

## **Greenfield Township Board of Zoning Appeals Hearing**

**July 29, 2020 7:00 p.m.**

Chairman Dave Brown of the Greenfield Township Board of Zoning Appeals called the meeting to order. The following board members were present: Tim Anderson, David Bichard, Dave Brown, Larry Joos, and John Reef

Also present was Kevin Yeamans, Zoning Inspect; Gary Yutzy, Applicant attended by google meets and John Honabarger, neighbor also attended by google meets.

The proposed variance on which the applicants Gary and Angela Yutzy of 5150 Brook Road, Lancaster Ohio has requested to expand 5' on south side of property and 10' on north side of property. Increase the size of the accessory building by more than 2% of the parcel size. The property is .97 acres. Place the accessory building in front of the main dwelling.

The applicants' house was a total loss due to a fire in early 2020. While the reason for the fire has been determinable, Gary stated they know it started in the secondary garage/shop in which it was connected to their house. They are trying to separate the garage/shop area from their living space. This would allow 42' between both structures and keep the garage/shop space out of the lower creek ground.

Gary stated their existing home had a shop attached to the side of the house. They are wanting to trying to separate both structures for the rebuild. Wanting to encroach 5 feet on the south side of the property and 10 feet on the north side of the property due to a creek. Due to where the well is located the house cannot be moved hardly any; therefore he is hoping to put the shop in front of the house.

Gary stated that the new residence that includes the garage/shop would be 3260 sq. ft. The main residence would increase by about approximately 1000 sq. ft. This house will not have a basement but the prior house had one.

According to zoning code, the accessory building is permitted to be 845 feet. The garage/shop which was attached to the residence prior to the fire was 960 sq. ft. (24X40) and proposed accessory building will 2048 sq. ft. (32X64).

Larry Joos asked Gary if he had ran the proposal through the Health Department or was he putting in a second leach bed. Gary advised that the Health Department has been there twice. Gary stated he was advised of the alteration process for a permit for the septic and well in which Gary said they did. Gary advised the Health Department representative recommended an EPDS system so he is in the process with the EPA for a permit and the Health Department approved the well but a water test will need to be done.

Dave Brown asked if he ever considered putting the shop behind the house and Gary stated it is real low back there and they thought about it but they always enjoyed the nice view back there. They always like what they had.

Dave Brown asked where Gary was at on the side set-backs. Gary advised 15 feet from the south side line and 10 feet from the line on the north side. Kevin advised that the primary dwelling needs to be a minimum of 20 feet. Gary advised that the primary dwelling (house) would be 15 feet of the south boundary and the shop is 10 feet off the north boundary. Kevin advised that accessory requirement is now 15 feet of the line.

Tim Anderson asked Gary if he has spoken to his neighbors. Gary advised he provided each of the neighbors with his proposed drawing and they were all ok with it.

Kevin stated he received a voice message from Virginia and Ronald Dueley that they were not able to attend but were ok with it.

John and Marilyn Honabarger (via google meets) live across the street and stated that Gary did share his plans and advised they have looked at it and have no problem. They would like to support Gary's request.

Larry Joos asked if it was a septic system or aerator system. Gary advised it is called an EPDS. The EPA monitors the system instead of the County. Larry advised that in that area where Gary's property is there have been a lot of problems with aerators.

Dave Brown questioned Gary, so you are not putting in a leach bed. Gary stated you are correct. The County advised they do not have the ability to have a leach bed system.

John Reef asked is the garage is intended to be built in front of the house. Advised yes. John advised that putting a building in front of the house is against the zoning code.

Dave Brown asked Gary if there was anything else that the board needed to know. Gary advised nothing he could think of.

Chairman Dave Brown called for a vote from each of the board members on the variance on what was presented by Gary during the hearing. All in those in favor signified by saying I (there were no I's) and all those oppose to the variance signify by saying I (all stated I's). Dave Brown advised that the variance has failed.

It was stated that the variance failed based on the increased size of the house & garage/shop, having a garage/shop in front of the house, and the setbacks.

There was discussion with Gary and the board members on what the next step would be and what should be done.

John Reef stated that there must be roll call on the vote.

Dave Brown asked if there was anyone in favor of granting the variance.

Roll Call – Tim Anderson – no; David Bichard – no; Dave Brown – no; Larry Joos – no; John Reef - no

It was determined that there would be a meeting on Wednesday, August 5 at 7:00 p.m. at the Greenfield Township Building to approve the zoning minutes.

Motion to adjourn made by Tim Anderson; seconded by Larry Joos.

Roll Call – Tim Anderson – yes; David Bichard – yes; Dave Brown – yes; Larry Joos – yes; John Reef – yes      Motion Passed 5-0

Meeting adjourned at 7:43