

Board of Architectural Review

Minutes of the regular meeting of March 15, 2023. Mr. Schaaf called the meeting to order.

Acting Secretary, Tim Burns, took the roll call. Members present: Mayor Craig Stough, Kate Fischer, Carol Lindhuber, Ken Marciniak and Jeff Schaaf, (5) present. Law Director, Leslie Brinning, also present.

Ms. Lindhuber moved, Ms. Fischer seconded to approve the Minutes of the February 15, 2023, meeting as submitted. Vote being: Stough, Lindhuber, Fischer, Marciniak and Schaaf (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 3 – Regulated Sign – app. no. 3-2023 requested by Robert Hall of Toledo Sign, 5525 Harroun Road, Sylvania, Ohio 43560. Application is for a new wall sign.

Sign is within the limits of the Sylvania Sign Code.

Mr. Marciniak moved, Ms. Fischer seconded, to approve the sign shown in the drawing submitted with the application. Vote being: Stough, Lindhuber, Fischer, Marciniak and Schaaf (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Ms. Fischer moved, Ms. Lindhuber seconded to adjourn the meeting. All present voted aye. Meeting adjourned.

Submitted by,

Timothy Burns, Acting Secretary
Municipal Planning Commission

Sylvania Municipal Planning Commission

Minutes of the regular meeting of March 15, 2023. Mr. Schaaf called the meeting to order.

Acting Secretary, Tim Burns, took the roll call.

Members present: Mayor Craig Stough, Kate Fischer, Carol Lindhuber, Ken Marciniak and Jeff Schaaf, (5) present. Law Director, Leslie Brinning, also present.

Ms. Lindhuber moved, Ms. Fischer seconded to approve the Minutes of the February 15, 2023, meeting as submitted. Vote being: Stough, Lindhuber, Fischer, Marciniak and Schaaf (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 3 – Organizational Meeting

a. Election of Officers:

1. Chair – Mr. Marciniak moved, Ms. Lindhuber seconded to elect Jeff Schaaf as Chair. Vote being: Stough, Lindhuber, Fischer, Marciniak and Schaaf (5) aye; (0) nay. Motion passed by a 5 to 0 vote.
2. Vice-Chair - Mr. Marciniak moved, Ms. Lindhuber seconded to elect Kate Fischer as Vice-Chair. Vote being: Stough, Lindhuber, Fischer, Marciniak and Schaaf (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 4 – Lot Split – app. no. 1-2023 requested by Kevin Schaffner of Farmers and Merchants State Bank, 5830 Monroe Street, Sylvania, Ohio 43560. John Healey of SVN-Ascension Commercial Real Estate, representing Farmers and Merchants Bank was present along with Ms. Crystal Jordan of Farmers and Merchants State Bank.

Mr. Marciniak stated that approving the lot split would create a problem down the road as the property does not have access to the road.

Mr. Burns stated that there is a recorded ingress/egress access easement in place running through the property.

Ms. Brinning added that as long as the access easement runs with the land, it will meet the requirement of access to the road.

Further discussion about the easement took place.

Mr. Healy asked that the minutes reflect that the easement goes all the way back to the property that they are asking to be split off.

Mr. Burns added for the record, that there is also a recorded cross access easement in place.

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Mr. Marciniak moved, Ms. Lindhuber seconded, to approve the lot split as submitted. Vote being: Stough, Lindhuber, Fischer, Marciniak and Schaaf (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 5 – Proposed Ordinance No. 33-2023, Amending Chapter 1105 - Board of Appeals of the Sylvania Codified Ordinances by amending Section 1105.07 - Variances (Council Referral to the Planning Commission). Law Director, Leslie Brinning, present.

Ms. Brinning explained that this section of our code was last revised in 2011, and that since then, there has been an Ohio Supreme Court case that was decided (in 2013) that set forth for specific separate criteria for non-use or area variances vs. use variances; and that our code does not allow for granting different use variances on a property. She added that the proposed amendment is bringing our code section into confines with what the Supreme Court set forth in that decision and that this will also help the Board of Zoning Appeals feel comfortable in their authority to hear any kind of area variance.

Mr. Marciniak stated that an example would be helpful.

Mr. Burns explained that the City currently has platted lots (about 200), which are typically small lot residential properties, that are below the City's minimum square footage requirement. He added that, as of now, if someone buys one of the lots and wants to build on it, that there is no entity for them to go to ask for a variance on the total square foot area.

Ms. Fischer moved, Ms. Lindhuber seconded, to recommend to City Council to approve Proposed Ordinance No. 33-2023 as submitted. Vote being: Stough, Lindhuber, Fischer, Marciniak and Schaaf (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Ms. Lindhuber moved, Ms. Fischer seconded to adjourn the meeting. All present voted aye. Meeting adjourned.

Submitted by,

Timothy Burns, Acting Secretary
Municipal Planning Commission