



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 July 17, 2012

The Perrysburg Township Board of Zoning Appeals held a meeting on July 17, 2012.

Mr. Miller, as Chair of the Perrysburg Township Board of Zoning Appeals, called the meeting to order at 6:00 p.m. He then asked Mr. Garn to please call the roll.

Members present: Mr. Miller, Mr. Irwin, Mr. Bennett, Mr. Sturgill, Mr. Justus, and Mr. Warnimont

Members absent: Ms. Hetman

Mr. Miller discussed a couple of administrative matters. He asked all those present who had cell phones to please turn them on vibrate 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 item of business which would have been the approval of the June 19, 2012 meeting minutes but he noted there were not a sufficient number of Board members present at that night's meeting who were present at the previous meeting to consider those minutes. Mr. Miller entertained a motion to defer approving the June 19, 2012 minutes until the next meeting. **Mr. Bennett made a motion to defer the approval of the minutes (Mr. Irwin 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- Mr. Bennett, Mr. Irwin, Mr. Sturgill, and Mr. Miller.*
Motion carried

Mr. Miller invited all those who wished to speak before the Board to please stand and be sworn in. 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 No. 2012-6920: (Variance)**: Woodmont Development LLC, Redwood Management Company and Redwood Acquisition LLC hope to have Plat 5 of the Woodmont Subdivision PUD-R(-4) revised so as to allow the building of multi-family units in the Plat. Those multi-family units would be called Barrington Place 2. If allowed, the rear of the proposed eight (8) units building located north east of Woodmont Drive would be within twenty (20) feet of the rear property line. Article V Section A District R-4 for multi-family units states that the rear yard

setback shall be thirty (30) feet. That building would thus be ten (10) feet to close to the rear property line. All other setbacks are conforming.

Mr. Miller deferred to Mr. Justus who wished to make a statement on this application. Mr. Justus stated the Perrysburg Township Zoning Commission met the previous evening [July 16] in reference to the zoning change application for the particular area on the Board of Zoning Appeals agenda. Mr. Justus stated the Zoning Commission moved to continue their meeting until next month and he doesn't believe the Board of Zoning Appeals can approve a variance for something that doesn't exist. Mr. Miller asked if any other Board member wished to speak and upon hearing none he invited Mr. Oravec to come forward.

Mr. Miller asked Mr. Oravec if the application before the Board of Zoning Appeals that evening would be contingent upon the action which needs to be taken by the Zoning Commission; Mr. Oravec stated it would be. Mr. Miller asked Mr. Oravec if Mr. Justus' statement about the previous evening's meeting was correct. Mr. Oravec stated it was correct and he had requested the extension for two reasons. First the reviewing engineer for the Township has not received final construction plans from Mr. Oravec as well as Mr. Oravec's colleague has been out for a personal matter. Secondly, the Zoning Commission did not receive the comments from the Township's reviewing engineer until just before the meeting last evening. Mr. Oravec stated obviously no one had an opportunity to examine the conditions before last night's [July 16] meeting to see if they could be corrected before the public hearing. Mr. Oravec reviewed the conditions and believed 90% of them can be resolved with a telephone conversation. However, he did not know that at the previous evening's meeting so rather than acting on the matter without fully reading the report he requested the continuance to the next month's meeting. Mr. Oravec also mentioned he offered to hold a meeting, with the residents in attendance of the Zoning Commission meeting, to go over the plans. Even though many stated they were not interested Mr. Oravec stated he will still hold the meeting and give them the opportunity if they so choose to come. Mr. Oravec then requested to have the meeting of the Board of Zoning Appeals continued until next month. Mr. Miller stated since the application is contingent upon approval of the Zoning Commission, the Board of Zoning Appeals is really unable to act and any action would be inappropriate. Mr. Miller asked Mr. Sturgill if he had any comments. Mr. Sturgill believed that under the circumstances it would be inappropriate. Mr. Miller went into detail of what was just discussed for those in the audience for clarification purposes.

Mr. Bennett asked a question to the Chairman. He asked Mr. Miller if the application is deferred until next month's meeting wouldn't it have to go before the Trustees? Mr. Garn stated the Trustees make a final determination of the zoning change at a public hearing. Mr. Miller stated what he would solicit as a motion would be to defer this application until the call of the applicant following the Zoning Commission and any necessary action of the Board of Trustees. **Mr. Justus made a motion to defer the application until the call of the applicant following the Zoning Commission and any necessary action of the Board of Trustees (Mr. Bennett 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- Mr. Justus, Mr. Bennett, Mr. Irwin, Mr. Sturgill, and Mr.

Miller. Motion carried

Mr. Miller stated the next matter on the agenda was a discussion on the proposed changes to the Township Zoning Resolution on the list provided. Mr. Miller asked Mr. Garn what was the intended time table? Mr. Garn stated the Zoning Commission asked it be brought before the Trustees to have it looked over. Mr. Miller stated it was submitted to the Board of Zoning Appeals for informational purposes. Mr. Miller looked into if the Board of Zoning Appeals can even make a recommendation related to the Zoning Resolution; a quick review of the duties show the Board of Zoning Appeals do not have authority to make recommendations. Mr. Sturgill believed reviewing the Zoning Resolution was for comment purposes only. Mr. Miller instructed the Board if they had comments to direct them to Mr. Garn to forward onto the Zoning Commission.

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 (Mr. Bennett 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, Mr. Bennett, Mr. Irwin, Mr. Justus, Mr. Sturgill, and Mr. Miller. Motion carried.*

Meeting adjourned at 6:16 p.m.

Respectfully submitted,

Rosanna Violi