

CITY OF PIQUA, OHIO
BOARD OF ZONING APPEALS MEETING MINUTES
TUESDAY, MAY 25, 2010

MUNICIPAL GOVERNMENT COMPLEX - COMMISSION CHAMBERS

CALL TO ORDER

At 6:00 Chair, 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 Chair asked all persons present to stand and raise their right hand. The 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: Chair, Steve Reindel, Mark Spoltman, and
Pat Jenkins

Members Absent: Vice Chair, Rebecca Harrison and Jimmy Reedy

Staff Members: Chris Schmiesing, and Joni Kakatolis, Clerk

Attendees: Randy Howard and Kathy Tidwell, 1000 Boone St.

A motion to excuse the absent Board members was made by Mark Spoltman and seconded by Pat Jenkins. All members present voted AYE and the motion carried with a vote of 3-0.

MEETING MINUTES

Mark Spoltman made a motion to approve the April 27, 2010 minutes. The motion was seconded by Pat Jenkins and all voted AYE and the motion was carried with a vote of 3-0.

OLD BUSINESS

None

NEW BUSINESS

1. Resolution BZA 09-10

A request to variance the height requirements for a privacy fence on the property located at 1000 Boone St.

The Clerk read the Agenda item.

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Mr. Schmiesing presented the Board with the staff's recommendation that the Board approve the requested variance stating:

The orientation of the improvements on this lot result in a yard area along the side street frontage that - while technically partly a front yard - functions as a rear yard to the principal structure. The proposed alignment of the privacy fence will keep the fence from interfering with pedestrian use of the public sidewalk and insure the fence will not be a sight obstruction to motorist entering or exiting the alley to the north, or the drive found at the subject property. Likewise, the proposed height and setback alignment will reinforce the established building line of the improvements found in this block. It is staff's conclusion that authorizing the proposed variance...

- will yield the property owner a reasonable use of the property
- will not result in a substantial deviation from the code requirements
- will not substantially alter the character of the neighborhood or be a detriment to the adjoining properties
- will not adversely affect the delivery of government services
- will not relieve the property owner from conforming to all other applicable standards
- will solve a problem that can not be remedied by other means
- will preserve the spirit and intent of the zoning requirements and serve substantial justice with reference to the circumstances and conditions known to exist within the neighborhood concerned.

The applicant, Randy Howard indicated that Mr. Schmiesing had summarized what he wanted to do. He indicated his goal was to have a private backyard and this would allow that and still provide safety to those on the sidewalk.

Mr. Spoltman asked Mr. Howard to describe the construction he was proposing to which Mr. Howard responded that the fence would be solid wood and the boards would be on the outside. Mr. Spoltman inquired if there was a fence between the house and the garage currently on the property and Mr. Howard indicated there was not.

Mr. Jenkins indicated that he went out and looked at the site. Mr. Jenkins suggested that the applicant consider modifying the corner to have an angle on it. Mr. Jenkins said this would help with the sight distance when autos are exiting the alley.

There were no further questions from the Board.

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Mr. Spoltman indicated that he agreed with the staff report. Mr. Reindel agreed that it fits the requirements and agrees with staff's report and also recommended approval.

Mark Spoltman moved to approve the variance. Pat Jenkins seconded the motion. All were in favor and Resolution BZA 09-10 was approved with a vote of 3-0.

OTHER BUSINESS: Resignation of Vice Chair, Rebecca Harrison

Steve Reindel acknowledged for the record receipt of Mrs. Harrison's resignation letter and thanked her for her service. As a body, the BZA recommended the City Commission accept the resignation. Mr. Schmiesing will prepare a resolution to add to the City Commission Meeting scheduled for June 1, 2010.

Mr. Spoltman asked Mr. Schmiesing for the next step since Mrs. Harrison was the Vice Chair of BZA. Mr. Schmiesing responded that the decision was between the current Board members and the item would be on the next BZA agenda for a vote. Mr. Schmiesing also indicated that Mr. Reedy has advised him that he has pursued an opportunity that has taken him away from the area and would know by July, 2010 if he could continue as a Board member.

Mr. Schmiesing also indicated to Mr. Spoltman that the vacancy created by Ms. Harrison's resignation has been announced publicly and a notice has been posted online. The vacancy will continue to be advertised until the Commission appoints a new member.

ADJOURNMENT

With no further business to conduct it was moved by Mark Spoltman to adjourn the meeting. Seconded by Pat Jenkins. All present voted AYE and the meeting was adjourned at 6:20 PM.