



Board of Zoning Appeals Meeting Minutes February 18, 2025

Mr. Warnimont, Chair, called the meeting to order and asked Mr. Justus to call the roll.

Members present: Mr. Warnimont, Mr. Biniker, Mr. Grimm, Mr. Irwin, and Mr. Kujawa
Members absent: Mr. Stange

Pledge of Allegiance

Mr. Warnimont asked for cell phones to be silenced and asked those that need to take calls to step into the foyer for those calls. Any discussions should be taken to the foyer as well, as the sound system is sensitive.

Mr. Warnimont asked for a motion to approve the February 18, 2025, meeting agenda. **Mr. Grimm moved to approve the agenda; Mr. Biniker seconded. YES – Mr. Grimm, Mr. Biniker, Mr. Irwin, Mr. Kujawa, and Mr. Warnimont. Motion carried.**

Mr. Warnimont asked for a motion to approve the January 21, 2025, meeting minutes. **Mr. Grimm moved to approve the minutes; Mr. Irwin seconded. YES – Mr. Grimm, Mr. Kujawa, Mr. Irwin, Mr. Biniker and Mr. Warnimont. Motion carried.**

Mr. Warnimont asked all those who intended or thought they might need to make a presentation to stand and be sworn; he subsequently swore all those in.

2025-0004 (variance) Javier Cobain Jr, 12510 Lincoln Blvd, requests variance approval from [Article VII, Section B. Accessory Structures and Uses](#) for a 22.6' x 21.2' detached garage constructed within a required 10 foot side yard setback. Property is zoned C-2 Community Business District. Wood County Parcel Nos. [P60-400-180302021000](#), [P60-400-180302022000](#), and [P60-400-18030202300](#).

Javier Cobain, 4716 S. Crestridge, Toledo, OH spoke regarding the application and stated when they purchased the property, they talked with the previous owner and estimated the property line. Mr. Cobain reported the structure was built off what they believed to be the property line. Mr. Cobain acknowledged he was wrong but wanted to make things right.

Mr. Warnimont reported a Zoning Certificate was not obtained for the structure. Mr. Cobain stated that was correct. Mr. Warnimont asked if Mr. Cobain was aware the property was zoned. Mr. Cobain stated he knew the property was zoned and they should have obtained zoning approval. Mr. Irwin noted they own several properties within Perrysburg Heights and questioned if construction had been performed on other properties. Mr. Cobain reported nothing major, mostly interior work as renters move in and out. Mr. Warnimont asked Mr. Cobain to describe any work performed on the property after purchased. Mr. Cobain stated there was a carport existing on the property when purchased that they enclosed and later removed so they could

construct the garage. Mr. Biniker questioned if Mr. Cobain owned the realty company (J.I.D. Realty, LLC). Mr. Cobain confirmed they formed the company to purchase real estate. Mr. Grimm questioned if permits were obtained from Wood County. Mr. Cobain stated no permits were obtained.

Mr. Warnimont asked if there were individuals wishing to speak against the request. Mr. John Hummel, 505 Elm Street (Perrysburg, OH), purchased property immediately east of Mr. Cobain on March 25, 2019. Mr. Hummel hired Glass City Engineering to survey the property on September 17, 2019. Mr. Hummel stated four corner pins were located on his property and property lines were marked with wooden stakes tied with orange ribbon. Mr. Hummel reported JID Realty own forty (40) lots within Perrysburg Heights. Mr. Hummel stated a new concrete pad was poured by JID Realty shortly he purchased the property, he referenced a 2018 aerial photograph noting the size and location of concrete pad. Mr. Hummel referenced a 2020 aerial photo which showed the concrete pad was enlarged and location had moved closer to the property line. Mr. Hummel stated he believed the pad was located twenty-four inches (24") off his property line. Mr. Hummel reported a 2023 aerial image showed the enclosed garage structure. Mr. Hummel noted there was a small storage shed at the rear of the property and noted several planters, and a portion of a fence may be located on his property. Mr. Hummel stated he spoke to Irma (Javiers mother) regarding the zoning infractions, but they had not been resolved as promised. Mr. Warnimont noted the fence issue was not included with the application before them that evening.

Mr. Hummel noted setbacks for residential versus commercial properties. Mr. Irwin questioned how far the commercial district extended down Lincoln Boulevard. Mr. Justus stated he believed JID Realty was the last commercial property noting most properties along State Route 25 were zoned commercial. Mr. Warnimont questioned when the property was zoned commercial. Mr. Justus stated he was uncertain noting the property was residential long before it was commercial.

Mr. Warnimont asked for additional comments or a motion from the Board. ***Mr. Grimm moved to deny application 2025-0004; Mr. Biniker seconded. YES – Mr. Grimm, Mr. Biniker, Mr. Irwin, Mr. Kujawa, and Mr. Warnimont. Application denied.***

With no other business on the agenda, Mr. Warnimont asked for a motion to adjourn. ***Mr. Grimm moved to adjourn; Mr. Biniker seconded. YES – Mr. Grimm, Mr. Biniker, Mr. Irwin, Mr. Kujawa, and Mr. Warnimont. Meeting adjourned: 6:19p.m.***

Respectfully submitted,
Kelly Moore