

RECORD OF PROCEEDINGS

Minutes of Waterville Township Board of Zoning Appeals Meeting

BABBETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

Held at 7:30 p.m. at the Waterville Township Hall on April 23, 2012

ROLL CALL:

Chairman Paul Accettola - Present
 Vice-Chairman Stephen Tosh - Present
 Member Robert A. Hertzfeld - Present
 Member Keith A. Moosman - Present
 Member Thomas Borck - Absent

OFFICIALS:

Property Standards Officer James E. Fischer - Absent
 Zoning Inspector Eric H. Gay - Absent
 Fiscal Officer Kay Ann Robertson - Present

GUESTS:

Marc D. McCulloch, 9047 South River Road, Waterville, Ohio
 Laurel McCulloch, 9047 South River Road, Waterville, Ohio
 Bessie D. Cogan, 9102 South River Road, Waterville, Ohio
 Floyd J. Cogan, 9102 South River Road, Waterville, Ohio
 Tim Berry, 9065 South River Road, Waterville, Ohio
 J.D. Justus, 11518 Five Point Road, Perrysburg, Ohio
 Calvin Whewell, 9101 South River Road, Waterville, Ohio

MINUTES:

The minutes of the May 16, 2011, meeting had been prepared by Fiscal Officer Kay Ann Robertson and sent to each appeals board member:

Keith A. Moosman made a motion to dispense with the reading and to approve the minutes of the May 16, 2011, meeting with no additions, deletions and/or corrections. Seconded by Robert A. Hertzfeld.

Motion Carried.

PUBLIC HEARING:

Chairman Paul Accettola opened the public hearing which had been advertised for this date, time and place. The purpose of this hearing was to consider an appeal by Timothy D. Berry, 9065 South River Road, Waterville, Ohio, to build a 28' x 46' pole barn in his front yard. Mr. Berry's application for a building permit to build a pole barn was denied under Waterville Township Zoning Resolution Section 9.2.3 Yard Requirements: Accessory buildings shall not be located in any front yard.

Property owner, Tim Berry, had brought letters from the following neighbors who were not opposed to his building the pole barn in his front yard:

- Calvin and Carol Whewell, 9101 South River Road, Waterville, Ohio
- Marc D. and Laurel A. McCulloch, 9047 South River Road, Waterville, Ohio
- Emery and Karen Dress, 9062 South River Road, Waterville, Ohio
- Floyd J. and Bessie D. Cogan, 9102 South River Road, Waterville, Ohio
- Bob Kuehn and Elizabeth Fackler, 9107 South River Road, Waterville, Ohio
- Dunn P. and Ruth L. Gwynne, 9115 South River Road, Waterville, Ohio
- Jim and Angie Sexton, 9058 South River Road, Waterville, Ohio

COMMENTS:

Paul Accettola stated that this Board had turned down Mr. Berry on November 20, 2006, because they felt he had other options. Now Mr. Berry has presented a letter from the Toledo-Lucas County Health Department stating Mr. Berry has to save his sides and back yards because his well is in his front yard and if his septic should fail he would need this area for a new system. Chairman Accettola also pointed out that Zoning Inspector Eric Gay could not attend this hearing but that they had a long conversation and Mr. Gay shared his ideas with him and that he had no objections to Mr. Berry's request. Mr. Accettola asked for letters from adjoining neighbors and if they had objections and Mr. Berry presented above listed letters.

Stephen Tosh was assured that the next door and across the street neighbors were included in the list of letters.

Paul Accettola said that the Board could vary from the zoning resolution if there is no other option. He felt that Mr. Berry had worked diligently but he has no other option but to build it in his front yard. Paul is satisfied and the neighbors do not feel it will be unsightly.

Keith Moosman asked if the siding will match the house and Mr. Berry said it would not be yellow brick however the color would match and it would have a pitched roof with storage above.

continued.....

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Continued:

Robert Hertzfeld said that it appeared to be a hardship to him.

Stephen Tosh asked where the proposed pole barn sits in relationship to his neighbors adjoining property and Mr. Berry states that it would be a little behind his neighbors residence. Mr. Berry has added a six (6) foot porch to the back of the pole barn that was not in the 2006 drawing.

CONCLUSION:

Robert A. Hertzfeld made a motion that the request of Timothy Berry, 9065 South River Road, Waterville, Ohio, to build a 28' x 46' pole barn in his front yard be approved. Seconded by Stephen Tosh.

Paul Accettola,	Aye.
Stephen Tosh,	Aye.
Keith Moosman,	Aye.
Robert Hertzfeld,	Aye.

ADJOURNMENT:

There being no further business to come before the Waterville Township Board of Zoning Appeals, Paul Accettola made a motion to adjourn. Keith A. Moosman seconded the motion.

Motion Carried.

Adjourned at 7:45 p.m.

Attest: Kay Ann Robertson

Board: [Signature]
Stephen Tosh
Robert Hertzfeld

