

**BOARD OF ZONING APPEALS
MINUTES OF MEETING
December 14, 2020
Viz 'Zoom'**

MEMBERS PRESENT: Carl Zani, Richard Mickley, Eric Moulton, Mary Lou Ranney, Jason Moore, Barbara Taylor, Scott Zwiezinski

OTHERS PRESENT: Tami Buerger, Mike Dauss, Lori Koontz, David Laslow, Marc Dilsaver, Anthony Will, Steve Cummings, Teddy Valinski, Doug Olsen, Stephanie Van Bourgondien, Ron Todd

APPROVAL OF MINUTES: The minutes from October 19, 2020 were approved as submitted.

AGENDA ITEMS:

- 1. To hear an appeal of a public nuisance determination as defined in Chapter 1339 for property located at Parcel # 2900190320000 (Wedgewood Ct.) (Timberview Golf Course). Filed by Anthony Will (Schulze, Cox & Will), Representative.**

Mr. Will is representing Bob Lewis, owner of the property. The City has received multiple complaints and sent several letters regarding Timberview Golf Course as a nuisance property for having rubbish and debris located on an open lot. Mr. Will proposed that everything would be cleaned up by March first of twenty twenty-one, if not, the abatement can be assessed to the property.

Motion: Mr. Zani

VOTE: Mr. Zwiezinski **YES**; Ms. Ranney **YES**; Mr. Moore **YES**; Mr. Mickley **YES**; Mr. Zani **YES**; Mr. Moulton **YES**; Ms. Taylor **YES**

Approved 7 - 0

- 2. To hear a variance request to permit a secondary drive-thru menu board sign for a commercial business vs the required zoning requirements located in the codified ordinance Chapter 1143.14 (E), for property located at 1044 Delaware Avenue (Burger King). Filed by Michael Dauss, Representative.**

Mr. Dauss presented the application to the board. The Burger King property already has approval to do renovations to the building. The applicant requested to add an additional menu board located toward the rear of the building. The menu board is within the setbacks.

Motion: Mr. Moulton

VOTE: Ms. Ranney **YES**; Mr. Moore **YES**; Mr. Mickley **YES**; Mr. Zani **YES**;
Mr. Moulton **YES**; Ms. Taylor **YES**; Mr. Zwiezinski **YES**

Approved 7 - 0

3. **To hear a variance request to permit additional wall identification signs for a Commercial business vs the required zoning requirements located in the codified ordinance Chapter 1143.18 (A), for property located at 1044 Delaware Avenue (Burger King). Filed by Michael Daus, Representative.**

Mr. Daus presented the second application to the board. The applicant requested a second identification wall sign on the front of the building. There is already a freestanding sign facing Delaware Ave which is the one permitted sign.

Motion: Mr. Mickley

VOTE: Mr. Moore **YES**; Mr. Mickley **YES**; Mr. Zani **NO**; Mr. Moulton **YES**;
Ms. Taylor **YES**; Mr. Zwiezinski **YES**; Ms. Ranney **YES**

Approved 6 – 1

*Mr. Zani explained that this additional signage would be too many with the already existing signs.

4. **To hear a variance request to permit a commercial parking allotment reduction vs the required zoning requirements located in the codified ordinance Chapter 1141.12 (4)(L), for property located at 222 E. 8th Street (Walking Distance Brewery Company). Filed by Doug Olsen, Owner.**

Mr. Olsen and Mr. Valenski presented the application to the board. Per the City code, twenty-one parking spaces are required for the size of this establishment. Mr. Olsen proposed 7 parking spots along with public parking along the street.

Motion: Ms. Taylor

VOTE: Mr. Mickley **YES**; Mr. Zani **NO**; Mr. Moulton **YES**; Ms. Taylor **NO**;
Mr. Zwiezinski **YES**; Ms. Ranney **YES**; Mr. Moore **YES**

Approved 5 – 2

*Mr. Zani is worried the lack of parking will cause issues in the area.

*Ms. Taylor said the code requires 21 parking spaces.

5. **To hear a variance request to permit a commercial fence height increase vs the required zoning requirements located in the codified ordinance Chapter 1139.21 (C)(b), for property located at 222 E. 8th Street (Walking Distance Brewery Company). Filed by Doug Olsen, Owner.**

Mr. Olsen and Mr. Valenski presented the second application to the board. Per the City code, fences can only be six feet tall. Mr. Olsen would like to install an eight-foot fence along the patio side of the property. Mr. Olsen explained the eight-foot fence would help with privacy and noise escaping to the surrounding properties.

Motion: Mr. Mickley

VOTE: Mr. Zani **YES**; Mr. Moulton **YES**; Ms. Taylor **NO**; Mr. Zwiezinski **YES**;
Ms. Ranney **YES**; Mr. Moore **YES**; Mr. Mickley **YES**

Approved 6 – 1

*Ms. Taylor said City code allows six foot fences.

DISCUSSION ITEMS:

COMMENTS OF INDIVIDUAL BOARD MEMBERS:

ADJOURNMENT: The meeting was adjourned at 8:10 p.m.