

SWANCREEK TOWNSHIP BOARD OF ZONING APPEALS

1-19-2012

Record of Proceedings - MINUTES

Meeting was called to order at 6:30 p.m. by Chairman, Darrin Gramling.

Mr. Gramling led in the Pledge of Allegiance.

Board members present: Darrin Gramling, Chairman, Gregg Winseman, Vice Chairman, and David Smith. Roll Call was taken.

Elected Officials: None

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

Visitors: See sign in sheet

New Business:

David Smith was reappointment by the Swancreek Township Board of Trustees to the Board of Zoning Appeals. His term commence 1-1-2012 and expire on 1-1-17.

~Gregg Winseman motioned to nominate Darrin Gramling for Chairman, a second was heard by David Smith. ROLL: Darrin Gramling - yes, Gregg Winseman - yes, David Smith - yes

~David Smith motioned to nominate Gregg Winseman for Vice Chairman a second was heard by Darrin Gramling. ROLL: Darrin Gramling - yes, Gregg Winseman - yes, David Smith - yes

~Darrin Gramling made motion to approve the 8-18-11 Minutes, seconded by Gregg Winseman. ROLL: Darrin Gramling - yes, Gregg Winseman - yes, David Smith - yes

~Darrin Gramling motioned to approve the 2012 Meeting Schedule, a second was heard from David Smith. ROLL: Darrin Gramling - yes, Gregg Winseman - yes, David Smith - yes

~Darrin Gramling made motion to not read the Minutes out loud for 2012, due to prior Board review and public hard copy provided, seconded by Gregg Winseman.

ROLL: Darrin Gramling - yes, Gregg Winseman - yes, David Smith - yes

Variance Request for John Gilders 4061 Co. Rd. 6-1, Delta Ohio

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

Mr. Gilder's is requesting another six months, so that he can finish building his dwelling.

Mr. Hallett denied application #54-11 by virtue of Article 100-5.6, 100-8.3#9 & 100-8.4.

Mr. Gilder's received an approved Conditional Use on 12-16-11 for a six month extension. Permit #53-11 for continued construction of the dwelling was issued. This gives Mr. Gilders an additional twelve months to complete the construction. Darrin Gramling asked what Mr. Gilders needs specifically to be complete enough to obtain his Final Occupancy. Mr. Hallett stated that once the exterior is finished he can issue a Final Occupancy Certificate, as long as there is no offence of blight of construction debris, etc. He will also have to check with the Fulton County Health Department regarding his well/septic.

John Gilders, 4061 Co. Rd. 6-1, Delta, Ohio was sworn in to testify:

Mr. Gilders said he needed the additional six (6) months to finish his home. Mr. Gilders has not been able to finish his dwelling because he hasn't been able to secure a loan; therefore he has had to pay for everything out of pocket, which has caused him financial difficulties.

Mr. Gilders stated he is in the process of trying to make a utility room that is within the dwelling a temporary living space so that he and his wife can live in that area until the home is completed.

Darrin Gramling asked for public support of this case, none.

Darrin Gramling asked for public opposition, none.

Darrin Gramling asked the board for any further discussion - none.

Darrin Gramling stated to the board that he would like to consider granting the Variance for eight months due to hardship and to ensure Mr. Gilders has enough time to complete the dwelling.

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 relate
ROLL: Darrin Gramling - Does not, Gregg Winseman - Does not, David Smith - Does Not
2. Impact on vehicular and pedestrian traffic.
VOTE: N/A
ROLL: Darrin Gramling - N/A, Gregg Winseman - N/A, David Smith - N/A
3. Any possible nuisance emanating from the proposed use.
VOTE: No Effect
ROLL: Darrin Gramling - No effect, Gregg Winseman - No effect, David Smith - No effect
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: No Effect
ROLL: Darrin Gramling - No effect, Gregg Winseman - No effect, David Smith - No effect
5. Whether the proposed use will be harmonious with the physical and economic aspects of the adjacent property.
VOTE: N/A
ROLL: Darrin Gramling - N/A, Gregg Winseman - N/A, David Smith - N/A
6. The necessity of the proposed use for public convenience at this location.
VOTE: N/A
ROLL: Darrin Gramling - N/A, Gregg Winseman - N/A, David Smith - N/A
7. Will the proposed use protect the public health, safety, and welfare?
VOTE: N/A
ROLL: Darrin Gramling - N/A, Gregg Winseman - N/A, David Smith - N/A
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: Temporary, No Effect
ROLL: Darrin Gramling - No effect, Gregg Winseman - No effect, David Smith - No effect

- Darrin Gramling motioned to approve the Variance Request to continue the use of the temporary structure for eight (8) months only. The temporary structure is to be removed from the property on 8-16-12; a second was heard from Gregg Winseman.
~ **Roll:** Darrin Gramling - yes, Gregg Winseman - yes, Chuck McPhearson - yes, David Smith - yes

Variance Request Permit Granted

The Board wishes for Walt Hallett, III to follow up on all of the past conditionally granted Conditional Use and Variance cases.

~Darrin Gramling motioned to adjourn the meeting, Gregg Winseman seconded the motion. So moved.

Meeting adjourned at 7:10 p.m.

Darrin Gramling, Chairman

Gregg Winseman, Vice Chairman

David Smith, Board Member

Chuck McPhearson, Alternate Board Member