

Board of Zoning Appeals
Minutes December 18, 2019
7:00 p.m.

Dorothy Kerr called the meeting to order.

Member present: Dorothy Kerr, Phil Gardner, James Spurrier, Bruce Denton, Sandy DiSantis and Alicia Robson, Alternate.

Dave Weade ask for signatures on the minutes from March 20, 2019 as it was overlooked. All Board Members signed the March 20, 2019 minutes as requested.

Phil Gardner made a motion to approve the meeting minutes of November 20, 2019 and Second by James Spurrier.

First Order of Business is the Application 19-133. Applicant Brian Kent Jones Architects DBA: The Jones Studio representing Doug and Laura Zallanta, 1935 Rome Corners Road, Galena Ohio 43021, Parcel Number 417-310-02-071-000. Mr. Jones is asking for a side yard setback variance from 25 feet requirement to 15 feet from the south property line to build an unoccupied ancillary structure.

Dorothy Kerr explained the procedure for the meeting, and the meeting will run until 9:00 p.m. and if the business is not concluded it will be continued on Wednesday, January 15, 2020 at 8:00 p.m. at the Berkshire Township Hall, 1454 Rome Corners Road, Galena Ohio 43021. She explained the court reporter and asked everyone who intends to speak to be sworn in, which was done.

Brian Jones, Architect 503 City Park Dr., Columbus Ohio spoke to the Board asking for the variance. He explained the existing building and house will be torn down and a new ancillary building will be built. The Board asks several questions as to why this variance is needed. Brian explained there is a drainage issue there and they would redirect the water away from the property and back out into the field with a barrier wall that he will put up. He explained he is requesting this to make it look more esthetic looking. The Board continued to ask questions regarding the reason for this variance but they advised Brian Jones they were having trouble understanding the reason. The applicant was ask what if the Board turns this request down? Brian Jones indicates he will go back to the property owner to reevaluate this issue. The Board asks Brian Jones so it is basically cosmetic reasons. Brian said due the pond it makes it limited in space with a new house.

Dorothy Kerr asks the Board members to refer to 28-04B and 28-06 for the seven criteria. A few more questions from the Board. Dorothy Kerr asks Dave Weade if any calls came in from the neighbors regarding this hearing. One call but not from a neighbor just a drive by inquiry.

Dorothy asks for any member of the audience that wanted to speak.

Curtis Cockrell- Rome corners Road property owner to the South is asking about the wall and he isn't aware of any water problem as of now and wants to make sure this request would not create one for his property.

Eric Johnson – Holley Woods Drive- Eric conveyed he and his wife feel the zoning code is put in place for a reason and should be followed.

Motion by Sandy DiSantis to deny Application 19-133, Brian Kent Architects, DBA: The Jones Studio for a variance set back from 25feet to 15feet. Second by James Spurrier.

Vote: Yes to Deny and No is not being in favor to Deny

Sandy DiSantis -- Yes; James Spurrier, Yes; Phil Gardner, Yes; and Dorothy Kerr, yes, Bruce Denton, yes.

Vote taken and unanimous in favor to Deny this application.

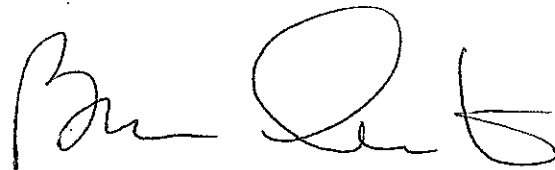
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Dave Weade advised the applicant they had the right to appeal this decision with the Delaware County Courts.

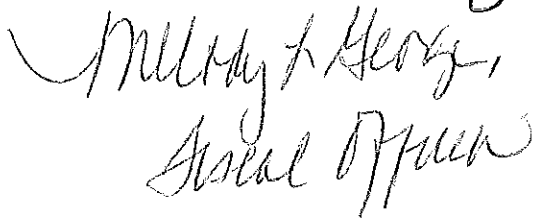
No Conditional Use
No Violation Notices

Other Business:

Bruce Denton has a question regarding the change in the administration.
Dave advised Officially Jeff George resigned his Administrator and Zoning Inspector positions as of 11/14/19. Shawna Burkham resigned her Administrative Assistant to the Administrator. Josh Varble will be the new Trustee coming in as of January 1, 2020.
Phil Gardner made a motion to adjourn the meeting at 8:08 p.m. Second by Sandy DiSantis. Vote: Unanimous.



Phil Gardner



Marty George,
Appeal Officer