

# ***DEFIANCE TOWNSHIP ZONING BOARD OF APPEALS 08-27-19 MEETING***

**DATE:** Tuesday, July 23<sup>rd</sup>, 2019

**LOCATION:** 618 South Clinton Street – Defiance, Ohio  
In the Offices of Northwest Realty

**TIME:** 6:00 P.M. session

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, Scott McKibben, Larry Plummer, & Thomas Rosendale. Also present was appeals bd alternate Tom Webb. Bd member(s) Sherry Shock was excused.

With five of five Board members/alternates answering present a quorum was declared.

Other Township representatives present were: Jason Shaffer, Dan Peck & Diane Mayer – Township Trustees.

Visitor(s) present were: Ashley Walter 16577 State Route 34, Bryan, Ohio 43506, Patti Diemer 23361 Defiance-Paulding Co. Line Rd. #10 & JoEllen Houck 8 Deville Dr. of Defiance, Ohio.

Chairman Keller then read item 1 of the agenda:

**Item 1:** A request for a "conditional use" permit for the construction of a new home on 2.5 acres more or less of land from a Defiance Township parcel zoned "agricultural" has been made by Ashley Walter. The parcel is located in section 32 - Part of SW corner of N half, Def. Twp., issued house number of 20465.

The portion of land, being petitioned, for conditional use is parcel ID #B11-0032-0-007-19.

The full text of the legal description and map of the parcel may be seen by appointment at the Township Zoning Inspector's residence. Contact Mr. John Diemer - 23361 Defiance-Paulding Co. Line Rd #10, Defiance, Ohio, 43512 - ph. 419-393-2009.

**Attached were:**

- a. copy of the application for the "conditional use" permit request – for residential use of ag zoned ground.
- b. A drawing of the proposed construction
- c. a Soil & Water review with drawing of property noting home and pond location.
- d. Parcel ID from the County Auditor's web page - contains legal description as provided to clerk
- e. aerial of full parcel from co auditor's web page

**The Chair asked for Discussion:**

- a. Mrs. Walter was recognized.
  - a. Walter stated as per her data submittal she and her husband wish to build a home on the parcel and per Def. Twp. zoning regulations the parcel needs to have a conditional use for home construction so that the construction may take place.

- b. The Chair then asked the Board members if they had any questions regarding the project after having reviewed the attachments noted above.
  - a. Board members stated they had reviewed the attachments and/or had reviewed the parcel site.
  - b. No Board members had any concerns.
- c. The Chair noted to Mrs. Walter that they must conform to the requirements noted in the Def. Co. Soil and Water site review.
- d. Chairman Keller then asked if the Walter's had received a drive access from the Co. Engineer to their parcel.
  - a. Mrs. Walter replied that they had.
- e. The Chair then requested a motion for the approval/disapproval of the request.

Mr. Plummer moved to approve the request for a conditional use permit for the construction of a home on parcel #B11-0032-0-007-19 and that the requirements noted on the Co. Soil and Water review be adhered to.

Mr. McKibben seconded.

The clerk called the roll:

Lynn Keller, Chair	<u>  yea  </u>	Thomas Rosendale	<u>  yea  </u>
Scott McKibbern	<u>  yea  </u>	Larry Plummer	<u>  yea  </u>
Tom Webb	<u>  yea  </u>		

The vote being five yeas and no nays, the motion to grant the conditional use permit was approved.

**Item 2:** The Chair asked if there was any other business to come before the Board?

- a. Tom Webb was recognized. Mr. Webb stated that a Mr. Dusty Dobbelaere appeared to have built an active air strip on a parcel of land – according to the Def. Co. Plat book owned by Laura Cashman - abutting to the west side of the Belden addition on State Rte 111. Webb stated that a Laura Lachman of Cromley Rd informed him of this and had asked if the Zoning Bd. approved this.
- b. It was noted by the Board that this was never a subject of an Appeals Bd. hearing. Board members believe that the State or Federal government would need to have issued a permit to allow for an active landing strip.
- c. The Board referred the matter to the Twp. Zoning- Nuisance Officer – John Diemer – and requested that Mr. Diemer contact the Prosecutor's office to determine what if any steps the Twp. needs to take regarding this matter.
  - a. This issue will be placed on the Twp. Trustee's upcoming (September) agenda.

**Item 3:** The Chair asked if there is any other business to come before the Board?

- a) There was none.

**Item 4:** The Chair asked for a motion to adjourn.

It was moved by Mr. Webb and 2<sup>nd</sup> by Mr. McKibber.

5 yeas – 0 neas

The meeting was adjourned.