

**SWANCREEK TOWNSHIP BOARD OF ZONING APPEALS**

**1-19-17**

**Record of Proceedings - MINUTES**

Meeting was called to order at 6:30 p.m. by Darrin Gramling, Chairman

Mr. Gramling led in the Pledge of Allegiance.

Roll Call was taken by Administrative Assistant, Chris Lauch.

Board members present: Darrin Gramling, Chairman, Gregg Winseman, Vice Chairman, Renee Walker, Sue Whitaker, & David Smith

Employees: Walt Hallett, III, Zoning Inspector & Chris Lauch, Administrative Assistant

Visitors: See Sign In Sheet

**New Business:**

Gregg Winseman motioned for Darrin Gramling to be Chairman for 2017, 2<sup>nd</sup> by Sue Whitaker

ROLL CALL: Darrin Gramling-yes, Gregg Winseman-yes, Renee Walker-yes, Sue Whitaker-yes, David Smith-yes

Gregg Winseman motioned for David Smith to be Vice Chairman for 2017, 2<sup>nd</sup> by Sue Whitaker

ROLL CALL: Darrin Gramling-yes, Gregg Winseman-yes, Renee Walker-yes, Sue Whitaker-yes, David Smith-yes

The Board receives the minutes for review prior to their meetings. Minutes will be approved at set dates and times at Minute Approval Meetings.

Darrin Gramling motioned to not read the minutes aloud at each meeting, 2<sup>nd</sup> by Gregg Winseman

ROLL CALL: Darrin Gramling-yes, Gregg Winseman-yes, Renee Walker-yes, Sue Whitaker-yes, David Smith-yes

Since there is a meeting next month these minutes will be approved then.

**Steve & Barbara McDaniel, 2170 Co. Rd. 3, Swanton, OH - Variance Request for set back less than 10' from the dwelling.**

**Walt Hallett, III, Zoning Inspector, 5565 Co. Rd. D, Delta, Ohio, was sworn in to testify and stated his case:**

Walt Hallett received zoning application#57-16, for a 10'x12' accessory building located in the rear yard. The zoning permit application was denied by virtue of Zoning Articles: 100-5.1 Conflicting Regulations, 100-5.3 (1d) Accessory Structures and 100-23 Definitions, sent by certified mail, dated 11-11-16.

Darrin Gramling ask Mr. Hallett if the McDaniel's had applied for the permit after the structure was already erected. Mr. Hallett stated yes, if it was attached to the dwelling it would have been approved, but accessory buildings need a 10' set back.

Darrin Gramling asked if the Board had any other questions for Mr. Hallett, none.

**Steve McDaniel, 2170 Co. Rd. 3, Swanton, OH Sworn in to testify:**

The structure was supposed to be a shed for his wife for crafting and reading. He was not aware that they needed a permit. He received Walt Hallett's letter and got the permit application. He spoke to Chris, who had given him the regs. He wasn't sure what the measurements were at the time he filled the permit out, so he was not sure it wasn't 10' off of the house.

Darrin Gramling asked Mr. McDaniel if the structure was movable or on a permanent structure/foundation. Mr. McDaniel stated it was built to be movable, but to another property, due to the landscape, no. It would cost him too much to move now.

Darrin Gramling asked Mr. Hallett if his measurement is from the awning of the structure. Walt Hallett explained, due to the shape, the closest point is the awning, but if the measurement was from the base, it still would not be compliant.

Darrin Gramling asked for further questions from the Board: Hearing none.

Darrin Gramling asked for public testimony on behalf of the request: Hearing none.

Darrin Gramling asked for public testimony in opposition of the request: Hearing none.

The board reviewed the standards and voted as follows:

**Standards Set Described in Article 100-21.5**

1. Location, size and character as it relates to the development of the surrounding neighborhood and regulations of applicable zoning district.  
**VOTE: Does not meet zoning district**  
ROLL: Full Board Agreed
2. Impact on vehicular and pedestrian traffic.  
**VOTE: None**  
ROLL: Full Board Agreed
3. Any possible nuisance emanating from the proposed use.  
**VOTE: None**  
ROLL: Full Board Agreed
4. Location, height, nature of buildings and other structures as they relate to appropriate development and use of adjacent lands and buildings and how the proposed use affects values of other lands.  
**VOTE: No effect**  
ROLL: Full Board Agreed
5. Whether the proposed use will be harmonious with the physical and economic aspects of the adjacent property.  
**VOTE: None**  
ROLL: Full Board Agreed
6. The necessity of the proposed use for public convenience at this location.  
**VOTE: N/A**  
ROLL: Full Board Agreed.  
Renee Walker expressed the location is good for public convenience.
7. Will the proposed use protect the public health, safety, and welfare?  
**VOTE: N/A**  
ROLL: Full Board Agreed
8. The effect the proposed use will have on the value of other property in the area in which it is to be located.  
**VOTE: No effect on value**  
ROLL: Full Board Agreed

Darrin Gramling motioned to approve the Variance Request for less than 10' from the main structure, 2<sup>nd</sup> by Renee Walker

ROLL CALL: Darrin Gramling-yes, Gregg Winseman-yes, Renee Walker-yes, Sue Whitaker-yes, David Smith-yes

- Darrin Gramling motioned to adjourn the meeting, 2<sup>nd</sup> by David Smith - So Moved.

Meeting adjourned at 6:49 p.m.

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Darrin Gramling, Chairman

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David Smith, Vice Chairman

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Gregg Winseman, Board Member

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Sue Whitaker, Board Member

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Renee Walker, Board Member

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Alternate Board Member