

MINUTES OF PUBLIC HEARINGS

PERRYSBURG CITY COUNCIL

APRIL 7, 2015

Mayor Olmstead called the first public hearing to order at 6:05 p.m. Present were Council Members Todd Grayson, John Kevern, Jim Matuszak, Rick Rettig and Barry VanHoozen (5). Tim McCarthy and Tom Mackin were absent. Also present were Bridgette Kabat, City Administrator, David Creps, Finance Director, and Brody Walters, Planning and Zoning Administrator.

The purpose of the hearing was to consider an amendment to Chapter 1250.42 of the Planning and Zoning Code regarding fences, walls, screens, hedges and screen plantings. Mr. Walters stated that over the last several years we have had many requests from property owners who want to extend a 6' fence to the midway point of their side yard. As the Code currently reads, that request would have to go to the Board of Zoning Appeals. This type of request is normally approved by the BZA so this amendment would permit a 6' fence to the midpoint of a side yard. It also modifies the fence chart to make it easier to understand. The amendment also changes the Code to prohibit chain link fence in a front yard, prohibit barbed wire, and allow above ground electric fencing only in Agricultural zoning.

There being no further comments, the first public hearing adjourned at 6:10 p.m.

Mayor Olmstead called the second public hearing to order at 6:10 p.m. Present were Council Members Todd Grayson, John Kevern, Jim Matuszak, Rick Rettig and Barry VanHoozen (5). Tim McCarthy and Tom Mackin were absent. Also present were Bridgette Kabat, City Administrator, David Creps, Finance Director, and Brody Walters, Planning and Zoning Administrator.

The purpose of the second public hearing was to consider an amendment to Chapter 1250.61 of the Planning and Zoning Code regarding accessory buildings and uses. Mr. Walters explained that currently the maximum size of accessory structures allowed is based on the size of the principal structure. The amendment would change that to base the permitted size to be in proportion to the size of the lot. Mr. Grayson asked about existing structures that would not be permitted under the change. Mr. Walters said that they would have a legal non-conforming status. Mr. Matuszak stated that if this is a way to provide flexibility he likes that. He asked if there is a limit on the number of accessory structures allowed. Mr. Walters stated that the maximum square footage allowed is a total of all structures.

The second public hearing adjourned at 6:19 p.m.

Mayor Olmstead called the third public hearing to order at 6:20 p.m. Present were Council Members Todd Grayson, John Kevern, Jim Matuszak, and Barry VanHoozen (4). Tim McCarthy, Tom Mackin and Rick Rettig were absent (3). Also present were Bridgette Kabat, City Administrator, David Creps, Finance Director, and Brody Walters, Planning and Zoning Administrator.

The purpose of the third public hearing was to consider an amendment to Chapter 1230.03 of the Planning and Zoning Code regarding provisions governing maximum unoccupied height. The amendment would allow the Board of Zoning Appeals to grant a height variance for any portion of a building up to 50% of the permitted height for properties in A1, C3, C4, OS, I1, I2, INS and PBP zoning districts.

Mr. Walters stated that currently the Board of Zoning Appeals can grant height variances for unoccupied portions of buildings allowing them to be up to 15% taller than the maximum permitted height. He has been asked by an individual looking to build a hotel to do a code amendment that would allow the occupied portion of buildings to exceed the maximum height requirements of Chapter 1230. He explained that there are two ways to amend the maximum height. The first is to amend the maximum heights by right and the second is to provide the ability to request a variance through the Board of Zoning Appeals. He said that he prefers the variance process because it allows it to be considered on a case by case basis. Mr. Kevern asked if the Fire Division is okay with the increased height. Mr. Walters said that he has not had the conversation recently, but it was discussed when the Hilton Garden Inn was built and they had no issues with it. Mr. Matuszak asked why C1 and C2 zoning districts are not included. Mr. Walters said that C1 and C2 includes neighborhood commercial and the downtown area and it does not seem appropriate for those areas.

There being no further comments, the public hearing adjourned at 6:24 p.m.

David D. Creps, Clerk

Michael J. Olmstead, Mayor