

## BOARD of ZONING APPEALS MEETING

August 21, 2019 7:00 P.M.

Meeting called to order. Roll call taken. Members present: Dorothy Kerr, Phil Gardner, Sandy Disantis, Jim Spurrier and Bruce Denton. Alternate Alicia Robson is in attendance.

Motion was made by Phil to approve the July 17, 2019 minutes. Sandy seconded the motion. Vote to approve by those present at that meeting was unanimous.

Dorothy explained the order and format of the meeting and announced that tonight's meeting will run no longer than 9:00 p.m. If there is any unfinished business at that time it will be continued at the next scheduled meeting on Wednesday, September 18, 2019 at 7:00 p.m. at the Berkshire Township Hall at 1454 Rome Corners Rd., Galena, OH 43021.

People present who intend to speak to applications tonight were duly sworn in by the court reporter.

Business for the meeting:

1. First order of business is: Application #19-079 made by property owners Ryan and Heather Borland, 738 Carter's Corner Road, Sunbury, OH 43074, parcel 417-120-01-022-003 for the property at the same address. Total acreage is 5.014 and it is currently zoned A-1. The application is for Conditional Use of the property (Article 7 (A-1) Section 7.03.)

Dave Weade explained that the applicant has sent a letter to the township asking to rescind their application and request a refund of their application fee since our zoning code does not specifically address the use requested in their application. The trustees have agreed to refund their fees.

2. Second order of business is: Application #19-096 by Ohio Commercial R.E., 193 Bombay Ave., Westerville, OH 43081, represented by Tony Yacoub for property located at 8467 and 8449 east of ST RT 36/37 owned by Mr. and Mrs. Arnold Bryant and Mr. and Mrs. Robert White at the same addresses above. Parcel Numbers are 41721002031000, 41721002032000 and 41721002033000, totaling 16± acres. The application is for a Variance to allow a larger real estate sale sign than allowed by code. Current zoning is FR-1 and A-1.

David Weade explained the request for the variance and explained that required property owners had been notified of this hearing and this meeting was advertised, as legally required.

Application is being presented by Tony Yacoub. The applicant is requesting to be allowed to place a 4' x 8' V-shaped sign which per the application will state the company name/agent name and picture. The sign will also state "Future Development Site." The signs will be made from MDO and be on 4x4 posts, sunk 36" into the ground, and the bottom of the sign will be 4' from the ground. The sign will be 8' tall at the top of the sign. Applicant states the sign will be 35' from the right-of-way. Applicant states that they need the sign to attract more developers to the site, as it the desire of the current owners, who are elderly, to sell the land more quickly at the highest price possible.

Discussion from the Board ensued. Applicant was asked how long he anticipated the sign being installed and he stated the listing agreement expires the end of July 2020.

Dorothy and the Board reviewed the seven questions from our zoning code that must be addressed regarding the request. It was determined by the Board that the answers are acceptable and have no additional questions or concerns.

Jim motioned to approve Application #19-096 to allow the requested sign with the following stipulations:

- 1 The sign will be installed 35' from the right-of-way

- 2 The sign will be installed for a maximum of 12 months, beginning with tomorrow's date, (8/22/2019)
- 3 The sign will be installed at less than a 45° angle
- 4 The maximum height of the sign will be 8' above grade

Phil seconded the motion. Vote: Bruce – yes, Phil – yes, Dorothy – Yes, Sandy – No, Jim – Yes

Phil made a motion to adjourn the meeting, Sandy seconded. Vote was unanimous to adjourn.

Respectfully submitted by,

Shawna Burkham

Secretary