

MINUTES

DEFIANCE TOWNSHIP ZONING BOARD OF APPEALS 10-24 MEETING

DATE: Tuesday, October 24th, 2017

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, Thomas Rosendale, and Larry Plumber. Sherry Shock was excused.

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

Other Township representatives present were: Mr. John Dimer – Township Zoning Inspector and Trustees Peck, Mayer & Shaffer.

Visitor(s) present were: Randy & Leslie King 22816 McCollister Rd (in-laws and representatives of Kevin Koffler), Lyndel Carpenter 22817 Bowman Rd, Harry Railing 14951 Power Dam Rd., & JoEllen Houck 8 Deville Dr. all 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 and garage on parts of two parcels zoned "agricultural" has been made by Kevin Koffler. The parcels are located at 22640 Bowman Road, - Defiance, Ohio, 43512, in section 15 - part of Northwest corner of section 15. The first parcel is ID B1100-1500-0109, containing 2.9 acres more or less and the second parcel is ID #B1100-1500-0102 - containing 16.4 acres more or less.

Zoning Bd members reviewed the attached items:

- 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 survey of the parcels.
- 1) The Chair then asked Mr. King to explain the project and the need for the conditional use permit(s).
- a) King stated the Twp requires a review and permit in order to construct a residence on Agricultural ground. There are no other construction issues such as setbacks etc.
 - b) The Chair asked the Board members for comments or concerns.
 - i) Mr. Plumber noted that the Def. Co. Soil and water review indicated a concern with construction as the parcels have wetland vegetation. Plumber stated the owners should be aware of the rules regarding construction on lands that contain wetland plants.
 - ii) Mr. King stated they are aware and have a meeting scheduled with a representative of the US Army Corps of Engineers to review the property.

- (1) Board members noted that the Soil and water review contained not only the restrictions regarding wetlands but also contact information so the landowner is responsible to acquire a review and permits (if any) that maybe associated with construction on wetlands.
- (2) The Soil and Water review also noted that the owner needs to contact the Defiance County Health Department in order to secure permits for the construction of an appropriate sewage system.

c) The Chair requested a motion to approve or disapprove of the request.

i) Mr. Rosendale moved:

TO APPROVE THE REQUEST FOR A CONDITIONAL USE PERMIT TO BUILD A RESIDENCE AND GARAGE UPON A PARCEL OF LAND IN DEFIANCE TOWNSHIP THAT IS ZONED AGRICULTURE, DEPENDANT UPON THE APPLICANT (KEVIN KOFFLER), MEETING ALL CRITERIA REGARDING WETLANDS DELINEATION AND ACQUIRE A REVIEW AND APPROVAL BY THE DEFIANCE COUNTY HEALTH DEPT FOR A SEWER SYSTEM AS NOTED IN THE SOIL AND WATER SITE REVIEW OF THESE PARCELS.

ii) Mr. McKibben seconded.

The clerk called the roll:

Lynn Keller, Chair yea

Thomas Rosendale yea

Scott McKibbern yea

Larry Plumber yea

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

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

a) There was none.

Item 3: The Chair asked for a motion to adjourn.

It was moved by Mr. Plumber and 2nd by Mr. Mckibben.

4 yeas – 0 neas

The meeting was adjourned.

MEETING ADJOURNED