

Board of Zoning Appeals
September 17, 2009
Minutes

The Chairman called the meeting to order at 4:30 p.m. The following members were present: John Mears, Bill Semans, Kevin Zeiher and John Feick. Walt Matthews was absent. The following staff members were present: Carrie Handy, Matt Kline, Scott Schell, and Amanda Meyers.

Chairman Feick asked the Board to rule on the minutes from the previous meeting, August 20, 2009. Mr. Zeiher moved to approve the minutes as presented; Mr. Mears seconded the motion, which carried unanimously.

Chairman Feick swore in everyone who wished to speak.

The first item on the agenda was an application for variances to the required front & side yard setbacks to permit the construction of an attached garage at 402 Cove Street, filed by Don Mather.

Chairman Feick commented that correspondence had been received from the Dissauer's who owned 805 Curran Street stating that they had no objections to the proposed variances. Also, correspondence had been received from the Hoelzer's stating that they objected to the variance based on sight line problems.

Chairman Feick asked if anyone wished to speak in favor of this requests.

Ed Fuller, 809 Curran Street, stated he had looked at the corner where Mr. Mather was trying to set the garage and he didn't see that it was going to be a problem. Mr. Fuller commented that he had been in boathouses there since 1967 and since Mr. Mathews had bought that property, he had done nothing but improve the neighborhood. He didn't see any reason why he would do anything different from that at this time.

Fire Chief Mike Meinzer commented that he also lived in the neighborhood and he stated that the more vehicles that were off the street and in garages was better for access for emergency vehicles. He commented that this was especially true in the winter, when the plows come through.

Don Mather, 402 Cove Street, stated that he had bought the property in 1981 and he had built a 2nd & 3rd floor above the boathouse. He had purchased the derelict buildings to the east and knocked them down. Those buildings used to block the Speer's Island roadway and there was virtually no way to get out without a restriction. After the fire, those property owners approached him about fixing up the buildings or tearing them down. Mr. Mather commented that the Speer's Island people ran out of money and they couldn't come up with enough money for their half of the joint seawall so Mr. Mather and his wife put in the rest of the money.

Mr. Mather stated that the derelict buildings were gone and there were now nice boats, docks, yards & decks. He commented that he had put his life into this place. Four years ago, he and his wife decided to build a new home in Florida and then they heard about the Marina project. They sold their home in Florida and moved back here since they knew Sandusky was going places. He stated they supported everything the City wanted to do. Mr. Mather stated that the only thing they were missing was a garage to cover their cars. Mr. Mather addressed Mr. Hoelzer's objection regarding the shrubbery and garage – he stated that the property had always been heavily shrubbed way before he bought it. Mr. Mather passed out pictures showing the sight lines. He commented that the garage that he was going to build would have glass doors. Mr. Mather referred to Portside over at Kelley's Island and they had an outside restaurant, in bad weather, they pull their glass doors down. Mr. Mather's had been in contact with a company who would furnish an 18' glass entrance door for the garage and you would be able to see right through it. There would be no sight line problems and this would be the "Cadillac" of garages. He asked for the Board's permission for the variance.

Mr. Mather gave the Board members drawings of 2 other options. He commented that the price went up as the options went up. Option 1 was the variances as requested, option 2 was a covered carport – just extending the roofline of the house, option 3 was to use a 3' setback – he stated that they could live with that setback but that was price prohibitive since it would require remodeling the house also and option 4 was no Curran Street variance at all – that would also require remodeling the house extensively.

Ed Fuller commented that he had seen near miss accidents at the corner of Cove & Curran Street and he felt that should be a 3 way stop. He felt that should be looked at whether the variance was approved or not.

Don Mather agreed that there was a lot of cut through traffic. He commented the neighborhood was changing and homeowners were putting a lot of money into their properties. He stated that he was the first one who started the improvements and he would like to keep going.

Chairman Feick asked if anyone wished to speak against the variances. Lowell Knittle, 808 Curran Street stated he wasn't against Mr. Mather building, but he was concerned about the parking situation. He wanted to know if there was any concern that the garage would take away parking. Chairman Feick commented that it wouldn't affect anything on the street side.

No one else spoke and the matter returned to the table. Mr. Mears asked if the Mathers would consider modifying the shrubbery. Mrs. Mather stated that they would do whatever was necessary. Mr. Mears commented that they wouldn't need to pull out all the shrubs but maybe eliminate every other one so there were gaps. Mr. Mather's commented that they could trim them.

Chairman Feick commented that Mr. Mather's had given them 4 proposals and he questioned whether Mr. Mather's had considered moving the garage further east. Mr. Mather's stated that was all landscaped and he would prefer not to take up his side yard where they spend their time. Chairman Feick commented he wasn't real keen on a 0' setback. He felt that was too close to Curran Street. Mr. Mather's pointed out that even with a 0' setback; they were still over 7' from the edge of the pavement. There was further discussion with regards to the options and setbacks.

Mr. Mears commented that parking was bad in that area. He clarified that there wasn't a sidewalk in that area and Mr. Mather stated there was a sidewalk further down on Cove but not in this area. Mr. Mears stated he was very much in favor of sidewalks and if you put a sidewalk down there, there would be less chance of people parking close to the buildings. He asked if Mr. Mather would consider putting a sidewalk there and Mr. Mather commented that he couldn't.

Dr. Semans asked if the slips where the boathouses were, do those boat owners, do people park along those slips. Mr. Mather's stated those were all his boats, but they did park parallel along in that area. Dr. Semans asked if the garage would block sight lines any more than what was blocked by the cars already parked in that area.

Duane Sartor – 326-328 Curran Street commented that he had a boathouse there, built in 1905, and if you put sidewalks in, there would be no parking whatsoever. That would be a great concern to him and it would also be a fire safety issue.

Mr. Mears moved to approve both variances as requested with the condition that the shrubbery be modified to the satisfaction of the Police Dept. The motion was clarified that would be a 0' setback off Curran Street and a 17' setback off Cove Street. Mr. Zeiher seconded the motion which carried 3 – 1 with Chairman Feick voting against it.

Dr. Semans moved to have staff look into the possibility of having a 3-way stop at the corner of Cove & Curran Streets, Mr. Mears seconded the motion which passed unanimously.

The second item on the agenda was an application for a variance to the maximum allowed height for a building at 529 Water Street, filed by Jack Runner on behalf of the Sandusky Yacht Club. THIS APPLICATION WAS TABLED AT THE PREVIOUS MEETING.

Mr. Mears commented that he had a discussion with Jack Runner after the last meeting and he felt that they really weren't prepared, they didn't have enough information, and they were basing their information on the application on the fact that the PUD for the Marina District had already been approved. He stated that they misunderstood what Carrie had said that the PUD legislation had been approved.

Dr. Semans commented that the Board was giving them the opportunity to withdraw their variance by the Board tabling it and he was surprised that they weren't represented at the meeting. Mr. Zeiher commented that whether they understood what occurred, they knew it was on the agenda.

Chairman Feick commented that from the last meeting, Mr. Runner stated they wanted to build condos like their neighbors and in his opinion, there were no immediate neighbors that had the ability to build a 125 feet building. He stated that Mr. Runner said the Yacht Club wanted the 125 feet variance so that they could have their property appraised at a higher number which would allow them to get a better deal with their bank. Chairman Feick didn't feel that was a zoning issue. Chairman Feick commented that Mr. Runner didn't feel the 125 ft. variance was substantial and Chairman Feick disagreed with that. He commented that there were guidelines in the Code that the Board was to consider when making a decision and Mr. Runner didn't address those standards. Chairman Feick commented that the Yacht Club didn't do a good job explaining their reasons for the variance.

Mr. Mears commented that he would rather have them build out closer to the present club than right against the road. He stated that if they weren't coming back, then he would move that the Board deny the requested variance. Dr. Semans seconded the motion. Chairman Feick clarified that a yes vote was to deny the variance. The motion carried 4 – 0.

Dr. Semans commented that he would like to see Planning Commission look at the Shoreline Drive Extension and if the intent was for it to follow Shoreline Drive to Water Street and extend along Water Street, he would recommend that they revisit that and define it better. He made that into a motion, which Mr. Zeiher seconded and that motion carried unanimously.

There was no further business before the Board and Mr. Mears moved to adjourn. Mr. Zeiher seconded the motion and the meeting was adjourned.

APPROVED:

Carrie Handy, Acting Clerk

John Feick, Chairman