



Board of Zoning Appeals

November 6, 2019

6:00 p.m.

Notice is hereby given that the Board of Zoning Appeals of the Village of Whitehouse will hold a meeting on Wednesday, November 6, 2019, at 6:00 p.m. in the Whitehouse Village Hall, 6925 Providence Street, Whitehouse, OH.

AGENDA

1. Call to Order.
2. Approve Minutes of the July 10, 2019 meeting.
3. Review, discuss and finalize a ruling regarding Appeal #03-2019 submitted by Jeffrey Chamberlain, owner of General Pro Hardware, to install a greenhouse located at 6623 Providence Street.
4. Any other business as appropriate under the Village Charter.
5. Adjourn.

Jordan D. Daugherty
Village Administrator

**VILLAGE OF WHITEHOUSE
BOARD OF ZONING APPEALS MINUTES
July 10, 2019**

Board members present: Chuck Kethel, Leroy Ryerson, Thomas Spears, Julie Studer. Also present was Doug McMahon and Planning Administrator Tiffany Bachman.

The Board of Zoning Appeals (BZA) meeting was called to order by Tom Spears at 6:00 p.m.

First order of business is to approve minutes from last meeting. Motion made by Leroy Ryerson, seconded by Julie Studer. Motion passed 4-0

Doug McMahon appeared before the board of zoning appeals asking for three variances. Leroy asked where the fence would be located. The fence location has not been determined. It will be between the car wash and the bank. He's asking for a variance for the sign to be closer to the road and sidewalk and the square footage. Leroy stated the sign also has to be the same distance away from the property line as the height of the sign. Doug would also like to keep the existing sign in addition to the new sign.

Motion made by Leroy Ryerson to deny the two signs and permit the 15 foot setback. After further discussion, Mr. Ryerson withdrew his motion. Matter will be continued when more information is gathered from First Federal Bank, a neighbor of the car wash, regarding their beatification and sign and how it will affect the car wash. Members would also like to see a smaller sign.

With no further business to come before the Board, Leroy Ryerson moved to adjourn, Julie Studer seconded the motion. Motion passed 4-0 and the meeting was adjourned at 6:33 pm.

Respectfully submitted,

Tiffany Bachman
Planning Administrator

**STAFF REPORT
BOARD OF ZONING APPEALS #03-2019
November 6, 2019**

Applicant: Jeffrey Chamberlain

Date Appeal Filed: October 11, 2019

Subject Property: 6623 Providence Street, Whitehouse, OH

Request: Applicant is requesting a variance to construct a twenty-four (24) foot by forty-eight (48) foot gothic arch greenhouse garden center.

Adjacent Zoning: To the, south, north and west: C-2
To the east: R-3

Adjacent Uses: To the south and west: Commercial
To the north and east: Single family home

CONSIDERATIONS:

1. A zoning permit was requested to build a greenhouse for sales purposes only.
2. The applicant was sent a letter on October 11, 2019, denying the request for a zoning permit due to Section 1255.02 of the Whitehouse Zoning Code (Land Use Matrix). This section states that a Greenhouse is only allowed in the “A” District with a Special Use Permit.
3. The Whitehouse Zoning Code defines Greenhouse as “a building or structure enclosed with glass or other glazing used for the cultivation and production of plants”. The Board of Zoning Appeals is asked to give a variance for the greenhouse as this is not the intended use and will only be used for *selling* plants and garden merchandise.
4. Section 1242.03 (B) of the Zoning Code sets forth the powers and jurisdiction of the BZA as follows:

Variances. To authorize, upon appeal, a variance from the practical difficulties of strict application of the terms of this Zoning Ordinance, where the landowner would be deprived of reasonable return or beneficial use of property by reason of exceptional narrowness, shallowness or shape or exceptional topographic conditions or other extraordinary situation or condition of a lot, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent of the Zoning Ordinance, and provided further that no

variance shall be granted unless the Board specifically finds that all of the following conditions exist:

1. The special circumstances or conditions applying to the building or land in question are peculiar to such lot or property and do not apply generally to other land or buildings in the vicinity.
2. The granting of the application is necessary for the preservation and enjoyment of a substantial property right and not merely to serve as a convenience to the applicant.
3. The condition from which relief or a variance is sought did not result from action by the applicant.
4. The authorizing of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or imperil the public safety or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the health, safety, convenience or general welfare of the inhabitants of the Village.

Respectfully submitted,

Tiffany Bachman
Planning Administrator



PETITION

Before the Board of Zoning Appeals

REQUEST FOR VARIATION

Docket No. _____

DO NOT WRITE IN THIS SPACE – FOR OFFICE USE ONLY

Date Filed: 10-11-19 Time: _____

Date set for Hearing: _____ Time: _____

Fee Paid on: 10-13-19 Amount: \$100.00

Comments: _____

NOTICE TO APPLICANTS

A Variation is a zoning adjustment which permits minor changes of district requirements where individual properties are both harshly and uniquely burdened by the strict application of the law. The power to vary is restricted and the degree of Variation is limited to the minimum change necessary to overcome the inequality inherent in the property. "Variation" means the modification of the requirements of a zoning district and does not include the substitution of uses assigned to other districts.

A variation recognizes that the same district requirements do not affect all properties equally; it is used to permit minor changes to allow hardship properties to enjoy equal opportunities with properties similarly zoned. You must prove that your land is affected by special circumstances or unusual conditions. These must result in uncommon hardship and unequal treatment under the strict application of the Zoning Ordinance.

You must prove that the combination of the Zoning Ordinance and the uncommon conditions of your property prevents you from making any reasonable use of your land as permitted by your present zoning district.

You must file this Petition along with the following: The filing fee established by the Village of Whitehouse; an 11 x 17 inch Site Plan and a 24 x 30 inch Site Plan giving dimensions and scale; a Legal Plat of Survey; proof of ownership; and a copy of any rough building plans giving dimensions and scale. You may also be required to submit additional information.

You must complete the following questions (if additional space is needed, attach extra pages to this Application).

1) Name of owner(s): Princess Estates, LLC
Jeffrey L. Chamberlain, Owner

2) If Land Trust, name(s) of all beneficial owners: _____

3) Name of Applicant(s): General Pro Hardware Inc / Princess Estates
Jeffrey L. Chamberlain Owner - Both

4) Address of Applicant(s): 6633 Providence Street
Whitehouse, Ohio 43571 419-877-0461

5) Applicant(s) phone number: Home 419-877-0811 Office 419-877-0461
Home _____ Office 419-356-6620 cell

6) Property interest of Applicant:

- Owner
- Contract purchaser
- Attorney of owner
- Other (describe) _____

7) Address of property in question: _____

8) Size of parcel: 66' x 200 5 parcel on main street.
Owned By Princess Estates

9) Present zoning category:

- | | | |
|------------------------------|---|-------------------------------|
| <input type="checkbox"/> A | <input type="checkbox"/> R-4 | <input type="checkbox"/> C-4 |
| <input type="checkbox"/> S-1 | <input type="checkbox"/> R-5 | <input type="checkbox"/> M-1 |
| <input type="checkbox"/> R-1 | <input type="checkbox"/> C-1 | <input type="checkbox"/> M-2 |
| <input type="checkbox"/> R-2 | <input checked="" type="checkbox"/> C-2 | <input type="checkbox"/> B.P. |
| <input type="checkbox"/> R-3 | <input type="checkbox"/> C-3 | |

10) Adjacent Zoning:

To the North: C2
To the South: C2
To the East: RB UNSURC
To the West: C2

11) How is the property in question presently improved? _____

Addition of a Gothic Arch Greenhouse Structure to be used as a Retail Garden Center at General Pro Hdwe.

12) Present Use:

- Commercial
- Industrial
- Residential
- Other
(Describe) _____

13) Adjacent Uses:

To the North: Rental House 6615 Providence owned by Process Estates
To the South: General Pro Hdwe owned by Jeff Chamberle v
To the East: Single Family and ~~about~~ 2 out of five are Rentals
To the West: First Federal Bank, Car Wash, Retail Store, Rental House

14) A VARIATION is requested in conformity with the powers vested in the Board of Zoning Appeals to permit the General Pro Hardware to install a 24' x 48' Gothic Arch Greenhouse Garden Center on the property described above.
(insert use of construction proposed)

15) Permit applied for and denied:

- Yes
- No

16) Is the property in question currently in violation of the Zoning Ordinance?

- Yes
- No

If yes, how? _____

17) Is the property in question presently subject to a variation?

Yes

No

If yes, list each date and ordinance granting the variation(s). _____

18) From what zoning and/or sign ordinance are you requesting a variation? _____

Section 1255.02

19) ATTACH LEGAL DESCRIPTION AS IT APPEARS ON THE DEED.

20) What characteristics of your property prevent it being used for any of the uses permitted in your zone?

Too narrow

Shape

Too small

Soil

Too shallow

Subsurface

Elevation

Other (Specify)

Slope

Zoning Description

21) Describe the items checked, giving dimensions where appropriate. _____

24' X 48' Greenhouse Structure for Retail Sales
to be setback even with current Hardware Structure
37' North of Hardware commencing 24' North and 48' east

22) How do the above site conditions prevent any reasonable use of your land

under the terms of the Zoning Ordinance? Unable to Sell Green Goods,
Garden Related Decor and Enlarge Staff and Sales

23) Are the conditions on your property the result of other man-made changes (such as relocation of a road or highway)?

Yes

No

If so, describe _____

24) Which of the following types of modifications will allow you a reasonable use of your land?

- Setback requirement
- Side yard restriction
- Area requirement
- Lot-coverage requirement
- Off-street parking requirement

Other (describe) Allowing Greenhouse Structure
in a commercial setting. NO growing of
Product, just Display and Sales March thru November

25) To the best of your knowledge, are the conditions of hardship for which you request a Variation true only of your property?

Yes

No If no, how many other properties in your immediate vicinity to the best of your knowledge are similarly affected? _____

26) Explain why in your opinion the grant of the Variation requested will be in harmony with the neighborhood and not contrary to the intent and purpose of the Zoning Ordinance. (Use additional pages if necessary)

A Greenhouse / Retail Garden Center should fit
the C2 District as it is Retail Sales, this
structure is needed to maintain flats and
Baskets of Flowers and Garden Plants.
We intend to partner with Penta County Hort.
Dept and Local FFA Classrooms to grow
our stock and hope to improve Students Classroom
instruction as part of this project.

I (we) certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief.

I (we) consent to the entry in or upon the premises described in this application by any authorized official of the Village of Whitehouse for the purpose of securing information, posting, maintaining and removing such notices as may be required by law.

Jeffrey L. Chamberlain
(Signature) Owner

10-14-2019
(Date)

(Signature) Applicant

(Date)



General Pro Hardware

6633 Providence Street

Whitehouse Ohio 43571

Phone 419-877-0461 generalpro.com

October 14, 2019

Village of Whitehouse
Board of Zoning Appeals

Please accept our request for a variance to allow us to put up a Greenhouse Structure to be used as a Retail Garden Center. The Anderson's closed and left a void for this type of product selection and we are being requested by our customer's to expand into live plants and garden accessories (bird baths, benches, small nursery stock and yard ornament). We would expect to use this structure March thru November for sales and then use it to house mulch and winter over stock under cover in the off months. This structure floor and the space between The Hardware and Green House will be covered in a heavy black ground cover to keep vegetation from growing and a non-tripping surface for safety. I foresee roughly 2 additional seasonal employee's to man this space.

I have been in contact with Penta Career Center and have outlined a program that their students will contract grow for us through their Horticultural and FFA Programs if we can proceed with this structure. We supply the materials and pay for their labor to fund further future field trips and conventions, possibly enough to lighten their current fund raising efforts. This partnership will give students an opportunity to grow, transport and see the product sales from seed to finish and be graded as a project. We hope to offer goods at a lower price and bigger fuller product than the Box stores and support agriculture through education.

I have had initial contact with Fire and Building on the structure verbally and have a positive outlook pending plan submittal and their final approval, if we are granted permission from this board. We would like to be able to erect before the weather is bad for Spring Sales.

Thank you

Jeffrey L. Chamberlain, CEO/Pres
General Pro Hardware, Inc
419-877-0811

6615 Prov

Propose Retail Garden Center

24' x 50' Gothic Arch Greenhouse

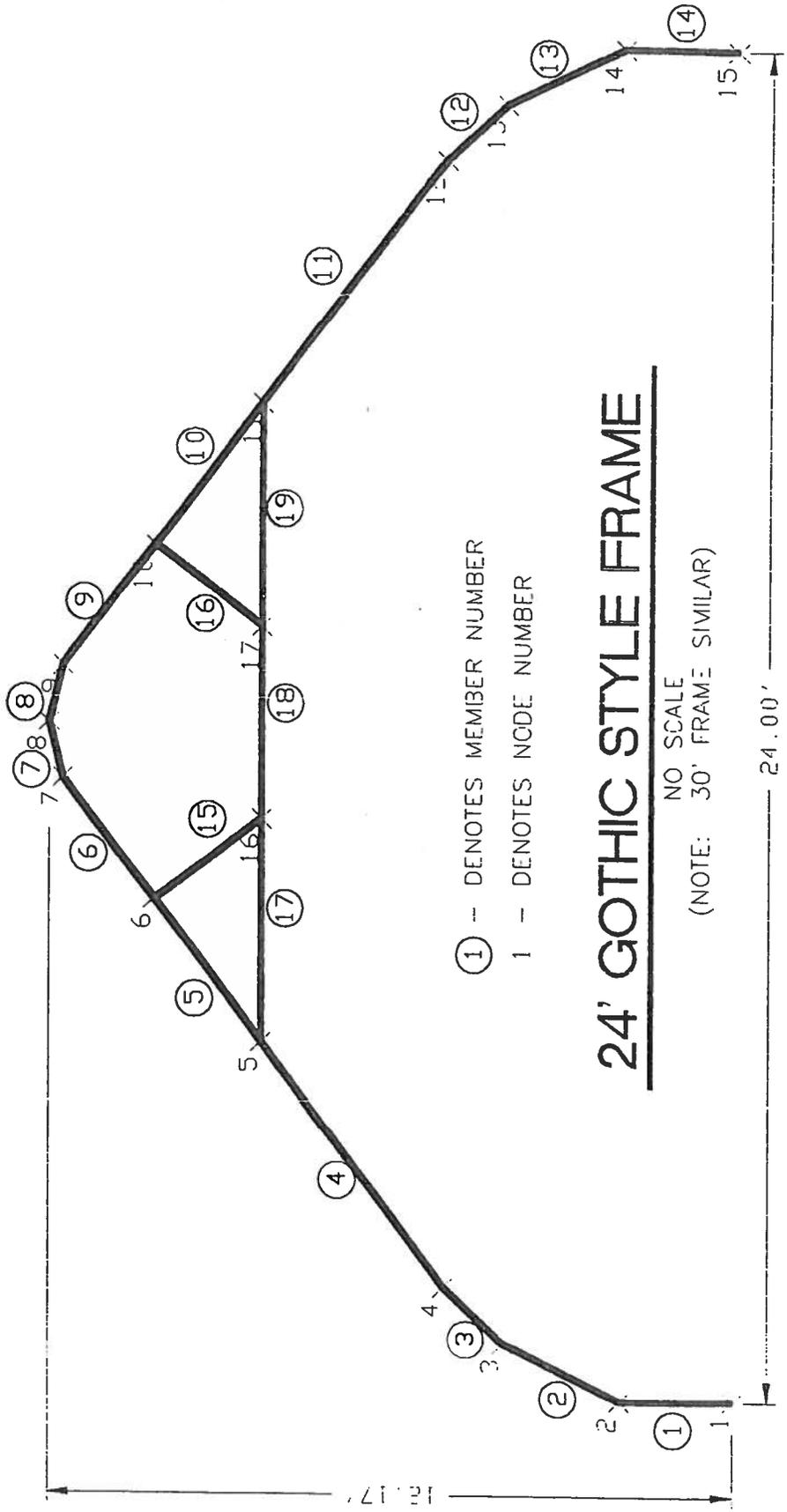
G r e e n S p a c e

P r o v i d e n c e S t r e e t

Current Hardware Building 60' x 150'

Parking Lot

Former Alley



① -- DENOTES MEMBER NUMBER
 1 -- DENOTES NODE NUMBER

24' GOTHIC STYLE FRAME

NO SCALE
 (NOTE: 30' FRAME SIMILAR)

24.00'

12.17'

21' & 24' E-ZY GROWER GOTHIC GREENHOUSE

21' Gothic Specifications:

Bows: 1.315, 14 gauge
Gatorshield® tubing

Purlins: 1.315, 18 gauge
Gatorshield® tubing

21' Standard-Wall:

- Height At Peak: 10'3"
- Height 3' from Side: 5'11"
- Groundpost: 36"
(4" above ground)
- Poly Width: 32'

21' Mid-Wall:

- Height At Peak: 11'9"
- Height 3' from Side: 7'5"
- Groundpost: 54"
(26" above ground)
- Poly Width: 36'

24' Gothic Specifications:

Bows: 1.315, 14 gauge
Gatorshield® tubing

Purlins: 1.315, 18 gauge
Gatorshield® tubing

24' Standard-Wall:

- Height At Peak: 12'0"
- Height 3' from Side: 6'3"
- Groundpost: 36"
(4" above ground)
- Poly Width: 36'

24' Mid-Wall:

- Height At Peak: 13'8"
- Height 3' from Side: 7'6"
- Groundpost: 54"
(26" above ground)
- Poly Width: 40'



FABRICATION

STANDARD-WALL FRAMES	Frame	Wire Polylock Package	Crossbrace Package (every 8 feet)	Endwall Frame (one end) EACH
21' x 48' Frame - 4' bow spacing; 1 purlins	Contact your regional account manager custom quote or call 1.800.468.4011 for details on a special quote			
21' x 48' Frame - 4' bow spacing; 3 purlins				
21' x 96' Frame - 4' bow spacing; 1 purlins				
21' x 96' Frame - 4' bow spacing; 3 purlins				
24' x 48' Frame - 4' bow spacing; 1 purlins				
24' x 48' Frame - 4' bow spacing; 3 purlins				
24' x 96' Frame - 4' bow spacing; 1 purlins				
24' x 96' Frame - 4' bow spacing; 3 purlins				
MID-WALL FRAMES	Frame	Wire Polylock Package	Crossbrace Package (every 8 feet)	Endwall Frame (one end) EACH
21' x 48' Frame - 4' bow spacing; 1 purlins	Contact your regional account manager custom quote or call 1.800.468.4011 for details on a special quote			
21' x 48' Frame - 4' bow spacing; 3 purlins				
21' x 96' Frame - 4' bow spacing; 1 purlins				
21' x 96' Frame - 4' bow spacing; 3 purlins				
24' x 48' Frame - 4' bow spacing; 1 purlins				
24' x 48' Frame - 4' bow spacing; 3 purlins				
24' x 96' Frame - 4' bow spacing; 1 purlins				
24' x 96' Frame - 4' bow spacing; 3 purlins				

NEED A DIFFERENT LENGTH?

Call us to quote your **CUSTOM** length!

30' E-ZY GROWER GOTHIC GREENHOUSE

30' Gothic Specifications:

Bows:

1.66, 14 gauge Gatorshield® tubing

Purlins:

1.315, 18 gauge Gatorshield® tubing

30' Standard-Wall:

- Height At Peak: 12'0"
- Height 3' from Side: 6'3"
- Groundpost: 36" (4" above ground)
- Poly Width: 42'

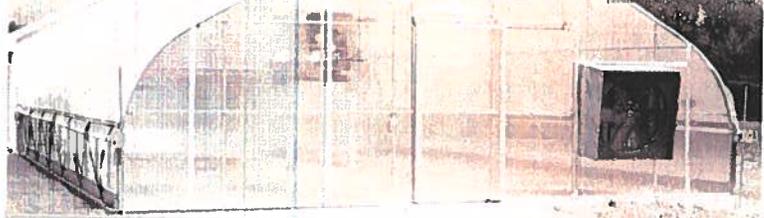
30' Mid-Wall:

- Height At Peak: 13'8"
- Height 3' from Side: 8'1"
- Groundpost: 54" (26" above ground)
- Poly Width: 48'

30' Hi-Wall:

- Height At Peak: 15'10"
- Height 3' from Side: 10'4"
- Groundpost: 84" (54" above ground)
- Poly Width: 50'

Common lengths are priced below.



Our 30' E-zy Grower Gothic Greenhouse is ENGINEER CERTIFIED to support snow loads of 35 lbs/square foot. (certified for continuously heated greenhouse with bows 4' o.c. and crossbraces every 8').

What does that mean?

It means that this is one tough greenhouse. It's designed to take the nastiest northern weather that Mother Nature has to offer. Wind, rain and snow are no match for this house. The secret is the slope of the bows, heavy wet snow can topple a regular greenhouse, but snow just can't cling to ours, it slides right off!

STANDARD-WALL FRAMES	FRAME	Wire Polylock Package	Crossbrace Package (every 8 feet)	Endwall Frame (one end) EACH
30' x 48' Frame - 4' bow spacing; 3 purlins				<p align="center">Contact your regional account manager custom quote or call 1.800.468.4011 for details on a special quote</p>
30' x 48' Frame - 4' bow spacing; 5 purlins				
30' x 96' Frame - 4' bow spacing; 3 purlins				
30' x 96' Frame - 4' bow spacing; 5 purlins				
30' x 144' Frame - 4' bow spacing; 3 purlins				
30' x 144' Frame - 4' bow spacing; 5 purlins				
MID-WALL FRAMES	FRAME	Wire Polylock Package	Crossbrace Package (every 8 feet)	Endwall Frame (one end) EACH
30' x 48' Frame - 4' bow spacing; 3 purlins				<p align="center">Contact your regional account manager custom quote or call 1.800.468.4011 for details on a special quote</p>
30' x 48' Frame - 4' bow spacing; 5 purlins				
30' x 96' Frame - 4' bowsacing; 3 purlins				
30' x 96' Frame - 4' bow spacing; 5 purlins				
30' x 144' Frame - 4' bow spacing; 3 purlins				
30' x 144' Frame - 4' bow spacing; 5 purlins				

NEED A DIFFERENT LENGTH?
Call us to quote your CUSTOM length!



General Pro Hardware

6633 Providence Street

Whitehouse Ohio 43571

Phone 419-877-0461 generalpro.com

October 28, 2019

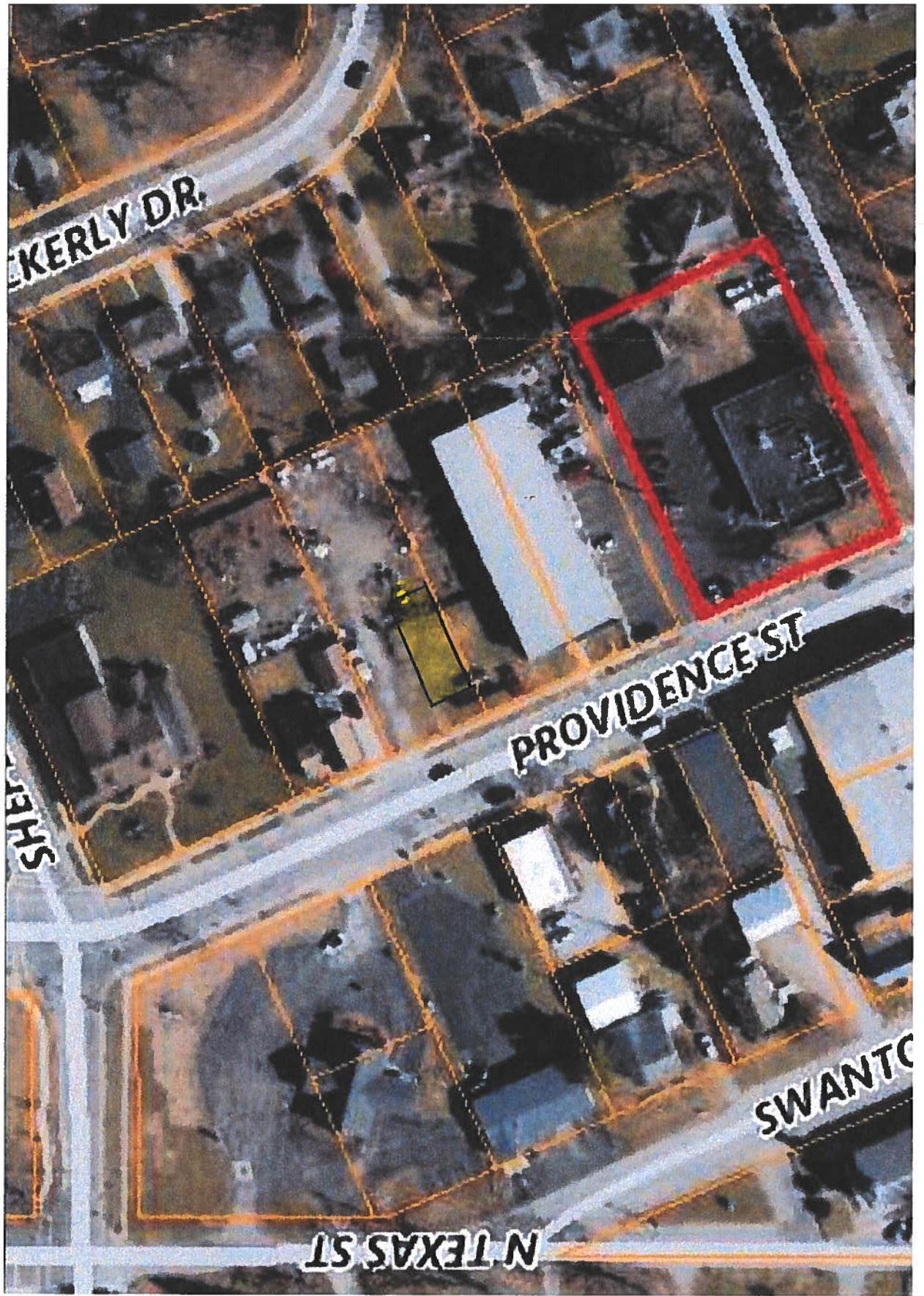
Village of Whitehouse
Board of Zoning Appeals

RE: School Participation

We have been asked how much Participation Penta Career Center will provide. I would hope to get 100% grown by the any or all of the 16 FFA programs through Penta County. Realistically I would guess 25-50% our First year. This is partly due to the delay with getting the structure up this year before weather is problem with erection before winter. We would need to be able to have this ready by Thanksgiving to give the teachers enough time to adjust their programs to plant for us by Jan 31-Feb15. This will give an allotment of time to grow the baskets and flats in time for spring sales in April. The response from the groups has been positive, after talking to David Stacklin, Ag & Transportation Tech Supervisor. I think we can get to at least 50% in year Two, and a lot of this is determined based on sales and classroom student's production. I believe that, based on comments in store now, we may not be able to have enough space to produce what we have sales demand. The other avenue I have considered is Bittersweet Farms should Penta not be able to handle this project entirely. Certainly this is a project in the works and hopefully successful that benefits both community and education as well as keeping more sales local.

Thank you

Jeffrey L. Chamberlain, CEO/Pres
General Pro Hardware, Inc
419-877-0811





October 11, 2019

Princess Estates, LLC
6635 Providence St
Whitehouse, OH 43571

Re: Greenhouse Request at 6633 Providence St

Dear Chamberlain,

I have reviewed the preliminary drawing requesting a permit for construction of a greenhouse at 6633 Providence St. in the Village of Whitehouse.

Section 1255.02 of the Whitehouse Zoning Code (Land Use Matrix) that a Greenhouse (Commercial) is only allowed in the "A" District with a Special Use Permit.

Therefore, I must deny your request for a zoning permit due to the requirements listed above. You may appeal my decision by filling out the Appeals Form and paying the \$100 filing fee to appear before the Board of Zoning Appeals. You will be requesting a variance to be able to build a Greenhouse in a C-2 District.

The next Board of Zoning Appeals meeting is scheduled for Wednesday, November 6, 2019 at 6:00 pm. The paperwork and filing fee will need to be submitted on or before Friday, October 11, 2019 in order to be placed on the November 6th agenda.

If you have any questions, please feel free to contact me at 419-877-5383.

Sincerely,

Jill Gundy
Account Clerk



APPLICATION FOR A ZONING PERMIT

The undersigned hereby applies for a Zoning Permit for the following use and or building, to be issued on the basis of the information contained herein, including attached plot plans and drawings, all of which applicant says are true.

Subdivision: _____ Lot # _____ Address of Parcel: 98-11624
Owner: Princess Estates, LLC Phone # 419-356-6620 Email: jeff@generalpro.com
Contractor: Self Phone # 419-356-6628
Address: 6623 Providence Email: _____

Lot size: 66 ' x 200 ' Type of lot: Inside Corner

Check all that apply: New dwelling Remodel Addition
Garage Shed Deck Other

Fill in all that apply:

Dwelling: # of Families _____ Square footage (including garage and basement) _____
Building size: 24 ' x 48 ' Height: 13 ' Stories: 1 Roof pitch 10/12
Eave overhang 0 Construction value: \$ 3500 24' x 48' Greenhouse

Remodel: Size of Area: _____ Explain changes: _____
Addition: Size: _____ 'x_____ ' Location: Front Back Side
Garage: Size: _____ 'x_____ ' Square footage: _____ Height: _____ Use: _____
Shed: Size: _____ 'x_____ ' Square footage: _____ Height: _____ Use: _____
Deck: Size: _____ Location: Front Back Side

Remarks: _____

By signing below, I understand that Whitehouse is required to obtain National Pollution Elimination System (NPDES) general permit coverage for Municipal Separate Storm Sewer Systems under the purview of the Clean Water Act. I also understand that I must comply with certain regulations as outlined in the attached letter dated December 27, 2016. I hereby acknowledge that I have received a copy of the information and will abide by such regulations while working in Whitehouse.

The undersigned states that this Application is true, accurate and complete with all required documentation. Whitehouse relies on the completeness, relevancy, and accuracy of the Application for Zoning Permit. I have read the foregoing application and agree. Any certificate issued upon a false statement of any fact, which is material to the issuance hereof, shall be void.

Signature: Jeffrey L Chamberlain Date: 10-8-2010

Submitted by (Please Print): Jeffrey L Chamberlain

OFFICE USE ONLY: Date Received: _____ Fee paid: _____ Check # _____ Receipt # _____