

Minutes

Nimishillen Township Board of Zoning Appeals

4422 Maplegrove NE, Louisville, OH 44641

Wednesday, May 6, 2015 – 7:00 PM

Board Members Present: Pan Aslanides, Chairman
Anthony ‘Tony’ Mucci, Vice Chairman
David Foss, Secretary
Gary Brahler, Member
Bill Ehlers, Member
Thomas Davis, Alternate

Zoning Inspector: Dale Riggenbach

Township Secretary: Shelby Dieffenbaugher

Purpose: (One Case)

Appeal #612 – Timothy & Audrey Roudebush of 4315 Swallen Ave. N.E., Louisville, Ohio 44641, zoned R-1 Single Family Residential, Parcel #33-08071, is requesting a variance for an Accessory Building (storage of miscellaneous equipment) to be 24 feet high instead of the allowed 17 feet high and to be 1820 square feet instead of the allowed 1280 square feet, as permitted in Section 602.4 of the Nimishillen Township Zoning Resolution.

ORGANIZATION OF THE BOARD OF ZONING APPEALS:

Election of Officers:

Chairman Ehlers nominated Pan Aslanides for Chairman, Tony Mucci for Vice-Chairman, and David Foss for Secretary.

CHAIRMAN EHLERS MOTIONED TO NOMINATE PAN ASLANIDES AS CHAIRMAN, TONY MUCCI AS VICE-CHAIRMAN AND DAVID FOSS AS SECRETARY FOR 2015 SECONDED BY DAVID FOSS. With no further discussion, nominations were closed.

MOTION CARRIED

Roll call voting:

Pan Aslanides	--	In Favor
Anthony Mucci	--	In Favor
Gary Brahler	--	In Favor
David Foss	--	In Favor
Bill Ehlers	--	In Favor

Chairman Ehlers thanked the board, the zoning inspector, and secretary for all of their cooperation. Mr. Ehlers than passed the meeting on to the new Chairman Pan Aslanides.

CALL HEARING TO ORDER:

Chairman Aslanides opened tonight’s hearing at 7:00 PM and introduced all board members, zoning inspector, township secretary. Chairman Aslanides 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”.

Timothy Roudebush of 4315 Swallen Ave. stepped to the podium and is requesting a variance to build a storage building on his property. The purpose of this building would be to store his tractor-trailer used for his job and for storage of other commodities as well. Once the garage and driveway are completed, plants, flowers, and other shrubs will be planted to make sure the building looks nice and is not an eye sore. Mr. Roudebush did not realize a permit was needed to build a building/garage on his property.

Gary Braehler asked how many acres was his property. Mr. Roudebush said his property is 6 acres.

Discussion was held as to where the tractor-trailer was currently being located. Mr. Roudebush moved the tractor-trailer off his property to a different location until the garage/building was built.

Gary Braehler asked if the garage would be long enough to house the tractor-trailer and how long the building will be. Mr. Roudebush stated that the garage will be 70 feet long.

Discussion was held in regards to the location of the garage, the location of the current driveway in relation to the neighbor's property. Mr. Roudebush stated that the driveway is already roughed in place. It currently leads to the existing building on the property.

Tony Mucci asked if he would have to drive through someone else's property to get to the new garage. Mr. Roudebush stated that he would not have to drive through someone else's property. The driveway would be located on his property.

Discussion was held in regards to the location of the garage, the location of the new driveway for the garage.

Pan Aslanides asked if he backs in the tractor-trailer off the street. Mr. Roudebush stated that he does back in the tractor-trailer off the street right now. Once the driveway turn-around is put in, he will not have to.

Bill Ehlers asked if there will be water and electric run to the garage. Mr. Roudebush stated that there will be no water but there will be power. His plan is to have a new, separate power line run to the garage.

Discussion was held about the field located behind Mr. Roudebush's property.

Discussion was held in regards to what the garage will be made of. Mr. Roudebush stated the garage will be made of metal, will be insulated, heated, and will have a cement floor.

Discussion was held about the size of the garage. Mr. Roudebush stated the garage will be 70 feet long because the tractor-trailer that will be stored in this garage is 59 feet. Other commodities will be stored in the other section of the garage. He plans to have turn-around driveway so he will not have to back in the tractor-trailer.

Discussion was held in regards to the location of the new driveway for the garage and where this driveway is in relation to the neighbor's property. It was determined that the other driveway belongs to the neighbor.

David Foss asked if this garage will be free standing or attached to the current accessory building. Mr. Roudebush stated this garage will be free standing.

Pan Aslanides asked if anything other than Mr. Roudebush's tractor-trailer, other commodities will be stored in the garage and that Mr. Roudebush will not be doing any work besides his own. Mr. Roudebush stated that his tractor-trailer and other commodities will be the other things stored in the garage. Also, he will only be working on the car he is rebuilding.

Chairman Aslanides asked if anyone present would like to speak in favor of the variance.

Terry Roudebush stepped to the podium:

- Mr. Terry Roudebush is Tim Roudebush's father
- Tim Roudebush works for him
- Mr. Terry Roudebush is doing the excavating work for the garage
- Mr. Terry Roudebush knows his son will make the building look nice once its built

Tony Mucci asked what keeps Mr. Roudebush from having multiple trucks located on the property. Zoning Inspector Dale Riggerbach stated that the property is zoned as residential. The only way Mr. Roudebush could have multiple trucks on his property if he was zoned commercial.

Discussion was held on the zoning of Mr. Roudebush's property.

Gary Brahler asked what type of trailer he will be storing in the garage. Mr. Roudebush stated that the trailer is a dump bucket.

The Board asked if Mr. Roudebush ever brings home a loaded trailer. Mr. Roudebush stated that his trailer is never loaded. He always comes home with an empty trailer.

Discussion was held in regards to the street weight limit on Swallen for the Township during the spring.

Bill Ehlers asked if his tractor-trailer exceeds the weight limit when the trailer is empty. Mr. Roudebush thinks he would be okay.

Tami White of 4269 Swallen stepped to the podium:

- Ms. White stated that since Mr. Roudebush and his family moved into the house in November, improvements have been made to the property.
- Ms. White feels that the work being done will help with the water issues on her property
- Ms. White stated that she is in favor of this because she would rather see a large garage than the tractor-trailer and other commodities sitting out on the property.

Discussion was held about Mr. Roudebush's property, the zoning rules, and the location of the garage.

Chairman Aslanides asked if anyone present would like to speak against the variance.

William Husarik of 4282 Swallen stepped to the podium:

- Mr. Husarik is concerned about the tractor-trailer damaging the roadway
- Mr. Husarik is concerned that Mr. Roudebush may work on other tractor-trailers and not just his own.

- Mr. Husarik feels this large of a building may decrease the value of his property

Mr. Husarik asked if this area in the Township will become agricultural. Chairman Aslanides stated that this was a hearing for a variance to determine if a building larger than the allowed zoning can be built. The Board is not changing the zoning of the area.

Discussion was held regarding the purpose of this hearing.

Mr. Husarik asked the Board who receives letters in the mail regarding the variance. Zoning Inspector Dale Rigggenbach explained that anyone whose property attaches to Mr. Roudebush's property receives a letter regarding the variance. Also, there is an advertisement in the newspaper and a sign is posted on Mr. Roudebush's property regarding the variance.

Dorothy Peterman of 4310 Swallen stepped to the podium:

- Ms. Peterman stated that with this tractor-trailer being Mr. Roudebush's livelihood, she has no problem with the garage being built.

Zoning Inspector Dale Rigggenbach received a call from Joe Schilling of 4141 Swallen. Mr. Schilling is not in favor of this variance.

Zoning Inspector Dale Rigggenbach stated for the record when someone calls regarding a variance, he asks them a personal question about their own property to make sure they are who they say.

Chairman Aslanides asked if anyone present would like to speak for or against this variance.

Bill Ehlers spoke of the zoning resolutions and about the purpose of the Board of Zoning Appeals hearings.

Motion for a Ballot Vote: With no other questions and/or discussion, Chairman Aslanides asked for a motion for a ballot vote to approve or disapprove Appeal #612.

BILL EHLERS MOTIONED FOR A BALLOT VOTE FOR APPEAL #612 SECONDED BY TONY MUCCI. The Board responded by saying 'I'. **MOTION CARRIED.**

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

Chairman Aslanides said **the request for Appeal #612** was **APPROVED** and advised Mr. Roudebush 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.

Chairman Aslanides dismissed those in attendance.

Old Business

There was no old business to discuss.

New Business:

Set day and time for hearings:

After discussion, DAVID FOSS MOTIONED TO KEEP THE DAY AND TIME THE SAME, WHICH IS THE 1ST WEDNESDAY OF EACH MONTH AT 7:00 PM SECONDED BY GARY BRAHLER. Board members responded by saying ‘I do’. **MOTION CARRIED.**

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

Approval of Minutes:

BILL EHLERS MOTIONED TO APPROVE THE MINUTES FOR November 5, 2014 AS WRITTEN SECONDED BY ANTHONY MUCCI. The Board responded by saying ‘I’. **MOTION CARRIED.**

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

The Board was introduced to the new alternate for the Board of Zoning Appeals, Tom Davis.

Adjournment:

GARY BRAHLER MOTIONED TO ADJOURN AT 7:50 PM SECONDED BY ANTHONY MUCCI. The Board responded by saying ‘I’. **MOTION CARRIED.**

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

Pan Aslanides, Chairman
Nimishillen Township Board of Appeals

David Foss, Secretary
Nimishillen Township Board of Appeals

/sd

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