

SWANCREEK TOWNSHIP BOARD OF ZONING APPEALS

7-17-14

Record of Proceedings - MINUTES

Meeting was called to order at 6:30 p.m. by Greg Winseman, Vice Chairman

Mr. Winseman led in the Pledge of Allegiance.

Roll Call was taken by Administrative Assistant, Chris Lauch.

Board members present: Darrin Gramling, Chairman - Absent, Gregg Winseman, Vice Chairman, Dennis Lazenby, Steve Fuzinski, & David Smith

Elected Officials: Trustee Kazmierczak

Employees: Walt Hallett, III, Zoning Inspector & Chris Lauch, Administrative Assistant

Visitors: See Sign In Sheet

New Business:

Variance Request for Trina Houser 1845 Co. Rd. C, Swanton, OH

Walt Hallett, III, Zoning Inspector, was sworn in to testify and stated his case:

Walt Hallett reviewed his denial of Zoning Permit Application #17-14. Ms. Houser is requesting to place an addition to her dwelling. The dwelling is nonconforming, as is, because a portion of the dwelling was removed because it was deteriorated, which caused it to be under the 1200' living space requirement. The addition would increase the floor size, making it more in compliance. However, front yard placement of approximately 12' more, causes the structure to be more noncompliant.

Mr. Hallett reviewed his denial of the permit by virtue of Zoning Articles 100-6.2 Non Conforming Structures, 100-8.4, 100-18.1 Area, Height & Bulk as stated in his letter dated June 23, 2014.

Dennis Lazenby asked if the setbacks from the side properties were in compliance.

Walt Hallett stated all other setbacks are in compliance.

Walt Hallett clarified the front yard placement; a current nonconforming structure cannot be made more nonconforming.

Greg Winseman asked the Board if they had any further questions for Mr. Hallett. Hearing None.

Mr. John Rendle, Trina Houser's husband, current address; 506 Centerville, Maumee, was sworn in to testify:

Mr. Rendle explained the floor plan in regards to doors and the electrical box to the Board. It would cost him approximately \$4000.00 to move one door 1" and move the electrical box. He eliminated one bedroom out of the floor plan to make things fit as needed.

Mr. Rendle submitted a packet of his information with dimensions, etc. to the Board for their review. (On Township File). He stated that his build line would be in line with neighboring dwellings and that there is one neighboring dwelling that is 6' further ahead than his proposal. Mr. Rendle feels that the improvement to his dwelling increases the value of neighboring homes.

Gregg Winseman asked Mr. Rendle if the front corner would potentially be a porch area. Mr. Rendle said yes he entertained that idea, to balance the looks out.

Gregg Winseman asked the Board if they had any further questions for Mr. Rendle. Hearing none. The Board agrees that the request would be help a nonconformity and that the house to the left is further out. There is no obstruction of view.

Gregg Winseman asked for any public support for the Variance Request. Hearing none.

Gregg Winseman asked for any public opposition for the Variance Request. Hearing none.

Dennis Lazenby stated that he will go through the Standards with the Board and abstain from the Variance Request vote.

The board reviewed the standards and voted as follows:

Standards Set Described in Article 100-21.5

1. Location, size and character as it relates to the development of the surrounding neighborhood and regulations of applicable zoning district.
VOTE: Does Not Comply
ROLL: Full Board Agreed
 2. Impact on vehicular and pedestrian traffic.
VOTE: No Effect
ROLL: Full Board Agreed
 3. Any possible nuisance emanating from the proposed use.
VOTE: None
ROLL: Full Board Agreed
 4. Location, height, nature of buildings and other structures as they relate to appropriate development and use of adjacent lands and buildings and how the proposed use affects values of other lands.
VOTE: More conforming/No effect
ROLL: Full Board Agreed
 5. Whether the proposed use will be harmonious with the physical and economic aspects of the adjacent property.
VOTE: Yes
ROLL: Full Board Agreed
 6. The necessity of the proposed use for public convenience at this location.
VOTE: No Effect
ROLL: Full Board Agreed
 7. Will the proposed use protect the public health, safety, and welfare?
VOTE: N/A
ROLL: Full Board Agreed
 8. The effect the proposed use will have on the value of other property in the area in which it is to be located.
VOTE: Increase Value
ROLL: Full Board Agreed
- Greg Winseman asked the Board and Mr. Hallett for any further discussion.

Based on the above consideration, the Board finds as follows:

- Gregg Winseman motioned to approve the Variance Request as written; a second was heard from David Smith.

~ **Roll Call:** Gregg Winseman - Yes, David Smith - Yes, Steve Fuzinski – Yes, Dennis Lazenby - Abstain

Variance Request Permit Granted

New Business:

Minutes Approval Meeting: Set for July 24, 2014 at 6:00 p.m.

Dennis Lazenby will not be able to attend meetings in September and October, due to surgery.

Dennis Lazenby motioned to adjourn the meeting, Steve Fuzinski, 2nd, So Moved.

Meeting adjourned at 6:53 p.m.

Darrin Gramling, Chairman

Gregg Winseman, Vice Chairman

David Smith, Board Member

Dennis Lazenby, Board Member

Steve Fuzinski, Board Member

Sue Whitaker, Alternate Board Member