

Minutes

Nimishillen Township Board of Zoning Appeals

4422 Maplegrove NE, Louisville, OH 44641

Wednesday, July 10, 2018 – 7:00 PM

Board Members Present: Anthony ‘Tony’ Mucci, Chairman
Pan Aslanides, Vice-Chairman
Gary Brahler, Secretary
Bill Jeffries, Member
Jim Morris, Member

Zoning Inspector: Jeff Shipman

Township Secretary: Shelby Dieffenbaugher

Purpose: (Two Case)

Appeal #0674 – Tim Engle of 8077 Paris Ave. NE, Louisville, Ohio 44641, Parcel #33-07383, Zoned R-1 Single Family Residential, is requesting a variance for an Accessory Building for an overall 1,536 sq. ft building, with a 576 sq. ft. porch roof addition, totaling 2,112 sq. ft., whereas Section 602.4 limits Accessory Buildings to 1,280 sq. ft. of the Nimishillen Township Zoning Resolution.

Appeal #0675 – George Film of 5551 Crock St. NE, Louisville, Ohio 44641, Parcel #33-08624, Zoned R1-Single Family Residential, is requesting a variance for an Accessory Building to be 2,160 sq. ft. and 22 ft. height; to be set on the east side of the front yard. Contrary, this exceeds the limits of Section 602.4 of the allowed 1,280 sq. ft and 17 ft. height and rear yard requirement in Section 602.3 of the Nimishillen Township Zoning Resolution.

CALL HEARING TO ORDER:

Chairman Mucci opened tonight’s hearing at 7:00 PM introduced the new Zoning Inspector Jeff Shipman, all board members in attendance, the zoning inspector, and the township secretary.

Chairman Mucci 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 #0674 – Tim Engle of 8077 Paris Ave. NE, Louisville, Ohio 44641, Parcel #33-07383, Zoned R-1 Single Family Residential, is requesting a variance for an Accessory Building for an overall 1,536 sq. ft building, with a 576 sq. ft. porch roof addition, totaling 2,112 sq. ft., whereas Section 602.4 limits Accessory Buildings to 1,280 sq. ft. of the Nimishillen Township Zoning Resolution.

Tim Engle of 8077 Paris Ave. stepped to the podium and informed the Board he is recently retired, he’s a crafter, wood worker, and tractor mechanic. Mr. Engle stated he likes to tinker with all kinds of stuff and he would like to add onto the existing building for more room. Mr. Engle stated he has a couple antique tractors and a fishing boat that is taking up room, but he doesn’t want to get ride of them. Mr. Engle stated the porch will be used for son shade on the property. Mr. Engle stated he already has approval from the Health Department.

Mr. Jeffries asked if he plans to have sanitary. Mr. Engle stated no. Mr. Jeffries asked if he wants to add on because of the antique tractors and use it for agricultural purposes. Mr. Engle stated he can’t say that because he doesn’t farm on his property.

Mr. Brahler asked how many acres he has. Mr. Engle stated approximately 4 acres. Discussion followed.

Mr. Aslanides asked if he fixes other people's tractors or if he would be running a business. Mr. Engle stated he does help others out in his club that he is part of but as for a business, no.

Chairman Mucci asked the Board if they had any other questions.

Chairman Mucci asked if there were any phone calls or letters received. Township Secretary Shelby Dieffenbaugher stated no phone calls or letter were received.

Mr. Jeffries stated to Mr. Engle that he has a beautiful property, but he doesn't know how this is called a hardship and he can't call it an inconvenience, which is why he asked about the property being agricultural use. Discussion followed.

Heidi Engle of 8077 Paris Ave. stepped to the podium and informed the Board they have a 5-wheel trailer that sits out that is too big to fit in the building now. Mrs. Engle stated she likes everything neat & orderly and if they are going to do this, they will do it big enough to fit everything in it. Discussion followed.

Discussion was held regarding whether Mr. Engle's property can be classified as agricultural.

Mr. Morris asked how many acres they have. Mrs. Engle stated 4 acres. Mr. Engle informed Mr. Jeffries that as far as a hardship is concerned, it hinders him from enjoying his retirement.

Chairman Mucci asked the Board if they had any other questions.

Motion for a Ballot Vote: With no other questions and/or discussion, Chairman Mucci asked for a motion for a ballot vote to approve or disapprove Appeal #0674.

GARY BRAHLER MOTIONED FOR A BALLOT VOTE FOR APPEAL #0674 SECONDED BY PAN ASLANIDES. The Board responded by saying 'I'. MOTION CARRIED.

Roll call voting:	Jim Morris	-- Approve
	Bill Jeffries	-- DENIED – Not a hardship
	Gary Brahler	-- Approve
	Pan Aslanides	-- Approve
	Tony Mucci	-- Approve

Chairman Mucci said **the request for Appeal #0674** was **APPROVED** and advised Mr. Engle to contact Jeff during regular office hours to make arrangements to get whatever paperwork/permits are needed.

Appeal #0675 – George Film of 5551 Crock St. NE, Louisville, Ohio 44641, Parcel #33-08624, Zoned R1-Single Family Residential, is requesting a variance for an Accessory Building to be 2,160 sq. ft. and 22 ft. height; to be set on the east side of the front yard. Contrary, this exceeds the limits of Section 602.4 of the allowed 1,280 sq. ft and 17 ft. height and rear yard requirement in Section 602.3 of the Nimishillen Township Zoning Resolution.

George Film of 5551 Crock St. stepped to the podium and informed the Board he has lived in his home for 14 years and he has always wanted to put up a building. Mr. Film stated he has 5 kids, 9 cars and 4 boats, which a lot if those sit out in the yard. Mr. Film stated he would like to build a 36 by 60 building with a 12 ft. porch. The siding and roof will closely match the colors of the house, the porch will be deep enough to hold the 23 ft. Wellcraft. The boats he stores off of Harmont in the winter. Mr. Film stated his kids have cars and they like to work on them, he has a classic car that he works on as well. Mr. Film stated he would like to put the building in the southwest corner by the driveway by the neighbors building. Mr. Film provides a map to the Board on the location of the building and where the septic is located on the property.

Chairman Mucci asked if anyone had any questions.

Mr. Aslanides asked if there would be any room to have the building in the backyard. Mr. Film stated he could go, the septic is in the back left corner and the septic reserve is to the right of the house, so the building would have to go to the back-right corner and build a 200 ft. driveway to get back there. Discussion followed.

Mr. Aslanides asked how many acres he owns. Mr. Film stated 1.6 acres.

Mr. Jeffries stated to Mr. Film this is a hardship because of the septic tank that is involved and to place it in the back-right corner would devalue his property because of the long driveway to get back there. Mr. Film stated he couldn't say if it would devalue the property or not but it would be an expense to put in a driveway that long. Discussion followed.

Mr. Jeffries asked Mr. Film if he could move it to the back of the house. Mr. Film stated that is where the septic sits and it would be very tight up against the driveway. Mr. Film stated there may be a way to do it potentially.

Discussion was held regarding the location of the septic, the septic reserve, and the possibility of moving the building to the backyard.

Chairman Mucci asked Mr. Film if he could make the back of the new building even with his current garage. Discussion followed.

Mr. Aslanides asked Mr. Film if he will be able to move it back. Mr. Film stated yeah, he should be able to move it far enough to line it up with the garage. Discussion followed.

After much discussion, Mr. Film asked the Board to modify his request so the building will line up with the back edge of the garage. The Board was okay with Mr. Film's request.

The Board held a discussion about the new location of the building.

Chairman Mucci asked if there were any phone calls or letters received. The Board was told no calls or letters were received. Chairman Mucci asked Zoning Inspector Jeff Shipman if he was putting the signs up on the properties. Mr. Shipman stated no he didn't put them up this time, he was going to ask the Board if that was alright. Discussion followed.

Chairman Mucci asked if anyone had any other questions.

Motion for a Ballot Vote: With no other questions and/or discussion, Chairman Mucci asked for a motion for a ballot vote to approve or disapprove Appeal #0675.

PAN ASLANIDES MOTIONED FOR A BALLOT VOTE FOR APPEAL #0675 WITH NEW SETBACKS AS STATED SECONDED BY JIM MORRIS. The Board responded by saying 'I'. MOTION CARRIED.

Roll call voting:	Jim Morris	-- Approve
	Bill Jeffries	-- Approve – Hardship if placed on back lot
	Gary Brahler	-- Approve – With new setback
	Pan Aslanides	-- Approve – With the new setback as stated
	Tony Mucci	-- Approve – Modify placement to align with rear of existing garage

Chairman Mucci said **the request for Appeal #0675** was **APPROVED** and advised Mr. Film to contact Jeff during regular office hours to make arrangements to get whatever paperwork/permits are needed.

James Miller of 13097 Lake Ave. stepped to the podium and asked the Board about questions he had regarding Section 602.4 and Section 602.3 of the Zoning Code. Mr. Miller stated the front yard setbacks in the code are difficult to understand. Discussion followed.

Old Business:

There was no old business to discuss.

New Business:

Mr. Aslanides asked if there is anything for next month on the books. The Board was informed nothing at this time. Discussion was held regarding the variances from last month.

Approval of Minutes:

Prior to the approval of the June 6, 2018 minutes, Mr. Jeffries stated he has some concerns about the minutes. Mr. Jeffries stated his concerned about the voting section on page 3 on whether or not it was done correctly. Mr. Jeffries suggesting contacting Regional Planning for a template on how the minutes should be typed and he would like to table the approval until next time. The Board agreed to table the approval of the June 6, 2018 Hearing minutes. Much discussion followed.

Adjournment:

BILL JEFFRIES MOTIONED TO ADJOURN AT 8:05 PM SECONDED BY GARY BRAHLER. The Board responded by saying 'I'. MOTION CARRIED.

Roll call voting:	Jim Morris	-- Approve
	Bill Jeffries	-- Approve
	Gary Brahler	-- Approve
	Pan Aslanides	-- Approve

Tony Mucci -- Approve

Tony Mucci, Chairman
Nimishillen Township Board of Appeals

Pan Aslanides, Vice-Chairman
Nimishillen Township Board of Appeals

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Zoning Board of Appeals Minutes: 2018 – July 10; Accessory Building @ 8077 Paris Ave. & Accessory Building @ 5551 Crock