

CITY OF PIQUA, OHIO
BOARD OF ZONING APPEALS MEETING MINUTES
TUESDAY, APRIL 27, 2010

MUNICIPAL GOVERNMENT COMPLEX - COMMISSION CHAMBERS

CALL TO ORDER

At 6:00 Vice Chairperson Rebecca Harrison called the meeting to order. The Vice Chair read the Introductory Statement of BZA Duties and outlined the order of business to be followed. The Vice 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: Vice Chair, Rebecca Harrison, Mark Spoltman, and Pat Jenkins

Members Absent: Chair, Steve Reindel and Jimmy Reedy

Staff Members: Chris Schmiesing, and Joni Kakatolis, Clerk

Attendees: Ed Baker

The Vice Chair moved to excuse board members Steve Reindel and Jimmie Reedy. The motion was seconded by Mark Spoltman and all members agreed.

MEETING MINUTES

Mark Spoltman made a motion to approve the February 23, 2010 minutes. The motion was seconded by Pat Jenkins and all voted aye.

OLD BUSINESS

None

NEW BUSINESS

1. Resolution BZA 07-10

A request to variance the location requirements for a private garage accessory structure to be constructed on the property located at 1102 Rutland Drive, Piqua, Ohio.

The Clerk read the Agenda item.

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Mr. Schmiesing presented the Board with a letter he received from Mrs. Antionette Reynolds, 1102 Rutland Ave., Piqua, Ohio indicating that she had no objection to the request for variance. The letter will be added to the record. Mr. Schmiesing went on to present the Board with his staff report wherein he identified his findings and recommended that the Board approve the variance with condition as follows:

The two adjoining parcels known as 1102 Rutland will be replatted to be combined into one parcel.

Mrs. Harrison requested clarification regarding the address requesting the variance and the address of the letter.

The applicant, Ed Baker addressed the Board and indicated he purchased the property and wants to improve the appearance of the property. He did not have any objection to the Staff's recommendation regarding replatting the parcel.

Mr. Spoltman asked if the two other buildings on the combined lot would remain to which Mr. Baker responded positively.

Public Comment was closed.

Mr. Schmiesing readdressed the Board to explain a 3-0 vote was needed to approve or deny any request. He also indicated that any matter could be tabled.

Mr. Spoltman agreed with the Staff Report and had no objections.

A recommendation was made by Pat Jenkins to approve the request with the conditions stated in the Staff Report. The motion was seconded by Mark Spoltman and all Board Members votes AYE to approve the request to variance the location requirements for a private garage accessory structure to be located at 1102 Rutland Drive with the condition that the two adjoining parcels known as 1102 Rutland will be replatted to be combined into one parcel. **The resolution was approve with the condition with a vote of 3-0.**

2. Resolution BZA 08-10

A request to variance the area requirements for a private garage accessory structure to be constructed on the property located at 1102 Rutland Drive, Piqua, Ohio.

The Clerk read the agenda item.

Mr. Schmiesing presented the Board with his Staff Report. It was the Staff's recommendation that the Board deny the requested variance for the reason that the conditions necessitate the private garage area

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would be in excess of the code allowance and is not the result of unique and peculiar circumstances found at this location.

Mr. Baker addressed the Board indicating the extra six feet would not be that noticeable and he could put up a privacy fence from the house out and it would not look as large.

Mark Spoltman indicated when the Board has these requests, he expects the applicant to explain the unusual circumstances that can support them.

Mr. Baker indicated that the garage that was suppose to be there was a car and a half and the new one would be a two car garage and maybe more. He explained that he would be going on to the neighbor's side approximately four feet.

Mr. Spoltman stated that he was in agreement with the Staff's report indicating that the issue has been addressed before and the study came out with the size that is presently in the code.

Mr. Baker stated that he had no problem with what the Board decided. Mr. Spoltman reiterated that the resolution could be tabled but Mr. Baker said he was fine with the Board's decision and that his plans were ready to go.

Mr. Jenkins questioned Mr. Baker regarding the reason for the size of the garage to which he responded that when he retired, he wanted to have a tool shop in it. Mr. Jenkins also indicated to Mr. Baker that the resolution could be tabled if he so desired.

Mrs. Harrison indicated to Mr. Baker that if he was set on the size of 28 X 36, the Board would table the resolution. If Mr. Baker is in agreement on 24 X 30, the Board would go forward. Mr. Baker indicated he wanted the Board to vote.

Public comment was closed.

Mark Spoltman made a motion to deny BZA 08-10 and the Motion was seconded by Pat Jenkins. **The resolution was denied with a vote of 1 AYE/2 NAY.**

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OTHER BUSINESS

It was noted for the record that there was no other business.

ADJOURNMENT

With no further business to conduct it was moved by Rebecca Harrison that the meeting be adjourned. The motion was seconded by Pat Jenkins and adjourned at 6:30 PM.