

**MINUTES**  
**NIMISHILLEN TOWNSHIP BOARD OF ZONING APPEALS**  
**4422 MAPLEGROVE NE, LOUISVILLE, OH 44641**  
**WEDNESDAY, JULY 11, 2012 – 7:00 PM**

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

**Zoning Inspector:** Dale Riggerbach

**Township Secretary:** Sharon Shaub

**PURPOSE: (Three Cases)**

- **APPEAL #586 - Jeffery James Berring**, 6101 Hollydale Ave.NE, Canton 44721 is requesting a variance for an **accessory building for storage at 9891 Louisville St. NE, Parcel #3304349, zoned R-1 Single Family Residential** - requesting 1,584 sq. ft. instead of the allowed 1,280 sq. ft. and a height of 18' 6" instead of the allowed 17' as permitted in Section 602.4 of the Nimishillen Township Zoning Resolution.
- **APPEAL #588 - James Wharmby, 8669 Easton NE**, Louisville, OH 44641, Parcel #33-08717, zoned R-1 Single Family Residential, applying for a variance for an accessory building for storage requesting 3,072 sq. ft. instead of the allowed 1,280 sq. ft. and a height of 22' instead of the allowed 17' as permitted in Sec. 602.4 of the Nimishillen Township Zoning Resolution.
- **APPEAL #589 - Rebecca Herr of 8931 Columbus Rd. NE**, Louisville, Ohio 44641, Parcel No. 33-00866, requesting a variance to allow for the construction of an accessory building (garage) for a single family residence in an area zoned B-3 General Business.

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".

**FIRST CASE - APPEAL #586 – Accessory Building:**

Jeff Berring stepped to the podium and said he’s requesting a variance for an oversized accessory building at 9891 Louisville Street, zoned R-1. The accessory building will be 1,584 sq. ft. with a height of 18’ 6’. He currently lives in N. Canton but will be moving to the township in a couple of months. He needs the oversized building for storage, and the loft will be used to store holiday decorations and other items.

When asked if there would be electric, Mr. Berring said it won’t be ‘just a barn’. It will have windows and look nice, will have electric and later gas heat & water but no bathrooms. He is putting in a drain so he can wash his vehicles inside the building.

With no more questions from the Board, no calls or letters received at the township office and no one in attendance to speak either for or against this variance, Chairman Brahler asked for a motion for a ballot vote.

DAVID FOSS MOTIONED FOR A BALLOT VOTE TO APPROVE APPEAL #586 FOR AN ACCESSORY BUILDING SECONDED BY PAN ASLANIDES. **MOTION CARRIED.**

Ballot vote as follows:	Gary Brahler	APPROVE
	Bill Ehlers	APPROVE
	Pan Aslanides	APPROVE
	David Foss	APPROVE
	Tony Mucci	APPROVE

The request for the variance was **APPROVED**. Chairman Brahler instructed Mr. Berring to contact the zoning inspector during normal business hours to get whatever paperwork and permits are needed.

**SECOND CASE - APPEAL #588– Accessory Building:**

James Wharmby stepped to the podium and said he’s requesting a variance for an accessory building of 3,072 sq. ft. and a height of 22’ and stated the building will be used for storage and softball practice for his daughter. He needs 12’ ceilings to put up a net. (The peak is 22’). He said he owns 4.438 acres. He said it will be 150’ behind his house, 180’ from the neighbor on the east. (drawing attached) No one is behind him. The septic and leach lines are in the front.

Mr. Wharmby said the building will be two-tone antique white and forest green to match his house. There will not be water at this time but there will be electric. No bathrooms at this time. The building will not have any windows but will have 10 x 10 garage doors and two 3’ man doors. Part of the floor will be used as a work space (12 x 12) but this is two years down the road.

When asked if he was putting in a loft, Mr. Wharmby said no. However, the building will be insulated. He might add heat as well down the road.

With no more questions from the board, no one in attendance to speak either for or against this variance and no letters or phone calls received at the office, Chairman Brahler asked for a motion for a ballot vote.

**BILL EHLERS MOTIONED FOR A BALLOT VOTE TO APPROVE APPEAL #588 FOR AN ACCESSORY BUILDING SECONDED BY PAN ASLANIDES. MOTION CARRIED.**

Ballot vote as follows:	Gary Brahler	APPROVE
	Bill Ehlers	APPROVE
	Pan Aslanides	APPROVE
	David Foss	APPROVE
	Tony Mucci	APPROVE

The request for the variance was **APPROVED**. Chairman Brahler instructed Mr. Wharmby to contact the zoning inspector during normal business hours to get whatever paperwork and permits are needed.

**THIRD CASE - APPEAL #589 – Accessory Building:**

Rebecca Herr stepped to the podium and said she is requesting a variance to allow for the construction of an accessory building to build a 2-1/2 car garage (for storage and parking of vehicles) in an area zoned B-3. The size of the building is only 720 sq. ft. with a height of 14'. Inspector Riggerbach checked with the prosecutor about this and found out in order to build an access. bldg. for a single family residence in an area zoned B-3 General Business, they have to apply for a variance and go before the BZA.

Ms. Herr said the garage will match the house with siding and will have concrete around it and will look nice. The building will be detached from the house.

With no questions from the board, no one in attendance to speak either for or against this variance and no letters or phone calls received at the office, Chairman Brahler asked for a motion for a ballot vote.

**PAN ASLANIDES MOTIONED FOR A BALLOT VOTE TO APPROVE APPEAL #589 FOR AN ACCESSORY BUILDING SECONDED BY DAVID FOSS. MOTION CARRIED.**

Ballot vote as follows:	Gary Brahler	APPROVE
	Bill Ehlers	APPROVE
	Pan Aslanides	APPROVE
	David Foss	APPROVE
	Tony Mucci	APPROVE

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The request for the variance was **APPROVED**. Chairman Brahler instructed Ms. Herr 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 and no new business to discuss. However, there might be a variance for fence height for the August 1, 2012 hearing.

**APPROVAL OF MINUTES:**

PAN ASLANIDES MOTIONED TO APPROVE THE MINUTES FOR JUNE 6, 2012 AS WRITTEN SECONDED BY GARY BRAHLER. **ALL VOTED YES. MOTION CARRIED.**

**ADJOURNMENT:**

PAN ASLANIDES MOTIONED TO ADJOURN AT 7:30 PM SECONDED BY TONY MUCCI. **ALL VOTED YES. MOTION CARRIED.**

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Gary Brahler, Chairman

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Pan Aslanides, Secretary