

## Meeting minutes for Berkshire Township Board of Zoning Appeals

May 06, 2020 held at 1454 Rome Corners Rd. Galena, Ohio 43021

Meeting called to order by Chairwoman Kerr at 19:00hrs.

Members present; Dorothy Kerr, Phil Gardner, James Spurrier, Bruce Denton, Alicia Robson, Jim Spurrier and alternate member Ellen Ebe  
Staff present is David Weade, Assistant Zoning Inspector, Berkshire Township, Kevin Vaughn, Township Administrator, Berkshire Township.  
Also present is residents/applicant Patrick and Diana Knoles, 7505 Lawton St. Galena, Ohio 43021.

Motion by Mr. Garner to approve minutes from February 12, 2020, seconded by Chairwoman Kerr.

Ms. Kerr-yes  
Mr. Gardner-yes  
Mr. Spurrier-abstain  
Mr. Denton-yes  
Ms. Robson-yes  
Motion passed 4-0

The next BZA meeting is scheduled for June 20, 2020 at 1454 Rome Corners Rd. Galena, Ohio 43021

Chairwoman Kerr asked Mr. Weade if all neighbors were served notice of the request for a rear yard setback variance and if he received any comments. Mr. Weade confirmed that all required residents were notified and there were no questions or comments received.

The applicants introduced themselves.

The board asked several questions and received answers as follows;

Q; Why do you need to push the pool back 14'?

A; This is recommended by the pool contractor to stay away from the foundation of the House.

Q; What is the size of the pool?

A; ????

Q; Is there a concern about the degree of slope that exists on the property?

A; The contractor advises that the slope is/will be appropriate.

Q; Did applicants of other pools in the same subdivision have to get variances?

A; Mr. Weade advised he was not sure if those properties sought a variance however, the presence or absence of a variance on those properties shall not be a consideration for or against this application.

The chairwoman asked the board to review the 7 question questionnaire completed by the applicant. The members reviewed the applicants answers and had no questions pertain to it.

Mr. Denton asked Mr. Weade if a fence around the pool would require a permit? Mr. Weade answered that it did not.

Ms. Robson asked when do we stop allowing variances for things that are in the zoning code? There was conversation amongst the board members regarding the procedures.

Mr. Spurrier made a motion to approve application #20-037 for the construction of a swimming pool per the plans as submitted. Ms. Kerr seconded the motion.

Ms. Kerr -yes

Mr. Gardner-yes

Mr. Spurrier-yes

Mr. Denton-yes

Ms. Robson-no

Motion passes 4-1

Mr. Weade advised there were no conditional use permits, no code violations, no RPC report and no other business to come before the board tonight.

Mr. Gardner made the motion to adjourn, seconded by Mr. Denton. All in favor

Chairwoman Kerr adjourned the meeting at 19:24

Minutes submitted by Kevin Vaughn