



WASHINGTON TOWNSHIP BOARD OF ZONING APPEALS MINUTES
February 23, 2015

The Washington Township Board of Zoning Appeals met in regular session on February 23, 2015 in the Meeting Room of Washington Township Government Center. Members of the Board present were Mr. Schwartz, Mr. McDaniel, Mr. Schmidt, Mrs. Mulligan and Mr. Roberts. Call to order at 7:00 p.m.

Pledge of Allegiance

Mr. Schwartz explained the hearing procedure.

Mr. Schwartz administered the oath

Case No. A-1698, Alex Luque, Atelier Design property located at 6013 Amos Place; Parcel ID No. O67 03711 0101, a request to locate an accessory structure within the required front yard area of a non-conforming R-1, single-family residential zoned lot

Zoning Manager, Ryan Lee, presented the case.

Mr. Lee summarized the reason for the variance as a setback variance to locate an accessory structure within the required front yard area of a non-conforming R-1 zoned parcel. The variance would be to locate a single-car detached garage in the location specified within the variance application.

Mr. Lee referred to the submitted staff report which included applicable zoning resolution provision and table of setback requirements for R-1 zoned property. This property only meets side yard setbacks to the eastern property line and all other requirements on the property are not being met. Therefore, is a legal non-confirming property by setbacks and dimensional requirements by the zoning resolution.

The front yard setback which is established by the principal structure is 35 foot from the right a way. The requirement for R-1 zoning district would be a 100 feet setback if you were to apply those standards on this lot. It is narrowest between the cull-da-sec driveway and the neighboring private drive to the south. The lot is 102 foot wide it is in particular to meet the current zoning criteria by means of setbacks.

The accessory structure that is being requested will be 14 feet off the rear property line and otherwise will be in compliance with rear yard setback requirements of an accessory structure. This would obligate a setback requirement 5 feet from the rear property line and what is being requested is placement of the accessory structure. This is within the otherwise required 100-foot front yard setback area established by the zoning resolution.

The application was reviewed by some of the staff and working closely with Mr. Lucque to find the best fit solution for the property given the limitations that exist. The lot is currently legally non-conforming to R-1 district standards, but staff's opinion is that the placement of the accessory structure would not be detrimental to the surrounding property owners. It is also staff's opinion that it is not out of character to place the accessory structure in the location otherwise proposed within the merits of the application.

The distance from the side lot line is 40 feet which is the established side yard setback requirements for R-1 zoning district.

Mr. Lee advised the applicant has submitted a revised plot plan showing the location of the structure and image of the structure itself. The esthetics of the structure will tie into the existing structure on the property.

Mr. Schwartz asked about the existing garage and driveway. Mr. Lee confirmed that the existing attached garage is beneath the main structure.

Mr. Roberts reviewed the layout of the property discussing the main structure, driveway and attached garage. Mr. Roberts also asked about the distance of the stub driveway to the proposed structure. Mr. Lee advised to his knowledge the existing concrete drive is not to be expanded upon. He feels the only exception would be a small paved surface to the garage door otherwise the applicant will be using the existing pavement.

Mr. McDaniel confirmed whether the existing garage structure holds 1-2 vehicles. Mr. Lee advised 2 car garages.

Alex Luque, 1035 E Centerville Station Road, Centerville, Ohio he has been sworn in. He advised that the edge of the existing concrete drive to front of the proposed structure is 25 feet. He mentioned the two black dots on the plot plan adjacent to the driveway are manhole covers to a septic tank system. The property is an unusual shape including unusual dimensions they had to content with placing the structure in such a way so that both the structure and driveway away from the existing septic tank that serves the property.

Mr. Luque advised that architectural plans were submitted to staff as to what the structure will look like. The materials will include a base of natural stone and siding to match the existing main structure.

Mr. McDaniel questions whether the proposed structure will be constructed on top of the retaining wall or with the retaining wall behind it. Mr. Luque responded that the retaining wall serves to hold the grade for the purpose of when the private driveway was added. Mr. Roberts asked if the ground is level with the retaining wall on the other side. Mr. Luque confirmed. Mr. McDaniel asked again if the structure will sit atop of the retaining and will that cause damage to the retaining wall due to the weight. Mr. Luque advised that they would not proceed if this endangered the retaining wall.

Mr. McDaniel asked as to what the purpose of the proposed structure will be used for. Mr. Luque responded that the homeowner has a collector car which currently has a car cover for protection and the main structure is occupied by a family with existing cars that use the existing garage.

No citizens voicing concerns, questions or comments.

Public hearing closed.

Board deliberation.

Mr. Schmidt referred to Mrs. Mulligan questions whether the structure will be in the front yard. He explained that the way the lot is laid out they are asking for a variance because the house right now is only 35 feet from the ROW in the front yard. He mentioned the only way to place the proposed structure is technically in the front yard but in line with the main structure.

Mr. Schwartz feels that they have done a great job with a number of improvements on a piece of property that is oddly shaped.

Mr. Schmidt likes the design and placement of the proposed structure which looks in line with the main structure.

MOTION- Mr. Schmidt moved to approve Case No. A-1698, Alex Luque, Atelier Design property located at 6013 Amos Place; Parcel ID No. O67 03711 0101, a request to locate an accessory structure within the required front yard area of a non-conforming R-1, single-family residential zoned lot as submitted. Motion was seconded by Mr. McDaniel.

VOTE- Mr. Schmidt, yes; Mrs. Mulligan, yes; Mr. Schwartz, yes; Mr. McDaniel, yes; Mr. Roberts, yes

Additional Business:

Mr. Lee advised that hard copies are available of the Revised Washington Township Zoning Resolution if requested. He also noted that the updated resolution is available on the Township website. He mentioned staff is working with the Law Director to have a workshop meeting reviewing the rules and regulations with the Board of Zoning Appeals.

Meeting adjourned.

Next Regular Meeting Date – March 8, 2015

Richard Schwartz, Chairman