

CITY OF PIQUA, OHIO
BOARD OF ZONING APPEALS MEETING MINUTES
TUESDAY, NOVEMBER 27, 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 Chairman asked all persons present to stand and raise their right hand. The Chairman 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, Mike Taylor, Skip Murray and Dan Patrizio.

Members Absent: Dan Henthorn

Staff Members: Chris Schmiesing, and Becky Cool,

Attendees: Rick Hanes, Curt South, Ron Cool, Steve King, Cleta Tennery, Jim & Sandy Kerns

Motion was made by Mr. Patrizio, seconded by Mr. Murray to excuse Mr. Henthorn from the November 27, 2012 Board of Zoning Appeals Meeting. Voice vote, Aye: Mr. Reindel, Mr. Murray, Mr. Taylor, and Mr. Patrizio. Nay: None.

OLD BUSINESS

MEETING MINUTES

Approval of the September 25, 2012 Board of Zoning Appeals Amended minutes. Moved by Mr. Patrizio, seconded by Mr. Murray. Roll call, Aye; Mr. Reindel, Mr. Murray, Mr. Taylor, and Mr. Patrizio. Motion carried on a 4-0 vote. Amended Minutes were approved.

NEW BUSINESS

Resolution BZA 12-12

A resolution requesting a variance to exceed the 35 feet maximum height standard in the R-3 Multi-family Zoning District to allow the construction of a structure to be located at the corner of Park and Nicklin Avenue

Mr. Schmiesing stated Resolution No. 12-12 addresses the building of the new Intermediate School at the old Piqua Memorial Hospital site.

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Mr. Schmiesing presented Staff comments explaining the applicant has applied for a variance for an increase in the maximum height allowance. Curt South, of Fanning Howey Associates, Inc. gave a brief explanation on the request for the variance at this location. Mr. South explained the new school building will exceed the maximum height of 35' as referenced in code section 154.356 (G1). The plans for the new school are to have a three story building and the height as stated in the plans for the new school is 45', requiring the request for the variance at this time.

There was further discussion regarding the height restrictions with Mr. Schmiesing explaining the code standards.

PUBLIC COMMENT

Ron Cool, 631 Park Ave. came forward stating he did not have any questions or concerns about the size of the new school building, further stating he believes the new school will be a significant improvement to the neighborhood. Mr. Cool stated he has lived across the street from the old hospital site for over twenty-five years now and is looking forward to the new school building.

After a brief discussion all Board members present were in agreement to grant the variance at this time based on staff comments, hearing comments from the contractor for the applicant, the Piqua Board of Education, and Mr. Cool. Moved by Mr. Patrizio, seconded by Mr. Murray to approve the variance as requested. Roll call, Aye: Mr. Reindel, Aye; Mr. Patrizio, Aye; Mr. Murray, Aye; and Mr. Taylor Aye; Nay: None.

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

2. Resolution BZA 13-12

A Resolution requesting a variance to the requirement of two foot candles of light at the parking lot surface to allow one foot candle lights in the parking lot at the corner of Park & Nicklin Avenue

Chris Schmiesing explained Resolution No. BZA 13-12 and BZA 14-12 are requesting the same type of variance for lighting in the parking lots at the two new school buildings. Mr. Schmiesing read the code requirements, and stated both of the locations are in residential areas, and the lighting requested would not be offensive to any of the surrounding neighbors.

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Several questions were raised concerning the new code standards, the parking lot sizes, the type of lighting currently at the school site and, if the lights at the new parking lot on Park Avenue would be a different style.

Mr. Reindel asked if the representative for the applicant was in agreement with the information that was provided at the meeting. Mr. South stated he was in agreement with the BZA Board comments at this time.

After a brief discussion all Board members present were in agreement to grant the variance at this time based on staff comments heard and comments from the contractor for Piqua Board of Education.

Moved by Mr. Patrizio, seconded by Mr. Taylor, to approve the variance as requested. Roll call, Aye: Mr. Reindel, Aye; Mr. Patrizio, Aye; Mr. Murray, Aye; Mr. Taylor Aye; Nay: None.

A roll call vote was taken and Resolution No. BZA 13-12 was approved with a vote of 4-0.

3. Resolution BZA 14-12

A Resolution requesting a variance to the requirement of two foot candles of light at the parking lot surface to allow one foot candle lights in the parking lot located at 800 N. Sunset Drive

Mr. Schmiesing's staff report is the same as the previous Resolution BZA 13-14.

All Board members present were in agreement to grant the variance at this time based on staff comments heard previously, and hearing the previous comments from the contractor for Piqua Board of Education.

Moved by Mr. Patrizio, seconded by Mr. Murray to approve the variance as requested. Roll call, Aye: Mr. Reindel, Aye; Mr. Patrizio, Aye; Mr. Murray, Aye; Mr. Taylor Aye; Nay: None.

4. Resolution BZA 15-12

A Resolution requesting a variance to the maximum setback regulations for existing building improvements subsequent to the proposed replat of certain lot lines

Mr. Schmiesing presented Staff comments regarding the replat stating the Applicant has applied for a variance to allow for a reduction in

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the requirements to the proposed enlargement of an existing parcel at the corner of Roosevelt and Young Street. This is currently zoned Industrial adjacent to what was once the Railroad Spur Line that ran along Commercial Street. The subject property is made up of multiple or parts of lots that combined together make up the overall tract. The applicant would like to retire and would like to replat these lots into two separate parcels. One parcel would consist of bits and pieces of parcels that currently exist into one tract that includes all of the existing structures, less the newer pole barn building. The pole barn building would remain on a separate parcel and the current property owner would retain it for his personal use. The need for the variance relates to the existing improvements that occupy the site now that does not have the required setback for that zoning district. Mr. Schmiesing further explained, and recommended the variance at this time.

Several questions were raised concerning the current buildings on the lots, and the intent of the property owner of their use. This is something that is just being done on paper, lines are being moved, and all new uses will be subject to the Zoning Standards, stated Mr. Schmiesing.

Steve King, 323 Pinewood, the applicant came forward giving a brief overview of his plans, further stating this is just a formality he needs to go through to get it recorded.

After discussion of the information provided all board members were in agreement to approve the variance. Moved by Mr. Patrizio, seconded by Mr. Murray to adopt Resolution BZA 15-12. Roll call vote, Mr. Reindel, Aye; Mr. Patrizio, Aye; Mr. Murray, Aye; and Mr. Taylor, Aye. Nay, None.

OTHER BUSINESS

A question was raised concerning the Paul Sherry sign as to why it was not a zoning request rather than an Ordinance change in the Ordinance? Mr. Schmiesing explained there was more than one issue concerning the existing sign and further explained.

ADJOURNMENT

With no other business before the Board, a motion was made by Mr. Patrizio, seconded by Mr. Murray. With all those present in favor the meeting was adjourned at 6:45 P.M.