

LIBERTY TOWNSHIP BOARD OF ZONING APPEALS
January 8, 2019
6:00 PM
MEETING MINUTES

The Board of Zoning Appeals was called to order at 6400 Princeton Road, at approximately 6:00 P.M. by Mr. McKinney, Acting Chairman. The Pledge of Allegiance was recited.

Upon call of the roll, members in attendance were Mr. Richard McKinney, Mr. Robert Rogers, Mr. Brian Uhl and Mr. Robert Bertsch. Also in attendance was Bryan Behrmann, Director of Planning and Zoning and Karla Chaney, Zoning Specialist.

Mr. McKinney reviewed the hearing procedures and performed a group swearing in.

Mr. Rogers made a motion to **APPROVE** the Notice of Decision from the December 11, 2018 meeting. Mr. Uhl seconded the motion. Upon call of roll: Mr. Rogers – yes; Mr. Uhl – yes; Mr. Bertsch – abstain; Mr. McKinney – yes. The motion passed and the Notice of Decision was approved.

Ms. Fey was running late and joined the board.

Mr. McKinney called for the first case.

Ms. Chaney presented the staff report and PowerPoint Presentation for case **BZA19-001**, Kyle and Jessica Tillery, 8072 Celestial Circle, requested a variance under Section 4.12.5(5)(b) of the Liberty Township Zoning Resolution for an existing fence to encroach into the front yard of the property on a corner lot.

Mr. McKinney asked if there were any questions for staff. There were none.

Mr. McKinney asked to hear from the applicant.

Jessica Tillery (8072 Celestial Circle, Liberty Township, OH) stated that they did received approval from their HOA to install the fence. Mrs. Tillery stated that the first company they hired said they would get the permit for the fence installation however, the company ran off with their money and they had to hire a second company. Mrs. Tillery explained that they have very little flat area in their rear yard and that is why they extended the fence into the front yard.

Mr. McKinney asked if anyone would like to speak in favor of the variance. There were none.

Mr. McKinney asked if anyone would like to speak in opposition of the variance.

Sue Doyle (8122 Celestial Circle, Liberty Township, OH) stated that she was the neighbor to the North and confirmed that the Tillery's do have a slight incline to their rear yard. Ms. Doyle was upset that they removed the honeysuckle.

Juliette Kleinmann (8062 Celestial Circle, Liberty Township, OH) stated that she was the neighbor to the West and that the fence was in her front yard. Ms. Kleinmann was concerned with the resale value of her home in the future.

Mr. McKinney asked if there were any questions for the applicant.

Ms. Fey felt that the grading could be a hardship but that the incline was only slight therefore, she did not see an actual hardship.

Mr. Uhl stated that the first contractor told the applicant that they would get the permit therefore; he did not see a hardship.

Mr. Bertsch agreed with Ms. Fey and Mr. Uhl.

Mr. McKinney felt that the stolen money could be a hardship.

Mr. McKinney **CLOSED THE PUBLIC HEARING** for BZA19-001 and the Board began their deliberations.

Ms. Fey made a motion for BZA19-001 to **DENY** the variance request. Mr. Uhl seconded the motion. Upon call of roll: Ms. Fey – yes; Mr. Uhl – yes; Mr. Rogers – yes; Mr. Bertsch – yes, Mr. McKinney - yes. The motion passed and the request was denied.

Mr. McKinney made a motion to adjourn. Upon call of the roll, the motion passed unanimously and the **BOARD OF ZONING APPEALS MEETING ADJOURNED.**

Respectfully submitted,

Richard McKinney, Acting Chairman

Karla Chaney, Secretary