

# *MINUTES*

## *DEFIANCE TOWNSHIP ZONING BOARD OF APPEALS 04-30-13 MEETING*

**DATE:** Tuesday, April 30<sup>th</sup>, 2013  
**LOCATION:** 2<sup>nd</sup> Floor Conference Room – Def. Co. 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, Larry Plummer, Thomas Rosedale, Roy Perez, (Bruce Hahn was excused) & alternate Robert Williamson. With four of five regular members & 1 alternate answering present a quorum was declared.

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

Visitors present were: Mrs. Chris Engel 15547 State Route 111, Matt Behringer 246 Blanchard Drive, Linda Perez 812 Indian Bridge Lane & JoEllen Houck 8 Deville Drive.

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 a parcel zoned "agricultural". The parcel owned by John Engel, at 15547 State Rte 66, Defiance, Ohio, 43512, is located on the east side of St Rte 66 south of Bowman Rd, part of the northwest corner of the southwest  $\frac{1}{4}$  of section 13, of Defiance Township, Defiance, County, Ohio. The parcel ID is B1100-13-000-603.

Handouts previously provided to the Appeal's Board members were noted:

- a. copy of the application for the "conditional use" permit.
- b. a Soil & Water review
- c. aerial of the full parcel from co auditor's web page
- d. land owner's explanation for variance

- 1) The Chair then asked Mrs. Engel to explain the project and need for the conditional use permit.
  - a) Mrs. Engel said that they currently have a trailer (double wide) in which they have been living. They propose to remove the trailer / doublewide and build a house.
    - i) The Chair noted that per the Twp zoning plan there is a required 150 feet of property frontage and that this parcel does not have that 150'.
    - ii) Board members noted that this is an existing condition and that as such they noted that the property would be useless if they denied the permit. Therefore, given that there has been a residence on this parcel and the request is for a conditional use to build a residence on this parcel and remove the existing residence the Board does not object to the proposed construction. Said construction improves the value of the property and is of greater benefit to the community as such.
  - b) Chairman Keller then asked if any citizens present had any concerns with the project as proposed.
    - i) There were no objections.
  - c) The Chair asked for a motion:

It was moved by Mr. Perez to approve a "variance" and the request for a conditional use permit to construct a home on the parcel as presented to the Board of Appeals.

Mr. Plummer; and the vote was called.

Lynn Keller, Chair	<u>yea</u>	Roy Perez	<u>yea</u>
Larry Plummer	<u>yea</u>	Bruce Hahn	<u>excused</u>
Thomas Rosendale	<u>yea</u>		
<b><u>Alternate:</u></b>			
Robert Williamson	<u>yea</u>		

The vote being five yeas and no nays. The motion to approve the variance – conditional use request was approved.

**Item 2:** was then reviewed. This was a request for a "conditional use" permit for the construction of a home by Matt Behringer 246 Blanchard Drive, Defiance, Ohio, 43512. The parcel of 7.362 acres is located on the east side of St Rte 111 south of Defiance, Ohio, being a part of the northwest quarter of Section 3 and a part of the east half of section 4, Defiance 3 north, range 4 east, of Defiance Township, Defiance, County, Ohio. The parcel ID is B1100-03-001-301.

Handouts previously provided to the Appeal's Board members were noted:

- a. copy of application for the "conditional use" permit –
- 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

- 1) The Chair then asked Mr. Behringer to explain the project and need for the conditional use permit.
  - a) Mr. Behringer said that he is proposing to construct a home on the property as marked in the handouts. The parcel is currently zoned agriculture and in order to construct his home he needs a conditional use permit.
- 2) The Chair asked if the Board had any concerns with the project.
  - a) None were raised.
- 3) The Chair asked if any citizens present had any concerns with the project.
  - a) None were raised.
- 4) Chairman Keller then requested a motion for the approval/disapproval of the request.

It was moved by Mr. Plummer to approve the request for a conditional use permit for this project. It was seconded by Mr. Rosendale and the roll was called;

Lynn Keller, Chair	<u>yea</u>	Roy Perez	<u>yea</u>
Larry Plummer	<u>yea</u>	Bruce Hahn	<u>excused</u>
Thomas Rosendale	<u>yea</u>		
<b><u>Alternate:</u></b>			
Robert Williamson	<u>yea</u>		

The vote being five yeas and no nays. The motion to approve the conditional use request was approved.

The meeting adjourned.