



Berkshire Township Board of Zoning Appeals
Regular Meeting Minutes
August 21, 2024, 7:00pm

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 made a motion to approve the meeting minutes from 6/26/2024. Dorothy seconded. Motion 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:

Evan Jackson
Jacob Mason
Joshua Mason

New Business:

Application 24-179 Evan Jackson. Request for a conditional use for an Expanded Conditional use.

The applicant introduced himself and explained that his wife is currently a hair stylist in Galena, and they are hoping to build a salon at their home. This would enable her to work from home to help with their children and save them money.

Tony asked if his wife would be the only person working at their home-salon, and the applicant confirmed this to be true. He asked about the chemicals that would be used and if those are of concern as it relates to disposal or fire hazard. The applicant said

there were no concerns pertaining to fire risk, only that the chemicals require special care when it comes to disposal. He elaborated that the chemicals will go into a septic holding tank, and the Delaware County health district has been working with him to get this safely installed. He does not know about the exact chemicals that would be used.

Ellen asked about the location of the building, Evan referenced pictures of the property provided in the application. Dorothy asked about the existing propane tank and if it would need to be moved, Evan indicated yes.

David explained to the board that if conditional use is granted to the owner of the property, and if they were to sell the property, the conditional use does not transfer as per our zoning code.

Dorothy asked if there would be a sign, the applicant said that there are certain requirements outlined by the state and that they would follow those.

Tony made a motion to approve application #24-179. Ellen second. Motion approved 5-0.

Application 24-192 Jacob Mason. Request for a variance on the side yard setback.

Joshua and Jacob Mason introduced themselves and explained that they are here on behalf of the property owners and are asking for a variance to a side yard setback that would be 13ft.3in off the property line for the construction of a garage. The reason for the proposed garage placement is because it makes best use of the existing driveway. This would also allow them to keep some trees and existing landscaping as well as preserving the existing irrigation system.

Tony asked about the proposed placement of the garage and if there was any consideration for placing the garage at an angle which would keep them away from the encroachment of the setback. The applicants explained that this would affect the trees and irrigation system so it would not be a desirable option.

Jim asked about the hand drawing and the site plan as he noticed some discrepancies regarding the orientation of the garage in the provided application images.

Dorothy asked what adjustments would have to be done to meet the code. The applicants indicated they would have to give up yard space in the back of the property or make the garage smaller. These options were not desirable to the homeowners.

Jim asked about the location of the garage doors, it was noted that these will be at the front elevation.

Ellen asked if the neighbors were aware of the garage being built. It was noted that the homeowners, Jeff and Kim, contacted the neighbors, and they did not have any issues.

Her concern was how much detail the neighbors were aware of pertaining to the proximity of the garage to the shared driveway. David stated that the township has notified by mail the neighbors to alert them of this application. They should be aware, and he has received no complaints.

Jim asked if there was an HOA, the applicants acknowledged there is an HOA, but they have not sought approval from them yet.

There was general discussion regarding the placement of the garage on the site plan.

Tony asked if the garage could be reduced in length from 32ft to 28ft and the applicant stated that this would not be beneficial to the homeowners for their boat storage.

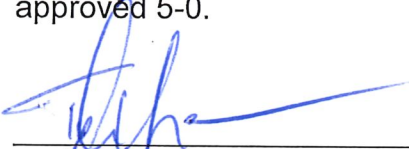
As a result of these conversations with the commission, the applicant asked for a continuance to application #24-192 until September 18, 2024, at 7PM at the Berkshire Township Hal.

Tony made a motion to approve the continuance request. Ellen seconded. Motion approved 5-0. David will need the revised materials by Monday, September 9th by noon.

Other Business: none

Regional Planning Commission Updates: none

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



Zoning Inspector



Meeting Secretary

11/15/2025

Date



Ellen




Dorothy Kern



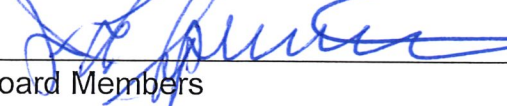
[Signature]



[Signature]



[Signature]



Board Members