



## PLAIN TOWNSHIP BOARD OF ZONING APPEALS

### MEETING MINUTES

April 13, 2021

Chair, Richard Martin called the Plain Township Board of Zoning Appeals Meeting to order at 7:00 p.m. The meeting was held via video/teleconference.

#### **ROLL CALL**

Attending the Plain Township Board of Zoning Appeals meeting were Richard Martin, Brad Martin, and Sara Rastegar. Zoning Officer Ben Collins and Assistant Zoning Officer Mary Fee were also present.

#### **ADDITIONS OR CORRECTIONS TO AGENDA**

None

#### **APPROVAL OF MEETING MINUTES**

##### **February 9, 2021 Meeting Minutes**

Mr. Richard Martin made a motion to approve the meeting minutes of February 9, 2021 as submitted.

Mr. Brad Martin seconded the motion. All in favor. Motion Carried.

##### **March 9, 2021 Meeting Minutes**

Mr. Richard Martin made a motion to approve the meeting minutes of March 9, 2021 as submitted.

Mr. Brad Martin seconded the motion. All in favor. Motion Carried.

#### **RECOGNITION OF VISITORS/ CITIZEN'S COMMENTS**

Dan Wilson – applicant for 8244 Walnut Street

Gary Dunn – representative for 7600 Lee Road

Connie Klema – representative for 6926 Walnut Street

#### **ZONING OFFICER'S REPORT**

Mr. Collins gave a brief updated about the status of the township and various zoning complaints. The aquatic center is going to open this year and memberships are currently on sale.

## NEW BUSINESS

**Variance Application 04-13-2021-01 – 5107 Smothers Road – requesting a variance under Section 206.04.2 to allow the applicant to reduce the required 200’ of ROW to 198.53’ to allow for a lot split.**

Mr. Brad Martin made a Motion to accept **Variance Application 04-13-2021-01 – 5107 Smothers Road** – requesting a variance under Section 206.04.2 to allow the applicant to reduce the required 200’ of ROW to 198.53’ to allow for a lot split and schedule this case for public hearing on May 11, 2021 at 7:00 pm. Mr. Richard Martin seconded the motion. All in favor. Motion Carried.

**Variance Application 04-13-2021-02 – 7600 Lee Road – requesting a variance under Section 206.04.2 to allow the applicant to place an accessory structure in the front of the principal structure.**

Mr. Gary Dunn from Maple Craft Homes spoke as a representative for the homeowner at 7600 Lee Road. Due to the location of the above ground septic spray system, it is necessary to build the accessory structure to the front of the home.

Mr. Richard Martin made a Motion to accept **Variance Application 04-13-2021-02 – 7600 Lee Road** – requesting a variance under Section 206.04.2 to allow the applicant to place an accessory structure in the front of the principal structure and schedule this case for public hearing on May 11, 2021 at 7:00 pm. Mr. Brad Martin seconded the motion. All in favor. Motion Carried.

## OLD BUSINESS

None

## HEARINGS

Mr. Richard Martin swore in the applicant for 8244 Walnut Street, Dan Wilson.

**Variance Application 03-09-2021-01 – 8244 Walnut Street – requesting variances under Section 427.01.3 to allow the applicant to install an automatic locking pool cover instead of a locking gate and fence; and Section 406.02 to increase the size of an accessory structure in excess of the permitted square footage.**

This matter came before the Board of Zoning Appeals seeking Variances under Section 427.01.3 and 406.02 of the Plain Township Zoning Resolution to allow the applicant, Daniel Wilson, to install a power safety pool cover instead of a locking gate and fence and to increase the size of an accessory structure in excess of the permitted square footage at 8244 Walnut Street.

Upon the conclusion of the hearing and following the presentation of the facts and testimony, Brad Martin made a Motion to Approve the application for 8244 Walnut Street requesting Variances under Section 427.01.3 and 406.02 of the Plain Township Zoning Resolution to allow the applicant, Daniel Wilson, to install a power safety pool cover instead of a locking gate and fence and to allow a second accessory structure in excess of 144 square feet at 8244 Walnut Street with the following condition:

*That the safety cover specifically complies with ASTM F 1346-91 and meets the definition of an automatic power safety cover.*

Richard Martin seconded the motion; a roll call vote was taken:

Richard Martin	Yes
Brad Martin	Yes
Sara Rastegar	Yes

The motion to approve the application as stated above has Passed

Mr. Richard Martin swore in Connie Klema, representative for 6926 Walnut Street.

**Variance Application 03-09-2021-02 – 6926 Walnut Street – requesting a variance under Section 206.04.1 to allow the applicant to reduce the required lot size to 2.0 acres instead of the required 2.5 acres.**

This matter came before the Board of Zoning Appeals seeking a Variance under Section 206.04.1 of the Plain Township Zoning Resolution to allow the applicant, Coughlin Investments, Ltd., to reduce one of twelve lots in Estates at Albany Acres from the required 2.5 acres to 2.0 acres at 6926 Walnut Street.

Upon the conclusion of the hearing and following the presentation of the facts and testimony, Richard Martin made a motion to approve the variance request for 6926 Walnut Street, case number **3-09-2021-02**, to allow Lot #6 to be 2.0 acres instead of the required 2.5 acre minimum on the condition that all site plan elements be included in the subdivision plat including the riparian preservation easements as indicated and preserving all existing trees therein, the preservation of wetlands as indicated, the perimeter preservation buffer to preserve existing trees as indicated, a bike path easement to allow a trail connection to Rocky Fork Metro Park as indicated, and screening trees at the entrance of Moonstone Way and along Walnut Street as indicated.

Sara Rastegar seconded the motion; a roll call vote was taken:

Richard Martin	Yes
Brad Martin	Yes
Sara Rastegar	Yes

The motion to approve the application as stated above has Passed.

### **BOARD MEMBER COMMENTS**

None

### **PUBLIC COMMENTS**

None

**ADJOURNMENT**

Mr. Richard Martin moved to adjourn the meeting. Mr. Brad Martin Seconded the motion. All in favor.

The regularly scheduled public meeting of the Plain Township Board of Zoning Appeals was adjourned.

**\*\*AS APPROVED\*\***



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Ben Collins  
Zoning Board of Appeals Secretary