

Washington Township - Board of Zoning Appeals
Zoning Appeals Hearing
Thursday, August 12, 2010
6:00 p.m.

Meeting was called to order by Chairperson, Matt Hart, at 6:05 p.m. with the Pledge of Allegiance.

Roll call: Chuck Conner, present; Bill Ducey, present; Matt Hart, present; John Henry, present; Kathy Gorski, present; Harry Thoman, present; and John Henry (alternate), present.

Matt Hart introduced members of the Zoning Board of Appeals. He also reviewed the meeting format and agenda.

This hearing is at the request of David Weidinger, 855 Strotz Drive, Toledo, Ohio 43611 for a variance that would not be in compliance with Resolution Section 603.02 specifically, to allow an improvement addition that extends 5.3 ft. into the rear yard setback.

All public and legal notices have been published in *The Blade* (July 29, 2010) and the *Point-Shoreland Journal* (August 1, 2010).

Public Comment:

Jerry Mayfield, 2244 Terramar Road: Jerry serves on Zoning Commission and mentioned that changes that are forthcoming in the new zoning resolutions that may affect the decision for this appeal. There are different neighborhoods and the new zoning resolutions would allow consideration be given to those different neighborhoods within the township. Mr. Weidinger's improvements would not be out of line and would be an improvement to the township.

David Weidinger, 855 Strotz Drive: He will be 29.7 feet away from the edge of the property, and his proposal will definitely be an improvement to the property and neighborhood.

With no one else wishing to speak, public comment was closed.

Mr. Ducey made **MOTION** to approve the variance requested by Mr. Weidinger. Kathy Gorski seconded. Roll Call: Mr. Ducey, yes, Mrs. Gorski, yes, Mr. Thoman, yes, Mr. Hart, yes, Mr. Conner, yes, and Mr. Henry, yes.

Matt Hart made a **MOTION** to recess the meeting at 6:14 p.m. to prepare the minutes. Motion was seconded by Harry Thoman. Roll call: Mr. Hart, yes, Mr. Conner, yes, Mr. Henry, yes, Mr. Ducey, yes, Mrs. Gorski, yes, and Mr. Thoman, yes.

Matt Hart made a **MOTION** to reconvene the meeting at 6:17 p.m., to approve the minutes. Motion was seconded by Harry Thoman. Roll call: Mr. Hart, yes, Mr. Conner, yes, Mr. Henry, yes, Mr. Ducey, yes, Mrs. Gorski, yes, Mr. Thoman, yes.

Bill Ducey made a **MOTION** to approve the minutes as prepared. John Henry seconded. Roll Call: Mr. Ducey, yes, Mrs. Gorski, yes, Mr. Thoman, yes, Mr. Hart, yes, Mr. Conner, yes, and Mr. Henry, yes.

Bill Ducey **MOTIONED** to adjourn the meeting at 6:18 p.m. Chuck Conner seconded. Mr. Ducey, yes, Mrs. Gorski, yes, Mr. Thoman, yes, Mr. Hart, yes, Mr. Conner, and Mr. Henry, yes.

Respectfully submitted,

Karen A. Mayfield

Karen A. Mayfield
Zoning Secretary

William S. Ducey

William S. Ducey

Charles Conner

Kathy L. Gorski

John C. Henry

Chuck Thoman

APPROVED

*(Exhibit)
Evidence presented to
ZBA by Jerry Mayfield*


2303 APPEAL REQUIREMENTS

Appeals to the Board of Zoning Appeals may be taken by any person aggrieved or by any officer of the Township affected by any decision of the Zoning Inspector. Such appeal shall be taken within twenty (20) days after the decision by filing with the Board of Zoning Appeals, a notice of appeal specifying the grounds. The following information shall be included in any application brought before the Board of Zoning Appeals for consideration of an appeal or matter of interpretation:

- A. The request must include the action or order of the Zoning Inspector such as the citation of zoning violation and/or a Zoning Certificate being denied or revoked.
- B. The specific reference, including chapter(s) and sections(s), of the zoning text or portions of the "Official Washington Township Zoning Map" that may be appealed.
- C. The facts and information showing the basis of the appeal, including factors or characteristics unique to a parcel.
- D. The specific remedy proposed or proposed interpretation shall be described.

2304 REQUIREMENTS FOR A VARIANCE REQUEST AND APPROVAL

The Board of Zoning Appeals may authorize upon appeal, in specific cases, such variance from the terms of the Zoning Resolution as will not be contrary to the public interest, where, owing to specific conditions, a literal enforcement of the Resolution will result in unnecessary hardship, and so that the spirit of the Resolution shall be observed and substantial justice done. The Board of Zoning Appeals shall consider the following:

-  A. **The general character of the neighborhood and examples of similar projects nearby.**
- B. That due to exceptional narrowness, shallowness, or shape or exceptional topographic conditions or other extraordinary situation or condition of a lot, the strict application of the terms of this Resolution would result in peculiar and exceptional practical difficulties.
- C. That special circumstances or conditions applying to the building or land in question are peculiar to such lot or property and do not apply generally to other land or buildings in the vicinity.
- D. That a variance from the strict application is necessary to relieve such difficulties or hardship, and that such relief may be granted without substantial detriment to the public good and without substantially altering the intent of this Resolution.
- E. The granting of the application is necessary for the preservation and enjoyment of a substantial property right and not merely to serve as a convenience to the applicant.