

WASHINGTON TOWNSHIP - BOARD OF ZONING APPEALS
ZONING APPEALS HEARING
September 19, 2017

Chair Bill Ducey called the meeting to order at 6:30 p.m. Meeting was opened with the Pledge of Allegiance.

Roll call: Mr. Ducey, present; Mrs. Gorski, present; Mr. Haase; present; Mr. Thoman, present. Alternate Mr. Merritt was also present.

Public and legal notice was published in the Thursday, September 13, 2017 issue of *The Blade* and the Sunday, September 17, 2017 issue of the *Point Shoreland Journal*.

Mr. Ducey explained the make up of the Township government: trustees, the zoning inspector, zoning commission, and Zoning Board of Appeals. He explained the protocol for the meeting.

Mr. Nuckols and his attorney were sworn in prior to providing testimony.

Secretary Mrs. Mayfield read Mr. Nuckols' request for variance into the record.

This hearing is at the request of Mr. Edward Nuckols, 2526 Shoreland, Washington Township, Lucas County, Toledo, Ohio 43611 for a variance of zoning Resolution Sections 1320: Parking and storage of boats, recreation vehicles, utility equipment, trailers, and mobile homes; and 1801: parking requirements. This is regarding the parking of his CSX truck in front of his home on Shoreland Avenue, and the parking of jet skis beside his home on the Belpre Road side of the lot.

Mr. Ducey feels that there are 3 issues that the Board needs to vote on: determination of a corner lot, the jet skis, and the truck.

Mr. Ducey asked the Board members to hold back on making any Motions until all comments have been heard. This is so any discussion on the issues is not cut short, or would color the thoughts of any board members until all comments have been made and heard.

Public Comment:

Brian Ballenger, 3401 Woodville Rd., Northwood, OH – legal representation for Mr. Nuckols. He asked the body for a variance regarding Mr. Nuckols' CSX work truck. His job with CSX requires him to leave his home and arrive at the disaster point as soon as possible. He's had this job since 2006. The trustees have already once approved his request a few years back. He also has 2 jet skis parked on a paved surface on the side of his house (Belpre). To move them anywhere else, would put them in the way of other vehicles. He's had the jet skis for a while. If the street were a thoroughfare, it would make sense to move it. The road there is a boat ramp with direct access to the Ottawa River. Mr. Ballenger noted other boats and watercraft also parked in front of homes in the neighborhood. It would make more sense to keep his jet skis closer to the home versus closer to the boat ramp.

Mr. Edward E. Nuckols, 2526 Shoreland Avenue, Toledo, Ohio 43611: He said that he has no control over what truck is assigned to him by his employer. The truck he currently has is the one he claims he will retire with. Mr. Ducey was in attendance at the meeting when the trustees approved his parking the truck in front of his house in 2013. Mr. Nuckols claims that he feels good and plans to continue working as long as he can. Mr. Ducey said that the claim of retirement in two years, from 2013, would

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allow trustees to be more agreeable to allow parking the truck for the short term.

Mr. Ballenger provided a statement from CSX regarding the necessity of the truck for winter weather emergencies. This statement was read into the record. This statement is provided for all drivers each year.

Mr. Nuckols is based out of the Walbridge CSX yard. Mr. Ducey mentioned a recreational parking yard on Summit Street – that is reasonably close – where he could park the truck. Mr. Nuckols said that because of the high dollar value of the equipment on the truck, he needs to know it's secure. Mr. Ducey asked what would happen if Mr. Nuckols wouldn't be allowed to keep his truck at his home. Mr. Nuckols honestly doesn't know. Mr. Ducey inquired as to how many calls he's needed the truck, and Mr. Nuckols replied he has not had to use the truck at all in the last twelve (12) months.

Mrs. Gorski mentioned that Mr. Nuckols is located in a corner lot and on two streets: Shoreland and Belpre. Therefore, the jet skis shouldn't be parked where they currently are.

The first issue to be addressed is whether or not Mr. Nuckols' home is on a corner lot. Mr. Ducey showed a reference to the Lucas County map that shows Belpre is a street where it goes into the Ottawa River and, therefore, the home is located on a corner lot. The parking of the jet skis, therefore, appear to be in violation of the Zoning Resolution.

Mrs. Gorski made a **MOTION** to clarify that Mr. Nuckols' home is located on a corner lot, on a dedicated street. Second by Mr. Merritt. Roll Call: Mr. Ducey, yes; Mrs. Gorski, yes; Mr. Haase, yes; Mr. Thoman, no; Mr. Merritt, yes. Motion Approved.

Mr. Ducey read a statement from Carol and Daniel Malczewski, 2530 Shoreland, dated Sept. 13, 2017 into the record. Their concern was regarding the negative comments about the truck in Mr. Nuckols' yard, and the way its presence devalues properties along Shoreland. (This letter was not available when the packets were delivered to committee members.)

Mr. Thoman made a **MOTION** to grant the variance to park two jet skis on the Belpre side of his home. Second by Mr. Merritt. Roll Call: Mr Ducey, yes; Mrs. Gorski, yes; Mr. Haase, yes; Mr. Thoman, yes ; and Mr. Merritt, yes. Motion approved and variance granted.

MOTION was made by Doug Merritt to grant the variance for Mr. Nuckols to park the CSX truck in his front yard. Second by Mr. Thoman. Roll Call: Mr. Ducey, no; Mrs. Gorski, no; Mr. Haase, yes; Mr. Thoman, yes; Mr. Merritt, yes. Motion approved and variance granted.

MOTION to recess the meeting at 7:25 p.m. to prepare the minutes was made by Mr. Haase. Second by Mr. Thoman. Roll Call: Mr. Ducey, yes; Mrs. Gorski, yes; Mr. Haase, yes; Mr. Thoman, yes; Mr. Merritt, yes.

MOTION was made by Harry Thoman to call the meeting back to order at 7:43 p.m. Second by Mr. Haase. Roll Call: Mr. Ducey, yes; Mrs. Gorski, yes; Mr. Haase, yes; Mr. Thoman, yes; and Mr. Merritt, yes.

MOTION made by Mr. Thoman to approve the minutes. Second by Mr. Merritt: Roll Call: Roll Call: Mr. Ducey, yes; Mrs. Gorski, yes; Mr. Haase, yes; Mr. Thoman, yes; and Mr. Merritt, yes.

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Mr. Haase made a **MOTION** to adjourn the meeting at 7:45 p.m. Mrs. Gorski seconded. Roll call: Mr. Mr. Ducey, yes; Mrs. Gorski, yes; Mr. Haase, yes; Mr. Thoman, yes; Mr. Merritt, yes.

Respectfully submitted,

Karen A. Mayfield
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Karen A. Mayfield
Zoning Secretary

Wendell S. Ducey *Heidi Gorski*
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Walter H. Thoman *Mr. Merritt*
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Robert M. Haase
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