

MINUTES
DEFIANCE TOWNSHIP ZONING BOARD OF
APPEALS 08-31-2010 MEETING

DATE: Tuesday, August 31, 2010

LOCATION: 500 Court Street – County Commissioners 2nd floor Conference Room

TIME: 7:00 P.M.

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, Larry Plummer, & Bruce Hahn. With three of five members answering present a quorum was declared.

Other Township representatives present were: Mr. James Schlegel – Township Zoning Inspector, Mr. Dan Peck, Charles Bakle, & Diana Mayer – Township Trustees, & Sam Bok – member of the Township's Zoning Commission and resident within 500'.

Visitors present were: Rod and Connie Rittenhouse P.O. 382, Defiance, Ohio, Penny Bakle 1204 Wayne Ave, Def. Oh & JoEllen Houck 8 Deville Drive.

Chairman Keller then read item 1 of the agenda:

Item 1: A request for a "zoning change" for home construction has been made by Rod Rittenhouse P.O. Box 382, Defiance, Ohio, 43512. Rittenhouse requests changing a parcel now designated agriculture to R-1 residential. The parcel is located on the north side of County road 424 (former US 24) east of Ashwood Rd in the southeast corner of the northwest quarter of section 30 of Defiance Township, Defiance County, Ohio. The parcel ID is B1100-30000-602.

- 1) The Zoning Board members reviewed the following attachments:
 - a. A copy of application for the re-zoning –
 - b. a copy of the legal description as received by the clerk
 - c. a Soil & Water review
 - d. aerial of full parcel from co auditor's web page
- 2) The Chair then asked Mr. Rittenhouse why he didn't request a conditional use for r-1 residential. Mr. Keller explained that in his opinion the request for a zoning change constituted "spot zoning" which the Twp tries not to approve per the Twp Zoning code.
- 3) Mr. Rittenhouse replied:
 - a) The property is to be used for a home and for no other reason
 - b) R-1 is the highest and best zoning condition for the parcel and Zoning codes say parcels should be zoned for the highest and best use.
 - c) An r-1 zoning allows him to build his home when he wants (he noted that due to the economy he may need some time before he builds) & a conditional use requires that the home be built within 2 years or the parcel reverts back – this would required another meeting and another round of requests. He wishes to be done with this process after this session.
 - d) He has met all other requirements:

The meeting adjourned.