

Minutes
Nimishillen Township Board of Zoning Appeals
4422 Maplegrove NE, Louisville, OH 44641
Wednesday, April 3, 2019 – 7:00 PM

Board Members Present: Anthony ‘Tony’ Mucci, Chairman
Pan Aslanides, Vice-Chairman
Gary Brahler, Secretary
Randy Donaldson, Member
Randy Lombardi, Alternate
Kyle Fausnight, Alternate

Board Members Absent: Jim Morris, Member

Zoning Inspector: Jeff Shipman

Purpose: (One Case)

Appeal #0678 – A continuation of hearing from March 6, 2019, Scott Ackerman, of 5825 Broadway Ave. NE, Louisville, Ohio 44641, Parcel #33-04583, Zoned R-1 Single Family Residential, is requesting a variance for an Accessory Building to be 1,200 square feet. In Section 702.2, Part A-2, “Accessory uses or structures incidental to the principle use which do not include any activity conducted as a business” of the Nimishillen Township Zoning Resolution, accessory buildings are permitted in the district, however, the principle use is no longer on the property but there is an existing Accessory Building approx. 575 square feet in use.

CALL HEARING TO ORDER:

Chairman Mucci opened tonight’s hearing at 7:00 PM introduced all board members in attendance and the zoning inspector.

Chairman Mucci swore in everyone in attendance by asking them to swear that the information they were about to present, either in oral or written form, is true and accurate to the best of their knowledge. The people responded by stating, “I do”.

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Scott Ackerman of 5825 Broadway Ave. stepped to the podium and asked the Board what they found out with the continuation.

Mr. Aslanides asked if the Board is leaving everything as it was, the same building, the same area. Mr. Ackerman states yes.

Chairman Mucci asked Zoning Inspector Jeff Shipman if the Prosecutor give any kind of insight. Mr. Shipman informed the Board he talked with the Prosecutor’s office and was informed they are really busy and asked him to send their request to them and it will be assigned to someone to review. Mr. Shipman informed the Board he went to the Zoning Inspectors meeting and they discussed this. Other Zoning Inspectors have had this issue and they usually do whatever building is on there, they add a certain percentage onto the existing building for them and now the principle use for the property is storage.

Chairman Mucci asked what percentage. Zoning Inspector Jeff Shipman stated bigger buildings they would suggest 20-25%. Mr. Shipman informed Mr. Ackerman and the Board that he would not be able to put the building on the commercial property because it would have to be 30 from the property line. Discussion followed.

The Board expressed to Mr. Ackerman that he would not be permitted to store anything for Buds in this building.

Chairman Mucci suggested having his parcels combined to be one large property. Discussion followed.

Discussion was held about having the new 1,200 sq. ft. building attach to the existing building on the property and what the variance is exactly for.

Chairman Mucci stated the Board received a notarized from Juergen Huhn of 5684 Columbus Rd. Chairman Mucci read aloud the letter and said Mr. Huhn is for the building.

The Board held a discussion about past variances.

Chairman Mucci asked how close the building come to the easement. Zoning Inspector Jeff Shipman stated he has enough room for a 30 by 40 building. Much discussion followed.

The Board held a discussion about attaching/connecting the 1,200 sq. ft. building to the existing building on the property. Mr. Ackerman informed the Board he would be okay with the 2 buildings being connected and the he would make the buildings both look nice. Discussion followed.

Mr. Lombardi asked if he would connect the 2 buildings would the pitch be different and how much distance will be between the buildings. Mr. Ackerman stated the pitch would be the same and the buildings would be 8 ft. apart or he could put them closer. Discussion followed.

The Board held a discussion about changing the variance to have the 2 buildings connect or attach.

Chairman Mucci asked if anyone had any more questions.

PAN ASLANIDES MOTIONED TO HAVE THE 1,200 SQ. FT. BUILDING CONNECTED TO THE PRESENT BUILDING SECONDED BY GARY BRAHLER. The Board responded by saying ‘I’.
MOTION CARRIED.

Roll call voting:	Randy Lombardi	--	Yes
	Randy Donaldson	--	Yes
	Gary Brahler	--	Yes
	Pan Aslanides	--	Yes
	Tony Mucci	--	Yes

Motion for a Ballot Vote: With no other questions and/or discussion, Chairman Mucci asked for a motion for a ballot vote to approve or disapprove Appeal #0678.

PAN ASLANIDES MOTIONED FOR A BALLOT VOTE FOR APPEAL #0678 SECONDED BY GARY BRAHLER. The Board responded by saying 'I'. MOTION CARRIED.

Roll call voting:	Randy Lombardi	--	Approve – based upon the fact that new 1,200 ft. building is attached or connected to the existing garage
	Randy Donaldson	--	Approve – as an attached structure to existing structure
	Gary Brahler	--	Approve – as long as connected
	Pan Aslanides	--	Approve – as long as he connects new building to present building
	Tony Mucci	--	Approve – both the new building & present building will be attached to each other

Chairman Mucci said **the request for Appeal #0678** was **APPROVED WITH CONDITIONS** and advised Mr. Ackerman to contact Jeff during regular office hours to make arrangements to get whatever paperwork/permits are needed.

Old Business:

The Board held a discussion about this variance and past variances.

New Business:

Zoning Inspector Jeff Shipman and the Board held a discussion about a possible new business coming into the township. Mr. Shipman informed the Board the property currently has an auto body shop in it and the new owner wants to change the use to building and selling of rabbit cages. Chairman Mucci informed Jeff to have the resident come in and ask for approval. The Board expressed to Jeff they don't want the resident to sell rabbits out of the building. Discussion followed.

Approval of Minutes:

PAN ASLANIDES MOTIONED TO APPROVE THE MINUTES FOR MARCH 6, 2019 AS WRITTEN SECONDED BY GARY BRAHLER. The Board responded by saying 'I'. MOTION CARRIED.

Roll call voting:	Randy Lombardi	--	Approve
	Randy Donaldson	--	Approve
	Gary Brahler	--	Approve
	Pan Aslanides	--	Approve
	Tony Mucci	--	Approve

Adjournment:

PAN ASLANIDES MOTIONED TO ADJOURN AT 7:42 PM SECONDED BY RANDY DONALDSON. The Board responded by saying 'I'. **MOTION CARRIED.**

Roll call voting:	Randy Lombardi	--	Approve
	Randy Donaldson	--	Approve
	Gary Brahler	--	Approve
	Pan Aslanides	--	Approve
	Tony Mucci	--	Approve

Tony Mucci, Chairman
Nimishillen Township Board of Appeals

Pan Aslanides, Vice-Chairman
Nimishillen Township Board of Appeals

/sd

Zoning Board of Appeals Minutes: 2019 – April 3; Continuation of Accessory Building @ 5825 Broadway Ave.