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Monclova Township Board of Zoning Appeals

Summary for August 9, 2021

The meeting commenced with the Pledge of Allegiance to the Flag at 5:30 PM led by Chair Doug Stanton.

Roll Call:

Present: Board Member Stanton, Board Member Gilmore, Board Member Ballmer, Board Member Downey, Board Member Ross

Absent: None

Staff Members Present: Zoning Administrator Eric Wagner and Recording Secretary/Support Staff Kathleen Stewart Kuns

Record of Proceedings:

MOTION: Stanton moved to approve the May 11, 2021 minutes as submitted by Recording Secretary.

SECOND: Gilmore

Yes: Stanton, Gilmore, Ballmer, Downey, Ross

Public Hearing:

Public hearing to consider a variance to Section 9.2B of the Zoning Resolution. Applicant is seeking approval to allow an accessory building to project 15 feet in front of the house at 5125 South Eber Road. The Zoning Administer confirmed details and added that the structure is 28x24 feet.

Applicant was sworn in. David Rahn, 5125 South Eber Monclova, stated that he wants to place a pole barn on the property. There is extensive wild life in the area and will not be able to see a portion of it via his neighbor's yard if he places the structure per the Zoning Resolution. Applicant believes it would affect the sale price of his home if he were to obstruct the view. Wainscot will be on building. Rahn stated that he believed other residences have structures in similar situations.

Chair called for questions from the Board.

Ross stated that she visited the site; observed the south side line with trees and shrubs currently. Asked for confirmation on maintaining greenscape. Rahn stated that one tree will be taken down. Two trees have already been taken down.

Gilmore asked about plans for landscaping in front of the building. Rahn answered in the negative.

Ballmer asked about access to rear. Discussion. Rahn commented on existing buildings (5:38 PM). Ballmer stated that if there were wetlands involved, etc., it would create a hardship, however currently does not see a hardship.

At 5:43 PM Stanton moved, Gilmore seconded, to enter into Executive Session to discuss the case.

Stanton moved to enter back into General Session with Gilmore seconding at 6:09 PM.

Yes: Stanton, Gilmore, Ballmer, Downey, Ross

Ballmer stated that the Board found these facts: Applicant has two options. Board does not feel there is a hardship in place. The Board sees the possibility of a solution should the applicant concur. They can take action tonight or defer to another meeting, as the applicant chooses.

1 Ballmer stated that the Board would like the applicant to consider a six foot wide breezeway
2 between house and structure. Should the two structures be connected by a permanent breezeway,
3 it theoretically becomes part of the house. There would be no basis for the current request,
4 however it would necessitate a variance of five feet for the side yard. Board stated that the
5 breezeway must be built with a permanent roof structure and hard surface flooring in pole barn
6 with two doors.

7 Rahn stated that the breezeway would cause the buildup of south portion of property. Was
8 planning on a breezeway but did not want to incur the cost. Ross stated that the Board needs it to
9 be one structure. Ballmer and Ross suggested steps to accessory building or a slope as a work-
10 around to building the structure to the same grade.

11 As another alternative, in A/R zoning, there is a 20 feet side yard setback requirement when the
12 structure is attached. Could make it 10 feet in between two structures with the breezeway and
13 would not need a variance.

14 Rahn considered his options and stated that he would construct the pole barn with flooring, 10
15 feet from the house, with a breezeway as described by the Board. He would like the Board to
16 consider granting a variance for 15 feet in case he constructed the pole barn with those
17 measurements.

18 Wagner stated it would be conforming if he chose to utilize ten foot between the house and the
19 proposed pole barn, so then he just wouldn't need his variance.

20 Ballmer stated that, per the Monclova Township Zoning Resolution Section 16 2(C), the request
21 will be approved based on the following facts:

- 22 1) Does preserve view
- 23 2) Preserves the view
- 24 3) Did not create the problem – already pre-existing
- 25 4) Won't alter essential characteristic of neighborhood
- 26 5) Will provide relief with minimum variance relief

27 Ballmer moved to approve a variance of five feet from the required 20 foot setback from the
28 property line per 4.2 d of the Monclova Township Zoning Resolution to allow for an attached
29 garage with a breezeway which should include a permanent roof structure 6 foot wide connecting
30 the two structures with a (breezeway) to have a hard surface floor.

31 Seconded by Downey.

32 Yes: Stanton, Gilmore, Ballmer, Downey, Ross

33 **Adjournment:**

34 MOTION: Stanton moved to adjourn.

35 SECOND: Gilmore

36 Yes: Stanton, Gilmore, Ballmer, Downey, Ross

37 Motion unanimously passed.

38 Respectfully Submitted:

39 Kathleen Stewart Kuns, Recording Secretary

40 Accepted by:

41 _____

42 Doug Stanton

James Gilmore

43 _____

44 Jeffrey Ballmer

Daniel Downey

45 _____

46 Michelle Hudson Ross

1 Roll calls taken in random order. Official minutes will display signatures. This meeting was electronically recorded. Audio is available at
2 monclovatwp.org during that same calendar year. Also on file in the Office of the Fiscal Officer in accordance with the township's Records
3 Retention Schedule.
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