

PERRYSBURG TOWNSHIP BOARD OF ZONING APPEALS
26609 Lime City Road
Perrysburg, OH 43551

PUBLIC HEARING
August 21, 2007

The Perrysburg Township Board of Zoning Appeals held a public hearing on August 21, 2007. Russell Sturgill, Chairman, called the meeting to order at 6:00 p.m. A roll call was taken. Grant W. Garn, Zoning Inspector, was also present. The meeting was tape-recorded. Mr. Sturgill said they have a full board, so they are able to conduct business.

MEMBERS PRESENT: Russell Sturgill, Bill Irwin, Elsie Hetman, Bob Warnimont, James Bennett, and Thomas Warns.

MEMBERS ABSENT: Russell R. Miller.

APPROVAL OF THE 7/17/07 MEETING MINUTES: Mr. Sturgill said the first matter to come before the meeting is approval of the 7/17/07 meeting minutes. Mr. Sturgill asked if all the members had received a copy of the minutes, and they indicated they had. He asked if there were any additions, corrections, or deletions, and there were none. Ms. Hetman moved with a second by Mr. Irwin to approve the minutes as presented. A roll call vote was taken. Yes votes by Ms. Hetman, Mr. Irwin, and Mr. Sturgill, Mr. Warnimont and Mr. Warns abstained. Mr. Sturgill said they have a majority vote, and the motion is carried. Motion carried 3-0-2.

Mr. Sturgill swore in all the persons wishing to address the board this evening.

APPLICATION NUMBER 2007-6105, (VARIANCE). Donald and Pamela Johnson would like to build a 24 foot by 24 foot side load garage in the front yard of a property (37 feet from the right-of-way) they own at 12445 Gloria Street. The house is located to the rear (60 feet from the right-of-way) and it is nonconforming in that the back of the house is located 8 feet beyond the present rear setback line. Article VII Section B 2 b (2) states that no accessory structure shall be permitted in a lot's front yard. A detached accessory structure shall not be located closer to the right-of-way than the principal structure. And (3) states that no detached accessory structure shall project beyond the required side and rear setback for any district. They are thus not allowed to build an accessory structure in their front yard or beyond the front of the principal structure.

Donald E. Johnson addressed the board regarding this application. He told the board he has some pictures here. Ms. Hetman asked him did he build that house, and Mr. Johnson said no, he did not. She asked him if he bought it from somebody, and he responded he bought it from a Realtor. Mr. Johnson said as they can see, there is no

back yard, you know. And if you put a garage there, you still have no back yard. The boy's raising a family there, and have kids play out in the front yard, you know, they end up out in the street. There is no room for a garden. And if they build the garage where he would like to build it, they wouldn't have to move the driveway. Otherwise they would have to dig up the driveway, dig up the yard. And then he would end up with no back yard again.

It was asked to Mr. Garn, the house is supposed to be 25 feet from the back, how about from the sides. Mr. Garn said for the sides it needs to be at least 6 feet from the one side, and 10 feet from the other. It was commented, so it's already ten, so it has to be six on the other side, and Mr. Garn said yes, a minimum of six. It was commented, and then this drawing says the house is—oh, he sees. Mr. Garn said that's from the street itself. Yeah, it's in the pavement, to the back part. Mr. Garn said the right-of-way is. It was commented it's something like 60 or something to the front, and Mr. Garn said right. So probably 10 or 15 feet of grass. It was commented okay.

Mr. Johnson said if they get the okay to build a garage the way he wants to, it's still set back 15, 20 feet from the front of other houses going across, you know, looking down the street. It's still set back beyond the other houses. So just roughly it's about 15 feet. Maybe 15 feet from the line. From the sideline. Or 15 feet in front of the house. It was asked is this 14 feet from the house, too, though. It was responded yeah, going that way. Yeah. Diagonal. Lengthwise. It's a difference here, the front of the garage, based on what he wants to do, is 15 feet. Mr. Johnson said from that corner of the house. The way the house is built, it sticks out like this, and it goes, okay. Well, he is talking 15 foot from this corner. And then you have another, what is it, 12 foot it comes out. Yeah. Yeah.

Mr. Sturgill said well, it don't seem much different to him than a lot of these L shaped houses you have. Mr. Garn said uh-huh. Mr. Sturgill said there is still plenty of room from that right-of-way. Mr. Johnson said this is about what it will look like. Mr. Sturgill said yeah, if he puts it a little closer, just put kind of a canopy over it, and it would look like it. Mr. Johnson said yeah. Mr. Sturgill said a walkway, and Mr. Johnson said yeah. It was asked, any reason not to get it closer to his neighbor on the west side. This right here. Mr. Johnson said no, it does not stick out that much. It's still going to be on the front of the house when it's back. Mr. Sturgill said he thinks it would stick out further. If it was over further to the west, it would look even worse. This way it looks almost like part of the house. It was commented yeah, if it's to the west, it would be closer to the property line. Mr. Sturgill said yeah, the fence. Yeah. Mr. Sturgill said it would be right at the side yard setback. It was commented that house trailer to the right of his property, there isn't much space between the house and the trailer in that other property. Mr. Sturgill said yeah, there is a stockade fence over there. It should not bother any neighbor.

Mr. Warnimont asked do his neighbors have any objection, or did he talk to his neighbors. Mr. Johnson said no, he has not talked to them. It was asked how long has the sign been out in front. Mr. Garn said the sign has been out for 10 days. It was commented okay. Mr. Garn said and he has had no calls from any neighbors. He has had no inquiries at all about this, about the property. It was commented that yeah, it was noticed that the house across the street has an attached garage, and it also in places seems to be violating the rear setback.

Mr. Sturgill asked what type of construction is the garage going to be. Mr. Johnson said it will be two by four. Mr. Sturgill asked is it going to be compatible with the house, and Mr. Johnson said yes, the same color siding and roof. Right. Mr. Sturgill said uh-huh.

Mr. Warnimont said what he had seen of the property when he was out there today, the property is well maintained. And that he can say he is going to do an excellent job to make it match the house to keep it with what he's got there. He does not think he is going to put a shed up to make the house look bad. Mr. Johnson said he has built other places. On Washington Street he built a couple of twinplexes over the years in the last 15 years.

It was asked that the entrance to the garage will be as you come in the driveway to the right, and the response was correct. It was commented where the fence is peeled back down, trying to correct that. Yeah, the east side. Mr. Sturgill said it was a porch here. They could not set it any further back and have it like that.

Mr. Johnson said right now he has a garden area in the back there in the back corner area. If they ended up putting a garage back in that area, they would have to put the garden out front. Look like the Amish. It was asked, you don't live there, and Mr. Johnson said no, he bought the place, and the boy's buying it off of him. He is raising his family. Mr. Garn said it's a family that lives there, and Mr. Johnson said right. His step boy. Right. Mr. Sturgill said well, it's not an ideal situation, but they have worse places in the township.

Mr. Garn said he has a procedural question. Should they vote, since Mr. Miller is not here, and he is the secretary, should they vote first to appoint someone as interim secretary before they even vote on this variance. Mr. Sturgill said it probably would not be a bad idea. Mr. Garn said right. He just thinks it might help keep everything above board. Ms. Hetman asked him, say what. Mr. Sturgill said he would accept a motion to adjourn the meeting as far as this particular issue is concerned and restart it in a little bit. Mr. Irwin was the second. Mr. Sturgill said it's been moved with a second that the meeting be adjourned as far as the application is concerned. A roll call vote was taken. Yes votes by Mr. Sturgill, Mr. Irwin, Mr. Warnimont, Ms. Hetman, and Mr. Warns. The motion carried 5-0-0. Mr. Sturgill told Mr. Johnson he could sit down.

Mr. Sturgill said the meeting is still in effect, and the next matter to come before the meeting is the fact that their secretary is not here this evening, and they have to appoint a substitute or an alternate secretary. Ms. Hetman nominated Mr. Warns with a second by Mr. Warnimont. Mr. Sturgill said it's been moved with a second that Mr. Warns be acting secretary for the evening. He asked if there were any further nominations, and there were none. A roll call vote was taken. Yes votes by Ms. Hetman, Mr. Warnimont, Mr. Irwin, and Mr. Sturgill. No vote by Mr. Warns. Motion carried 4-1-0.

Mr. Sturgill said they now need a motion to re-adjourn the meeting for the principal issue. Mr. Warnimont moved with a second by Mr. Irwin to re-adjourn the meeting. Mr. Sturgill said it's been moved with a second that the meeting be re-adjourned for the application. A roll call vote was taken. Yes votes by Mr. Warnimont, Mr. Irwin, Ms. Hetman, Mr. Warns, and Mr. Sturgill. Motion carried 5-0-0.

Mr. Sturgill asked if there was any further discussion on this matter. Mr. Warnimont said the only thing he can say is, again, he is going to do a nice job, and he thinks it will be an improvement. Like he said, if he puts it way in the back, it's going to take his back yard away. Ms. Hetman said there is not much they can do. Mr. Sturgill said he could make a motion, sir. Mr. Warnimont moved with a second by Ms. Hetman to accept the application. Mr. Sturgill said it's been moved with a second that the application be approved. A roll call vote was taken. Yes votes by Mr. Warnimont, Ms. Hetman, Mr. Irwin, Mr. Warns, and Mr. Sturgill. Motion carried 5-0-0. Mr. Sturgill said to Mr. Johnson, your application is approved, Mr. Johnson. He will have to get with Mr. Garn.

Mr. Sturgill then turned to Ms. Hetman. Ms. Hetman moved to adjourn. Mr. Garn said she had something she wanted to announce first. Ms. Hetman said well, she won't be here for the next meeting. They had better get somebody. Mr. Sturgill said okay. He asked if there was any new business or old business to come before the meeting. He said to Ms. Hetman that she may make her motion. Ms. Hetman moved to adjourn. She said say something. Mr. Garn said maybe nobody else wants to adjourn. Mr. Sturgill said her motion fails for lack of a second. Mr. Sturgill asked if Mr. Warns was the second, and he said yes. Mr. Sturgill said okay, it's been moved with a second that the meeting be adjourned. A roll call vote was taken. Yes votes by Ms. Hetman and Mr. Warns. Mr. Warnimont voted no. Ms. Hetman said you devil. The vote continued with yes votes by Mr. Irwin, and Mr. Sturgill. Motion carried 4-1-0. The meeting was adjourned at 6:20 p.m.

Respectfully submitted,



Grant W. Garn,
Recording Secretary