

MINUTES

NIMISHILLEN TOWNSHIP BOARD OF ZONING APPEALS 4422 MAPLEGROVE NE, LOUISVILLE, OH 44641 WEDNESDAY, AUGUST 1, 2012 – 7:00 PM

Board Members Present: Gary Brahler, Chairman
Pan Aslanides, Secretary
David Foss, Member
Anthony 'Tony' Mucci, Member
Arthur 'Art' Smith, Alternate

Absent: Bill Ehlers, Vice Chairman

Zoning Inspector: Dale Riggerbach

Township Secretary: Sharon Shaub

PURPOSE:

- **APPEAL #590 – Todd M. Reed, 6540 Winter St. NE, Louisville, OH 44641** – Parcel #33-02032, zoned R-1 Single Family Residential, is requesting a variance to allow a fence with a height of eight (8) feet for additional privacy & safety instead of six (6) feet as permitted in Section 602.9 Fences, Walls and Hedges of the Nimishillen Township Zoning Resolution.

Chairman Gary Brahler opened tonight's hearing at 7:00 PM and introduced the board, zoning inspector and township secretary. Mr. Brahler 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 #590: Mr. Reed stepped to the podium and said he constructed the fence himself and apologized to the Board stating he didn't build it 8' on purpose and honestly didn't know there were laws on the height of fences in the township. Where he lived before, there were no rules on fence height. He said there's a rental property next to him. The previous renter had kids that kept climbing his fence. He said it was sort of dilapidated and jagged so he built a new one but said it's mainly for privacy issues and for his dogs.

When asked if he planned to go higher than 8', Mr. Reed said no.

Chairman Brahler asked if there was anyone in attendance to speak in favor of or opposed to Mr. Reed's request. The Board agreed the fence looks nice and neat and they do not see a problem with it.

IN FAVOR:

Earl D. Harden, 6556 Winter Street, stepped to the podium and said he's a new renter and lives beside (east) Mr. Reed. It's his step-mom's property. He said he doesn't mind the fence and has no issues with it. He said it's really nice for Mr. Reed's dogs as well as his own dogs and provides privacy.

OPPOSED:

There was no one in attendance opposed to Mr. Reed's request.

PHONE CALLS / LETTERS:

Chairman Brahler asked if there were any phone calls. Mr. Riggerbach said no one called the office but did receive two letters – one from Melissa Pitts of 6555 Winter Street (north of Mr. Reed) and one from Earl & Kristine Harden of 6540 Winter Street. Both stated they have no issues with the fence height and are in favor of it.

With no more questions from the Board and no further discussion, Chairman Brahler asked for a motion for a ballot vote.

BALLOT VOTE:

PAN ASLANIDES MOTIONED FOR A BALLOT VOTE TO APPROVE OR DENY THE 8' FENCE HEIGHT REQUEST SECONDED BY DAVID FOSS. **MOTION CARRIED.**

Ballot vote as follows:	Gary Brahler	-	APPROVE
	Pan Aslanides	-	APPROVE
	David Foss	-	APPROVE
	Tony Mucci	-	APPROVE
	Art Smith	-	APPROVE

The request for the variance for a fence height of 8' instead of the allowed 6' was **APPROVED**. Chairman Brahler instructed Mr. Reed to contact the zoning inspector during normal business hours to get whatever paperwork and permits are needed.

OLD BUSINESS / NEW BUSINESS:

There was no old business or new business to discuss.

APPROVAL OF MINUTES:

PAN ASLANIDES MOTIONED TO APPROVE THE MINUTES FOR JULY 11, 2012 AS WRITTEN SECONDED BY GARY BRAHLER. **ALL VOTED YES. MOTION CARRIED.**

2012, August 1 BZA Hearing Fence Height (Cont.)

ADJOURNMENT:

DAVID FOSS MOTIONED TO ADJOURN AT 7:06 PM SECONDED BY ART SMITH. **ALL VOTED YES. MOTION CARRIED.**

Gary Brahler, Chairman

Pan Aslanides, Secretary