



Berkshire Township Board of Zoning Appeals
Regular Meeting Minutes
June 26, 2024

Call to Order: Jim called the meeting to order at 7:00 p.m.

Determination of a Quorum/Roll Call: Members Dorothy Kerr, Scott Lillie, Tony Lonigro, James Spurrier, and Ellen Ebe present. Also, present were David Weade, Zoning Inspector and Alison Newton, Meeting Secretary.

Motion to approve the minutes:

Tony had a correction to the meeting minutes (page 4) 24-076, the second to last sentence, that Scott voted, no, it was actually Kim who voted no. Scott had a correction, on (page 6) 24-078, it was written that Kim voted no, it was actually Scott who voted no.

Pending those corrections, a motion to approve the meeting minutes from 5/15/2024 was made by Tony and seconded by Dorothy. The motion was approved 5-0.

Announcements: Statement of Policy

As is the adopted policy of Berkshire Township, all applicants will be granted an opportunity to make their formal presentation. Following the applicant's presentation preliminary questions or points of clarification from the board will be allowed. The audience will then be granted an opportunity to comment. Each individual will be granted 3 minutes. We ask that you be brief and to the point. The Chairperson may limit repetitive comments and close public comments after a reasonable time. The board will follow with questions and take action if needed.

Participants sworn in by David Weade:

Brenda Eberhard
Kelly Bulinski

New Business:

Application 24-121 Brenda Eberhard. Request for a variance on the rear yard setback.

The applicant has requested a variance to the rear yard set back to build a deck in their back yard. This is a 5ft variance, that would give them more usable space in their yard for dining, seating, and would match the scale of the home. Brenda said that she does not think the 5ft setback would negatively affect any neighbors. Brenda also mentioned that they do have approval from Delaware County Soil and Water and the neighborhood HOA.

Tony asked if the area behind their house is a wooded area, and Brenda mentioned that it is wooded and there would not be a house built in the back. Dorothy asked if any of the addition had been built yet, Brenda answered no.

Sharon Kiser, a neighbor, mentioned a concern about the drainage catch basin from the neighborhood that collects in her yard, she wanted to make sure that building into the area would not cause more water to collect and re-directed into her yard. Tony asked the applicant if she had been approved by Delaware County, and Brenda indicated that Delaware County Soil and Water has approved their addition as is, and that there were no additional items needed. David Weade explained this process to the board, and Brenda mentioned again that someone came out and signed off on their addition. Jim asked if the new addition would enter the drainage area, and the applicant said no.

Motion made by Tony to approve, Ellen seconded, motion approved 5-0.

Application 24-122 Kelly and Philip Bulinski. Request for a variance on the rear yard setback.

The applicant explained that she was not aware that when she was building the house there would be a drainage ditch with a large slope in their back yard. She explained that her yard is not very usable without the addition of a deck, and they have proposed to build a deck as small as possible.

Dorothy asked the applicant to describe the size of the deck; Kelly indicated that it extends 3.5ft into the build line and it adds onto a recessed part of the house. Tony asked if there are woods behind them, Kelly indicated yes. Dorothy asked if there is picture of the deck, Kelly said she does not have a picture, but it has been approved by the HOA.


Motion made by Tony to approve, Ellen seconded, motion approved 5-0.

David explained to the applicants that they will need to complete an application for zoning certificate from Berkshire Township and they will take that to the Delaware County building department for the permit, they will need to submit that by tomorrow afternoon if they want it back before the beginning of July due to scheduling conflicts.

Other Business: General Discussion

Regional Planning Commission Updates: none

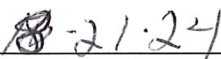
Adjournment: Dorothy motioned to adjourn the meeting at 7:43pm. Scott seconded. Motion approved 5-0.



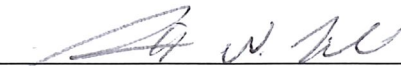
Zoning Inspector



Meeting Secretary



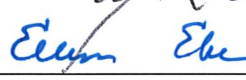
Date











Board Members