

RECORD OF PROCEEDINGS
VILLAGE OF PENINSULA BOARD OF ZONING APPEALS
March 9, 2023

Call to Order: The Meeting was called to order by Mr. Barnhart at 7:00 p.m.

Roll Call:

Charles Moyer – Present
Barney Barnhart – Present
Mark Anson – Present
John Shega – Present

Others Present: Village Solicitor Brad Bryan and Zoning Officer Chuck Hemming

Election of Board Chairperson, Vice-Chairperson, & Secretary for 2023:

A motion was made by Mr. Barnhart and seconded by Mr. Moyer to appoint John Shega as Chairperson.

Roll Call Vote: Mr. Moyer, yes; Mr. Barnhart, yes; Mr. Anson, yes; Mr. Shega, yes. The appointment was approved.

A motion was made by Mr. Barnhart and seconded by Mr. Shega to appoint Mr. Anson as Vice-Chairperson.

Roll Call Vote: Mr. Moyer, yes; Mr. Barnhart, yes; Mr. Anson, yes; Mr. Shega, yes. The appointment was approved.

A motion was made by Mr. Shega and seconded by Mr. Anson to appoint Mr. Barnhart as Secretary.

Roll Call Vote: Mr. Moyer, yes; Mr. Barnhart, yes; Mr. Anson, yes; Mr. Shega, yes. The appointment was approved.

Approval of Minutes:

June 15, 2020 Meeting Minutes

Mr. Anson made a motion to approve the June 15, 2020 Meeting Minutes that was seconded by Mr. Moyer.

Roll Call Vote: Mr. Moyer, yes; Mr. Barnhart, yes; Mr. Anson, yes; Mr. Shega, yes. The Minutes were approved.

Variance Request Hearing:

Request for Variance by Peninsula Foundation, 6138 Riverview Road #F, Peninsula, Ohio from Off-Street Parking Requirements Set Forth in Section 1125.04 of the Village Zoning Code for Peninsula Coffee, 1653 Main Street

Mr. Shega read the variance request aloud. Zoning Officer Chuck Hemming stated the bank building has three parking spaces in the front on Route 303 and nine spaces located in the back of the building, with one space designated for handicap parking. The building occupancy is 34 customers, with 17 parking spaces required per the Village Code. Since the total number of available parking spaces is 12 spaces, a variance request is needed. Mr. Hemming stated there is on street parking and the antique business to the west of the bank building is also owned by the Foundation. The Antique business owners have more than adequate parking needed for their

business and have granted permission for six parking spots to be used by the bank building. Steve Craig, a Peninsula Foundation Board Member, stated the bank building project is classified as an adaptive reuse under the Federal Guidelines for the treatment of historic properties. The Planning Commission, at February's meeting, approved the Foundation's request for a Certificate of Appropriateness for exterior renovations to the 1653 Main Street building so that the building could be adapted to house the "Peninsula Coffee" coffee shop. All permits have been secured from the Stow Building Department, the EPA for the wastewater unit, and the Street Commissioner for drainage. The variance is the last permit needed. The Peninsula Foundation is paying for the exterior building renovations while the new tenant is covering all interior renovations. The goal of the Foundation and Coffee Shop owners is to be open by the end of summer 2023. Mr. Craig stated the Antique store parking lot is approximately 400 feet away from the bank building. The driveway for the bank building is owned by the National Park. It was used as an access road during the construction of the bridge and was the original road that went to the mill. It is also called Alleyway 66. The bank building was built in 1910 and has been repurposed several times over the years. Mr. Shega asked how the six additional parking spaces at the antique business would be guaranteed indefinitely for the bank building. Mr. Craig responded a deed restriction or lease agreement would be put in place to protect the parking for the bank building.

Mr. Bryan stated the variance being requested is an area variance. He reviewed the factors to be weighed when considering an area variance that are contained in Zoning Code Section 1149.08. He stated the Board could impose reasonable additional conditions in connection with granting the variance.

The Board analyzed the variance request based upon the criteria set forth in the Code. The following information was provided in response to questions from the Board. The building was last occupied 4 years ago, and there have been several interested parties in the property. All for the same purpose. One member brought up the overhanging landscaping that renders the sidewalk almost impassible at the resident's house that is between the extra parking spaces at the antique store and the bank building. That property is the Herrington home, and it has been vacant for many years. Mr. Craig stated the shrubs are a nuisance, and the Village needs to insist that the owner trim them back. Mr. Hemming stated he will address that issue with the property owner. Mr. Bryan stated if the property owner is not responsive, the Village Service Department can cut back the shrubs and assess the cost of the work on the tax duplicate if the bill is not paid by the property owner in a timely manner. A BZA member asked whether the Coffee Shop business could cut the seating capacity down to 24 persons to meet the parking requirements. Mr. Craig stated shrinking the seating capacity would not fit the business model. Customers are needed for the business to succeed. Mr. Craig stated the business would not always be at capacity, and there is also street parking just across the bridge. A lot of the business would come from foot traffic from the neighborhood and the Towpath.

Mr. Shega noted the Board had now thoroughly reviewed the 'Factors Applicable to Area Variances' list with no other questions and asked whether the members were ready to vote on the variance.

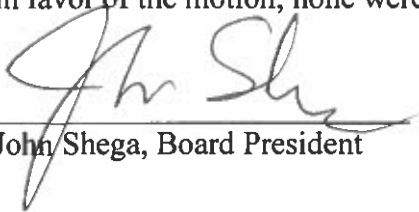
Mr. Shega made a motion to approve the Peninsula Foundation's variance request from the off-street parking requirements set forth in Section 1125.04 of the Village Zoning Code for Peninsula Coffee. The motion was seconded by Mr. Barnhart.

Roll Call Vote: Mr. Shega; yes, Mr. Anson; yes, Mr. Barnhart; yes, Mr. Moyer; yes. The variance was granted.

Mr. Hemming stated based upon this decision, he will issue a zoning permit for the project. He complimented the Foundation Members for their transparency in this process and efforts to work together with the Village to iron out all the details. Mr. Craig stated the Foundation will post all of the permits in the window of the building.

New Business: None.

Adjournment: Mr. Shega made a motion to adjourn that was seconded by Mr. Anson. All were in favor of the motion; none were opposed. The Meeting was adjourned at 7:32 p.m.



John Shega, Board President

4/22/25

Date