

# *MINUTES*

## *DEFIANCE TOWNSHIP ZONING BOARD OF APPEALS 07-30-14 MEETING*

**DATE:** Tuesday, July 30<sup>th</sup>, 2014  
**LOCATION:** 2<sup>nd</sup> Floor Conference Room – Def. Co. Engineer's Office in the Commissioners Building  
**TIME:** 7:00 P.M.

The meeting was called to order by Mr. Lynn Keller, Chairman of the Defiance Township Zoning Bd of Appeals. Mr. Keller asked the clerk to call the roll.

The Clerk then called the roll for attendance. Board of Appeals members present were: Lynn Keller, Thomas Rosedale, Roy Perez, Sherry Shock (Larry Plummer was excused) alternate Scott Mckibben was also present. With five voting members answering present a quorum was declared.

Other Township representatives present were: Mr. Jason Shaffer – Township Zoning Inspector, Charles Bakle, & Diana Mayer – Township Trustees.

Visitors present were: Charles Bakle Jr. 1204 Wayne Ave (Twp Trustee), Mrs. Linda Perez 812 Indian Bridge Lane, and JoEllen Houck 8 Deville Dr., Defiance, Ohio.

Chairman Keller then read item 1 of the agenda:

Item 1: **Nusbaum:** A request for a "variance" to the Defiance Township's set back requirements for the construction of an outbuilding (shed). The request for the variance had been made by James & Kristen Nusbaum. The parcel is located at 14777 St. Rte. 111 in Defiance, Ohio, 43512, in the L Potts Riverview addition, lot 3 PT sec. 8 less than 1 acre of Defiance Township, Defiance, County, Ohio. The parcel ID is B11000-8B00-500.

The Appeals Board reviewed:

- a. copy of the application for the "variance" – set back requirements.
- b. a Soil & Water review
- c. aerial of full parcel from co auditor's web page – contains legal description as provided to clerk

1) The Chair then asked Mr. Nusbaum to explain the project and need for the variance.

- a) Mr. Nusbaum said that they intend to construct a storage shed and desire to have the shed to the east and north of the house in order to not block the view of the river. The shed will be approximately 18' x 20'. The shed will be about 6' east and 6' north of the house which will allow easy mowing and property maintenance.
- b) Board members noted that the lots in this area are fairly narrow north to south and generally long from west to east towards the river. This was designed to allow more home construction with river views.
- c) Chairman Keller then asked if any citizens present had any concerns with the project as proposed.
  - i) There were no objections.

d) The Chair asked for a motion:

It was moved by Mrs. Shock to approve the request for the variance, so long as the location of the shed did not obstruct property maintenance (mowing etc.).

Mr. Perez seconded: and the vote was called.

Lynn Keller, Chair	<u>  yea  </u>	Roy Perez	<u>  yea  </u>
Scott McKibbern	<u>  yea  </u>	Sherry Shock	<u>  yea  </u>
Thomas Rosendale	<u>  yea  </u>		

The vote being five yeas and no nays. The motion to approve the set-back variance request was approved.

**Item 2:**         **Heller:** A request was made for a "conditional use" permit for the construction of a new home on a parcel zoned "agricultural" by Nathan R. Heller. The parcel is located on State Rte 111 - Defiance, Ohio, 43512, in section 3 & 4 - PT southwest  $\frac{1}{4}$  section of section 3 PT NE FL and in  $\frac{1}{2}$  of section 4 containing 92.455 acres more or less of Defiance Township, Defiance, County, Ohio. The parcel ID is B11000-4001-101.

The Appeals Board reviewed:

- a. copy of application for the "conditional use" –
  - b. a Soil & Water review
  - c. aerial of full parcel from co auditor's web page
- 1) The Chair then asked Mr. Heller to explain the project and need for the "conditional use".
- a) Mr. Heller stated that they intend to construct a 2350 square foot home and a 40 x 60 shop on the 5.7 acres as shown on the soil and water review.
  - b) Mr. Perez questioned the use of the shop.
    - i) Mr. Heller stated it was for personal use – not a business item.
  - c) Bd members noted that per the "soil and water" review Mr. Heller is required to maintain the existing natural drainage.
  - d) It was also noted that the construction must be completed within 2 years per the Twp's Zoning plan or the citizen is required to re-appear before the Appeals Board.
  - e) Chairman Keller then asked if any citizens present had any concerns with the project as proposed.
    - i) There were no objections.
  - f) The Chair asked for a motion:

It was moved by Mr. Rosendale to approve the request for the "conditional use" permit to build a home on the property as described and shown on the drawings presented.

Mr. McKibben: and the vote was called.

Lynn Keller, Chair	<u>  yea  </u>	Roy Perez	<u>  yea  </u>
Scott McKibbern	<u>  yea  </u>	Sherry Shock	<u>  yea  </u>
Thomas Rosendale	<u>  yea  </u>		

The vote being five yeas and no nays. The motion to approve the "conditional use" for home construction.

The meeting adjourned.