



**BOARD OF ZONING APPEALS  
MINUTES OF THE PROCEEDINGS OF THE PUBLIC HEARING  
FEBRUARY 25, 2014**

The hearing was called to order at 7:30 P.M. by Chairman Jones

PRESENT: Board Members Matthew Jones, Robert Swisher, Bryan Baesel  
ABSENT: Jeff Neverman, Scott Fatzinger  
ALSO PRESENT: Nicolette Sackman Clerk of Commissions

**ELECTION OF OFFICERS**

To be held at a future meeting when all members are present.

Ms. Sackman advised the board since only three members were present all applicants have requested to be tabled until the next meeting when a full board should be present.

**CALENDARS**

**Calendar 2014-01**

**Applicant: Mr. & Mrs. Patrick Killian**

**Premises: 2519 Interlachen, P.P. #214-30-099**

**Requesting to construct an outdoor structure (pool enclosure) at variance with 1211.04(o) which states... "Free standing...open air structures...including, but not limited to gazebos, pergolas, arbors, pavilions, trellises, or similar structures...shall be as set forth permitted in the following... up to a 300 sq. ft. open air structure on a lot between 20,000 to 40,000 sq. ft." Requesting a 1,920 sq. ft. enclosed structure. This will require two variances: a 1,620 sq. ft. area variance and a second for the enclosure of an otherwise open air required structure**

**Motion:** Mr. Baesel moved, seconded by Mr. Swisher to table calendar 2014-01 until the March 25, 2014 hearing

ROLL CALL:

Yeas: Jones, Swisher, Baesel

Nays: none, motion carried

**Calendar 2014-02**

**Applicant: Barry & Ray Sanders**

**Premises: 4985 Bradley Rd. PP#217-17-042**

**Requesting a building permit to install a landscape entrance feature that is 18' wide (on a 100' frontage) with a fence with a height of 5' (60") 35' off the right of way at variance with 1211.33 which states landscape entrance features may not enclose a front yard either visually or physically and may occupy no more than 10% of the parcel width, which will**

require an 8' (8%) length variance; and at variance with 1211.04(b)(1) which states ornamental fences shall be permitted in the front yard, or in connection with a site feature, to a height of not more than 2.5' above the average finished grade but shall not be constructed within 35' of a planned right of way, a 2.5' (30") height variance for an ornamental fence

**Motion:** Mr. Swisher moved, seconded by Mr. Baesel to table calendar 2014-02 until the March 25, 2014 hearing

ROLL CALL:

Yeas: Jones, Swisher, Baesel

Nays: none, motion carried

### **Calendar 2014-03**

**Applicant: Mr. and Mrs. Timothy Bihn**

**Premises: 30929 Bellerive Ct., PP#216-06-060**

**Requesting a building permit to install the pool (and equipment) in the side yard at variance with 1211.04(g)(2)(B) which states private swimming pools shall be permitted provided that the pool and all mechanical equipment is located only in the rear yard and is not less than 10' from any lot line, a side yard location variance; also requesting to relocate an existing utility building in a 20' storm sewer easement located at the rear of this property at variance with 1211.04(k) which states any utility building shall not be located within any easement area for storm sewers, a variance for this structure to be located in a storm sewer easement.**

**Note: 1211.22 allows for 3' encroachment into rear yard setback with unenclosed roofed porch &/or shading device. Applicant has advised overhang of attached "pavilion" /arbor is +/- 27.16 off rear property line which is less than 3'- therefore no variance required**

**Motion:** Mr. Baesel moved, seconded by Mr. Swisher to table calendar 2014-03 until the March 25, 2014 hearing

ROLL CALL:

Yeas: Jones, Swisher, Baesel

Nays: none, motion carried

### **Calendar 2014-04**

**Applicant: Mr. and Mrs. Shawn Sweeny**

**Premises: 999 Richmar Dr., PP# 212-10-031**

**Requesting a building permit to install an addition at variance with 1211.08(e) which states the width of either side yard of a lot shall be not less than the respective dimensions as set forth in §1211.09 (15'). The total width of both side yards of a lot and the width of two adjoining side yards on adjoining lots shall not be less than the total width as set forth in §1211.09 (30') except as modified in sections 1211.17 and 1211.18. Requesting to install the addition 11.75' off the side property line, a 3.25' setback variance. The total width of both side yards of this lot will be 27.33', a 2.67' variance. At the location where this project abuts an adjacent side yard, Mr. Young is proposing a 13.46' setback (adjacent yard is 12.5' at this location), a 4.04' setback variance.**

**Motion:** Mr. Swisher moved, seconded by Mr. Baesel to table calendar 2014-04 until the March 25, 2014 hearing

ROLL CALL:

Yeas: Jones, Swisher, Baesel

Nays: none, motion carried

**Calendar 2014-05**

**Applicant: Drees Homes**

**Premises: 28639 Touchstone Circle, PP#216-19-087**

**Requesting a building permit to install a single family dwelling 15' off a rear property line at variance with 1211.08(f) and 1211.09 which states the rear yard setback shall be not less than the 30'; a rear yard setback variance of 15'**

**Motion:** Mr. Baesel moved, seconded by Mr. Swisher to table calendar 2014-01 until the March 25, 2014 hearing

ROLL CALL:

Yeas: Jones, Swisher, Baesel

Nays: none, motion carried

**APPROVAL OF MINUTES**

**Motion:** Mr. Swisher moved, seconded by Mr. Basel to approve the minutes of January 28, 2014

ROLL CALL:

Yeas: Jones, Swisher, Baesel

Nays: none, motion carried

**FINDINGS OF FACTS** - none

**MISCELLANEOUS** - none

**ADJOURNMENT**

Chairman Jones adjourned the meeting at 7:33 P.M.

\_\_\_\_\_  
Matt Jones, Chairman

\_\_\_\_\_  
Nicolette Sackman, Clerk of Commissions

Approved: \_\_\_\_\_