

**BOARD OF ZONING APPEALS AGENDA
CITY OF PIQUA, OHIO
6:00 PM – TUESDAY, JULY 22, 2025
MUNICIPAL GOVERNMENT COMPLEX
COMMISSION CHAMBERS – 201 W. WATER STREET**

CALL TO ORDER

Chair Comments – Opening Remarks

ROLL CALL – Clerk Calls the Roll

Meeting Minutes – June 24, 2025

OLD BUSINESS

NEW BUSINESS

1. RESOLUTION BZA 10-25
A resolution to vary the accessory structure regulations for number and size at 1307 Garbry Road.

OTHER BUSINESS/ADJOURNMENT

**CITY OF PIQUA, OHIO
BOARD OF ZONING APPEALS MEETING MINUTES
MUNICIPAL GOVERNMENT COMPLEX – COMMISSION CHAMBERS
6:00 PM- TUESDAY, JUNE 24, 2025**

CALL TO ORDER

At approximately 6:00PM Chair Wayne Davey called the meeting to order and welcomed all in attendance.

ROLL CALL

Members Present: Wayne Davey, Adam Seas, Eva Silvers, William Walker, Kirby King

MEETING MINUTES

Mr. Davey asked for a correction to be made regarding BZA 03-25, 4th paragraph, striking “Mr. Davey saying she hasn’t.” Ms. Silver made a motion to accept the amended minutes from March 25, 2025 and Mr. Seas seconded, all votes in favor.

NEW BUSINESS

RESOLUTION BZA 08-25

Mr. Henry gave the staff report.

Diane Fox, applicant, was present and was sworn in. She confirmed Henry’s report and reiterated the need to finish the previously established fencing. She stated her son had suffered a brain injury and is living on his own, and that the fence is necessary for a multitude of reasons. She stated it matched the neighbors fence as well.

Kim Heisler, 1802 Parkway Drive, supports the variance and feels it is not the City’s right to tell someone what they can and cannot do on their own land.

Seas made a motion to approve the variance, seconded by Walker. All votes were in favor.

RESOLUTION 09-25

Mr. Henry gave the staff report.

Jim McMaken, 223 W. High Street, confirmed Henry’s report and offered additional information if requested.

Walker was concerned with the lighting. He sees many people nearly struck because of the lack of lighting in the area. Henry stated that a photometric plan will be provided prior to final approval on the parking lot, and that adequate foot candles will be available in all parts of the lot. Walker stated that he liked the bump-outs on the corners.

Seas stated he was not a fan of parking islands. Henry stated that is not an issue being presented.

Nancy Roof, 208 N. Downing, was concerned with lighting. Henry & McMaken ensured that with LED lighting there will not be light spillage onto her property.

Kim Heisler, 1802 Parkway Drive, questioned Henry's comments in the staff report concerning the maneuvering lane. Henry explained the difference in size requirements necessary for different-angled parking, and that the City and YMCA had been engaged in conversation to compromise on an acceptable length to ensure traffic flow. McMaken stated any wider of a lane would have eliminated the middle parking spaces.

Seas made a motion to approve the conceptual design, seconded by Silver. All votes were in favor.

OTHER BUSINESS

None.

ADJOURNMENT

With no other business before the Board, a motion was made by Adam Seas and seconded by Ms. Silvers, the meeting was adjourned at approximately 6:45 PM.

Comments requesting corrections, additions or deletions to the content of this record should be directed to Chad Henry at chenry@piquaoh.gov.

RESOLUTION No. BZA 10-25

WHEREAS, the property owner of 1307 Garbry Road, Piqua, Ohio, has submitted an application for variances to permit the construction of an additional accessory structure on the property, which exceeds the number of accessory structures allowed and the maximum size limit of 1,200 square feet under Section 3.7.2 of the Piqua Development Code; and

WHEREAS, the property owner has shown that the current storage capacity for property maintenance is insufficient for the property's needs, and the proposed accessory structure supports operational efficiency, maintains design consistency with existing structures, and has minimal impact on adjacent properties; and

WHEREAS, the Board further finds that granting the variances observes the spirit and intent of the Development Code by promoting functional property use; constitutes the minimum deviation necessary for an appropriate design and beneficial property enhancement; will not create hardship or diminish the use or enjoyment of neighboring properties; includes applicant-proposed remedies, such as setback compliance and aesthetic compatibility, to mitigate impacts; will not adversely affect the delivery of governmental services; and cannot feasibly be addressed through alternatives, such as purchasing additional land or easements, due to the property's fixed boundaries and layout; and

NOW THEREFORE BE IT RESOLVED that _____ motioned to _____ the variance and the motion was seconded by _____ and the Board of Zoning Appeals recorded the following vote _____ in support of the motioned action.

	AYE	NAY	ABSTAIN	ABSENT
Mr. Wayne Davey	☐	☐	☐	☐
Mr. Adam Seas	☐	☐	☐	☐
Ms. Eva Silvers	☐	☐	☐	☐
Mr. William Walker	☐	☐	☐	☐
Mr. Kirby King	☐	☐	☐	☐

Adopted this ____ day of _____, 2025.

Chairman, Board of Zoning Appeals

Wayne Davey

Clerk, Board of Zoning Appeals

Emily McCulla

STAFF REPORT

Planning Commission

Date: July 22, 2025
Re: BZA 10-25

Applicant: Alex Smith
Owner: Same

Address: 1307 Garbry Road
Parcel #: N44-077714

Zoning: RE-20 – Residential Estate – 20,000 SF

Request: Additional Accessory Structure exceeding 1,200 SF

Staff Comments and Recommendations:

Background:

The property at 1307 Garbry Road, known as Allisten Manor, is a 6.28-acre parcel in the RE-20 Residential Estate zoning district, featuring a 4,065 square foot primary residence built in 1834, a historical barn, a pool, expansive gardens, mature landscaping, and ornate decorative structures. For over 35 years, the estate has served as a wedding venue, attracting visitors to Piqua and contributing to the community's cultural and economic vitality. Maintained by the applicant's family for over 40 years, the property has recently transitioned to internal management of all exterior and interior maintenance, landscaping, and grounds care, necessitating significant investments in tools and equipment.

The applicant, Alex Smith, requests variances to construct an additional accessory structure, specifically a 60'x100' (6,000 square foot) outbuilding for storage of property maintenance equipment, exceeding the Development Code's limit of one accessory structure and 1,200 square feet under Section 3.7.2. The proposed outbuilding will be located approximately 300 feet from the property's frontage in a secluded area screened by existing trees and vegetation, ensuring it is not visible from the road, the main house, or neighboring properties. The structure will be used solely for storage, will not generate noise or additional traffic, and will feature exterior materials compatible with the historic character of Allisten Manor.

The variance application was submitted via the City of Piqua's GovWell portal

STAFF REPORT

(<https://app.govwell.com/piqua>) on June 24, 2025. The application was deemed complete, and a public hearing was scheduled for July 22, 2025, with notices sent to property owners within 400 feet of the property.

Analysis:

The Piqua Development Code requires the Board of Zoning Appeals to evaluate variance requests based on specific criteria, including practical difficulties or unanticipated circumstances and additional mandatory factors. The following analysis assesses the proposed variances for an additional accessory structure exceeding 1,200 square feet:

1. Practical Difficulty or Unanticipated Circumstance

- Unique Property Conditions: The 6.28-acre size of Allisten Manor, combined with its historical significance and extensive landscaping, creates a practical difficulty in meeting storage needs within the Development Code's limit of one accessory structure and 1,200 square feet. The property's scale and its use as a wedding venue require substantial maintenance equipment, which the existing historical barn cannot adequately accommodate due to its size and historical constraints.
- Unanticipated Circumstance: The Development Code does not account for the storage demands of a large, historic estate. The proposed 6,000 square foot outbuilding enhances the property's functionality by providing secure, weather-protected storage, supporting its role as a well-maintained cultural landmark.

2. Additional Variance Requirements

- Spirit and Intent: The outbuilding aligns with the Development Code's intent to promote functional, aesthetically pleasing properties that enhance the community. Its secluded placement, 300 feet from the frontage, and design compatible with the 1834 residence and historical barn ensure consistency.
- Minimum Necessary: The requested variances are the minimum necessary to address the applicant's storage needs for maintenance equipment, ensuring operational efficiency on a 6.28-acre estate. The proposed size is proportionate to the property's scale and demands.
- Impact on Neighboring Properties: The structure's location, screened by mature trees and vegetation, minimizes visual and functional impacts on adjacent properties. The applicant states it will not be visible from neighboring properties or the road, and its storage-only use will not generate noise or traffic.
- Applicant-Proposed Remedies: The applicant proposes using exterior

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materials that complement Allisten Manor's historic character, adhering to setback requirements, and maintaining vegetation for screening.

Potential Concerns and Mitigations:

- Structure Size: The 6,000 square foot size significantly exceeds the 1,200 square foot limit, potentially raising concerns about proportionality in the district. The applicant's commitment to screening with vegetation and using historically compatible materials mitigates visual impacts.
- Historical Compatibility: The outbuilding's design must respect the 1834 residence and historical barn. The applicant's proposed aesthetic alignment addresses this concern.
- Future Use: The structure must remain limited to storage to prevent misuse for habitation or commercial purposes beyond the existing activities.

Staff has reviewed the site plan and confirms compliance with setback, height, and lot coverage requirements, pending verification during the building permit process.

Recommendation:

The variance request for an additional 6,000 square foot accessory structure at 1307 Garbry Road aligns with the Piqua Development Code's criteria by addressing the unique storage needs of a 6.28-acre historic estate. The proposed outbuilding's secluded placement, aesthetic compatibility, and minimal impact on neighboring properties and public services support its potential to enhance Allisten Manor's functionality and cultural significance. Staff acknowledges the applicant's proposed mitigations and the property's unique characteristics, which justify the variances.

Zoning Applications: #BZA-APP-25-0001

Overview

Type: BZA - Appeals Request

Submitted: 06-03-25, 1:50pm EDT

Address: 1307 Garbry Rd, Piqua, Ohio, 45356

Form Submission

Applicant Information:

Premier Health, Alex Smith
1307 Garbry Road
Dayton OH 45409
alelsmith@outlook.com, (937) 214-4685

Type of legal interest held by applicant: Owner

If Other, please describe: -

Owner Information:

Tracy Smith
1244 Broadway
Piqu OH 45356
tracysmith1244@outlook.com, (937) 214-0718

Street Address: 1307 Garbry Rd, Piqua, Ohio, 45356

Current Use: Single-unit living

Zoning District: RE-20

Provide a brief description of your reason for the appeal:

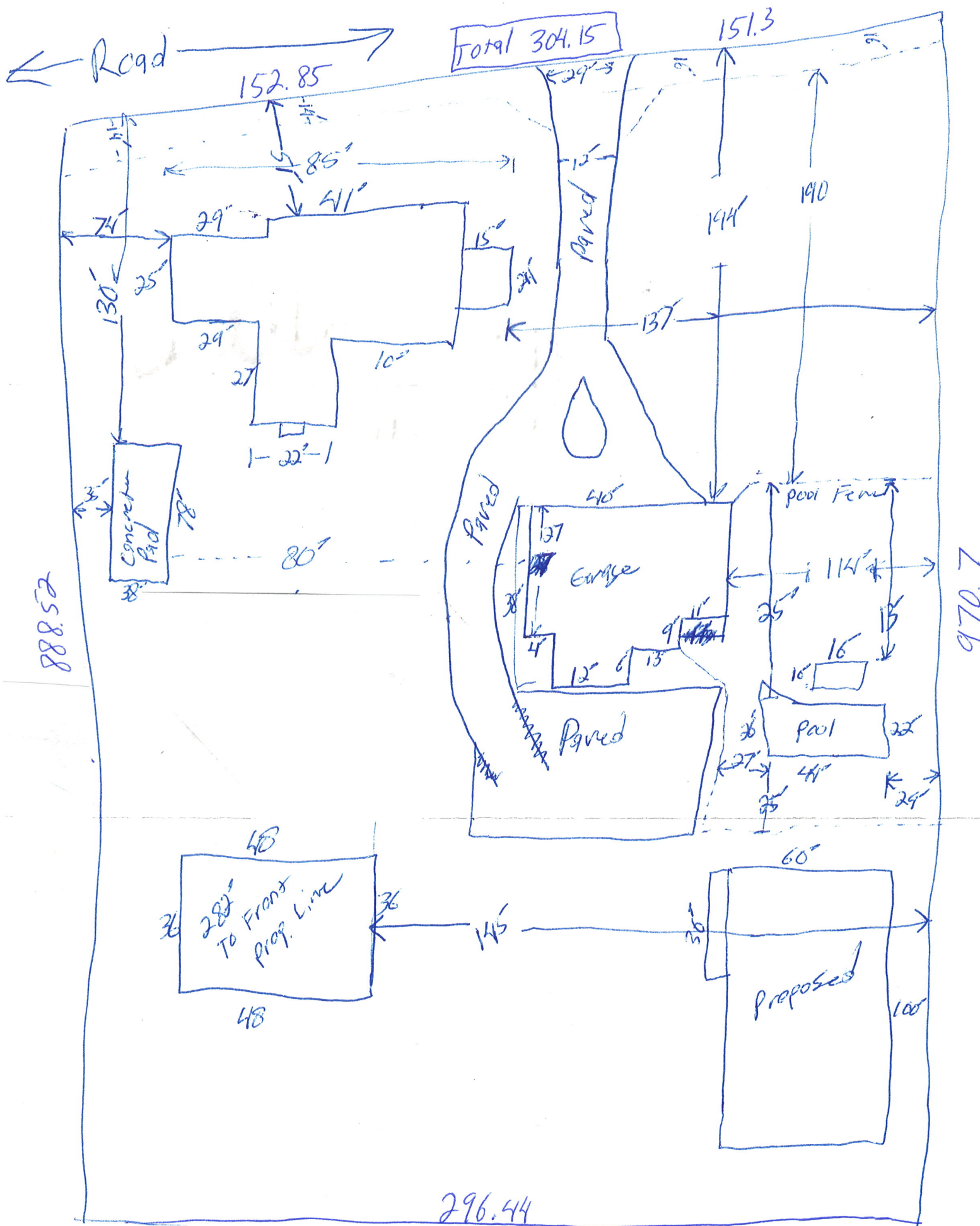
Our property has expansive grounds with gardens, mature landscaping, and ornate decorative structures and has been used as a serene wedding venue for over 35 years. Our property has been maintained within our family for over 40 years. More recently with our expertise, we have internally managed the property from a maintenance and repairs standpoint, including all exterior and interior maintenance, landscaping, and grounds maintenance. This has led us to the need to secure additional storage for all of the equipment needed to maintain our property. We have significant investments in tools and equipment that we desperately need to have onsite, secured from theft and protected from the elements. Currently, much of our equipment is stored outside, causing premature deterioration and difficulties with long-term maintenance. As to continue beautifully maintaining our property and grounds totaling over 6 acres, we ask that our variance request to build a 60'x100' outbuilding seated approximately 300' from the front of our property in a secluded, private setting be granted. The proposed building, while aesthetically pleasing, would not be visible to neighbors because of trees and other vegetation, nor would it be visible from the road or the main house. Since it would be used for storage, the building would not generate noise or additional traffic and is well within the scale of the 6.28 acre property. The addition of this structure would be consistent with other uses of land in nearby parcels.

The undersigned acknowledges that the information provided herein is accurate to the fullest extent of their knowledge.:



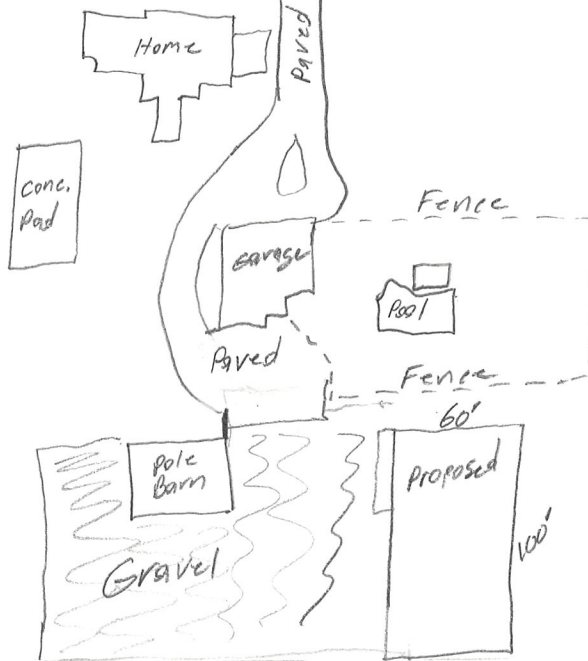
To the Zoning Board:

Our property at 1307 Garbry Road, know as Allisten Manor, consists of the 4,065 square foot primary residence built in 1834, along with a historical barn and accompanying pool. This country estate is a beautiful setting within the city of Piqua. Our property has expansive grounds with gardens, mature landscaping, and ornate decorative structures and has been used as a serene wedding venue for over 35 years. Our property has been maintained within our family for over 40 years. More recently with our expertise, we have internally managed the property from a maintenance and repairs standpoint, including all exterior and interior maintenance, landscaping, and grounds maintenance. This has led us to the need to secure additional storage for all of the equipment needed to maintain our property. We have significant investments in tools and equipment that we desperately need to have onsite, secured from theft and protected from the elements. Currently, much of our equipment is stored outside, causing premature deterioration and difficulties with long-term maintenance. As to continue beautifully maintaining our property and grounds totaling over 6 acres, we ask that our variance request to build a 60'x100' outbuilding seated approximately 300' from the front of our property in a secluded, private setting be granted. The proposed building, while aesthetically pleasing, would not be visible to neighbors because of trees and other vegetation, nor would it be visible from the road or the main house. Since it would be used for storage, the building would not generate noise or additional traffic and is well within the scale of the 6.28 acre property. The addition of this structure would be consistent with other uses of land in nearby parcels. Thank you for the time and consideration in the review of this request.

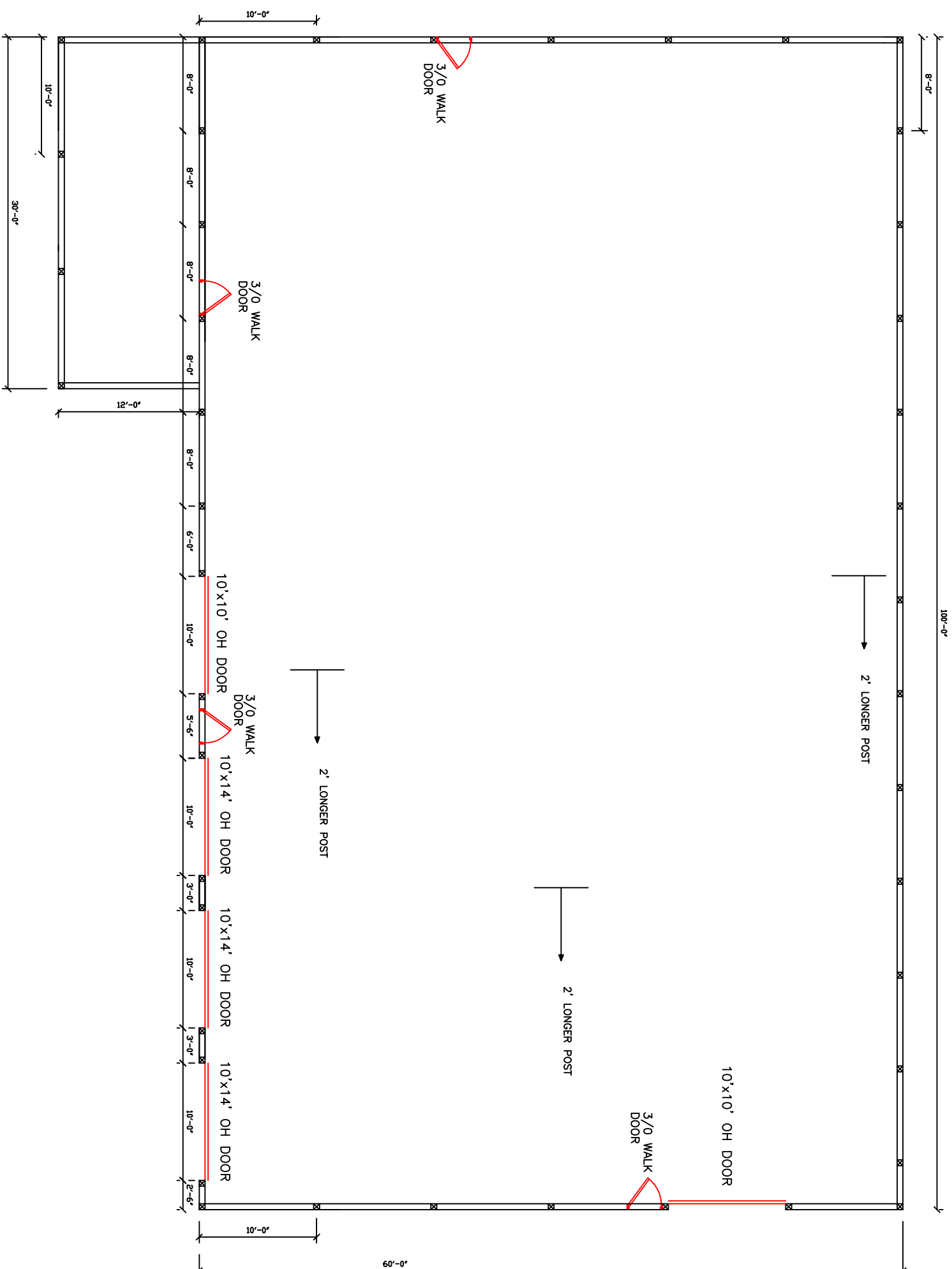


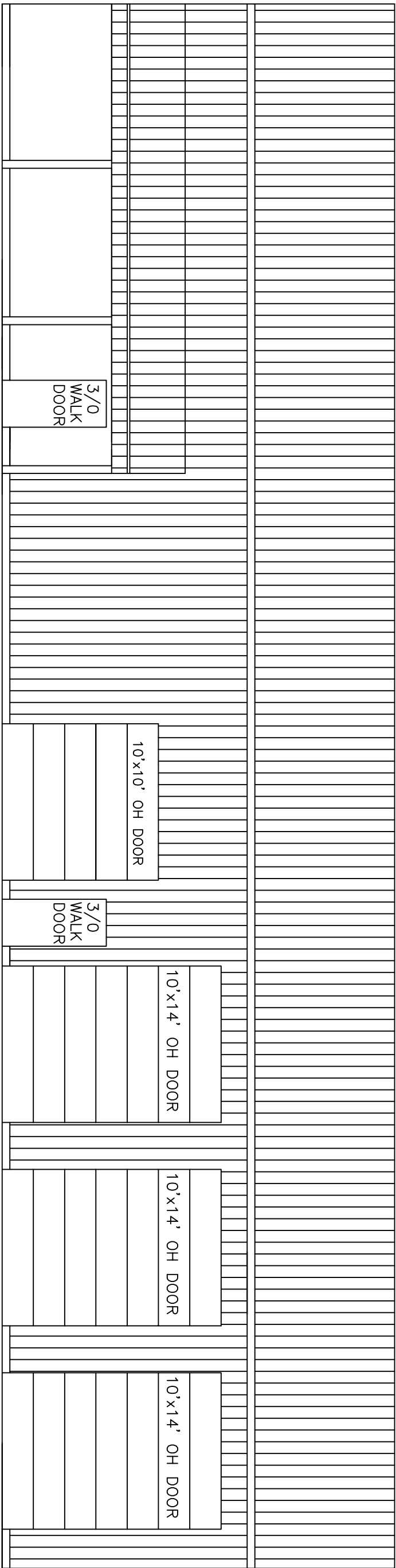
Fence

Fence



Field





30'-0"

100'-0"

16'-0"



THE

WORCH

LUMBER CO.

937-526-4501

FAX 937-526-3229

DWG. TITLE: ALEX SMITH

DWG. No.

DATE: 4-16-25

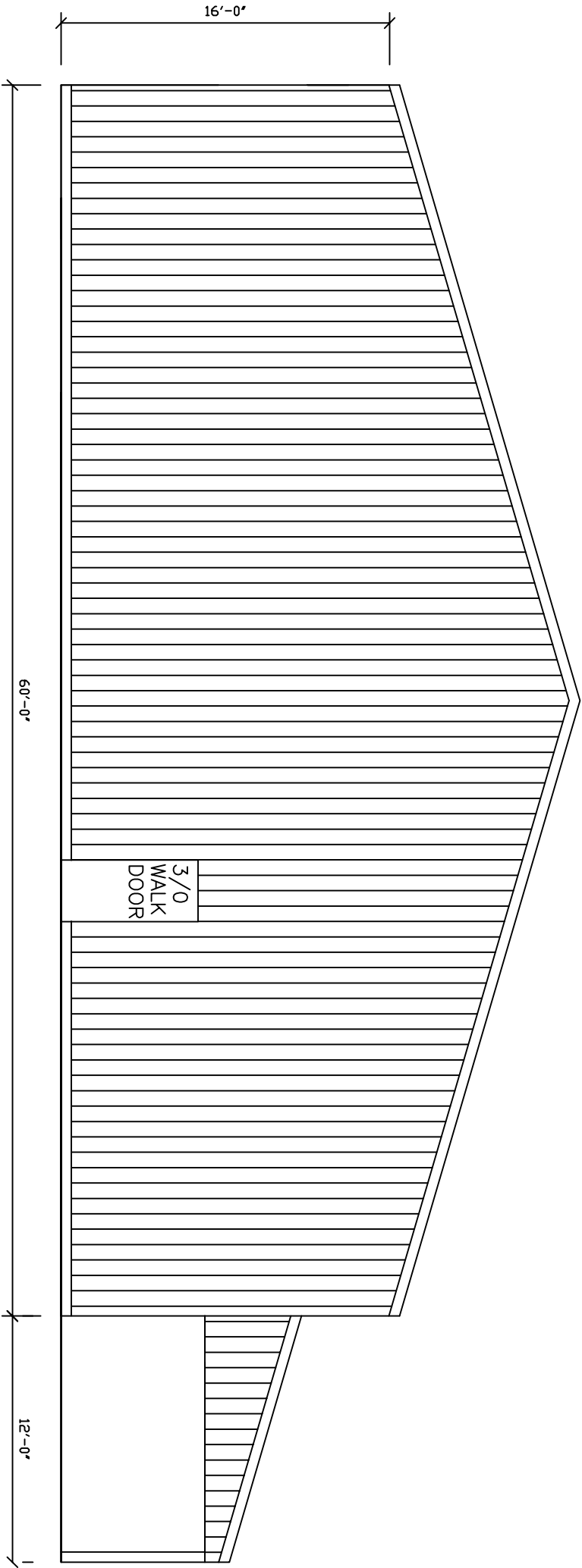
DRBY:

SCALE: NO SCALE

WORK PH.

MOBILE #

SHT: 1 OF: 1



ENGINEERED TRUSS 4' OC.

4 | $\frac{12}{4}$ PITCH 29 GA. STEEL

2X4 ROOF NAILERS
2'-0" ON CENTER

USE H2.5 RAFTER TIES
2X12 HEADERS ON
BOTH SIDES OF POST
USE 4 - 5/16"x4" GRK SCREWS

TYP. KNEE BRACING EACH POST

TYP. CORNER BRACING

29 GA. WALL METAL
2X4 WALL NAILERS
2'-0" ON CENTER

6"x6" TREATED POST

2 ROWS 2X6 T&G TREATED

FINISH GRADE

ONE 2x6x12" ATTACHED EACH SIDE OF POST
8"x18" PRECAST CONCRETE FOOTING

STRUCTURAL FASTENER NOTES

UP LIFT BLOCKS -
ATTACHED BY 5-4"
GALV. POLE BARN NAILS
SKIRT BOARDS -
ATTACHED BY 2-4"
GALV. POLE BARN NAILS
PER POST

ALL WALL GIRTS, CORNER BRACING
AND KNEE BRACING TO POST 2 - 4"
GALV. POLEBARN NAILS
KNEE BRACING TO TO AND BOTTOM CORD
OF RAFTERS 3 - 16D SINKERS
ALL 2X4 ROOF PURLINS - ATTACHED WITH
2 - 16D SINKERS



THE
WORCH
LUMBER CO.
937-526-4501
FAX 937-526-3229

DWG. TITLE: ALEX SMITH

DWG. No.

DATE: 4-16-25

DR.BY:

SCALE: NO SCALE

WORK PH.

MOBILE #

SHT.: 1 OF: 1

















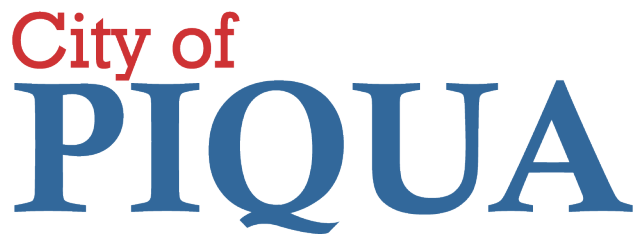








BZA 10-25	N44-077710	HCF REALTY OF GARBRY RIDGE INC	1401-1411 GARBRY RD	PIQUA	OH	45356
BZA 10-25	N44-072815	ADVANCED COLON TREATMENT LLC	1300 GARBRY RD	PIQUA	OH	45356
BZA 10-25	N44-077120	HOHMAN FARMS LLC	965 W STATLER RD	PIQUA	OH	45356
BZA 10-25	N44-072810	BENT TREE APARTMENTS I LLC	1240 GARBRY RD	PIQUA	OH	45356
BZA 10-25	N44-072840	BENT TREE APARTMENTS I LLC	1258 GARBRY RD	PIQUA	OH	45356
BZA 10-25	N44-072797	REHABILITATION CENTER FOR NEUROLOGICAL DEVELOPMENT	1306 GARBRY RD	PIQUA	OH	45356
BZA 10-25	N44-077710	HCF REALTY OF GARBRY RIDGE INC	1100 SHAWNEE RD	LIMA	OH	45805
BZA 10-25	N44-072815	ADVANCED COLON TREATMENT LLC	1301 E ASH ST SUITE C	PIQUA	OH	45356
BZA 10-25	N44-077714	SMITH RICHARD J & TRACY E (TOD)	1307 GARBRY RD	PIQUA	OH	45356
BZA 10-25	N44-072809	REHABILITATION CENTER FOR NEUROLOGICAL DEVELOPMENT	1306 GARBRY RD	PIQUA	OH	45356
BZA 10-25	N44-077718	CATHERINE SPENCER FARMS LLC	1300 PARK AVE	PIQUA	OH	45356
BZA 10-25	N44-072820	ROBINSON PAUL E & JARRETT L ROBINSON	1230 GARBRY RD	PIQUA	OH	45356
BZA 10-25	N44-077716	MCCONNAUGHEY DIANA J	1281 GARBRY RD	PIQUA	OH	45356
BZA 10-25	N44-251055	REHABILITATION CENTER FOR NEUROLOGICAL DEVELOPMENT	1306 GARBRY RD	PIQUA	OH	45356
BZA 10-25	N44-077120	HOHMAN FARMS LLC	PO BOX 43461	CINCINNATI	OH	45243
BZA 10-25	N44-072810	BENT TREE APARTMENTS I LLC	1055 ST PAUL PL	CINCINNATI	OH	45202
BZA 10-25	N44-072840	BENT TREE APARTMENTS I LLC	1055 ST PAUL PL	CINCINNATI	OH	45202
BZA 10-25	N44-077712	MILLER R SCOTT & KIMBERLY L	1367 GARBRY RD	PIQUA	OH	45356
BZA 10-25	N44-077720	SPAW JAMES E	1231 GARBRY RD	PIQUA	OH	45356



Community Services Department

Chad Henry | City Planner
201 West Water Street • Piqua, Ohio 45356
(937) 778-2049

July 2, 2025

***** MEETING NOTICE *****

Please be advised that the City of Piqua Board of Zoning Appeals meeting is scheduled for **Tuesday, July 22, 2025, at 6:00pm**. The meeting will take place in the Commission Chambers (Second Floor) of the Municipal Government Complex, 201 W. Water Street, Piqua, Ohio.

Residents and interested parties may attend the meeting to present comments on agenda items. Alternatively, public comments can be submitted via email at emcculla@piquaoh.gov by noon on the day of the meeting. All comments received by this deadline will be presented to the Board during the public hearing.

The meeting notice and agenda, including the address of items under consideration, are available to the public through this notice or by scanning the QR code posted at the location listed in the agenda. The full agenda packet will be available for public review by July 16, 2025, at <https://piquaoh.gov/1614/Agendas-Minutes>.

For any questions regarding this notice, please contact the Community Services Department.

A handwritten signature in blue ink that reads "Chad D. Henry".

Chad D. Henry
City Planner

Enc.