



Berkshire Township Board of Zoning Appeals
Regular Meeting Minutes
May 17, 2023

Call to Order: Kim Zianno Hartman called the meeting to order at 7:00 p.m.

Determination of a Quorum/Roll Call: Members Dorothy Kerr, Kim Zianno Hartman, Scott Lillie, Bruce Denton, James Spurrier and Ellen Ebe (Alternate). Also present were David Weade, Zoning Inspector; Donielle Owen, Meeting Secretary; and Sarah Clark, Court Reporter.

Motion to approve the minutes: A motion to approve the meeting minutes from April 19, 2023, was made by Bruce Denton and seconded by Dorothy Kerr. The motion was approved 5-0.

New Business:

- **Application #23-052, Charles G. Morgan request for conditional use at 1999 Blayney Road, Sunbury, OH 43074 for an auto repair shop.**

Per David Weade there's a correction on the Application for Conditional Use under "Description of Conditional Use being requested"; The correct Article is "Article 7(A-1) Section 7.03. David Weade also stated that he has received emails from two neighbors of the applicant, and they are in support of the conditional use for an auto repair shop.

Charles Morgan was sworn in by the court reporter. Charles Morgan stated that he has been in business for 10 years with his auto repair shop located in Worthington, Ohio; his lease is terminating and he will not be renewing and will need a new location to conduct business. Charles Morgan also stated that he has searched for a new location in Worthington and there are no spaces available therefore he has applied for a conditional use to conduct business at his residence as he has a one thousand square foot building with additional acreage.

James Spurrier asked if there is a driveway to the building and Charles Morgan stated that he is waiting for final approval of the conditional use before he puts a driveway in; there is a large turn-around at the front of the residence that is gravel and will park 6-8 cars and will not be seen from the road.

Bruce Denton confirmed with Charles Morgan that the property behind the building, that is to be used for the repair shop, is all agricultural.

Kim Zianno Hartman asked how the disposal of any oil/waste will be handled; Charles Morgan stated he will have a 250-gallon container that will be utilized for the waste and can be picked up as often as needed. Kim Zianno Hartman also stated that Per Article 21 only one non-resident employee is permitted; Charles Morgan confirmed that he will only have one employee at the proposed repair shop per zoning regulations.

Dorothy Kerr confirmed with Charles Morgan that the entire building will be used to conduct business; James Spurrier confirmed with Charles Morgan that the flooring of the large building is concrete.

Bruce Denton asked Charles Morgan if he will continue to look for a new location for the auto repair shop even if the conditional use is approved; Charles Morgan stated that he will continue to look for a new location to conduct business.

Scott Lille asked what is currently blocking the view of the proposed auto repair shop and Charles Morgain stated that there are large evergreens blocking the view.

Public Participation:

Mike Dattilo-1955 Blayney Road

Mike Dattilo was sworn in by the Court Reporter

Mike Dattilo stated that he is a neighbor to Charles Morgan and has no issue with the proposed auto repair shop as it's mostly farmland where they reside and the proposed business would not be seen from his property.

Tim Meyer-2081 Blayney Road

Tim Meyer was sworn in by the Court Reporter

Tim Meyer stated that he is also a neighbor to Charles Morgan, and he has no issue with the proposed auto repair shop.

James Spurrier made a motion to approve Application 23-052 with the following zoning requirements:

- There will only be one non-resident employee working in the auto repair shop.
- The County must approve the facility and all requirements must be met.
- All conditional use requirements must be met and abided by at all times and any failure to do so will result in a violation of the approval.

Bruce Denton seconded. Motion approved 5-0.

- **Application #23-056 Kelly and Deborah Cline 1694 Wrenbury Drive, Galena, OH 43021, request for variance for a rear yard set-back.**

Kelly Kline and Deborah Kline were sworn in by the court reporter.

Per David Weade there is common issue with the set-back requirement in the Cheshire Woods housing development as the 2017 Parade of Homes was in a rush to get the project completed and there was no formal approval of the backyard patios that were installed. David Weade also stated that the surrounding neighbors of the applicant were notified.

Kelly Kline stated that his property backs up to an open field and he would like to extend his current outside area with a 12x12 pavilion and pergola that would bump out from the house. This would be a reduction in the rear yard setback from thirty feet (30) to ten feet (10).

Per Deborah Cline the neighbors have agreed that this would be a great extension and have no issues.

James Spurrier asked if the applicant has received approval from the HOA and the applicant confirmed that they have received approval.

Public Participation: NONE

Bruce Denton made a motion to approve application #23-056 and James Spurrier seconded. Motion approved 5-0.


David Weade stated that even with the application approved the applicant would still need to come back and receive a Zoning Permit.

Public Participation: NONE

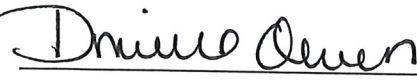
Other Business: NONE

Regional Planning Commission Updates: NONE

Adjournment: Dorothy Kerr motioned to adjourn the meeting at 7:28pm. Bruce Denton seconded; Motion approved 5-0.

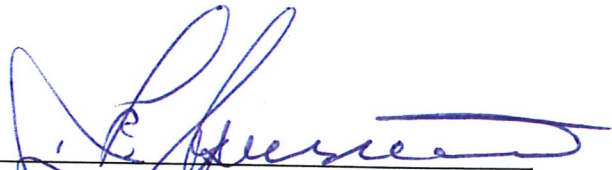


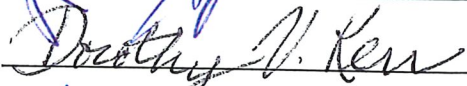
Zoning Inspector





Meeting Secretary

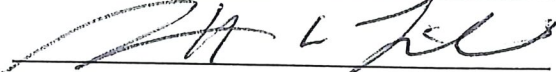
Date 7/19/2023











Board Members