

CITY OF PIQUA, OHIO  
BOARD OF ZONING APPEALS MEETING MINUTES  
TUESDAY, AUGUST 24, 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, Pat Jenkins and Daniel Patrizio.

Members Absent: Jimmy Reedy

Staff Members: Chris Schmiesing, and Joni Kakatolis, Clerk

Attendees: John Henry, 720 Adams St., Piqua, OH 45356  
Penny Cundiff, 720 Adams St., Piqua, OH 45356  
Carla Huber, 715 Roosevelt, Piqua, OH 45356  
Nick Alexander, 713 Roosevelt, Piqua, OH 45356

The Chair administered the Oath of Office to the newest BZA Member, Daniel Patrizio.

**MEETING MINUTES**

A motion to accept the June 22, 2010 meeting minutes was made by Mark Spoltman, seconded by Pat Jenkins. Mr. Reindel, Mr. Spoltman and Mr. Jenkins voted in favor. Mr. Patrizio abstained due to the fact that he is a newly appointment member of the BZA Board.

The motion was carried with a vote of 3-0.

**OLD BUSINESS**

None

**NEW BUSINESS**

1. Resolution BZA 12-10

A petition to variance Section 154.025 front yard and side yard setback requirements to allow redevelopment of the lot at 715 S.

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Roosevelt Ave., Piqua, Ohio with non standard setbacks similar to those that currently exist.

The Clerk read the Agenda item.

Mr. Schmiesing presented the Staff Report indicating that the proposed variance if approved, would allow for the redevelopment of the subject location with a new building, parking lot and landscaping. The proposed improvements would replace the existing improvements currently found at the location being utilized by the existing auto repair shop. The proposed setbacks, as shown, satisfy the setback requirements for the B General Business district if not for the property being situated adjacent to residential zoning district. The code required side yard setback is 10 feet and the proposed side yard setback is 6 feet. The code required front yard setback is 25 feet and the proposed front yard setback is 6 feet - inches. The Planning Commission had previously rezoned this property to make possible the continuance of the existing auto repair shop use on the premises. Even with the more restrictive setbacks that are applicable, and despite the irregular shape of the lot, the site layout being proposed is sensitive to the surrounding residential uses. The boundaries shared with residential uses include a 6 foot high chain link fence with screening slats, the building is orientated so that the open side of the building faces away from the surrounding residential uses, and the site design includes green space and other landscaping amenities not currently found at the location. Unlike the existing facility, the proposed parking lot will be curbed and asphalted to reduce dust and better manage site storm water runoff.

Staff recommends that the Board of Zoning Appeals approve the requested variance.

Mr. Jenkins requested some clarification on the drawing submitted to the Board. Mr. Schmiesing indicated that the drawing provided was an older submittal and that the settlement of a court case concerning the exact location of the east lot line will cause the entire building to shift approximately 14 feet to the east so that the building will remain 6 feet off of the actual lot line location as determined by the courts.

Carla Huber presented the Board with the site plan for their review. Mr. Schmiesing reviewed the plan with the Board members and clarified the location of the existing lot line as opposed to the new lot line location.

The applicant, Carla Huber addressed the Board inquiring about asphalt, catch basin and water to the property. Mr. Schmiesing responded explaining to the board the nature of the each of the items and informing the Board that these items related to the plan review

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concerns raised by staff that are beyond the purview of the BZA and will be addressed with the applicant in the appropriate setting. Ms. Huber indicated that her father has been trying to build a shop for over 5 years and wants to improve the business. Ms. Huber stated she is very passionate about this project.

The Chair opened the floor for public comment. Penny Cardiff, 720 Adams St., Piqua, Ohio lives adjacent to the property and indicated she is opposed to the building because it will interfere with the view from her property. Ms. Cardiff stated she believes the building will disrupt the adequate supply of light and air into her home and that it will increase the traffic and decreases the value of her property.

Nick Alexander, 713 Roosevelt Ave., Piqua, Ohio addressed the Board in support of the proposed building. Mr. Alexander stated that his residence is located immediately to the north of the Huber's auto repair business and that he has found the business to be a good neighbor.

With no other persons responding to Chairman Reindel's request for public comments the public comment period was closed.

Mr. Spoltman indicated that this is an established business. He indicated that the setback still allows the applicant the use of his property and agrees that this location is a non-standard lot with unique and peculiar circumstances.

Mr. Spoltman made a motion to approve the request to variance Section 154.025 front and side yard setback requirements. The motion was seconded by Pat Jenkins. All Board members voted AYE and Resolution 12-10 was approved with a vote of 4-0.

OTHER BUSINESS

Steve Reindel addressed the resignation of Jimmie Reedy. Mr. Schmiesing provided an update noting that a letter of resignation had been received from Mr. Reedy and that the resignation would be formally acknowledged at the next City Commission meeting at which time the vacancy will be publicly announced and applications will begin to be accepted for the vacant position.

ADJOURNMENT

With no further business to conduct it was moved by Mark Spoltman to adjourn the meeting. The motion was seconded by Pat Jenkins. All present voted AYE and the meeting was adjourned at 6:45 PM.