

LIBERTY TOWNSHIP BOARD OF ZONING APPEALS
February 9, 2021
6:00 p.m.
MEETING MINUTES

The Board of Zoning Appeals was called to order remotely via Zoom, at approximately 6:00 p.m. by Mr. Schweier. The Pledge of Allegiance was recited.

Upon call of the roll, members in attendance were Mr. Andrew Schweier, Mr. Richard McKinney, Ms. Brienne Fey, Mr. Tom Capuano and Mr. Tom Hasselbeck. Also, in attendance was Bryan Behrmann, Director of Planning and Zoning and Karla Chaney, Zoning Specialist.

Mr. Schweier reviewed the hearing procedures and swore in the Staff.

Mr. Schweier called for the first case.

Ms. Chaney presented the staff report and PowerPoint Presentation for case **BZA21-001**, the Liberty Township Trustees were requesting Variances under Section 9.4.2(2)(a) of the Liberty Township Zoning Resolution to exceed the number of signs and the maximum allowable sign display area for a non-residential use in a residential district.

Mr. Schweier asked if there were any questions for staff.

Mr. Schweier asked if ground signs were permitted at the new fire station. Ms. Chaney replied yes and that the fire station will not have a ground sign.

Mr. Hasselbeck asked if directional signs were planned for the new fire station. Ms. Chaney was not aware of any directional signs planned.

Mr. Schweier asked to hear from the applicant and swore in Chief Ethan Klussman.

Chief Klussman (6682Princeton Glendale Road, Liberty Twp. OH) explained the signs were designed to keep the fire stations consistent and to provide easy identification of emergency services for the public. Chief replied to Mr. Hasselbeck's question and stated Station 112 will not have a do not enter sign. He explained the 112 sign on the parapet wall was needed to help dispatch aid citizens when help is needed.

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

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

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

Mr. Schweier **CLOSED THE PUBLIC HEARING** for BZA21-001 and the Board began their deliberations.

Mr. Schweier stated he felt it was very simple the signs were for public safety.

Mr. McKinney agreed and liked the uniformity.

Ms. Fey agreed with everything that was said previous.

Mr. Capuano was in favor as presented.

Mr. Hasselbeck stated he felt the signs were for the good of the community.

Mr. Schweier made a motion for BZA21-001 to **APPROVE** the variance request with staff recommendations. Mr. McKinney seconded the motion. Upon call of roll: Mr. Schweier – yes; Mr. McKinney – yes; Ms. Fey – yes, Mr. Capuano – yes; Mr. Hasselbeck - yes. The motion passed and the request was approved.

Mr. Schweier called for the next case.

Ms. Chaney presented the staff report and PowerPoint Presentation for case **BZA21-002**, Kevin Heitz was requesting Variances under Section 4.12.5(3)(a) and Table 4.12-B of the Liberty Township Zoning Resolution for an accessory structure that exceeds the maximum 2000 sq. ft. on a proposed 5.60+/- acre lot; a Variance under Section 4.12.4(4) for an accessory structure to exceed the height of the principle structure on the parcel on lots greater than five (5) acres in size and a Variance from Section 7.6.3(4)(a) for approval to construct the driveway extension out of permeable concrete pavers.

Mr. Schweier asked if there were any questions for staff.

Mr. Schweier asked Ms. Chaney how large was the lean-to. Ms. Chaney replied 12'x63' or 756 sq. ft.

Mr. McKinney asked Ms. Chaney is there was any additional storage buildings on the property. Ms. Chaney replied there is currently no other accessory structures.

Mr. Capuano asked about the neighbors to the south property line. Ms. Chaney replied the houses to the south are in the Greystone subdivision and everyone within 200 feet did receive a letter notifying them of the request.

Mr. Hasselbeck asked if Mr. Heitz would be permitted to build two 2000 sq. ft. buildings. Ms. Chaney replied the applicant is permitted a total of 2000 sq. ft. of accessory structures.

Mr. Schweier asked to hear from the applicant and swore in Kevin Heitz.

Kevin Heitz (4291 Princeton Road, Liberty Twp. OH) explained the history of the property. He stated his family has owned the 14 acres for many years and has passed down to his generation. He explained he maintains his property along with his uncle's property and the many historical buildings. Mr. Heitz shared his presentation. He explained the reason for the size of the building, the natural color scheme and referred to other large barns in the area.

Mr. Schweier asked Ms. Chaney about the large barns that Mr. Heitz referred to in his presentation. Ms. Chaney explained Mr. Heitz did not bring the buildings to her attention.

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

Mr. Schweier asked Mr. Heitz how many acres his family owns. Mr. Heitz explained between his property and his uncle's property there is approximately 14 acres.

Mr. Schweier asked Mr. Heitz why he could not build a building within the regulations. Mr. Heitz replied he did try to design the building with an attached breezeway but do to the topography of the property and the drainage issues.

Mr. Schweier asked Mr. Heitz why he could not build a detached building within the zoning regulations. Mr. Heitz claimed he has a lot of vehicles and would still need enclosed storage.

Mr. McKinney asked Mr. Heitz about the height of the barn. Mr. Heitz stated he needed the additional height of the building to put the camper inside the building.

Ms. Fey asked staff about why pavers were not permitted in the Zoning Resolution. Mr. Behrmann stated he believes it is a maintenance issued.

Mr. Capuano stated all questions have been answered.

Mr. Hasselbeck stated he had concerns with the paver layout. Mr. Heitz stated the camper is 38' long but that he has been maneuvering the camper down into the area for a long time. He explained the permeable pavers and the color scheme would help the building to blend into the area.

Mr. Schweier asked if anyone would like to speak in favor of the variance.

Mr. Frank Peters (6662 Liberty Fairfield Road, Liberty Twp. 45011) was sworn in by Mr. Schweier. Mr. Peters spoke in favor of approving the request and explained the need for large barns.

Mr. Robert Hoffman (4333 Princeton Road, Liberty Twp. 45011) was sworn in by Mr. Schweier. Mr. Hoffman explained he lives on the east side of Mr. Heitz, has a pole barn that was granted by the Board of Zoning Appeals and is in favor of granting the request.

Mr. Kevin Scholle (4296 Princeton Road, Liberty Twp. 45011) was sworn in by Mr. Schweier. Mr. Scholle explained he lives directly across the street from Mr. Heitz, he believed the barn would be a great improvement to the property and he was in favor of granting the variances.

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

Ms. Debbie Ferriell (4276 Princeton Road, Liberty Twp. 45011) was sworn in by Mr. Schweier. Ms. Ferriell stated she objected to granting the variances and feels zoning regulations were created to protect the surrounding property owners. She believes deviating from current zoning regulations is an important decision and that could unfavorably affect surrounding properties in the future.

Mr. Schweier **CLOSED THE PUBLIC HEARING** for BZA21-002 and the Board began their deliberations.

Mr. Schweier did not see the number of items one needs to store creates a hardship. He did not see a hardship for the size, pavers or height of the building.

Mr. McKinney felt the 63% increase from the typical standards was huge request for a 5 acre parcel. He did not see a hardship for the size, height or the pavers.

Ms. Fey did not see the hardship for the size of the building, felt the height went along with the building and did like the idea of pavers but did not see a hardship.

Mr. Capuano agreed with Ms. Fey and did not see the hardship.

Mr. Hasselbeck felt a 2000 sq. ft. building is a reasonable size for 5 acres and would allow Mr. Heitz to put some of his items in the building.

Mr. Schweier made a motion for BZA21-002 to **DENY** the Variance request. Mr. McKinney seconded the motion. Upon call of roll: Mr. Schweier – yes; Mr. McKinney – yes; Ms. Fey – yes, Mr. Capuano – yes; Mr. Hasselbeck - yes. The motion passed and the request was denied.

Mr. Schweier stated that the Board needed to vote for Chairman and Vice Chairman of the Board of Zoning Appeals for 2021. Ms. Fey made a motion to elect Mr. Schweier as the Chairman of the Board of Zoning Appeals for 2021. Mr. McKinney seconded the motion. Upon call of the roll: Ms. Fey – yes; Mr. McKinney – yes; Mr. Capuano – yes; Mr. Hasselbeck – yes; Mr. Schweier – yes. The motion passed.

Ms. Fey made a motion to elect Mr. McKinney as the Vice Chairman to the Board of Zoning Appeals for 2021. Mr. McKinney seconded the motion. Upon call of the roll: Ms. Fey – yes; Mr. McKinney – yes; Mr. Capuano – yes; Mr. Hasselbeck – yes; Mr. Schweier – yes. The motion passed.

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

Respectfully submitted,

Andrew Schweier, Chairman

Karla Chaney, Secretary