

MINUTES

DEFIANCE TOWNSHIP ZONING BOARD OF APPEALS 08-31 MEETING

DATE: Wednesday, August 31st, 2016

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

TIME: 7:00 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, Thomas Rosendale, Larry Plumber and Sherry Shock.

With all Board members answering present a quorum was declared.

Other Township representatives present were: Mr. John Dimer – Township Zoning Inspector.

Visitor(s) present were: Scott & Terri Heller 22540 Bowman Rd, Richard Memmer 20993 Kiser Rd, Andrew and Ruth Tracy 22533 Bowman rd, JoEllen Houck 8 Deville Dr. all of Defiance, Ohio, and Randal Ordway 5701 Yermo st. Toledo, Ohio.

Chairman Keller then read item 1 of the agenda:

Item 1: A request for a "conditional use" permit to establish a residence in a new pole building on a parcel zoned "agricultural" has been made by Randal Ordway. The parcel is located at on Kiser Road, 400' west of Keller Rd, - Defiance, Ohio, 43512, in section 32 - northeast corner, containing 30 acres more or less of Defiance Township, Defiance, County, Ohio. The parcel ID is B1100-00320-0-008-01.

Attachments reviewed by the Appeals Bd. were:

- a. copy of the application for the "conditional use" permit request – for residential use of ag zoned ground.
 - b. a Soil & Water review
 - c. aerial of full parcel from co auditor's web page
 - d. Parcel ID from the County Auditor's web page - contains legal description as provided to clerk
- 1) The Chair then asked Mr. Ordway to explain the project and the need for the conditional use permit(s).
- a) Ordway stated – he desires to establish a residence in a pole barn (already approved for construction). The building in total will be 60' x 120', the eastern portion will contain living quarters 36' x 60' over a basement, the middle section will be a shop for personal use 44' x 60' and the western end will be storage 40 x 60'.
 - b) Chairman Keller asked if the zoning inspector or any Board members had any issues with the project.
 - i) There were none.
 - c) The Bd then reviewed a citizen letter of concern submitted by Luraine Duerk.
 - i) Mrs. Duerk raised the question of a change in zoning regarding the parcel, noting that if a conditional use is granted, does that permit change the zoning to commercial?
 - (1) The Bd noted that a conditional use permit does not change zoning designation, only the allowance of an activity on the property is affected. Zoning changes are in the purview of

the Zoning Commission. If the Bd approves the request of Mr. Ordway, the land remains zoned agricultural, however, Ordway will be permitted to have a residence on this land. No request was made to operate a "cottage business" from the proposed structure. (refer to Twp Zoning code book- posted on line at www.defiance-county.com click on defiance in the Twp article then on the "approved zoning plan link).

- d) The Chair requested a motion to approve or disapprove of the request.
- e) Mr. Rosendale moved to approve the request for a conditional use permit to construct a residence inside the pole barn as described above.
- f) Mr. Plumber seconded.

Lynn Keller, Chair	<u>yea</u>	Thomas Rosendale	<u>yea</u>
Scott McKibbern	<u>yea</u>	_Sherry Shock	<u>yea</u>
Larry Plumber	<u>yea</u>		

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

The Chair then asked the Board to review item 2.

Item 2: A request for a "conditional use" permit for the construction of a new home on a parcel zoned "agricultural" by Andy Tracy. The parcel is located at 22533 Bowman Road, - Defiance, Ohio, 43512, in section 10 - southeast corner, containing 2.9 acres more or less of Defiance Township, Defiance, County, Ohio. The parcel ID is B1100-10000-806.

Attachments reviewed were:

- a. copy of the application for the "conditional use" permit request – for residential use of ag zoned ground.
 - b. a Soil & Water review
 - c. aerial of full parcel from co auditor's web page
 - d. Parcel ID from the County Auditor's web page - contains legal description as provided to clerk
 - e. A plat drawing from a survey.
 - f. A hand drawing of the parcel and location of the home, pond & septic system area.
- 1) The Chair then asked Mr. Tracy to explain the project and the need for the conditional use permit(s).
 - a) Tracy stated – he desires to build a home on the parcel currently zoned agriculture. The home would be approximately 1600 square feet (a drawing prepared by Schumacher Homes was provided to the board).
 - b) Chairman Keller asked if the zoning inspector or any Board members had any issues with the project.
 - i) There were none.
 - c) The Chair requested a motion to approve or disapprove of the request.
 - d) Mr. Scott moved to approve the request to construct a home on the parcel zoned ag.
 - e) Mrs. Shock seconded.

Lynn Keller, Chair	<u>yea</u>	Thomas Rosendale	<u>yea</u>
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Scott McKibbern yea

_Sherry Shock yea

Larry Plumber yea

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

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

a) There was none.

b) The Chair asked for a motion to adjourn.

It was moved by Mrs. Shock and 2nd by Mr. McKibben.

5 yeas – 0 neas

The meeting was adjourned.

MEETING ADJOURNED