

Held November 15, 2011Page 101419

Chairman Brad Shull called the meeting to order at 7:00 PM at 6767 Havens Corners Road (JTFD)

ROLL CALL: Present – Chairman, Brad Shull, Vice-Chairman, Dave Keseg, Terry Broas, Eulon Fodor. Zoning Administrator, Charles McCroskey and Zoning/Building Clerk, Lorri Coupland; Absent – Julie Rosenblum and Richard Hendrix.

APPROVAL OF MINUTES: Broas moved to approve the October 18, 2011 minutes, as submitted. Second by Fodor

ROLL CALL: Broas – yes; Fodor – yes; Keseg – yes; Shull - yes. Motion carried, minutes approved. (4-0)

PUBLIC HEARINGS:

CASE NO. AA-2011-019: Paul & Cheri Davis file an administrative appeal in accordance with Article X, Section 1001.01 (A) for Parcel 170-000034 located at 6422 Havens Corners Road regarding the determination by the Zoning Administrator/Inspector to deny an application for zoning compliance (2011-149) to allow for the construction of an addition which failed to meet the rear yard setback.

Shull stated that the applicant has requested to table the appeal until the scheduled December 20 meeting at 7:00 PM.

Broas stated that no application was included in the packet. McCroskey stated that no application was submitted and under the direction of legal counsel the Board should move forward without an application.

Fodor moved to table the application, at this time. Second by Keseg

ROLL CALL: Broas – abstain; Fodor – yes; Keseg – yes; Shull - yes. Motion carried, application tabled. (3-0-1)

Shull swore in the speakers. The newspaper and property owners were notified on November 4, 2011

Shull stated that only four members are present for the public hearing. Shull stated that in the event of a 2-2 vote the application would be denied. Shull stated to the applicant that there would be an opportunity to table the application until another meeting in which five members would be attending.

CASE NO. VA-2011-020: Scott Maurer submitted an application for Parcel 170-002628 on Lot 156 Jefferson Meadows located at 7010 Princeville Court to request a variance from Article VI, Section 610.05 (2) to reduce the rear yard setback which would allow for the construction of an outdoor patio area. McCroskey submitted a Power Point presentation with photos for the Board to review. McCroskey stated that the property is zoned PRD Planned Residential which requires a 25-ft rear yard setback. McCroskey stated that an existing patio was constructed during the single-family residence construction and is located approximately four feet from the rear property line. McCroskey stated that a variance was approved (1999-011) to allow for the construction of the single-family residence at approximately 10-ft from the rear property line but the patio was not included in the application. McCroskey stated that the lot is abnormal in shape with a depth approximately 90-feet and the rear yard is adjacent to the golf course. McCroskey stated that the new patio would be approximately eight feet from the closest property line because of the angle on the parcel. McCroskey stated that there are no single family residents directly behind the property just the golf course. McCroskey submitted a site plan for the Board to review with photos depicting the rear property line. McCroskey stated that the applicant is either the second or third property owners or the patio was existing when the house was purchased.

Broas stated that the statement of understanding was not signed by the applicant. McCroskey presented the paperwork to the property owner and the application was completed.

Ms. Donna Wilson, 7007 Princeville Court, stated that she lives across the street to the Maurer residence and would support the construction of a patio.

McCroskey stated that the Jefferson Meadows Review Committee has approved the construction.

Mr. Doug Timpa, 7007 Princeville Court, asked for clarification regarding the Country Club approval of the construction since they are adjacent to the property. McCroskey stated that all property owners were mailed the notification and the Country Club would have received a notice and could have sent a representative to the public hearing to discuss the application.

Fodor moved to approve the application, as submitted. Second by Keseg

- 1) Reduce the rear yard setback to the distance as proposed in the application (Exhibit A)
- 2) No further construction or addition would be allowed without filing an application with the Board of Zoning Appeals
- 3) Applicant agrees to follow Jefferson Township inspection process

ROLL CALL: Broas – yes; Fodor – yes; Keseg – yes; Shull - yes. Motion carried, application approved. (4-0)

ZONING INSPECTOR REPORT: Charles McCroskey presented October 2011 Zoning Summary total: (7) SFR Permits, (19) Zoning Compliance's, (9) ROW Inspections, (9) ROW Permits, (8) Maintenance Bonds, (\$1,927) Miscellaneous and (\$0.00) Commercial Building Fees. The October Net Zoning Fee total is \$7,302.

RECORD OF PROCEEDINGS

Minutes of

Jefferson Township - Board of Zoning Appeals

Meeting

DAYTON LEGAL PLANS, L.P. FORM NO. 1018

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VISITORS: None

OLD BUSINESS: Fodor asked for an update on the construction of the new single family residence on Clark State Road just east of Mann Road. McCroskey stated that he is not aware of the construction time frame but there is still work being done on the property.

NEW BUSINESS: AA-2011-019 – Paul Davis, 6620 Havens Corners Road, rear yard setback
VA-2011-021 – Dewey Nast, 6320 Havens Road, side yard setback

McCroskey stated that an expanded home occupation (Conditional Use Permit) may be submitted to the zoning department. No further details were provided.

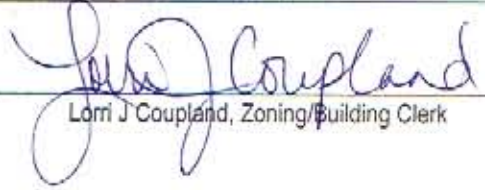
ANNOUNCEMENTS: Next meeting is scheduled for December 20, 2011

ADJOURNMENT: No further action, Keseg stated a motion to adjourn at 7:20 PM. Second by Fodor

ROLL CALL: Broas - yes; Fodor - yes; Keseg - yes; Shull - yes. Motion carried, meeting adjourned. (4-0)



Brad E Shull, Chairman



Lorri J Coupland, Zoning/Building Clerk