

**BOARD OF ZONING APPEALS
MINUTES OF MEETING
November 21, 2022**

TIME IN: The meeting was called to order at 7:00 p.m.

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

OTHERS PRESENT: Matt Perkins, Jillian Dyer, Kevin Behrens, Marta Csejtey, Susan Truitt, Joe Ruby, Kathy Young, Stephanie Van Bourgondien, Zach Andrews

APPROVAL OF THE MINUTES: The minutes from the June 20, 2022 meeting were approved as submitted.

CITIZEN COMMENTS:

REPORT OF ADMINISTRATION:

NEW BUSINESS:

1. To hear a variance request to permit the installation of solar panels on the front-facing roof pitch vs. the requirements of Section 1139.07 (d) (2) B. *Roof mounted solar panels shall not be installed on the front pitch facade without the issuance of a variance by the Board of Zoning Appeals*, for residential property located at 1679 Adena Pointe Drive.

Mr. Perkins presented the application to the board. Based on the position of the home, the applicant cannot take full advantage of the solar panels. Mr. Moulton questioned the replacement of roof shingles when needed; the applicant would have the solar panels removed and reinstalled.

Motion to approve: Mr. Zwiezinski

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

Approved 6 - 0

2. To hear a variance request to permit the installation of solar panels on the front-facing roof pitch vs. the requirements of Section 1139.07 (d) (2) B. *Roof mounted solar panels shall not be installed on the front pitch facade without the issuance of a variance by the Board of Zoning Appeals*, for residential property located at 700 W. 7th Street.

Mr. Behrens presented the application to the board. This is similar to the previous application. The applicant spoke to surrounding neighbors, no one had an issue with the solar panels.

Motion to approve: Mr. Mickley

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

Approved 6 - 0

3. To hear a variance request to permit the installation of a 6' foot tall privacy fence with 100% opacity into the front yard vs. the requirements of Sections 1123.20 (c) (2) D. *Fence located in the front yard of residential properties shall have a maximum opacity of fifty percent*, and 1121.07: *Fence Location: Front Yard (3ft), Side Yard (6ft), Rear Yards (6ft)*, for residential property located at 613 Quail Hollow Drive N.

Ms. Csejtey presented the application to the board. The applicant requested to place the fence beyond the front of the house due to it being a corner lot. City staff recommended moving the fence just inside of the utility easement located along White Oak Court; Ms. Csejtey agreed.

Motion to approve: Ms. Taylor

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

Approved 6 - 0

4. To hear an appeal of a notice of noncompliance/zoning violation, which was issued following the completion of exterior improvements, which were subject to review and approval by the Marysville Design Review Board, for commercial property located at 303 W. 5th Street.

Ms. Truitt presented the application to the board. The original application was presented and approved by the Design Review Board regarding updates to the home. According to the architectural plans, there was no plan to change the two front doors so the Design Review Board never discussed any other options. Ms. Truitt said the architect overlooked the door placement on the plans, the intent was always to have one door and remove the second door. The second door is a non-functioning door, there is a wall on the inside.

Motion to approve: Mr. Moore

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

Approved 5 - 1

****Mr. Zani voted 'NO' because he does not want to override a decision made by the Design Review Board.**

5. To hear a sign variance request to permit the installation of a 13.7 square foot, projecting sign vs. the requirements of Section 1129.19 (c) (2) D. **Projecting Sign. Eight (8) sq. ft. maximum: One (1) per unit, per street frontage,** for commercial property located at 103 S. Main Street.

Mr. Ruby presented the application to the board. The current zoning code allows for eight square feet of signage; the proposed sign is thirteen square feet. Mr. Ruby gave examples showing that historically a sign of this size fits with the intent of the district. There is also a marketability concern with downsizing the sign. The board members discussed the variance of allowable square footage, minimum of three feet from the corner of the building and the sign being above the dividing line of the building.

Motion to approve: Mr. Zwiezinski

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

Approved with conditions 5 - 1

****Mr. Zani voted 'NO' because he feels the sign is too big and too close to the corner of the building and having two permitted wall signs should be sufficient.**

DISCUSSION ITEMS: Revision of the Rules and Procedures will be discussed in January. Mr. Moulton suggested reviewing the code requirements for solar panels.

COMMENTS OF INDIVIDUAL BOARD MEMBERS:

ADJOURNMENT: The meeting was adjourned at 8:14 p.m.