

Hayes Township
Zoning Board of Appeals Meeting
September 30, 2015

7:00 PM. Meeting called to order by: Robert Buckley, Acting Chairperson
Board Members Roll Call: Wesley Kenny, Jim Neff, John Scherrer, Gayle Downs, Robert Buckley
Absent: Tom Vaughn, Chairperson

7:05 Public Comments:

Mr. Nostrant presented their case of why their variance should be approved for them to build a 20 x 32 garage at the back of their property. Diagrams of the property, septic, well and property lines were presented. The Board Members discussed the variance in depth with the property owners. The property owners said they purchased a small home that was on property already, added on to the back of that home for more living space and need storage behind that addition for a vehicle and many other items as there is presently no garage on the property.

7:22 Close of Public Comments by Robert Buckley

All board members discussed the options, reviewed the diagrams again. Gayle Downs suggested downsizing the garage to accommodate the size of the property. This would bring it into more of perspective per square ft. Jim Neff read a letter from the attorney of the neighboring resident who is objecting to the new build. After much discussion and more questions put to Mr. Nostrant by the board members, Mr. Nostrant withdrew their original request of a 20 x 32 garage and will instead build a 14 x 32 garage as suggested by Board Member, Gayle Downs if a variance is approved.

The Board Members discussed each of the five questions from Review Standard form that are needed to approve the variance. Each question must be answered with a yes (satisfied) and the reason that will back up that answer. (see attachment of the 5 questions)

Standard 1. (satisfied) Reason: The Build is within square footage allotted does not create an excessive burden.

Standard 2. (satisfied) Reason: Is unique because the original building sets back further than neighboring buildings. Rezoning is not reasonable, amending the ordinance or the zoning is not reasonable solution.

Standard 3. (satisfied) Reason: If variance is granted, it is not detrimental to adjacent properties because it matches the neighborhood (as there are presently inconsistent setbacks throughout the neighborhood.)

Standard 4. (satisfied) Reason: Applicant is working with the original building on the lot, no difficulty was created by the applicant.

Standard 5: (satisfied) Reason: A minimal variance is necessary for reasonable use of the property.

Motion by Jim Neff to approve a front yard setback from 30 ft. to 20 ft. with the decisions based on the questions of the non-use variance form and the withdrawal by Mr. Nostrant of their original request of 20 x 32 ft garage and will instead build a 14 x 32 garage. Supported by Gayle Downs.

Roll Call: Ayes: Wesley Kenny, Jim Neff, John Scherrer, Robert Buckley, Gayle Downs. Motion Carried.

Absent: Terry Vaughn, Chairperson

Nays: None

Motion to Adjourn @ 9:08 by Robert Buckley and to reconvene, to approve the minutes of the meeting, On Monday, October 5th @ 2p.m. at which time this will start the 21 day appeal. Mr. Nostrant will not be able to build until the 21 days has passed and the complainant has not filed an appeal.

We stand adjourned.

Minutes taken by:

Nancy Austin/Hayes Township ZBA Recording Secretary