



**Berkshire Township Board of Zoning Appeals
Regular Meeting Minutes
July 19, 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.

Motion to approve the minutes: A motion to approve the meeting minutes from the May 17, 2023, was made by Dorothy Kerr and seconded by Ellen Ebe. The motion was approved 5-0.

Announcements: David Weade announced that Tyler Lane started employment as the new Township Administrator, on July 17, 2023.

New Business:

Scott Lillie asked that he be excused from the Board for application #23-085 because he is a neighbor. Alternate Ellen Ebe would replace Scott's voting position.

Application #23-085, Carl Rowe – Variance request for the property at 2977 Indian Summer Dr., Galena, OH 43021

Carl Rowe was sworn in by Donielle Owen, Meeting Secretary

Carl Rowe stated that he would like to install an in the ground pool that would require a reduction to the rear setback requirement from 20 feet to 9 feet. Carl Rowe stated that he has notified neighbors and distributed letters from various neighbors that are in support of this project (Exhibit-19A). Carl Rowe also stated that there are no residents behind his home where the pool will be installed.

Bruce Denton requested the distance from the pond, that is located behind their home, to the future pool. Carl Rowe stated that the pond is at least 20 feet away from the proposed pool location.

James Spurrier requested confirmation on a supplemental drawing for a rectangular area; Carl Rowe confirmed that the rectangle represents a gazebo.

Dorothy Kerr requested confirmation on a supplemental drawing for a dotted line; Carl Rowe confirmed that this is the fencing in the backyard.

James Spurrier stated that there is not a gazebo in the photo that was submitted; Carl Rowe stated that the photo was taken before the gazebo was installed.

Dorothy Kerr asked if the pool could be moved closer to the house; Carl Rowe stated that due to safety requirements the pool equipment will be located close to the house and needs sufficient space therefore the pool is not able to be any closer to the house.

Ellen Ebe asked if the property located behind the home is even/flat; Carl Rowe confirmed that the property is flat.

Public Participation:

Scott Lillie-Indian Summer Dr., Galena, OH 43021

Scott Lillie was sworn in by Donielle Owen, Meeting Secretary

Scott Lillie stated that he is a neighbor to Carl Rowe and has no issue with the proposed installation of a pool.

James Spurrier asked Scott Lillie where he lives in proximity to the applicant; Scott Lillie confirmed that he resides across the street (from the front of the applicant's home) from Carl Rowe.

Discussion:

Dorothy Kerr asked if there could be an increase in the rear setback so that the pool can be moved closer to the house; Carl Rowe stated that there is only 8 feet of space between the pool and the house, including where the A/C unit is located; there must be at least 4 feet of space around the pool so there is limited space to work with.

Bruce Denton asked if the pool would empty to a drain or retention pond; Carl Rowe stated that it would go to a drain. Bruce Denton asked if there was a pad located around the corner from the house for the pool equipment and if it was exposed; Carl Rowe stated that there is a pad and it can be enclosed, if required, however none of the existing neighbors that have pools enclose their pool equipment. Carl Rowe also stated that they have a solid wood fence, so no equipment is visible.

Bruce Denton made a motion to approve Application #23-085: a variance request for a setback reduction from 20 feet to 9 feet for the property located at 2977 Indian Summer Dr.

Ellen Ebe seconded. Motion approved 5-0.

David Weade stated the applicant must receive a Zoning Certificate from Berkshire Township, before starting construction.

Other Business: NONE

Regional Planning Commission Updates: NONE

Adjournment: Scott Lillie motioned to adjourn the meeting at 7:18pm. Dorothy Kerr seconded; Motion approved 5-0.

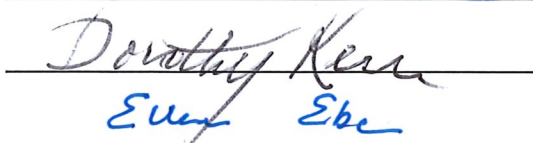
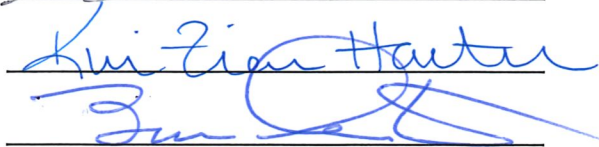
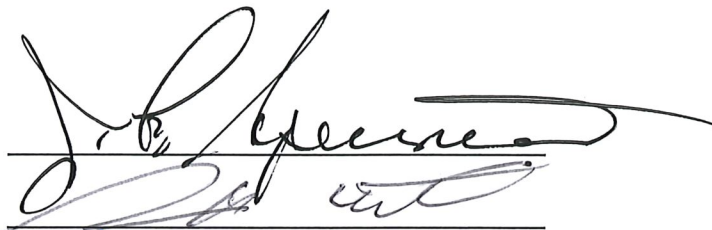


Zoning Inspector



Meeting Secretary

Date 08/11/2023



Board Members