



**WASHINGTON TOWNSHIP BOARD OF ZONING APPEALS MINUTES
March 23, 2015**

The Washington Township Board of Zoning Appeals met in regular session on March 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 to all persons testifying.

Mr. Schwartz recognized in the application that the homeowner had not signed the authorization on the application but the general contractor had signed. The property owner, Jim Smith, was present in the meeting. Mr. Smith advised he had signed the application including given verbal permission for the general contractor to speak on his behalf. Mr. Schwartz requested that the property owner sign the application before the end of the hearing. Mr. Lee advised the application includes a notarized signature of the property owner allowing the general contractor to speak on his behalf. Mr. Schwartz confirmed with Mr. Smith that was his signature and asked that the he sign his name in the correct area on the document.

Mr. Lee witnessed the property owner signing the application in the requested area on the document before the case was heard by the board members.

Case No A-1699, Buschurs Home Improvement requests a variance to reduce the required rear yard setback located at 1532 Rockleigh Road

Zoning Manager, Ryan Lee, presented the case.

The applicant is asking for a deviation from the required 35 foot setback within the Yankee Terrace neighborhood to add a three season sunroom onto the property. The current zoning on the property is planned development transition which allows for the developer to take on those building set back requirement either with neighboring municipalities or to establish them throughout the planned development process. This development was established with a rear yard setback of 35 feet.

The structure of the home is currently about 36 foot setback to accommodate so of the coverture of the street and to keep in line with the neighboring homes. The applicant feels it makes practical sense with the layout of the home to add the three season room and usable area which goes along with the internal configuration. The applicant submitted photos of what the exterior would look like with a three season which was included in the board members case information packets. Staff advised that when reviewing the application they did take into consideration the surrounding lots the encroachment of this area is within the usable rear yard of the neighboring property owner which stands to be the most impacted.

The applicant submitted a letter that was submitted to the surrounding property owners along with a handful of signatures. Staff's opinion that the placement of the proposed addition would not be detrimental the surrounding property owner's nor counters to the intent of the setback approvals of the planned development district.

Staff is recommending approval of the requested variance subject to the site plan submitted with Case A-1699.

Dave Paxton, 5784 Poe Ave, Dayton, Ohio, he has been sworn in. He advised all that he could add to Mr. Lee's presentation is that the property owner that is impacted the most directly behind the applicant is Ms. See's and she is in favor of the request. He also noted that Ms. See's is present in the audience. He mentioned that there are three other lots in the area that are about the same distance from a patio addition. He stated that Mr. Smith would like for the board to be in favor of approving the request as others have in the neighborhood and enjoy their backyard.

Mr. Schwartz- How will the materials compare with the existing materials on the structure?

Mr. Paxton- The materials will be color coated to match the existing structure of clay/sandstone color but there is very little wall area.

Mr. Roberts- What type of siding material will be used.

Mr. Paxton- It will be a stucco finish to blend in with the brick as well as any cedar on the existing structure. The three season room is constructed of ChemCor wall panel which has a chain-link polymer that is high impacted steel and doesn't scratch or fade.

Mr. Schmidt- How will you gain access to the sunroom from where you are proposing to construct it?

Mr. Paxton- There is a door leading directly out onto the patio with French door and an egress door out of the sunroom.

Mr. Schmidt confirmed that the open patio that exists now will remain and open patio with the sunroom next to it. Mr. Paxton agreed.

No citizens voicing concerns, questions or comments.

Public hearing closed.

Board deliberation.

Mr. Schmidt does not have any problems with the plan. The layout of the property and the surrounding land owners voice no opposition to the plan by a reduction of 11 feet. He feels that the 11 feet is not much and it will add value to the property.

Mrs. Mulligan feels it's not a large request and is in favor.

Mr. Roberts and Mr. McDaniel are in a favor.

MOTION- Mr. McDaniel moved to approve Case No A-1699, Buschurs Home Improvement requests a variance to reduce the required rear yard setback 35 feet to 24 feet located at 1532 Rockleigh Road for a three season sunroom as submitted. Motion was seconded by Mr. Roberts.

MOTION- Mr. Schmidt moved to amend the previous motion

MOTION- Mr. Schmidt moved to approve Case No A-1699, Buschurs Home Improvement requests a variance to reduce the required rear yard setback 35 feet to 24 feet located at 1532 Rockleigh Road for a three season sunroom as submitted subject to the site plan submitted in the application. Motion was seconded by Mrs. Mulligan.

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

Additional Business:

Mr. Lee advised that there will be an upcoming workshop meeting to include review of rules and regulations along with the Law Director.

Meeting adjourned.

Next Regular Meeting Date – April 13, 2015

Richard Schwartz, Chairman

