

Minutes

Nimishillen Township Board of Zoning Appeals

4422 Maplegrove NE, Louisville, OH 44641

Wednesday, June 6, 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 #0672 – Ressie Kennedy of 2995 Pinevale Ave. NE, Louisville, Ohio 44641, Parcel #33-06417, Zoned R-1 Single Family Residential, is requesting a variance for additions of 1,224 sq. ft. (24x36 & 10x36) to an existing 576 sq. ft. (16x36) accessory building, making it 1,800 sq. ft. (50x36) in total, instead of the allowed 1,280 sq. ft. as permitted in Section 602.4 of the Nimishillen Township Zoning Resolution.

Appeal #0673 – Louisville Baptist Temple of 6565 Columbus Rd. NE, Louisville, Ohio 44641, Parcel #33-80034, Zoned R1-Single Family Residential, is requesting a variance for the allowance of a new sign, dimensions 6.625 ft. high and 7.088 ft. wide; being placed in the same location as existing sign, instead of the allowed 3 ft. in height and 5 ft. wide as permitted in Section 801.4, Requirement 10 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 #0672 – Ressie Kennedy of 2995 Pinevale Ave. NE, Louisville, Ohio 44641, Parcel #33-06417, Zoned R-1 Single Family Residential, is requesting a variance for additions of 1,224 sq. ft. (24x36 & 10x36) to an existing 576 sq. ft. (16x36) accessory building, making it 1,800 sq. ft. (50x36) in total, instead of the allowed 1,280 sq. ft. as permitted in Section 602.4 of the Nimishillen Township Zoning Resolution.

Ressie Kennedy of 2995 Pinevale Ave. stepped to the podium and informed the Board he wants to add on to his garage. Mr. Kennedy stated there was a complaint about his property having too many vehicles and he wants to try to get everything under roof.

Mr. Aslanides asked if the complaint received was from the neighbors. Mr. Kennedy stated he thinks it was a guy who rides his bike around the neighborhood. Mr. Kennedy informed the Board that he purchased a camper and that is the only thing that has changed in the last 10 years he’s lived there.

Mr. Aslanides asked if he will be building on both sides of the existing building and if he is going to make it all look as 1 building. Mr. Kennedy stated yes, he will change the roofline. Chairman Mucci stated he thought about adding that in the requirement if it passes so it doesn’t look like 3

buildings. Mr. Kennedy stated he is going to take the existing roof off and run the trusses toward the house so it will be all 1 roof. Discussion followed.

Chairman Aslanides asked the Board if they had any more questions.

Mr. Jeffries provides the Board and Mr. Kennedy with an aerial picture of his neighborhood showing his neighbors with larger buildings (Exhibit A). Discussion followed.

Mr. Jeffries provides the Board and Mr. Kennedy with 2 pictures (Exhibit B & C). Discussion was held regarding the distant from the property lines and the distant from the roadway.

Mr. Jeffries suggested to Mr. Kennedy, per the drawing of Exhibit C, to move the building additions that way the Board will only have to approve the oversized building. Currently, the Board will have to approve the building and the setbacks for the building.

Mr. Aslanides asked Mr. Kennedy if that is something he could do. Mr. Kennedy stated yeah, the only thing he would have to do is move the driveway a little. Mr. Jeffries suggested to shift the garage door on the building so the driveway wouldn't have to be moved. Discussion followed.

Discussion was held regarding if this building is considered to be in the front vs. side yard.

Mr. Kennedy informed the Board that he is fine with Mr. Jeffries' suggested changes, if that is what the Board want him to do. Discussion was held regarding the setbacks.

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

BILL JEFFRIES MOTIONED TO ACCEPT THE PROPOSAL WITH UPDATED DRAWING (EXHIBIT C) 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 MOTION TO APPROVE PER UPDATED DRAWING OF MINIMUM 10 FT. FROM THE LINE IN THE CORNER & BUILDING HAS 1 ROOF LINE (EXHIBIT C) SECONDED BY PAN ASLANIDES. 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

Chairman Mucci asked if anyone in attendance would like to speak for or against the variance.

The Board asked if there were any phone calls. Township Secretary Shelby Dieffenbaugher stated she did not receive any.

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 #0672.

TONY MUCCI MOTIONED FOR A BALLOT VOTE FOR APPEAL #0672 PER AMENDMENTS SECONDED BY PAN ASLANIDES. The Board responded by saying 'I'. MOTION CARRIED.

Roll call voting:	Jim Morris	-- Approve – updated drawing to allow 10 feet from road & one roof line
	Bill Jeffries	-- Approve – as modified with Exhibit C
	Gary Brahler	-- Approve – according to drawing; 10 ft.
	Pan Aslanides	-- Approve – with updated amendment A, B, C
	Tony Mucci	-- Approve – per approved updated drawing to allow 10 ft. frontage; per amendments A, B, C

Chairman Mucci said **the request for Appeal #0672** was **APPROVED** and advised Mr. Kennedy to contact Jeff during regular office hours to make arrangements to get whatever paperwork/permits are needed.

Appeal #0673 – Louisville Baptist Temple of 6565 Columbus Rd. NE, Louisville, Ohio 44641, Parcel #33-80034, Zoned R1-Single Family Residential, is requesting a variance for the allowance of a new sign, dimensions 6.625 ft. high and 7.088 ft. wide; being placed in the same location as existing sign, instead of the allowed 3 ft. in height and 5 ft. wide as permitted in Section 801.4, Requirement 10 of the Nimishillen Township Zoning Resolution.

Pastor Mike Harmon of 6565 Columbus Rd. stepped to the podium and informed the Board that he came in to get a permit for the new sign and was told he needed a variance to be able to replace the old sign with a new sign. Chairman Mucci stated the Board has to approve that he can do that and then he can get whatever he needs. Pastor Harmon stated the old sign is antiquated and has been up for about 35 years. Pastor Harmon stated the people at the church started the process to upgrade the sign. Pastor Harmon stated last year he contacted Dale and got directions. Pastor Harmon stated Dale wanted a drawing of the new sign and then they could get a permit, the only stipulation was it couldn't go closer to Columbus Rd. and no higher or wider. Pastor Harmon stated the people from the church started the fundraising and the designing of the new sign. Pastor Harmon informed the Board he did not come back when Dale was still the Zoning Inspector because they were still finalizing the design and they were busy at the end of the year. Pastor Harmon stated after finding a sign company. Ackers Signs, he came in for the permit and was told he needed a variance. Pastor Harmon stated the sign is already in production.

Chairman Mucci stated the reason a variance is needed is because it didn't fit the zoning requirements. Pastor Harmon stated it is the same size, it is no closer to the road, and it is not higher or wider. Pastor Harmon stated it's a digital sign and half of the sign is paid for and it's in production.

Mr. Brahler asked if the sign will be lite all the time. Pastor Harmon stated yes.

Mr. Aslanides asked if the dimensions are the same. Pastor Harmon stated yes. Discussion followed.

The Board held a discussion regarding Section 801.4 item #1 of the Zoning Resolution.

Mr. Jeffries asked if the sign will be constantly running stuff across it, like a message board. Pastor Harmon stated it will be a message board. Discussion followed.

Mr. Jeffries stated he is concerned about the flashing from the sign, will it bother travelers on Columbus Rd.

Tim Wright of Ackers Signs – 4150 Belden Village St. stepped to the podium and informed Mr. Jeffries no, the way they have gotten around that in other townships and cities is they base it on the requirements they set. Discussion followed.

Mr. Jeffries asked if this sign will be like the sign at the high school. Mr. Wright said it is almost identical to the sign in front of St. Louis Parish. Mr. Jeffries asked if the sign is the same size. Mr. Wright stated the dimensions are slightly larger for this sign, they wanted to keep it the same size as the old sign. Mr. Jeffries asked if the lighted side is the same size. Mr. Wright stated he is not sure of the size of the St. Louis sign so he can't say yes or no. Mr. Wright informed the Board that their sign sits farther back from the road than the sign at St. Louis Parish. Discussion followed.

The Board held a discussion about Section 801.4 item #1 and Section 801.6 of the Zoning Resolution.

The Board held a discussion about the size of the sign and whether not it is grandfathered in.

Mr. Brahler asked if the part of the sign that says "Louisville Baptist Temple" stays the same and the part below will change. Pastor Harmon stated yes. Discussion followed.

The Board held a discussion about grandfathering in the sign and what sections of the Zoning Resolution the sign would fall under.

BILL JEFFRIES MOTIONED TO MODIFY APPEAL #0673 FOR SECTION 801.4 ITEMS #1 & #10 AND SECTION 801.6 ITEM #1 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

Chairman Mucci asked if anyone in attendance would like to speak for the variance.

The Board asked if there were any phone calls received. Zoning Inspector Jeff Shipman stated he received 1 call today. Someone was concerned about the LED lighting but they were okay with it.

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 #0673.

TONY MUCCI MOTIONED FOR A BALLOT VOTE FOR APPEAL #0673 WITH AMENDMENTS SECONDED BY PAN ASLANIDES. The Board responded by saying 'I'. MOTION CARRIED.

Roll call voting:	Jim Morris	-- Approve
	Bill Jeffries	-- Approve – as amended
	Gary Brahler	-- Approve
	Pan Aslanides	-- Approve – with new amendments
	Tony Mucci	-- Approve – Sec. 801.4 #1, #10; Sec. 801.6 #1

Chairman Mucci said **the request for Appeal #0673** was **APPROVED** and advised Pastor Harmon to contact Jeff during regular office hours to make arrangements to get whatever paperwork/permits are needed.

Old Business:

Chairman Mucci asked about the last variance and the gentleman was suppose to move his shed. Chairman Mucci stated according to the prior Zoning Inspector Mr. Fernandez, that was to be completed by June 20. Chairman Mucci asked the new Zoning Inspector Jeff Shipman if he would look into it. Discussion followed.

New Business:

Township Secretary Shelby Dieffenbaugher informed the Board the next hearing in July will be on the 4th of July and it will need to be rescheduled. After much discussion, the Board rescheduled the July 4th hearing to Tuesday, July 10, 2018, if needed.

PAN ASLANIDES MOTIONED TO MOVE THE HEARING FROM 4TH OF JULY TENTATIVELY TO TUESDAY, JUL 10, 2018, IF NEEDED SECONDED BY TONY MUCCI. The Board responded by saying 'I'. MOTION CARRIED.

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

Chairman Mucci asked the new Zoning Inspector Jeff Shipman to introduce himself to the Board and asked what experience he has. Discussion followed.

Approval of Minutes:

Mr. Jeffries stated he did not receive the minutes to review, so he would abstain from voting.

TONY MUCCI MOTIONED TO APPROVE THE MINUTES FOR MARCH 7, 2018 AS WRITTEN SECONDED BY GARY BRAHLER. The Board responded by saying 'I'. MOTION CARRIED.

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

Adjournment:

PAN ASLANIDES MOTIONED TO ADJOURN AT 7:53 PM SECONDED BY TONY MUCCI. 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 – June 6; Accessory Building Additions @ 2995 Pinevale & Sign @ 6565 Columbus Rd.