

MINUTES

DEFIANCE TOWNSHIP ZONING BOARD OF APPEALS 12-29-09 MEETING

DATE: Tuesday, December 29, 2009

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, Bruce Hahn, Thomas Rosendale, Larry Plummer & alternate Robert Williamson. With four of five members and an alternate answering present a quorum was declared.

Other Township representatives present were: Mr. James Schlegel – Township Zoning Inspector, Mr. Dan Peck & Mr. Richard Ankney – Township Trustees.

Visitors present were: Charles & Penny Bakle 1204 Wayne Ave., Robert Layne 13373 Harding Rd, James Ehlinger 14074 Power Dam Rd, Ruth Ann Schofield 15968 Campbell Rd, & Carl Wagner 24815 Watson Rd.

Chairman Keller then read item 1 of the agenda:

Item 1: A request for a "conditional Use" permit has been made by Tim & Cheryl Rosebrock of 316 Osceola Ave., Defiance, Ohio, 43512 to use an existing agricultural zoned parcel of 8 acres more or less for residential use for the purpose of constructing a new home. The parcel is located on the west side of Harding @ the corner of Harding and Power Dam roads in the southeast corner of the southwest quarter of section 3 of Defiance Township, Defiance County, Ohio. The parcel ID is B11 - 000-300-1604.

Zoning regulations requires that outbuildings must be set back from the front of the residential property. The proposed outbuilding (which is to be constructed laterally from the residence would be partially forward of the front of the residence.

Mr. Keller noted that a packet of information was provided to each Board member.

- 1) Zoning Appeal board members reviewed the attachments:
 - a. copy of application for conditional use permit –
 - b. a Soil & Water review
 - c. aerial of full parcel from co auditor's web page
 - d. a sketch of the property and proposed house location

Mr. Keller asked the Zoning Inspector (Mr. Schlegel) to review the proposal for the Board.

- a) Schlegel stated the property had been reviewed by Soil and Water and there are no known issues to deny the request. All Zoning requirements are met.

Mr. Keller then asked if there were any questions from the Board or citizens present.

- a. There were no comments

Mr. Keller then asked if there was a motion to approve or disapprove the variance request.

Mr. Hahn moved to approve the requested "variance" to allow for a conditional use to build the proposed home.

Mr. Plummer seconded.

The clerk called the roll.

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| Larry Plummer, | <u> yea </u> | Thomas Rosendale | <u> yea </u> |
| Robert Williamson | <u> yea </u> | Bruce Hahn | <u> Yea </u> |
| Lynn Keller | <u> yea </u> | | |

The vote being five yea's and no nea's - the motion to approve the "conditional use" request was approved.

The Chair asked if there was any other business to come before the Board.

There was none.

There being no further business to come before the Board of Appeals Mr. Keller requested a motion to adjourn the meeting.

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| Motion by: | <u> Mr. Plummer </u> | | | |
| Second: | <u> Mr. Rosendale </u> | | | |
| YEA(s) <u> 5 </u> | NAY(s) <u> 0 </u> | Passed <u> X </u> | Failed <u> </u> | |

The meeting adjourned.