

CITY OF PIQUA, OHIO  
BOARD OF ZONING APPEALS MEETING MINUTES  
TUESDAY, NOVEMBER 23, 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, Shawn Hicks, Pat Jenkins, Daniel Patrizio and Mark Spoltman.

Staff Members: Chris Schmiesing, and Joni Kakatolis, Clerk

Attendees: Larry & Jackie Wiles, 1149 Fisher Dr. Piqua, OH 45356  
Nick Miller, 2201 Patterson Halpin Rd, Piqua, OH 45356  
Jeff Herber, 8415 SR 202, Tipp City, OH 45373  
Norm Seipel, 222 E. Garnsey, Piqua, OH 45356  
Neal Jeakel, 6525 Angola Rd., Holland, OH 43528

**OATH OF OFFICE**

The Chair administered the Oath of Office to the newest BZA Member, Shawn Hicks.

**MEETING MINUTES**

A motion to accept the August 24, 2010 meeting minutes was made by Pat Jenkins and seconded by Dan Patrizio. All members voted in favor.

The motion was carried with a vote of 5-0.

**OLD BUSINESS**

None

**NEW BUSINESS**

**1. Resolution BZA 13-10**

A petition to variance section 154.081(A) minimum driveway setback to a lot line to allow the installation of a new driveway at 1149 Fisher Drive.

Mr. Schmiesing presented the Staff Report which recommended that although it does have peculiar circumstances, the petition be approved with no conditions.

Mr. Patrizio asked if a variance was needed on the 2 car garage to which Mr. Schmiesing indicated not at this time.

The applicant, Larry Wiles, 1149 Fisher Drive addressed the Board indicating that Mr. Schmiesing had covered most of his comments. Mr.

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Wiles added that the reason for the request was to add additional space to the home to accommodate his family. The plan is to make the existing garage an additional bedroom and add the new garage. He indicated that they are happy in their home and neighborhood.

Mr. Patrizio questioned the timing of erecting the garage to which Mr. Wiles indicated that was dependant on the temperature and it would either be yet this winter or in the spring of 2011.

The Chair opened the floor for public comment. There was no public comment.

A motion was made by Dan Patrizio to approve the variance. Mr. Spoltman indicated that he went out and looked at the property and agrees with the Staff Report that it does have peculiar circumstances. Mr. Spoltman seconded the motion to approve the variance.

All members voted AYE with the exception of Mr. Jenkins who abstained due to the fact that the applicant is his son-in-law. The resolution was approved with a vote of 4-0.

2. Resolution BZA 14-10

A petition to variance Section 154.127 (G)(2)(a) minimum front yard setback to allow an addition to the existing principal structure at 741 Staunton Street.

Mr. Schmiesing presented the Staff Report which recommends approval without conditions. The applicant was not in attendance. There were no questions presented by the Board. The Chair opened the floor for public comment.

Norman Seipel, 222 E. Garnsey, Piqua, Ohio addressed the Board indicating that Matt Bushnell is a good neighbor and has made a lot of improvements and has done a good job of maintaining the property. His concern is the increase of water runoff. He indicated that while the construction is being done, there should be thought given to drainage to that area. Other than that, he had no objections.

Mr. Jenkins questioned whether there are any storm catch basins there and Mr. Seipel said he did not believe so. Mr. Seipel indicated he is at the corner of Garnsey and Statler and that there are no catch basins around his property.

Mr. Schmiesing addressed the concern by indicating there is an erosion control plan that has to be submitted by the contractor so this issue would be addressed in that manner. As far as the additional volume of storm water, one of the submittal requirements is storm water calculations provided by a professional engineer.

No additional questions were presented and public comment was closed.

A motion was made by Mark Spoltman to approve the variance, seconded by Pat Jenkins. All members voted AYE with the exception of Mr. Patrizio who abstained. The resolution was approved with a vote of 4-0.

3. Resolution BZA 15-10

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A petition to variance Section 154.81 (A) minimum parking lot setback to a lot line to allow the expansion of an existing parking lot at Fox Drive.

Mr. Schmiesing presented the Staff Report which recommends approval without conditions.

Pat Jenkins asked if Midwest owned the property to which Mr. Schmiesing responded affirmatively.

Nick Miller, the applicant addressed the Board indicating the reason they are building up is because of the fact that they have not other options. There were no questions by the Board. Public comment was opened and closed with no comments.

Mr. Jenkins asked if notices were sent to people to the west of the property and Mr. Schmiesing responded explaining that "occupant" is used as a convenience in mailing notices.

Mr. Spoltman asked if the setbacks requested are typical and Mr. Schmiesing indicated they are comparable.

A motion was made by Pat Jenkins to approve the variance, seconded by Dan Patrizio and the resolution was approved with a vote of 5-0.

4. Resolution BZA 16-10

A petition to variance Section 154.028 (G)(1) minimum front yard setback to allow the expansion of a parking lot at 101 Fox Drive.

Mr. Schmiesing presented the Staff Report which recommends approval without conditions. There were no questions from the Board.

Mr. Miller approached the Board and indicated that Mr. Schmiesing had summarized what they wanted to do and that it is needed. There were no questions by the Board.

Public comment was opened and closed.

Mark Spoltman made a motion to approve the variance. Mr. Spoltman indicated the site is limited and it appears to be similar in restrictions like other sites in the area so it is not unusual. Mr. Spoltman indicated he was in favor of approval. The motion was seconded by Dan Patrizio and the resolution was approved with a vote of 5-0.

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5. Resolution BZA 17-10

A petition to variance section 154.101(D)(2)(5) minimum setback and maximum secondary image allowance to allow the replacement of the sign cabinets/panels on the existing high-rise pole sign at 900 Scott Drive (along I-75).

Mr. Schmiesing presented the Staff Report which recommended approval without conditions.

Mr. Spoltman asked about the 200 sq. ft. and whether that was the current allowable area. Mr. Schmiesing indicated they are reducing the overall square footage. Mr. Patrizio asked if it is going to move and the answer is no, they are simply changing the cabinetry. Mr. Reindel wanted to know how long the current sign had been at the location and Mr. Schmiesing indicated he did not know. Mr. Reindel requested the applicant come forward.

Neil Jeakle with National Illumination & Sign Corp. addressed the Board indicating that the 258 sq. ft. is present, location will not change and main structure will not change. We are merely doing a "face change".

Pat Jenkins wanted clarification on the height. It is 60 foot 8 inches and will not change.

Public comment opened - no comment and public comment closed.

Mr. Patrizio questioned the maximum face area. Is the proposed sign under the maximum?

Mr. Schmiesing indicated that the area is not in question and it is simply the setback issue.

Mr. Jenkins asked if that was the only off premises sign on the location?

Mr. Schmiesing - yes.

Mr. Jenkins made a motion to approve the variance which was seconded by Mark Spoltman. All members voted AYE and the resolution passed with a vote of 5-0.

6. Resolution BZA 18-10

A petition to variance section 154.102(D)(2)(a)(1) maximum number of primary wall signs at 1300 E. Ash Street.

Mr. Schmiesing presented the Staff Report which recommends approval without conditions.

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No questions by the Board for Mr. Schmiesing.

The applicant, Milan Desai addressed the Board indicating for the request is for advertising purposes. Currently, there is no indication that there is a Subway in the Walmart.

Mr. Reindel asked the applicant if he owned any other Subway locations to which Mr. Desai responded no.

No additional questions for the applicant by the Board.

Public comment opened - no public comment - closed.

Mr. Reindel indicated that it be approved because there are no objections by the surrounding parties.

Mr. Spoltman motioned to approve the variance which was seconded by Mr. Jenkins. All members votes AYE and the resolution is approved with a vote of 5-0.

7. Resolution BZA 19-10

A petition to variance section 154.102(C)(1) maximum area for a wall sign at 1200 E. Ash Street.

Mr. Schmiesing presented Staff Report which recommends approval without conditions.

Mr. Spoltman asked if was replacing the existing one and Mr. Schmiesing indicated it was.

Mr. Reindel addressed the floor indicating that prior to the meeting the Board was presented with a letter from Ms. Tammy Darling. Mr. Schmiesing indicated that at the time of the application the landlord failed to satisfy this particular requirement and the letter was in response to that.

The applicant, Jeff Herber representing LeVeck Lighting the contractor addressed the Board. Mr. Herber indicates this is country wide improvement for the company.

Mr. Spoltman questioned the difference of 242 sq. ft on the drawing v. 438 sq.ft. in the Staff Report. Mr. Schmiesing approached and clarified the dimensions.

Mr. Patrizio questioned the width difference and the applicant indicated there is no difference.

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No other questions from the Board. Public Comment opened - no comment and closed.

Mr. Spoltman indicates the sign is headed in the right direction and the size seems appropriate. Mr. Spoltman indicated he is in favor of the resolution and made a motion to approve the variance. The motion was seconded by Dan Patrizio. Mr. Hicks abstained due to an ongoing business relationship with the applicant. A vote was taken and the Resolution was approved with a vote of 4-0.

OTHER BUSINESS

No other business

ADJOURNMENT

With no further business before the Board a motion to adjourn the meeting was made by: Dan Patrizio, seconded by Steve Reindel. All voted AYE and the meeting was adjourned at 7:35 PM.