



Board of Zoning Appeals
Perrysburg Township, *Established 1823*
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Russell R. Miller, *Chairman*
Bill Irwin, *Vice-Chairman*
James Bennett, *Secretary*
Russell Sturgill
Jeffrey D. Justus
Bob Warnimont, *Alternate*
Elsie Hetman, *Alternate*

Board of Zoning Appeals Meeting Minutes June 19, 2012

The Perrysburg Township Board of Zoning Appeals held a meeting on June 19, 2012.

Mr. Miller, as Chair of the Perrysburg Township Board of Zoning Appeals, called the meeting to order at 6:01 p.m. He then asked Mr. Garn to please call the roll.

Members present: Mr. Miller, Ms. Hetman, and Mr. Warnimont

Members absent: Mr. Irwin, Mr. Bennett, Mr. Sturgill, Mr. Justus

Mr. Miller stated there was a minimum quorum to conduct business. However with the absence of Mr. Bennett, the first order of business was to elect a Secretary pro-tem. Mr. Miller stated he would entertain a motion from the Board. ***Ms. Hetman made a motion to nominate Mr. Warnimont as Secretary pro-tem. (Mr. Miller seconded).*** Mr. Miller stated there was a motion and a second to approve and asked if there was any further discussion. With no discussion, Mr. Miller asked Mr. Garn to please call roll. *YES- Ms. Hetman, Mr. Miller, and Mr. Warnimont. Motion carried*

Mr. Miller discussed a couple of administrative matters. He asked all those present who had cell phones to please turn them on silent or turn them off. Secondly, he mentioned the very sensitive microphones and asked if individuals were speaking amongst themselves to step outside or keep it to whisper because the microphones will pick it up.

Mr. Miller moved on to the first administrative item which was the approval of the Regular Meeting Minutes from April 17, 2012 and asked the Board if they had all received a copy and they indicated they had. He asked if there were any questions, comments, or changes to the minutes or a motion to approve. ***Ms. Hetman made a motion to approve the minutes (Mr. Warnimont seconded).*** Mr. Miller stated there was a motion and a second to approve and asked if there was any further discussion. With no discussion, Mr. Miller asked Mr. Garn to please call roll. *YES- Ms. Hetman, Mr. Warnimont, and Mr. Miller. Motion carried*

Mr. Miller stated that there was only one matter on the agenda that evening. He went on to advise Mr. & Mrs. Quaintance, the applicants, that there was a minimum quorum meaning there were three persons out of the five that evening and business could be conducted. It does take quorum to approve or deny any action before the Board. The Board can't know or tell the applicants ahead of time what the action will be but there is a probability statistically that the application could fail without getting three yes votes. Mr. Miller went on to state that the applicants had the choice of proceeding that evening or deferring the

application until the next meeting. If the latter is the case it would be by motion of the Board. Mr. Miller also mentioned there would be costs associated with that but the Board would waive those. After Mr. Miller provided the options for the applicants, the Board went into a brief recess so the applicants could review their options.

The Board reconvened at approximately 6:08 p.m. Mr. Miller asked the applicants how they would like to proceed and the applicants stated they would like to go ahead that evening.

Mr. Miller invited all those who wished to speak before the Board to please stand and be sworn in. Before Mr. Miller could swear in the individuals, a member of the audience asked a question related to the application. The woman in the audience stated she lived in the same neighborhood as the applicants, saw the sign, and wanted to know what it was all about. Mr. Miller went into detail about the application. The subject of the application centered on a setback variance on the rear portion of the lot. This setback is needed in order to place a home on the property of Mr. & Mrs. Quaintance.

Mr. Miller subsequently swore in the various individuals who would go before the Board.

Mr. Miller identified the first matter to go before the Board as **Application 2012-6910 (Variance)**. Sonya & William Quaintance live at 12375 Wilson Street, which is located at the south east corner of Broad and Wilson Streets. That home is located on lots 901 and 902. They would like to build a twenty eight (28) foot times (X) sixty (60) foot manufactured home with a full foundation on lots 903 and 904. The property is co-owned with her mother, Patricia Moore. It is zoned R4-A. The proposed home would be located fifteen (15) feet from the rear property line. The front yard and side yard setbacks are OK. Article V Section A states that the rear yard setback is to be twenty five (25) feet. The proposed home would be located ten (10) feet to close to the rear property line.

Mr. Miller invited the individual who would like to speak on behalf of the applicant to come forward. Mr. William Quaintance, 12375 Wilson Street, stated that they had been planning to put a house on their lots for a few years. They would like to keep the current mobile for a few years to help pay the mortgage but would like to move it to the back lots.

Mr. Miller asked if the Board had any questions. Ms. Hetman asked why they can't move the trailer up so it won't be so close to the back property line. Mr. Quaintance stated that 10 feet would be very close to the other house but with the zoning variance they could set it on the back two lots and not encroach on the third lot. Mr. Warnimont then asked how much space would be in the front yard from the new trailer to the road. Mr. Quaintance stated it would be 25 feet on the technical front yard which is Broad Street. Mr. Miller stated that to the south there is a large tree and a privacy fence and asked if they were on the property line and if they will remain. Mr. Quaintance stated the fence is pretty close or on the property line but the big tree will have to come down to get the home in. Mr. Miller asked if the fence along Broad Street will be taken down or replaced and Mr. Quaintance stated it would be replaced. Mr. Miller asked about the sheds and Mr. Quaintance stated they would remain. Mr. Miller asked Mr. Garn how far out, from the easterly property line,

the sheds were located. Mr. Garn did not know for sure but he thought fairly close. Mr. Quaintance stated the small shed is up against the fence so he assumed on the property line and the big shed is about three feet from the fence. Mr. Miller asked about the deck and Mr. Quaintance stated he would remove the deck.

Mr. Garn interjected and had a question about the removal of the current mobile home. Mr. Miller asked how long that would be; Mr. Quaintance stated between three to five years. Mr. Miller had a concern about the density and the length of time the current mobile home would stay on the property. Ms. Hetman asked again about moving up the mobile home since the deck will be removed. Discussion ensued about this. Ms. Hetman's question was cleared up.

Mr. Miller asked if there was anyone else to speak in support of the application; there was no one. Mr. Miller asked if there was anyone to speak in opposition of the application; there was no one.

Mr. Miller asked if there was any further discussion among the Board. Mr. Miller again stated his concerns with density and the length of time the older structure will remain. Mr. Miller then asked if there was a motion from the Board. ***Ms. Hetman made a motion to accept Application 2012-6910 with the exception of moving the sheds and the removal of the trailer at 12375 Wilson in three years (Mr. Warnimont seconded).*** Mr. Miller stated there was a motion and a second to approve and asked if there was any further discussion. Mr. Warnimont clarified the conditions Ms. Hetman's made but asked about the fence; Mr. Miller stated it would probably take care of itself. Ms. Hetman asked about the address and Mr. Quaintance stated that it would now be a Broad Street address. Mr. Miller asked if there was any further discussion; hearing none he asked Mr. Garn to please call roll. ***YES- Ms. Hetman, Mr. Warnimont, and Mr. Miller. Motion carried.***

Mr. Miller stated the next item on the agenda item about a discussion about the Zoning Resolution. Mr. Garn stated he brought it before the Zoning Commission and let them know there were about 30 or so changes. He wanted to let the Board of Zoning Appeals know that there may be changes with privacy fences in side yards. Mr. Miller stated once Mr. Garn had more specifics more discussion can occur.

Mr. Miller moved to the next item which was a discussion about what is approved when the meeting minutes are approved. Mr. Garn stated his comments were coming from a conversation with the Fiscal Officer, he doesn't know how correct or not, but it seems to be that the minutes, as approved when they are sent to the Board, is it. Mr. Garn was under the impression that the tape recorder supersedes but that's not the case. Mr. Garn stated that the Zoning Commission decided that when they got to specific issues they wanted to have in the minutes verbatim they would express that clearly to be illustrated in the minutes. Mr. Miller stated the general rule is the written minutes, as proposed, are the records of proceedings and the tape recording (now digital recordings) are tools to assist in making the written minutes accurate. A resolution would have to be adopted, by the Trustees, if the digital recordings would become the official record. When minutes are reviewed they are not reviewed to change what happened but to make them accurate to

reflect what happened. Once minutes are approved they become the official record and that's it. Mr. Garn stated this was the same process with the Zoning Map. Mr. Warnimont stated that with the Trustee Meetings, the Fiscal Officer gives highlights; Mr. Miller stated this was perfectly fine. It is not necessary to be verbatim as long as the essence of the meeting is conveyed. Mr. Warnimont believes they should approve the meeting minutes as well as the tapes. Mr. Miller stated this brings up possibilities of inconsistencies.

Mr. Miller asked if there were other items for the good of the order and if not the Chair would entertain a motion to adjourn. ***Mr. Warnimont made a motion to adjourn (Ms. Hetman seconded)***. Mr. Miller stated there was a motion and a second to adjourn; he asked if there was any further discussion and hearing none he asked Mr. Garn to please call roll. *YES- Mr. Warnimont, Ms. Hetman, Mr. and Mr. Miller. Motion carried.*

Meeting adjourned at 6:29 p.m.

Respectfully submitted,

Rosanna Violi