

## MINUTES

### NIMISHILLEN TOWNSHIP BOARD OF ZONING APPEALS

4422 MAPLEGROVE NE, LOUISVILLE, OH 44641

WEDNESDAY, JUNE 6, 2012 – 7:00 PM

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

**Zoning Inspector:** Dale Riggerbach

**Township Secretary:** Sharon Shaub

#### **PURPOSE: (Two Cases)**

- **Appeal #585 – Jeff Denton, 4133 Broadway NE, Louisville, Ohio, 44641,** zoned R-1 Single Family Residential, Parcel No. 33-06263, requesting a variance for an accessory building with a height of 22' instead of the allowable 17' as permitted in Sec. 602.4 of the Nimishillen Township Zoning Resolution.
- **Appeal #587 – Charles Mehl of 9369 Easton St. NE, Louisville, OH 44641,** zoned R-1 Single Family Residential, Parcel No. 33-09817 requesting a variance for an accessory building with a height of 26' instead of the allowable 17' as permitted in Sec. 602.4 of the Nimishillen Township Zoning Resolution.

**Per Section 602.4 Accessory Buildings, Structures and Uses of the Nimishillen Township Zoning Resolution** states any building which is not a part of the main building shall not be located closer than fifteen (15) feet from the main building, may be built within eight (8) feet of the rear lot and side lines, and must conform to the front yard building setback line. An accessory building(s) shall not be constructed closer to any street than regulations permit the construction of a principal building. Accessory buildings, which are not a part of the main building, shall not occupy more than thirty (30) percent of the required rear yard and are not to exceed 1,280 sq. ft. and are limited to 17' in height in a residential area.

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 #585 – Accessory Building:**

Jeff Denton stepped to the podium and said he’s been at his residence 21 years. There was an electrical fire with structural damage and smoke damage. The insurance company claimed it a loss. He has two adult children in college and they still live at home. He needs a garage big enough to house all the cars that are now sitting in his driveway.

Mr. Denton has a large lot (1.4 acres) and has a two-story farm house. He said he talked to all of his neighbors with no negative feedback.

**Loft Space:** Mr. Denton needs the extra loft space to store holiday decorations and summer patio furniture. The garage and loft would be used strictly for storage.

**Access to loft (stairs or ladder?):** Mr. Denton will put in 4’ wide set of steps, which will not add to the square footage. Inspector Riggerbach explained they go by the footprint of the garage and stairs are not considered ‘extra’ sq. footage. Township zoning is after setbacks and footprints on the ground.

Mr. Denton is building a Gamble style building that has 3 garage doors on the front. He’s not sure if he will put the windows in the loft as shown on the plans.

Inspector Riggerbach asked Jeff if he was set on the 22’ in height. Jeff said it will only be 21’ but asked for 22’ in case he decided to put an extra row of blocks at the base in case there would be flooding.

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.

PAN ASLANIDES MOTIONED TO APPROVE APPEAL #585 AND TO INCLUDE EXTRA SQUARE FOOTAGE IF THE 2<sup>ND</sup> STORY (LOFT) ADDS MORE SQUARE FOOTAGE SECONDED BY BILL EHLERS. **MOTION CARRIED.**

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

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

**SECOND CASE - APPEAL #587 – Accessory Building:**

Chris Mehl stepped to the podium. He bought the property in 2002 to build the home of his and his wife’s dream. They have a four car garage but wants to add another two car garage with a sliding door to store his tractor and other items.

Mr. Mehl said he’s asking for 26’ for aesthetics only to blend in with his house. It will be 20’ from the house. The highest pitch on the house is 28’ so the accessory building will still be under the pitch of the house. It will have a dark brown metal roof and tan sides to match the colors of the house.

Chairman Brahler asked if the zoning office received any calls or letters regarding the variance. Riggerbach said he received no letters but there were a few calls and everyone was okay with Mr. Mehl’s request.

With no more questions from the board 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 TO APPROVE APPEAL #587 REQUESTING A HEIGHT OF 26’ FOR AN ACCESSORY BUILDING SECONDED BY PAN ASLANIDES. **MOTION CARRIED.**

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

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

Board member, Bill Ehlers, asked for permission to leave early due to another commitment, which was approved by Chairman Brahler.

**OLD BUSINESS:**

There was no old business to discuss.

**NEW BUSINESS:**

Because the next regularly scheduled BZA hearing is on July 4<sup>th</sup>, CHAIRMAN BRAHLER MOTIONED TO CHANGE THE HEARING TO THE FOLLOWING WEDNESDAY, JULY 11, 2012 AT 7:00 PM SECONDED BY TONY MUCCI. **ALL VOTED YES. MOTION CARRIED.**

2012, June 6 -BZA Minutes (Cont.)

**APPROVAL OF MINUTES:**

PAN ASLANIDES MOTIONED TO APPROVE THE MINUTES FOR MAY 2, 2012 AS WRITTEN SECONDED BY DAVID FOSS. **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

*Board of Zoning Appeals Minutes: 2012, June 6-Two BZA Hearings for Access. Bldgs-Mehl 9369 Easton & Denton 4133 Broadway.docx*