

# BOARD OF ZONING APPEALS

## Meeting Minutes

Wednesday, September 17, 2008

### Call to Order

The September 17, 2008 meeting of the Oxford Board of Zoning Appeals was called to order at 7:33 p.m. by Todd Hollenbaugh, Chair.

Those members present: Todd Hollenbaugh, Gary Meyer, William Houk, George Prentice, and John Barnhart.

Those members excused: None.

Staff members present: Kathy Dale, Lynn Taylor, and Rob Jacques.

Staff members excused: None.

### Executive Session

Chairman Hollenbaugh invited a motion for approval of the agenda with the deletion of the Executive Session.

Mr. Meyer moved approval of the agenda excluding the Executive Session. Mr. Houk seconded the motion. The motion passed 5-0

### Public Hearing\*

BZA-10-2008 5372 Hester Road, Variances to Section 1141.01(a)(1)C, 1143.02(c)(4)A.1 to allow for a garage, Jeffrey Toaddy, Applicant

Mr. Meyer moved to enter into public hearing BZA-10-2008. Mr. Houk seconded the motion. The motion passed 5-0.

Ms. Dale provided an overview of this case. Ms. Dale stated the Applicant was proposing to construct a 24'x30' detached garage and expand the driveway leading to the garage.

Mr. Hollenbaugh swore in Mr. Toaddy, the Applicant and Owner. Mr. Toaddy distributed an aerial photo of his property which showed an undeveloped lot behind his property.

Legal Counsel arrived at 7:38 p.m.

Mr. Toaddy provided a review of his application. Mr. Toaddy stated when purchased, the home's garage had already been converted to a first floor bedroom. Mr. Toaddy added that at the time of purchase, he was not aware of regulations regarding lot coverage. Mr. Toaddy stated he planned to locate the garage to the back and left side of the lot. Also, noted was an existing shed on the right side of the property near the tree line.

Mr. Barnhart moved to reconvene to regular meeting BZA-10-2008. Mr. Meyer seconded the motion. All were in favor.

Mr. Meyer inquired why such a large garage as it measured 24x30. Mr. Meyer inquired if the Applicant could reduce it 3 feet which would eliminate one of the variances. Mr. Meyer also stated he had a problem with all the concrete of the

new driveway, which measured 797 square feet.

Mr. Barnhart stated he was concerned with the lot coverage. Mr. Barnhart inquired about the setbacks. Ms. Dale stated they were fine.

The BZA discussed the garage size; potentially reducing to 20x30 which would eliminate one variance and cut down on lot coverage.

Mr. Hollenbaugh asked the Applicant what would be the minimum dimension that would work for his garage. Mr. Toaddy stated he believed a 22x30 garage would work.

The BZA then discussed a 22x28 garage. Mr. Toaddy felt this size would work, thus eliminating 1141.01(a)(1)C variance request.

Mr. Toaddy officially withdrew his request for a variance to Section 1141.01(a)(1)C and reduced the size of the garage to 22x28.

Ms. Dale recalculated the lot coverage; with the revised garage dimensions, the lot coverage dropped to 45%.

It was noted that the gravel already existed where the proposed driveway would be placed.

The Decision Standards were discussed. All were met.

Mr. Houk moved to Approve BZA-10-2008 variance to Section 1143.02(c)(4)A.1 based on all Decision Standards having been met. Mr. Barnhart seconded the motion. The motion passed with the following roll call:

AYE: Mr. Meyer, Mr. Houk, Mr. Prentice, Mr. Barnhart, Mr. Hollenbaugh (5)

NAY: None (0)

ABS: None (0)

Approval of Minutes of the August 20, 2008 regular meeting\*

Mr. Meyer moved to approve the minutes of the August 20, 2008 regular meeting. Mr. Barnhart seconded the motion. The motion was approved 5-0.

Old Business

There was none.

New Business

Ms. Dale reviewed with BZA upcoming cases for October.

Mr. Hollenbaugh inquired about Kroger and when they would come before BZA. Ms. Dale stated would not hear before the Conditional Use was finalized.

Mr. Hollenbaugh inquired about timeline for implementing new Rules of Procedure. Discussion followed. It was determined should go into effect January 2009.

Mr. Hollenbaugh asked Ms. Taylor to send out a reminder to BZA regarding Planning Commission meeting on September 30 where discussion of Zoning Text Amendment Chapter 1139 Variances will take place.

## Adjournment

Mr. Barnhart moved to adjourn the meeting. Mr. Meyer seconded the motion. The motion passed 5-0. The meeting was adjourned at 8:12 p.m.