

BOARD of ZONING APPEALS MEETING

January 17, 2018 7:00 P.M.

Meeting called to order. Roll call taken. Members present: Dorothy Kerr, Phil Gardner, Jim Spurrier, Bruce Denton and Sandy Disantis.

Motion made by Phil to approve July 19, 2017 meeting minutes, and the motion was seconded by Dorothy. Vote to approve by members who were present was: Dorothy, yes, Phil, yes and Jim, no. Minutes were approved by majority vote

Business for the meeting:

Application #17-175 by Craig Long for a Variance Request for property located at 7979 Hatherton Pl., Galena, OH 43021 for 2 separate variances, one for the side yard setback and one for the rear yard setback.

People present who intend to speak to this issue were duly sworn in by the court reporter.

Jeff George explained the issue arose when it was pointed out that a permanent out-building structure on the property fell outside of the requirements set by the Final Development Plan for the subdivision, and that was not realized at the time the zoning permit was issued.

Dorothy addressed the seven questions asked in the Township Zoning Resolution in Section 28.04 regarding Request for Variance and the Board agreed that the seven questions were asked and answered by the applicant to the satisfaction of the Board.

Resident Joshua Osborne, president of the Cheshire Woods Estates Homeowners Association (HOA) spoke on behalf of the HOA asking the Board to delay their decision on the Application. The matter of whether the building was ever approved to be built by the HOA is currently involved in a lawsuit in the Delaware County Common Pleas Court. Discussion ensued. Residents Troy Andrulonis, Lawton Dr. and Judith Benson, Hatherton Place as well as the Applicant addressed the issue.

A motion was made by Jim to approve Application 17-175 for a variance of 20 feet from the right of way on Rome Corners Rd., which would make it 80 feet for the side setback and a variance of 5 feet for the rear which would be 35 feet from the rear property line for the rear setback. The motion was seconded by Sandy. Vote was unanimous to approve.

Dave Weade then asked for nominations for the Board to nominate a chairperson for the term running February 1, 2018 through January 31, 2019. Sandy nominated Dorothy as Chairperson and Jim seconded. Bruce moved to close nominations, Sandy seconded it. Vote was unanimous to approve and vote to elect Dorothy was unanimous to approve.

Dorothy nominated Jim Spurrier to be Vice Chairperson, Sandy seconded. Bruce moved to close nominations, Sandy seconded, vote was unanimous to close nominations. Vote to approve Jim as Vice Chairperson was unanimous.

The Board resolved unanimously to hold Board of Zoning Appeals meetings, when needed, on the third Wednesday of the month at 7:00 p.m. at the Berkshire Township Hall, located at 1454 Rome Corners Rd., Galena, OH 43021.

Phil motioned to adjourn the meeting, Sandy seconded, vote was unanimous to adjourn.

Respectfully submitted by,

Shawna Burkham

Secretary