**Parkman Township Board of Zoning Appeals**

**May 14, 2019**

Members present: Kathy Preston, Chair; Betty Jo Lengel; Bryan Mullins; Dale Komandt; Jeff Heavner; and Jan Helt, Secretary.

Members absent: Brandon Reed; Rich Hill;

Meeting was called to order by Chair Kathy Preston at 7:05 pm.

**Minutes:**

Themotion was made by Ms. Lengel and seconded by Ms. Preston to table the minutes from April9, 2019, due tonot having a quorum presentof board members who attended that meeting. These minutes will be addressed at the regular meeting on June 11, 2019.

**Ms. Preston** stated there is an appeal to be addressed by the board at this meeting;

* 2019-17775
* This application, submitted by Edward E. Miller 17775 Reeves Road (Parkman Township), Middlefield Ohio 44062, is requesting a variance from the Parkman Township Zoning Resolution for property located at same address, which shall be in accordance with all of the applicable regulations for the District and the following regulations: ARTICLE 1V Section 402.1 H

**Ms. Preston** explained that all paperwork is done and that there has been a publication of this meeting.

**Ms. Preston** administered the Oath of Truthfulness to all present who wished to speak at this meeting.

**Ms. Preston** asked the applicant for his explanation for requesting a variance to the Parkman Township Zoning Resolution.

**Mr. Edward Miller** explained that he wanted to use a line of credit to build two new homes on his dad’s property; after the homes are completed, he wants to split the lot. His father, Eli, would keep 2.7 acres and Edward would buy the farm of the remaining 104.3 acres. He stated that a letter was submitted to the zoning inspector by Middlefield Bank. Edward Miller’s intentions are to use the home equity to build a new home on the property. Upon completion of the new home and qualification, the home equity would be turned into a mortgage and they would then like to do a split of the parcel.

**Mr. Eli Miller** explained further that if they split the lot first, they would have a problem getting the loan they want. He wasn’t sure why that was the case. He said that is what the loan officer told him; that it would change everything.

**Ms. Preston** closed that portion of the meeting and opened the meeting to the Board.

**Mr. Komant** asked Mr. Miller if he will get more money on the loan, on the whole farm. Mr. Miller said he thought he would.

**Mr. Heavner** asked to be shown where the current house was located on the map. Eli Miller showed him exactly where it was on the map.

**Mr. Edward Miller** asked if we had the letter from the bank; everyone had a copy.

**Mr. Eli Miller** stated they would build his house first, then build the second home, a two-story house. He said the land is staked out for the septic systems for both homes. The septic for the currently existing home, which is 200 years old, was installed in 1982. That home will be torn down after the first new house, which will be 2 bedrooms and more than 1000 square feet, is built.

**Ms. Preston** asked Mr. Edward Miller where he would live while building his new home. He stated that he would live in a shed. Ms. Preston advised him to check with Mr. Spelich on this, as she wasn’t sure if that was allowed in zoning either.

**Ms. Lengel** asked about the driveway that goes all the way to the back of the property on the map. Mr. Edward Miller said that driveway goes to a gas well. Ms. Lengel asked if both homes would have their own septic, and Mr. Eli Miller said yes. Ms. Lengel asked about the other buildings on the property, and Mr. Edward Miller said they were storage buildings, that they would remain for now.

**Ms. Lengel** asked Mr. Eli and Mr. Edward Miller if the county had approved any of their plans. They stated that they believed everything was approved with the county, that they were working with a member of the Amish community who acts as an intermediary with the county on such matters.

**Ms. Lengel** stated that Parkman zoning does not allow 2 homes on one lot; that normally the lot split is done before the homes are built. She stated that she would like to see the plans for the homes and where exactly the septic systems will be located on the property. “We need to know more before we can make a decision.”

**Ms. Preston** also emphasized that the zoning regulations do not allow 2 homes on a lot, and that the letter from Middlefield Bank does not explain satisfactorily why the lot cannot be split first. It states very little.

**Ms. Preston** asked Mr. Edward Miller if he would like the board to vote tonight, or would he prefer to postpone a decision in order to have time to bring in more information, such as clarification from Middlefield Bank, building plans, septic plans, any approval from the county, etc.

**Mr. Edward** Miller decided to bring in more information and asked that the appeal be continued. After a short discussion, the board determined that a continuance would be held in two weeks, allowing enough time to notify residents and publish in the newspaper.

**Ms. Lengel** moved to continue the variance on May 29, 2019, seconded by Mr. Mullins. Roll call to continue with the variance at a special meeting on Wednesday May 29, 2019 at 7:00pm:

Jo Lengel Yes Kathy Preston Yes

Bryan Mullins Yes Dale Komandt abstain

Jeff Heavner No

That portion of the meeting was closed

**Ms. Preston** explained to Mr. Edward and Mr. Eli Miller that they were welcome to stay for the rest of the meeting, if they would like, but that their portion of the meeting was over.

**New Business:**

After **Ms. Preston** welcomed new board members Bryan Mullins and Jeff Heavner, the board had a short discussion on the jobs of the different branches of zoning: the BZA as judiciary, the Zoning Commission as legislature; the trustees as executive branch.

**Ms. Preston** also discussed with the new members the Sunshine Law; she explained how they can go on line and take a 3-hour class on the Sunshine Law on the Ohio Attorney General website.

**Old Business:**

**Ms. Lengel** stated she isstill concerned about the pallet shop located on Grove Road. The appellant was told that he is not allowed the have a pallet shop in a residential area, yet he seems to continue to manufacture pallets. He has moved the pallets to the back, behind a building.

**Ms. Preston** speculated that perhaps he was given 60 days to stop manufacturing pallets. She will email John Spelich as to the status of this situation.

**Mr. Heavner** had some questions on the current variance; Ms. Preston explained that the job of the board is to listen to the appellant’s presentation as to why they want a variance and then to make a decision. The board’s main concern is to uphold the law, which is the zoning ordinance.

**Ms. Preston** said Mr. Spelich continues to try to clean up Parkman Township by working with Geauga County Prosecutor Sheila Salem, who is assigned to Parkman Township.

**Ms. Preston** asked the board if there were any more comments or concerns. None were noted.

**Adjournment:**

**Ms. Lengel** moved to adjourn; **Mr. Heavner** seconded the motion. All in favor.

Meeting was adjourned at 8:30 pm.

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Jan Helt, Secretary Kathleen Preston, Chairperson