

Minutes
Nimishillen Township Board of Zoning Appeals
4422 Maplegrove NE, Louisville, OH 44641
Wednesday, September 3, 2014 – 7:00 PM

Board Members Present: Bill Ehlers, Chairman
Pan Aslanides, Vice Chairman
Gary Brahler, Member
David Foss, Member

Board Members Absent: Anthony ‘Tony’ Mucci, Secretary

Zoning Inspector: Dale Riggerbach

Township Secretary: Sharon Shaub

Purpose: (Two Cases)

Appeal #607 – Bert G. Joseph of 5945 Pilot Knob NE, Louisville, Ohio, zoned R-1 Single Family Residential, Parcel No. 33-07974, is requesting a variance for an accessory building (storage of miscellaneous equipment) to be 24’ high instead of the allowed 17’ and a side yard setback to be 6’ off the north property line instead of the required 8’ as permitted in Section 602.4 of the Nimishillen Township Zoning Resolution.

Appeal #608 – Dennis R. Harbert of 54 Pine St. SE, Massillon, Ohio, is requesting a variance for a porch addition on a house built in 1933 located at 6097 Reno Dr. NE, Louisville, Ohio, zoned R-1 Single Family Residential, Parcel No. 33-08397, with a 25’ front yard setback instead of 40’ as permitted in Section 702.3 of the Nimishillen Township Zoning Resolution. The current setback is 31’.

Call Hearing to Order:

Chairman Ehlers opened tonight’s hearing at 7:00 PM and introduced all board members, zoning inspector and township secretary. Ehlers swore in everyone in attendance by asking them to swear that the information they are about to present, either in oral or written form, is true and accurate to the best of their knowledge. The people responded by saying, “I do”.

1st CASE – APPEAL #607:

Bert G. Joseph of 5945 Pilot Knob NE stepped to the podium and explained he has a small garage and is requesting a variance to build a pole building to be 24’ high. He works for a cable company and needs the building to be 24’ in height because he brings the company truck home and would like to put it in a garage; especially during the winter months. The upstairs portion of the building is to store Christmas items and other equipment.

Pan Aslanides asked if there would be water/sewer hook-up. Mr. Joseph said no but said he will have electric.

Gary Brahler asked if the truck has a boom. Mr. Joseph said yes and said he asked for 24' but it will be 22' in height and 6' off the property line instead of 8'.

Gary Brahler asked about the existing storage building. Mr. Joseph said it will be torn down and the new building will cover it up.

Bill Ehlers asked what assurance he can give that he will put his truck in the building and not use it for something else. Dale explained the upstairs will be used for storage only.

Dale said he received one phone call from Jan Bredon and Jan is fine with the variance. No letters were received at the township office.

Motion for a Ballot Vote: With no other questions and/or discussion, Chairman Ehlers asked for a motion for a ballot vote to approve or disapprove Appeal #607.

DAVID FOSS MOTIONED FOR A BALLOT VOTE FOR APPEAL #607 SECONDED BY GARY BRAHLER. The Board responded by saying 'I'. **MOTION CARRIED.**

Roll call voting: Gary Brahler – Approve
Pan Aslanides – Approve
David Foss – Approve
Bill Ehlers - Approve

Chairman Ehlers said **the request for Appeal #607** was **APPROVED** and advised Mr. Joseph to contact Dale during regular office hours (11:30 a.m. to 3:30 p.m. Monday thru Friday) to make arrangements to get whatever paperwork/permits are needed.

2nd CASE – APPEAL #608:

Dennis R. Harbert of 54 Pine St. SE, Massillon, OH stepped to the podium and said he owns the property located at 6097 Reno Dr. NE. He bought the property to renovate because the construction of the building has some weird features. It's a beautiful lot. The house fronts on Reno Dr. but has no front door. The door is on the side but there's no driveway on the side. There's no sidewalk going around it. The previous owners probably abandoned it years ago and entered on the Timber Ave. side, which has an awkward entrance.

Mr. Harbert said it's a 2-bedroom home and is about 1,263 sq. ft. He's going to tear the roof off and add a 2nd story. The central window on the front is a bathroom. He's going to tear the bathroom out and put in a central foyer and entrance.

The other major strange thing about this house is that usually the load bearing walls go down the center parallel to the road. These load bearing walls go the opposite way and the joists go the long way so he will be putting in LVL laminated beams and taking out some of the walls. The house also needs a new roof, wiring, etc.

The major reason Mr. Harbert wants to put a porch on is for curb appeal and to give it a house-looking appearance. There's a berm on the road that someone carved a niche out and made a circular drive that comes in Reno Dr. and Timber Ave. They will fill it back in so it'll have a front yard instead of the existing berm. Both sides are higher than the drive-thru. Mr. Harbert said he's going to fill it in and do away with the drive-thru. By doing this, it will give a little more protection and privacy from the road. The porch will make it closer to the road but it's going to be more like a covered deck vs. a porch. They are putting down footers and making it 6', which gives it a better look with the minimum amount of movement towards the road.

The main reason for the variance request is to give the house curb appeal. It's a strange looking thing from the street and thinks putting a porch and a 2nd story will make it an attractive house instead of an eyesore.

When asked if he's going to maintain it where the elevation of the house is above the road where the bank rolls off the front, Mr. Harbert said he's going to fill in the berm and take out the circular drive which will give it protection from the road and give it a more polished look. He said any way you look at it now, it doesn't look good.

Gary Brahler asked Mr. Harbert if he was going to re-do it and try to flip it. Mr. Harbert said that was the intention but he and his wife might want to downsize and maybe consider moving in. He also might rent it out or sell it.

Dale Riggensch said the house is grandfathered in the way it sits now. If there would have been a 6' porch on it, Mr. Harbert would not be here tonight.

Chairman Ehlers asked Dale if he received any letters or phone calls regarding this variance request. Dale said no.

Motion for a Ballot Vote: With no further questions and/or discussion, Chairman Ehlers asked the Board for a ballot vote to approve or disapprove Appeal #608.

DAVID FOSS MOTIONED FOR A BALLOT VOTE FOR APPEAL #608 SECONDED BY PAN ASLANIDES. The Board responded by saying 'I'. MOTION CARRIED.

Roll call voting: David Foss - Approve
 Gary Brahler - Approve
 Pan Aslanides - Approve
 Bill Ehlers - Approve

Chairman Ehlers said **the request for Appeal #608** was **APPROVED** and advised Mr. Harbert to contact Dale during regular office hours (11:30 a.m. to 3:30 p.m. Monday thru Friday) to make arrangements to get whatever paperwork/permits are needed.

Old Business/New Business: There was no old or new business to discuss.

Approval of Minutes:

*DAVID FOSS MOTIONED TO APPROVE THE MINUTES FOR AUGUST 6, 2014 AS WRITTEN SECONDED BY PAN ASLANIDES. The Board responded by saying 'I'. **MOTION CARRIED.***

Roll call voting: David Foss - Approve
Gary Brahler - Approve
Pan Aslanides - Approve
Bill Ehlers - Approve

Adjournment:

*GARY BRAHLER MOTIONED TO ADJOURN AT 7:30 PM SECONDED BY PAN ASLANIDES. The Board responded by saying 'I'. **MOTION CARRIED.***

Roll call voting: Bill Ehlers - Approve
Gary Brahler - Approve
David Foss - Approve
Pan Aslanides - Approve

Signature on File

Bill Ehlers, Chairman
Nimishillen Township Board of Appeals

Signature on File

Pan Aslanides, Vice Chairman
Nimishillen Township Board of Appeals

/sls