

RECORD OF PROCEEDINGS

Minutes of

Meeting

BEAR GRAPHICS 800.325.8094 FORM NO. 10148

MIAMI TOWNSHIP BOARD OF ZONING APPEALS

Held

August 3, 2022

20

The Miami Township Board of Zoning Appeals met in a regular session on Wednesday, August 3, 2022, at 7:00 pm at the Miami Township Civic Center, 6101 Meijer Drive, Miami Township, Ohio 45150.

Chairman Steve Reece called the meeting to order and led the Pledge of Allegiance.

Upon roll call, the following members were present: Randy Merrill, Greg Horn, Todd Munro, Wayne Loudermilk and Steve Reece. Also present: Township Planner, Jamie Kreindler, and Board Secretary, Lori Pegg.

Mr. Loudermilk made a motion to approve the minutes of the July 6, 2022, Board of Zoning Appeals meeting, seconded by Mr. Horn, Mr. Reece abstained. All others voted "AYE."

There were no Continued Hearings.

PUBLIC HEARINGS:

There were four cases presented to the Board.

Case #1004

The Board called Case #1004, Dana & Gary Gluck, applicants for the property located at 6093 Balsam Drive, who are requesting a setback reduction variance of six feet from the back of the property to construct a sunroom with the dimensions of 14'x16'. The Notice of Public Hearing was read.

Ms. Kreindler reviewed the application and shared that per zoning the minimum rear yard setback for residential properties is 35'. They are requesting a reduction of 6', so that the rear yard setback for the sunroom would be 29' off the rear property line instead of the typical minimum requirement of 35'. Ms. Victoria Barreto of River City Remodeling spoke on behalf of the property owners noting the construction of this sunroom will build value to the home and will not affect any of the other homes in the area.

The public portion of the hearing was closed.

Mr. Munro made a motion to approve the requested setback variance of 6' so the rear yard setback for the sunroom will be 29' off the rear property line instead of the typical minimum requirement of 35', seconded by Mr. Merrill and all voted "AYE."

Case #1005

The Board called case #1005, John & Monica Good, applicants for the property at 336 Third Street in Miamiville. The applicants are seeking an area variance to construct a new accessory building in the front yard of a corner lot.

Ms. Kreindler reviewed the application and noted that there is currently an old barn that is in disrepair located in the front yard of the property and has created a safety issue. The proposed new barn will replace the existing structure and will be located on the same concrete pad that is on the site. The new barn will be constructed of metal and will be tan with a green roof.

The public portion of the hearing was closed. Mr. Munro made a motion to approve the variance to build an accessory structure in the front yard of a corner lot, seconded by Mr. Horn and all voted "AYE."

Case #1006

The Board called Case #1006, Lucy Doll applicant for the property at 5633 Happy Hollow Road. The applicant is seeking relief from Zoning Code Section 7.07A, which regulates the minimum square footage and lot width for tracts of residential land.

Ms. Kreindler reviewed the application and noted that the zoning code specifies a minimum lot width of 100' at the building line and an area not less than 20,000 square feet in total size. The width of the proposed non-conforming pan handle lot is 25.02' which is well under the minimum lot width of 100' per section 7.07A. The total size of the proposed new parcel is .1186 acres or 5,166 sq ft., which is also under the minimum area requirement of 20,000 square feet. This piece of land is a concrete driveway extending to the property at 5633 Happy Hollow Road in the City of Milford. If the property at 5633 Happy Hollow Road was in Miami Township's jurisdiction, then Staff could approve the parcel cutout without approval from the Board of Zoning Appeals. Since the proposed lot is in two jurisdictions, a variance is necessary to create the non-conforming panhandle.

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Ms. Vicki Doll spoke on behalf of the applicant. She noted that the family has been trying to sell that house, but it is landlocked without this driveway. The family owns a large portion of the land in this area.

Mr. Loudermilk made a motion to approve the variance from Zoning Code Section 7.07A as the applicant requested, seconded by Mr. Merrill and all voted "AYE."

Case #1008

The Board called Case #1008, Don Kellerman, applicant for the property at 1040 Techne Center Drive seeking a setback reduction variance to build a warehouse addition 58'-3" from the rear property line abutting a residential zoning district.

Ms. Kreindler reviewed the case and noted that the location is zoned "I" Planned Industrial Park District and is approximately 3.22 acres in total size. To the east of the location, the property is zoned "R-2" Residential District. Mr. Kellerman is proposing to build a new warehouse on the property which abuts a residential district, and the zoning code requires a minimum setback of 75 feet. The applicant can partially meet this requirement; however, he is requesting a setback of 18' to build the addition roughly 58'-3" from the rear property line where there is an odd bend in the property line. The home on the residential property, 5433 Carter Way, has a very deep rear yard with more than 200 feet of woodlands in the back.

Ms. Lisa Myer, neighboring property owner at 5433 Carter Way, was opposed to the variance. She noted that when the previous building was constructed, the contractor cleared over 1.5 acres of her land and sold the wood which caused a lawsuit. Mr. Kellerman noted that it was not him that did it, the subcontractor made a mistake.

Mr. Munro made a motion to grant the setback reduction variance to 58'-3" from the rear property line abutting the residential district, seconded by Mr. Merrill and all voted "AYE."

OLD BUSINESS:

The Board agreed to take no action on Case #1007, Milford Retail Management, and continue the case until 9/7/22.

NEW BUSINESS:

Ms. Kreindler presented Case #1009, Glen & Eleane Meert, to be scheduled for the Wednesday, September 7, 2022 meeting.

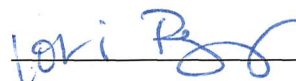
Mr. Munro made a motion to set Case #1009 for Public Hearing on September 7, 2022, seconded by Mr. Merrill and all voted "AYE."

With no further business to come before the Board, the meeting was adjourned. The next regularly scheduled meeting will be held on Wednesday, September 7, 2022, at 7:00 PM.



Steve Reece, Chairman

Respectfully Submitted,



Lori Pegg, Secretary

cc: Board of Zoning Appeals Members, BZA File