

MINUTES OF THE  
FAIRFIELD BOARD OF ZONING APPEALS

January 6, 2016

Ron Siciliano called the Board of Zoning Appeals hearing to order at 6:00 p.m. at the Fairfield Municipal Building, 5350 Pleasant Ave.

Roll Call

Maria Mullen, Secretary, called the roll of the Board of Zoning Appeals. Present members were Jack Wessler, Greg Porter, Joseph Koczeniak, Mike Stokes, Ron Siciliano, Scott Lepsky and Mike Snyder. Rick Helsing, Building Official and John Clemmons, Law Director were also present.

Pledge of Allegiance

Minutes of the Previous Meeting

The minutes from the Board of Zoning Appeals meeting held on December 2, 2015 were approved. Motion carried 7-0.

New Business

**Case No. BZA-15-0026 – Metal roof on accessory building – 630 Magie Ave:**

The owner, Terry Zapf, requested a variance for his 160 square foot accessory building constructed with a metal roof.

Staff Technical Review had no comment on this case.

Property Owner's Comments

Terry Zapf, homeowner, spoke regarding the variance. He admits he was unaware of the zoning ordinance regarding metal roofs on sheds. He does not have the money to replace the metal with a shingled roof. It is also a bad time of year to replace the roof due to the weather. He asked his neighbors if they liked the metal roof, and they all had no problem with it. Mr. Zapf questioned this law and how it was decided. Ron Siciliano explained that laws evolve over situations that have occurred. Sometimes laws need changed for safety or appearance reasons, or if they don't make the change it may create more problems. Long ago people wanted to put up all metal sheds. The City Council could foresee an issue with the metal sheds over time knowing that metal rusts. These new metal roofs are becoming more popular and more attractive, and the law may evolve to allow them in the future. Mr. Zapf said his shed is set under trees where asphalt shingles would mold quicker. The metal roof would stay nice and last longer than an asphalt shingled roof. There was a question as to size of the double doors. Mr. Zapf believes each door is three feet wide, making the opening six feet wide. Mr. Snyder commented there are other sheds in the area of Mr. Zapf's property that have metal roofs and are over the 100 square foot size limit. Mr. Zapf has a one-car garage, and needs the extra storage for lawn equipment and gasoline. When Mr. Zapf purchased the shed from Ohio Outdoor Structures, they did not tell him he needed a permit or the ordinance regarding metal roofs.

Public Comment

A neighbor, Corinna Allen, who lives at 631 Magie Avenue, said Mr. Zapf replaced the old shed with this new shed. She did not realize that he needed a permit if you were replacing an existing shed. Mrs. Allen and her husband do not have a problem with Mr. Zapf's shed. Mr. Wessler said these sheds with metal roofs seem to keep popping up, and they need to do something about it. The law needs to change or the City needs to enforce this ordinance. This shed vendor has received the ordinance information and knows the law, yet they are not passing that information onto their Fairfield customers. It has to stop. Rick Helsing reported that letters have been drafted to shed vendors in Fairfield. He is waiting for Tim Bachman's approval of the letter and the various attachments regarding the ordinances and required permits. Mr. Koczeniak thinks it would be difficult to impose that requirement on the seller. He believes it is ultimately property owners'

responsibility to know the law not the vendor. If a Fairfield homeowner went outside city to buy a shed, the vendors outside the City would not know our laws. The homeowner could install the shed from another city or state, so they should be responsible to follow the law, not the vendor. Mr. Koczeniak admitted he did not know a permit was necessary for a shed until he became a member of this Board. Mike Snyder discussed his visit to a local shed vendor located at 4925 Dixie Hwy. The sheds are well constructed and the metal roofs are extremely durable. Scott Lepsky noted the neighbors do not have an issue with the shed, and the color blends in with the trees. He would not have a problem granting this variance, but after the Board votes, the Board needs to discuss the current zoning ordinance and how it should be addressed going forward.

#### Board Action

Scott Lepsky made a motion to approve the variance as requested; motion was seconded by Mike Snyder. Motion carried 6-1 with Jack Wessler dissenting.

#### Further business discussed by the Board

The Board decided to further discuss the shed ordinance, specifically the metal roofs on sheds over 100 square feet. Rick Helsinger said the discussion needs to be taken to City Council and to Tim Bachman. Scott Lepsky made it known that he does not have a problem with this type of metal roof; however, as noted in previous meetings, if there is a law in the books they need to find a way to enforce it or if it is obsolete, it needs to be removed. Ron Siciliano remembered the change in the ordinance began with a resident wanting to install a large resin shed which was not attractive. When City Council was revising the ordinance regarding the use of resin or metal sheds, they made a decision at that time to also change the metal roof requirements. He also does not mind the powder-coated, nice looking metal roofs. A change needs to be made to the ordinance allowing these metal roofs if we like them, or if we don't like them then we need to stick to the law at these meetings and not allow them. Mr. Koczeniak commented metal and vinyl siding is allowed on a house, so it should be the same for a shed. If we are revisiting this ordinance, this issue needs to be addressed also and made clear in the ordinance. Mr. Wessler felt metal would be okay if it was specified as a certain type of metal, the powder-coated type of metal roof, not galvanized metal or sheet metal. Ron Siciliano reiterated that it would be a matter for Rick Helsinger and Tim Bachman to discuss the ordinance and meet with Council. They need to clarify the language and make changes to the materials allowed for sheds. Rick Helsinger and John Clemmons informed the Board the metal roofs on the sheds we are seeing are called "standing seam metal roofs." Mr. Lepsky said the ordinance needs to be changed or it needs to be enforced. Mr. Helsinger reminded the Board there is a letter with the ordinance to be sent to all shed vendors in Fairfield in the near future. The City may check on the rules for sheds with other municipalities in the area. Mike Snyder and Scott Lepsky agreed the "standing seam metal roofs" should be allowed.

#### Adjournment:

Jack Wessler, seconded by Scott Lepsky, made a motion to adjourn. Motion carried 7-0.



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Ron Siciliano, Chairman



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Maria K. Mullen, Secretary