

PARKMAN TOWNSHIP BOARD OF ZONING APPEALS
June 8, 2021

Members present: Joe Keough, Rich Hill, Dennis Coz, Timothy Musson, and Jan Helt,
Secretary

Meeting called to order by acting Chairperson Rich Hill at 7:01pm.

Mr. Hill asked for a motion to waive the reading of the minutes until after the appeal.
Mr. Keough motioned seconded by Mr. Coz.

There are two appeals to be addressed by the Board at this meeting:

- 2021-17888
- 2021-17888-1

Ms. Hill administered Oath of Truthfulness to Mr. Byler and Mr. Spelich.

Mr. Hill explained the agenda of the meeting to all in attendance.

Appeal **2021-17888(house) and 17888-1 (SHOP)** was called.

This application submitted by Jake J Byler appellant, 17888 Tavern Road Burton, Ohio 44021 Parkman Township, is requesting two Variances from the Parkman Township Zoning Resolution for property located at, 17888 Tavern Road Parkman Township, Ohio which shall be in accordance with all of the applicable regulations for the District and the following regulations: ARTICLE 1V Section 402.16 (D).

Applicant Explanation for requesting variance to Parkman Township Zoning Resolution:

Mr. Byler stated that he purchased the home in 1982. The home he thinks was built in 1972. At that time the property was never surveyed and apparently his house and shop were too close to the property line. One variance was needed for the house and one variance for the shop. Mr. Byler showed everyone on the map where the property was located on Tavern Road Parcel #8.

Mr. Keough asked Mr. Byler how he discovered there was a problem. Mr. Byler stated his neighbor was selling his property and had it surveyed that is when we discovered that his house and shop were over the property line. So, at that time I was told I needed to get 2 variances from Parkman Township Zoning.

Mr. Hill closed that portion of the meeting.

Opened to the public (no one else present)

Opened floor to the Board Opened floor to the Board

Mr. Hill asked for a motion to grant the variance. Mr. Coz motioned to grant the variance and Mr. Keough seconded.

Mr. Hill opened the meeting to the Board members for questions to the applicant/owner.

Mr. Hill stated so the home was bought in 1972 there was zoning at that time in Parkman Township. Problem is the building at the time was in the required setback. He said it seems like things like that happen all the time. Mr. Hill stated nothing needed for the barn since it is agricultural; the barn was over the line also.

Mr. Spelich stated that the neighbor is selling his property so that is when everyone found the issue with the property line.

Mr. Coz asked if there would be a problem when and if Mr. Byler decided to sell his property. Once these variances are issued he will be covered. The variances would with the land.

Mr. Hill asked if there were any more questions from the Board for applicant. There were none closed that portion of the meeting.

Mr. Hill led the Board in considering the following issues:

- 1) Is there a reasonable return or beneficial use without the Variance?
No the house and the shop are both over the property line.
- 2) Is the variance substantial? **Yes, it is substantial, the house and the shop are both over the property line.**
- 3) Would adjoining properties suffer or be altered? **No, they would not suffer.**
- 4) Is variance adverse to providing government services? **No, it is not.**
- 5) Was purchase of property with knowledge of the restrictions? **No, not at all. Mr. Byler found out when they did the survey for the neighbor selling his property.**
- 6) Can predicament be obviated by means other than by variance? **No, not really, there would not be comfortable solution,**
- 7) Would the spirit and intent of the zoning be upheld? **Yes, it definitely would be upheld by giving him the variance.**

Mr. Hill asked for any other questions or comments from the Board members, closed that portion of the meeting and asked for a roll call on the motion to grant the variance.

ROLL CALL:

Rich Hill - YES
Dennis Coz- YES
Tim Musson- YES
Joe Keough-. YES

Mr. Hill advised applicant Mr. Byler that the variances have been granted. You will receive a letter in the mail within 10 day with a copy of the decision form. You should wait 30 days before proceeding because an appeal may be filed.

Appeal #2021-17888

The members completed the Decision Form and Fact-Finding Sheet. Roll call to accept the Fact-Finding Sheet.

Rich Hill - YES
Dennis Coz- YES
Timothy Musson- YES
Joe Keough- YES

Mr. Hill asked if everyone to look over the minutes from May 11, 2021

Mr. Hill asked for a motion to approve minutes with corrections. Mr. Coz moved to approve minutes with corrections and Mr. Musson seconded.

Mr. Hill asked if there was anyone who would like to be the chairperson. Jan said Mr. Keough mentioned he would be willing to take on that position. Mr. Keough said he would volunteer to become chairperson. Mr. Hill asked if there was anyone else, there was not. Motion was made to elect Mr. Keough as chairperson, motion passed unanimously.

Mr. Spelich went over what is happening in Parkman Township. Mr. Spelich updated everyone on recent permits issued and variances coming up in the near future. He said there are a four new Yankee homes being built in Parkman. Township Nothing on the agenda for July

Adjournment:

Mr. Hill asked for a motion to adjourn, Mr. Musson motioned Mr. Coz seconded, the motion passed unanimously. The meeting adjourned at 735p.m.

Respectfully Submitted,

_____ Jan Helt	_____ Date	_____ Rich Hill	_____ Date
Secretary, BZA	3	Chairperson, BZA	

