

Board of Zoning Appeals
July 20, 2017
Minutes

Mr. Zeiher called the meeting to order at 4:30 PM. The following members were present: Mr. Dan Delahunt, Mr. Kevin Zeiher and Mr. Walt Matthews. Ms. Casey Sparks represented the Planning Department; Mr. Trevor Hayberger represented the Law Department and Debi Eversole, Clerk from Community Development. Dr. Semans arrived before the agenda items were presented and Chairman Feick was excused.

Mr. Matthews moved to approve the meeting minutes from the June 15, 2017 meeting as written. Mr. Delahunt seconded the motion. With no discussion, the motion carried with a 3/0 vote.

Upon Dr. Semans arrival, there were 4 voting members for the following agenda items.

Ms. Sparks reported that Sarah Porter had submitted an application for a use variance to allow for a commercial use on the first floor at **332 Lawrence Street**. The existing building is zoned as R2F which would permit two residential units, the applicant is proposing commercial on the first floor and three units on the second floor. The applicant has applied for a Special Residential Permit through the Planning Commission for approval of the third unit. The applicant has indicated that the building has been vacant for two years. The first floor consists of approximately 714 square feet, this spaces was previously utilized for commercial use. There were previous correspondence with planning staff dating back to 1997 regarding the use of the building as a commercial use and three apartments, however since it has been vacant for more than a year the applicant is required to receive a variance and a special residential permit for the use of the building. The application indicates the proposed uses to be office in general, attorney, office, accountant, or similar use. Section 1149.05 would require three parking spaces for this use; however the existing site is non-conforming and does not offer any off-street parking for either the apartment or business. Staff recognizes that these types of uses would generally not require a large amount of parking. Staff does not believe that an office type use would be a negative impact to the surrounding property. Staff would recommend the approval of the variance with the condition that the space is utilized for one of the following uses, insurance office, attorney, tax preparation, or similar use.

Mr. Zeiher asked what the last use of the commercial office was. Ms. Sparks stated that there was a file that indicated that the space has been vacant since June of 1996. Mr. Zeiher asked if Ms. Porter planned on operating her own business out of this space or will she lease the space to an outside entity. Ms. Sparks stated that the applicant would lease the space and that it was her understanding that it would be a tax preparation office.

Mr. Matthews asked if the applicant was in the audience today. Ms. Sparks stated that the applicant was informed of the meeting and it was her understanding that the applicant would be present to answer questions.

Ms. Sparks stated that the Planning Commission will deal with any parking requirements; however, the use that is proposed should not have any issues with on street parking.

Dr. Semans stated that there were 5 electric meters and asked if there were 2 office spaces previously on the first floor. Ms. Sparks stated that her files did not indicate that but that the space is large enough to possibly have had 2 offices in the past.

Mr. Matthews stated that any application that is heard before the Board Members should have the applicant present to answer questions. It was indicated that this is not a requirement in the application process, but it would be helpful.

Ms. Sparks stated that she received a letter from Robert and Maryann Fritz, stating that Staff did not indicate what the use would be in the surrounding property notifications. They stated that there is a difference between a bar and a beauty shop. Ms. Sparks stated that she recommended that the space be limited to office space.

Mr. Zeiher asked if it is limited to what could actually go in there. Could a beauty shop go in there? Ms. Sparks stated that with a professional office space, there would not be customers in and out all day long, whereas a beauty shop may have more customers in and out throughout the day and that would not be a recommended use for this space.

Mr. Delahunt moved to grant the variance as recommended by the Staff. Dr. Semans seconded the motion. Mr. Hayberger clarified that this motion included the condition of office use as Staff indicated in the recommendation. With no further discussion, the motion carried with a 3/1 vote. Mr. Matthews opposed.

Ms. Sparks stated that Sandusky City Schools had filed an application for variances for the proposed 3rd – 6th grade elementary school building at **2020 Hayes Avenue**. There are three portions of the building along Buchanan Street that do not meet the required 75' side yard setback required for educational facilities located within a public facility zoning district. The proposed variances to the side yard include 4'-6", 10'-4", 50'-5". Staff recognizes that this site is difficult to fit a building of the size that will accommodate the needs to the district and still meet the required setbacks. The setbacks will not affect surrounding property owners and the adjacent uses are also public facilities. Staff recommends approval of the variances; the education facility will greatly benefit the neighborhood and the community. This project will also be heard at Planning Commission.

Mr. Zeiher swore in Robert Glasford, who is present on behalf of the applicants.

Robert Glasford, 27955 Clemons Rd, Westlake stated that he is the architect for the applicant. He pointed out that the major variance is on the angled piece of the proposed building. This is a two-story classroom wing. The district wanted a significant amount of play area in the back, so it kept the building toward the front of the street. The architects thought that tilting that wing would relate it to the High School and would run parallel and perpendicular to Hayes Avenue. The other condition that the district desired was to have an outdoor classroom area and the front area between the angled portion and straight portion is a proposed outdoor classroom area.

Mr. Matthews asked what the cost of the project would be. Mr. Glasford stated that the State of Ohio is co-funding the project per the number of students. The number of students determines the square footage and there is a cost per square foot. The design cannot be outside the range determined by the state. The budget is 30 million.

Mr. Delahunt asked if the fire and police departments had any concerns with having the outdoor classroom in the front toward Hayes Avenue. Ms. Sparks stated that they have seen the plan as part of the site plan review and have no concerns. She added that the Public Facility District setbacks for the City are pretty extreme. They were created many years ago and set for buildings like a courthouse where the building is in the middle of the parcel. Mr. Glasford added that the outdoor classroom would be completely fenced in.

Mr. Zeiher asked where the gates would be. Mr. Glasford indicated that the gates would be in the center.

Mr. Delahunt asked where the main entrance would be. Mr. Glasford indicated that the main entrance is off of Buchanan Street to keep the bus and car traffic separate.

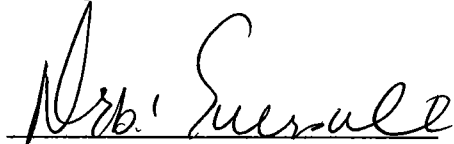
Dr. Semans moved to approve the application. Mr. Matthews seconded the motion, which carried unanimously.

Ms. Sparks announced that there is an Open House at the State Theatre at 6:00pm tonight and all members are invited to attend.

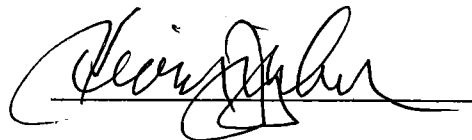
The next regularly scheduled meeting will be August 17, 2017.

With no further business, the meeting was adjourned at 4:50pm.

APPROVED:



Debi Eversole, Clerk



Kevin Zeiher, acting Chair