

Minutes

Clark County Board of Zoning Appeals

Regular Meeting ~ 2:00 pm.
Thursday July 29, 2021

Springview Government Center
3130 East Main Street
Springfield, Ohio 45505

Mrs. Jerri Taylor, Chairperson of the Clark County Board of Zoning Appeals of Clark County Ohio, called the meeting to order at 2:00 pm. and asked for the Roll Call.

Present For Roll Call: Mrs. Jerri Taylor, Mr. Rick Smith, Mr. Paul Hazlett and Ms. Sandy Forstrom.

Absent For Roll Call: Mr. Tom Duffee and Ms. Greta Wilt.

Also in Attendance: Mr. Allan Neimayer and Mrs. Jennifer Tuttle of Clark County Community Development.

Chairperson Taylor explained how the meeting will be conducted.

Chairperson Taylor asked if there are any comments regarding the minutes. Hearing none, she asked for a motion.

Approval of the June, 24 2021 Minutes

Motion by Mr. Smith, seconded by Mr. Hazlett, to **Approve** the minutes as presented.

VOTE: Yes: Mr. Smith, Mr. Hazlett, Ms. Forstrom and Mrs. Taylor.

No: None.

Motion carried.

Case #BZA-2021-06 ~ Property Owner/Applicant: Bruce Everhart ~ Agent: Stacey Pavlatos ~ Location: 320 N Hampton Rd. ~ Bethel Township ~ Request: Variance to Section 201 to create a landlocked parcel to build a new single-family home

Chairperson Taylor asked for a motion to **Untable** Case #BZA-2021-06.

Motion by Mr. Hazlett, seconded by Mr. Smith, to **Untable** Case #BZA-2021-06.

VOTE: Yes: Mr. Hazlett, Mr. Smith and Ms. Forstrom

No: None.

Motion carried.

Mr. Allan Neimayer, Senior Planner, stated that Mr. Pavlatos, representing the Everhart family, has withdrawn this application.

Chairperson Taylor acknowledged the withdrawn application and asked Staff to present the next case on the agenda.

Minutes

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Case #BZA-2021-23 ~ Property Owner/Applicant: Chad & Prudence Brown ~ Location: 6641 Ravenna Ave. ~ Mad River Township ~ Request: Variance to Section 802.06.03 to reduce the side and rear setback for an accessory structure from 5 ft. to 3 ft. to construct a 14 ft. by 20 ft. carport in the rear yard.

Mr. Neimayer stated that the subject property is located at 6641 Ravenna Ave, Lot #17 of the Green Meadows Subdivision Section No. 6, and consists of approximately 0.19 acres. The property is currently zoned R-2A (Medium Density Single-Family Residence District). The Applicants have filed this variance request to reduce the side and rear setbacks for an accessory structure from 5 ft. to 3 ft. to construct a 14 ft. by 20 ft. carport in the rear yard. Mr. Neimayer reviewed slides of zoning and land use of the subject area.

With no questions for Staff, Chairperson Taylor opened this portion of the public hearing at 2:08 pm. and asked if anyone would like to speak in favor of the case.

Mr. Chad Brown, 6641 Ravenna Ave., was sworn in. Mr. Brown stated the carport will be 11 ft. tall and 3 ft. from the privacy fence. He stated he needed to be able to pull a trailer into it. He stated 3 ft. allows for easier access.

Chairperson Taylor asked if anyone would like to speak in opposition to the case. Hearing none, Chairperson Taylor closed this portion of the public hearing at 2:12 pm and asked for Board discussion.

Mrs. Forstrom stated she was concerned the structure would cause drainage issues, especially with heavy snow. She stated gutters are needed to direct the drainage to interior of property.

Mr. Hazlett said he felt there is a need for a survey of the property. He stated the drainage can be taken care of.

Mr. Smith stated he thought there might be a property line issue and also recommended a survey.

Chairperson Taylor asked if the property line could be verified without a survey. Mr. Neimayer noted the property is part of a platted subdivision. An alternative to requiring a survey, he suggested that the Applicant could consult with the abutting neighbors on consensus of where the lot line is and provide written documentation of this when applying for the zoning certificate.

Hearing no further comments from the Board, Chairperson Taylor asked for a motion.

Case #BZA-2021-23 ~ Property Owner/Applicant: Chad & Prudence Brown ~ Location: 6641 Ravenna Ave. ~ Mad River Township ~ Request: Variance to Section 802.06.03 to reduce the side and rear setback for an accessory structure from 5 ft. to 3 ft. to construct a 14 ft. by 20 ft. carport in the rear yard.

Motion by Mr. Hazlett, seconded by Mrs. Forstrom, to **Approve** the Variance request with the following conditions: 1) the Applicant shall consult with abutting neighbors to agree on the location of the common property lines and provide written proof of this action to the Planning Staff; and 2) documentation that roof top drainage of the carport will be directed to the interior of the Applicant's property and away from the common lot lines with abutting neighbors.

VOTE: Yes: Mr. Hazlett, Ms. Forstrom and Mr. Smith.

No: None.

Motion carried.

Chairperson Taylor asked Staff to present the next case.

Case #BZA-2021-24 ~ Property Owner/Applicant: Kristopher Dover ~ Location: 10733 New Carlisle Pike ~ Bethel Township ~ Request: Variance to Section 802.06.063 to increase the maximum size of an accessory dwelling unit from 600 sq. ft. to 780 sq. ft.

Mr. Neimayer stated the subject property is located at 10733 and consists of approximately 1.76 acres. The property is currently zoned A-1 (Agricultural District). The Applicant has filed this variance request to increase the maximum size of an accessory dwelling unit from 600 sq. ft. to 780 sq. ft.

Hearing no further questions, Chairperson Taylor opened this portion of the public hearing at 2:28 pm. and asked if anyone would like to speak in favor of the case.

Mr. Kristopher Dover, 10733 New Carlisle Pike, was sworn in. Mr. Dover explained the need to build the accessory dwelling unit and accessory structure first. He explained the next step would be the remainder of the house. He explained the accessory dwelling would be off of the carport and his family would use it when visiting.

Ms. Forstrom asked if the accessory dwelling unit would be rented. Mr. Dover responded no. It would just be used by family.

Mr. Hazlett asked about the well. Mr. Dover explained it was behind the house.

Chairperson Taylor asked if anyone would like to speak in opposition to the case. There were none.

Chairperson Taylor closed this portion of the public hearing at 2:31 pm. and asked for Board discussion.

Mr. Hazlett stated he had no issues with the plan and stated the Applicant has plenty of acreage.

Mr. Smith and Ms. Forstrom agreed.

Chairperson Taylor stated she liked the layout and was happy to see the dwelling unit would be attached.

Hearing no further comments from the Board, Chairperson Taylor asked for a motion.

Minutes

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Case #BZA-2021-24 ~ Property Owner/Applicant: Kristopher Dover ~ Location: 10733 New Carlisle Pike ~ Bethel Township ~ Request: Variance to Section 802.06.063 to increase the maximum size of an accessory dwelling unit from 600 sq. ft. to 780 sq. ft.

Motion by Mr. Smith, seconded by Ms. Forstrom, to **Approve** the Variance request as presented.

VOTE: Yes: Mr. Smith, Ms. Forstrom and Mr. Hazlett.

No: None.

Motion carried.

Training

Mrs. Tuttle gave a review on Making Motions and Findings of Facts. There was review and discussion.

Staff Comments

Next scheduled meetings: August 26 & September 23, 2021.

Adjournment

Motion by Mr. Smith, seconded by Mr. Hazlett, to **Adjourn.**

VOTE: Motion carried unanimously.

The meeting was adjourned at 3:11 pm.

Mrs. Jerri Taylor, Chairperson