

RECORD OF PROCEEDINGS

Minutes of

UNION TOWNSHIP BOARD OF ZONING APPEALS

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

FEBRUARY 6 20 14

The February 6, 2014 meeting of the Union Township Board of Zoning Appeals was called to order at 7:00 PM with an invitation to join in the Pledge of Allegiance by Chairman Randall Wulker. Vice Chairman Brian Ford and members Thomas Hanrahan, Calvin Aicholtz, and Ben Joehnk were in attendance. Cory Wm. Wright, Assistant Township Administrator and Planning and Zoning Director, represented the department. The minutes from the November 7, 2013 hearing were approved as distributed. Nominations and roll call votes were duly conducted to select officers for 2014. Mr. Wulker was returned as Chairman and Mr. Hanrahan was voted to serve as Vice Chairman. Cases 1-14-A and 2-14-A were heard. Representatives for both applications were present.

Mr. Wright introduced the application in Case #1-14-A, filed by Daniel Messerschmitt and Maureen Mullarkey for property at 4166 Shayler Creek Drive, seeking variance to Section 602 to reduce the setback from 30 feet to 26 feet to construct a rear covered porch addition over an existing deck. This is a very uncommon situation with a paper street adjoining the rear property line that would add additional depth to their property should it be vacated. Staff saw no negative impact in the request, especially considering these unique conditions

With general accord, Mr. Joehnk moved that in Case 1-14-A, the Board approve the applicant's request for variance to Section 602 of the Zoning Resolution, as requested by the applicant, in order to allow for the construction of a proposed residential addition with a reduced minimum rear yard setback of 26 feet within the R-2 Residential District, as submitted, based on the evidence, testimony, and findings of fact. Mr. Aicholtz seconded the motion. Mr. Hanrahan wanted to double check if a clarification regarding the odd rear/front issue. Mr. Wright stated that in this instance it would be appropriate to use the rear designation.

ROLL CALL: Mr. Joehnk, aye; Mr. Aicholtz, aye; Mr. Hanrahan, aye; Mr. Ford, aye; Mr. Wulker, aye.

Case 2-14-A was described by Mr. Wright as it was filed by Brian and Tammy Crowthers for property at 938 Surrey Way seeking variance to Section 602 to the side yard setback in the Estate Residential District to allow the addition of a pergola to the home. While these are typically detached accessories, the owners wish it to be attached to enhance the look and serve as a carport over an existing concrete pad. Staff believes that the significant rapid elevation change to the adjoining property and the open nature of the structure should result in no negative impact to the neighbors. Mr. Wright explained that for all practical purposes, this was an R-1 subdivision, but the far eastern end of the development was allowed to be developed as it was zoned and results in an atypical circumstance.

Mr. Joehnk commented again that this was a similar circumstance to the first case. The homeowner wishes to alter the existing concrete pad and he saw no problem with the improvement. With no further comment, Mr. Joehnk moved that in Case 2-14-A, the Board approve the applicant's request for variance to Section 602 of the Zoning Resolution, as requested by the applicant, in order to allow for the construction of a proposed residential addition allowing a reduced minimum side yard setback of 7 feet to allow for the construction of a semi-attached pergola/carport, as submitted, based on the evidence, testimony, and findings of fact. Mr. Ford seconded the motion.

ROLL CALL: Mr. Joehnk, aye; Mr. Ford, aye; Mr. Aicholtz, aye; Mr. Hanrahan, aye; Mr. Wulker, aye.

RECORD OF PROCEEDINGS
UNION TOWNSHIP BOARD OF ZONING APPEALS

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 1014B

Held _____ **FEBRUARY 6 20** _____ **14**

With no further business to come before the Board, the meeting was adjourned by unanimous voice vote at 7:08 PM.

Approved by:



Randal Wulker, Chairman