exception, it certainly within the rights of the applicant to share his concerns and ask for response.

Mr. Reindel stated as he understands the request for these particular plans is not in the purview of the BZA to vote on. Mr. Schmiesing stated he felt it would be best to ask the applicant to share his comments and plans with the Board.

Mr. Reindel stated he has a relationship through Hartzell Propeller with Mr. Kirk and would recuse himself if the BZA Board were to make a recommendation. But as the way it is now Mr. Reindel stated he felt comfortable hearing Mr. Kirk's plans since there would be no action required by the BZA. Mr. Schmiesing stated that was entirely appropriate, and asked Mr. Kirk to come forward with his plans.

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Victory Kirk, 800 Manier Ave. Applicant came forward and explained his plans for the enlargement of the garage and the change in the roof line as he indicated. Mr. Kirk stated he is asking for permission to change the roof line to allow more storage space in the attic of the garage. If he were to follow the roof design of his home it would not allow for the storage area he is asking for and would not meet his needs. Mr. Kirk presented drawings from Piqua Lumber of the design of the roof truss he is requesting to use. Mr. Kirk further explained what his plans were for the change in the roof line.

Mr. Reindel stated after hearing staff comments he asked Mr. Kirk to contact Mr. Schmiesing and find out what the next steps would be to proceed with his project.

Mr. Kirk asked if after meeting with Mr. Schmiesing would his request have to come back before the BZA Board again. Mr. Reindel explained the BZA can only rule on certain items, and Mr. Kirk's request may have to go before another Board depending on what is decided after speaking with Mr. Schmiesing. Mr. Reindel stated he drove by Mr. Kirk's structure and his neighbor came out and stated he did not have any problem with Mr. Kirk's plans for the garage, and he thought it would be great. Mr. Kirk stated he has really good neighbors as he has lived there for over 43 years.

Mr. Reindel thanked Mr. Kirk for coming and discussing his plans with the Board.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. BZA 05-12.

Resolution BZA 05-12

A resolution requesting a variance to reduce the side yard minimum setback for a principal structure located at 1616 W. High Street from 6 ft. to 4 ft.

Mr. Schmiesing presented Staff comments and made a recommendation to the Board for approval of resolution BZA 5-12.

Duaine Flora, 1616 W. High Street, Applicant came forward and explained that he would like to extend his garage and is in the process of updating his house installing new siding, and has a problem with a piece of concrete located in the area. Instead of putting a shed on the concrete slab he would like to extend his garage to that area so it would all become one structure.

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Mr. Reindel stated he drove up Mr. Flora's driveway to look at his lot and agrees with Staff comments. Mr. Flora has a pre-existing non-conforming use now and by making these changes and granting the variance it will correct the situation, stated Mr. Reindel.

Mr. Patrizio asked how Mr. Flora's neighbors felt about his plans. The neighbor on the west side stated he would rather see it corrected than to have the offset, said Mr. Flora.

Mr. Patrizio stated he read all of the requirements for the variance, and did not see where there would be any problem in granting the variance at this time.

PUBLIC COMMENT

No one came forward to speak for or against Resolution BZA-05-12.

Moved by Mr. Patrizio, seconded by Mr. Henthorn to approve the variance

A vote was taken and Resolution No. BZA 05-12 was approved with a vote of 4-0.

OTHER BUSINESS

None

ADJOURNMENT

With no other business before the Board, Mr. Patrizio adjourned the meeting at 6:27 p.m.