

Board of Zoning Appeals Hearing Minutes

Greenfield Township, Fairfield County, Ohio

Jude Variance Hearing

03/16/2025

Hearing called to order by Elizabeth McNeese at 6:03 PM

Pledge of Allegiance

Roll Call: Lee winters: Here. Dave Bichard: Here. Elizabeth McNeese: Here. Amy Brown: Here. Leann Racki: Here.

Elizabeth McNeese states this is a public hearing. It is being recorded and the minutes will be published on our website, and the recording is available via public records request to the township.

Leann Racki states this is a public hearing to receive comment on the following application:

Applicant: James Jude

Application #: 26-005

Tax Parcel #: 0130001060

Address: 1811 Pleasantville Road NW, Baltimore, OH 43105

Current Zoning Classification: Rural Residential District (R-1)

Development Standard: 1.) Minimum Side Yard Width Twenty (20) feet for principal structures and **fifteen (15) feet for accessory structures**. 2.) Minimum Rear Yard Depth Fifty (50) feet for principal structures and **fifteen (15) feet for accessory structures**.

Variance: Applicant is requesting 1) five (5) feet and 2.) five (5) feet.

Zoning Inspector Jeff Williamsen is sworn in and states the variance is pretty simple. The applicant has an issue due to the location of the house, leach field on the property. He wants to put in a pole barn and a pool. The leach field is interfering with his options for placement of the accessory structure that he wants to put in and eventually a pool. So he's asking for a variance to be five feet away. He clarifies five feet from the overhang, not the actual building itself. A picture of the property is viewed by the Board.

Jeff notes there is a requirement from the Health Department that a structure needs to be at least 10 feet from the leach field.

James Jude is sworn in and notes in his discussions with the Health Department of Fairfield County, the concrete needs to be 10 feet away from the leach field.

Elizabeth McNeese asks for clarification of the surrounding properties and an aerial view is shown of the property. James reports to the side of the property is a farm field and a residence at the back of the property.

Jeff reports he did receive a phone call asking about the purpose of the hearing, and offered no objections. Though he does not recall the person's name at this time, it was likely a neighbor who received a letter notifying them of the hearing.

Lee Winters asks for clarification of the distance from the pool to the leach field. James states he measured it out from the fence and with the pool, barn, 3-foot apron around the pool, there is 63 feet, technically leaving 12 feet from the leach field. He shows the Board the location and measurements he used on the photo of the property.

Lee asks if he were able to move the pole barn and pool if it would allow adequate clearance for the leach field and allow more clearance at the back side of the property. James notes that he used the minimum distance, but based on the layout of the property and leach field, the further back the structures are placed, the more distance it will allow. He notes a 13-foot pool with a 3-foot apron. Lee questions if he moved the structures closer to the house to allow the 15-foot requirement, it would still require a variance for the side of the property and James indicates this is correct.

James states the reason he wants to put the structures in the location indicated is due to a dip in his property between the house and the proposed location, which would require thousands of dollars in stone and excavation to level the property, The further back the structures go, the less expensive the project is for him to complete. James indicates his neighbor behind him has expressed no issues with the plans. So far as the Health Department requirements, he could move the structure closer to the house without issue, but the cost to him increases.

Elizabeth McNeese asks if the pole barn is standard size, or if it could be made smaller. James indicates he plans to store his RV in it and he could make it narrower and longer, and right now it is 30 by 50. Elizabeth notes that the 5 feet is rather close to the property line.

Lee notes the fence on the property that exists now is on the property line and James indicates this is true. The Board viewed the fence on the aerial view to verify.

Dave Bichard notes the reason for the requirement is for fire safety at 10 feet roof to roof to avoid fire spreading to another structure and allow for clearance for fire management in the event of an issue. If there were to be any other structures on the neighbor's property, they would just need to be 5 feet off the property line to allow the recommended 10 feet. Jeff was asked for input, but states he is not certain of the intent of the zoning law, but it does make sense.

Elizabeth clarifies the farm next door on the side of the property, not a driveway. Jeff notes the property is very windy. Dave Bichard makes the assumption that someday the farm land could be sold and split into lots for additional residences. So, if someone else does move in, they would just need to adjust their building plans to allow adequate distance or orientation of their septic, primary and accessory structures, with adequate clearance.

Elizabeth clarifies the wooded border on the rear neighbor's property. James states the neighbor planted a few pine trees, and it is seen on the aerial view by the Board.

Lee Winters clarifies the distances again, and notes a 4-foot apron is quoted in the pool proposal provided to the Board. James states that is an initial proposal and after talking to the Health Board, he needs to modify it and shrink it down to allow adequate clearance. Dave Bichard notes James has

already made adjustments to the numbers and plans after checking all necessary requirements and James indicates he has considered multiple options.

Elizabeth clarifies that he could still use the structure as intended if he changes the size of the structure, and James indicates he can.

No other questions at this time from the Board.

Dave Bichard motions to approve the variance. Leann Rack seconds.

Vote: Lee Winters: No, not as written. Dave Bichard: yes. Elizabeth McNeese: yes. Amy Brown: yes. Leann Racki: yes.

Elizabeth notes that the variance is approved.

Leann Racki motions to adjourn. Dave Bichard seconds.

Vote: Lee Winters: yes. Dave Bichard: yes. Elizabeth McNeese: yes. Amy Brown: yes. Leann Racki: yes.

Meeting is adjourned at 6:21 PM