

Minutes

Nimishillen Township Board of Zoning Appeals

4422 Maplegrove NE, Louisville, OH 44641

Wednesday, May 3, 2017 – 7:00 PM

Board Members Present: Anthony ‘Tony’ Mucci, Chairman
Gary Brahler, Secretary
Bill Ehlers, Member
Pan Aslanides, Member
Tom Davis, Alternate

Board Members Absent: David Foss, Vice Chairman

Zoning Inspector: Dale Riggerbach

Township Secretary: Shelby Dieffenbaugher

Purpose: (Four Cases)

APPEAL #0660 & #0661 – Schalmo Builders of 464 Etheridge Blvd., Canal Fulton, Ohio is requesting a variance for 11,820 square feet for Parcel #33-09939 (Appeal #0661) and a variance for 11,082 square feet for Parcel #33-09941 (Appeal #0660) respectively, instead of the allowed 12,000 square feet as required in Section 702.3 of the Nimishillen Township Zoning Resolution. The properties are located on Willis St., Louisville, Ohio 44641, Zoned R-1 Single Family Residential.

APPEAL #0662 – Craig Cross of 4846 Meese Rd. NE, Louisville, Ohio 44641, Parcel #33-06431, Zoned R-1, Single Family Residential, is requesting a variance for an Accessory Building to be in the front yard instead of the rear yard as required in Section 602.3 and 5 ft. from the main building instead of allowed 15 feet as required in Section 602.4 of the Nimishillen Township Zoning Resolution.

APPEAL #0663 – Donald Zehner of 6371 Easton St. NE, Louisville, Ohio 44641, Parcel #33-06331, Zoned R-1, Single Family Residential, is requesting a variance for an Accessory Building to be in the front yard instead of the rear yard as required in Section 602.3 of the Nimishillen Township Zoning Resolution.

CALL HEARING TO ORDER:

Chairman Mucci opened tonight’s hearing at 7:00 PM introduced all board members in attendance, the zoning inspector, & the township secretary.

Chairman Mucci swore in everyone in attendance by asking them to swear that the information they were about to present, either in oral or written form, is true and accurate to the best of their knowledge. The people responded by stating, “I do”.

APPEAL #0660 & #0661 – Schalmo Builders of 464 Etheridge Blvd., Canal Fulton, Ohio is requesting a variance for 11,820 square feet for Parcel #33-09939 (Appeal #0661) and a variance for 11,082 square feet for Parcel #33-09941 (Appeal #0660) respectively, instead of the allowed 12,000 square feet as required in Section 702.3 of the Nimishillen Township Zoning Resolution. The properties are located on Willis St., Louisville, Ohio 44641, Zoned R-1 Single Family Residential.

Ken Schalmo of Schalmo Builders stepped to the podium to ask the Board to table the variances, there was a misunderstanding between the applicant GJS Properties and the owner, Schalmo Builders. We would like the Board to table it for the next month.

Zoning Inspector Dale Riggensbach informed the Board that this is something they can do and that not all parties could be here tonight.

Chairman Mucci asked the Board to table this to a future time. The Board agreed.

Chairman Mucci stated these variances will be tabled to the 1st Wednesday of next month at 7 p.m. Any one in attendance for these variances may leave.

Discussion was held with the all who were in attendance for the Willis St. variances. The next hearing will be Wednesday, June 7. Mr. Aslanides stated that if you are unable to next month, you could write a letter and have it notarized or call the office. Discussion followed.

APPEAL #0662 – Craig Cross of 4846 Meese Rd. NE, Louisville, Ohio 44641, Parcel #33-06431, Zoned R-1, Single Family Residential, is requesting a variance for an Accessory Building to be in the front yard instead of the rear yard as required in Section 602.3 and 5 ft. from the main building instead of allowed 15 feet as required in Section 602.4 of the Nimishillen Township Zoning Resolution.

Craig Cross of 4846 Meese Rd. stepped to the podium to explain to the Board that the way his property is set up, the front of his home faces Meese Rd. There was an old front porch on the west side of the home, which has been removed. He added a bay window and deck to the south side of the home, which is now the front of the home with an entrance way. Off that deck is the septic tank, which is on the south side of the home. On the north side is the new back patio. Mr. Cross stated that where the house sits, it is the only flat area on the property. On both sides, there is a 20-degree down grade than it flattens out to where the leech beds and swimming pool is located. The flat area has the driveway constructed that he shares with his neighbor, and it will be used as a pull-in straight into the new garage. Some excavating work still needs to be done.

Mr. Aslanides asked how many acres is his property. Mr. Cross stated a little over 2 acres.

Chairman Mucci asked about the 5 ft. Mr. Cross stated its convenience, the new garage will be constructed flush with the northwest corner of the house by the privacy fence.

Mr. Aslanides asked about the size of the building. Mr. Cross stated it will be 28 by 32. The contractor is from Minerva. Mr. Cross stated that the building can't go off the south side, which is technically the front, because of the septic tank, the septic and leech lines are to the east and to the north as well.

Discussion was held with Mr. Cross and the Board regarding the distance between his neighbor's garage and his new garage. Mr. Cross stated there will be a big and little door, one side for toys, and the other for his wife's car.

Chairman Mucci asked if anyone in attendance would like to speak for the variance.

Marco Dalpra of 4838 Meese Rd. stepped to the podium to inform the Board that he is the neighbor that shares the driveway and he has no problem with it and is for the variance.

Chairman Mucci asked if anyone in attendance would like to speak against the variance.

Mr. Adkins of 3865 Burke Ave. stepped to the podium to inform the Board that he does not care 1 way or the other.

The Board asked Zoning Inspector Dale Riegenbach if there were any phone calls. Mr. Riegenbach stated no letters or calls.

Motion for a Ballot Vote: With no other questions and/or discussion, Chairman Mucci asked for a motion for a ballot vote to approve or disapprove Appeal #0662

PAN ASLANIDES MOTIONED FOR A BALLOT VOTE FOR APPEAL #0662 SECONDED BY GARY BRAHLER. The Board responded by saying 'I'. MOTION CARRIED.

Roll call voting:	Tom Davis	--	Approve
	Gary Brahler	--	Approve
	Bill Ehlers	--	Approve
	Pan Aslanides	--	Approve
	Tony Mucci	--	Approve

Chairman Mucci said **the request for Appeal #0662** was **APPROVED** and advised Mr. Cross to contact Dale during regular office hours (11:30 a.m. to 3:30 p.m. Monday thru Friday) to make arrangements to get whatever paperwork/permits are needed.

APPEAL #0663 – Donald Zehner of 6371 Easton St. NE, Louisville, Ohio 44641, Parcel #33-06331, Zoned R-1, Single Family Residential, is requesting a variance for an Accessory Building to be in the front yard instead of the rear yard as required in Section 602.3 of the Nimishillen Township Zoning Resolution.

Don Zehner of 6371 Easton St. stepped to the podium to explain to the Board that is lot is set up with the majority of the land is in the front of the property and he has horses in the back. Mr. Zehner stated that he has sewer, so he doesn't need to worry about septic and the front yard is the best solution. The building is a 12 by 16.

Chairman Mucci asked if the grange is next door to his property. Mr. Zehner stated yes. Discussion followed regarding the size of the lot.

Mr. Brahler asked how many acres is the property. Mr. Zehner stated 1.6 acres and the building will have no effect on the sewer.

Mr. Brahler asked where the exact location of the building will be. Mr. Zehner explained that the building will be between the 2 maple trees and the hose fence. No utilities will be effected.

Chairman Mucci asked if anyone in attendance would like to speak for/against the variance.

Todd Vanvranken of 6367 Easton St. stepped to the podium to inform the Board that he is for it.

Motion for a Ballot Vote: With no other questions and/or discussion, Chairman Mucci asked for a motion for a ballot vote to approve or disapprove Appeal #0663.

Zoning Inspector Dale Riggenbach informed the Board he did receive 1 phone call in regards to the location of the building. The caller had no comment.

GARY BRAHLER MOTIONED FOR A BALLOT VOTE FOR APPEAL #0663 SECONDED BY PAN ASLANIDES. The Board responded by saying 'I'. MOTION CARRIED.

Roll call voting:	Tom Davis	--	Approve
	Gary Brahler	--	Approve
	Bill Ehlers	--	Approve
	Pan Aslanides	--	Approve
	Tony Mucci	--	Approve

Chairman Mucci said **the request for Appeal #0663** was **APPROVED** and advised Mr. Hillensbeck to contact Dale during regular office hours (11:30 a.m. to 3:30 p.m. Monday thru Friday) to make arrangements to get whatever paperwork/permits are needed.

Old Business: There was no old business to discuss.

New Business:

Zoning Inspector Dale Riggenbach informed the Board that there will be a hearing in June for the tabled variances from tonight's meeting and that he is working on another. The applicant knows of the 15 of the month deadline, so there could be 3 for next month.

The Board held a discussion regarding the tabled variances.

Approval of Minutes:

GARY BRAHLER MOTIONED TO APPROVE THE MINUTES FOR APRIL 5, 2017 AS WRITTEN SECONDED BY PAN ASLANIDES. The Board responded by saying 'I'. MOTION CARRIED.

Roll call voting:	Tom Davis	--	No Vote
	Gary Brahler	--	Approve
	Bill Ehlers	--	Approve
	Pan Aslanides	--	Approve
	Tony Mucci	--	Approve

Adjournment:

BILL EHLERS MOTIONED TO ADJOURN AT 7:26 PM SECONDED BY TOM DAVIS. The Board responded by saying 'I'. MOTION CARRIED.

Roll call voting:	Tom Davis	--	Approve
	Gary Brahler	--	Approve
	Bill Ehlers	--	Approve
	Pan Aslanides	--	Approve
	Tony Mucci	--	Approve

Anthony “Tony” Mucci, Chairman
Nimishillen Township Board of Appeals

Gray Brahler, Secretary
Nimishillen Township Board of Appeals

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Zoning Board of Appeals Minutes: 2017 – May 3; Four Cases; Willis St. Parcels 3309939, 3309941 @ Willis St.; Accessory Building @ 4846 Meese.; Accessory Building @ 6371 Easton