



## PLAIN TOWNSHIP BOARD OF ZONING APPEALS

### MEETING MINUTES

December 8, 2020

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, Shane Clapham, Chris Barrett, and Brad Martin. Zoning Officer Ben Collins and Assistant Zoning Officer Mary Fee were also present.

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

None

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

##### **May 12, 2020 Meeting Minutes**

Mr. Clapham made a motion to approve the meeting minutes of May 12, 2020 as submitted. Mr. Barrett seconded the motion. All in favor. Motion Carried.

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

Greg Kovacs, applicant, 12862 Bevelhymer Road  
Adam Conley, applicant, 8212 Bevelhymer Road

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

Mr. Collins noted that the township offices have been closed to the public due to the surge in Covid-19 cases. Staff has been coordinating schedules to limit the headcount in the office. We are all healthy at this time. It has been quiet on the zoning front. Staff is working on a couple of zoning violations here and there. Activity in the township includes an annexation of 64 acres at Jug Street and Central College into the City Limits. That will be potentially residential. Major projects in the township out by Google and Facebook. There has been a decline in emergency runs over the past 9 months.

Chief John Hoovler retired in May after 25 years with the township. The township was unable to have a large community gathering to celebrate. We were able to do a drive-through goodbye.

Long-time Assistant Chief Jack Rupp was promoted to Chief at a small ceremony that included only a few people. The Plain Township Aquatic Center did not open this summer.

## **NEW BUSINESS**

**Variance Application 12-02-2020-01 – 12862 Bevelhymer Road** - requesting a variance to decrease the required side yard setback.

Mr. Richard Martin introduced application Variance Application 12-02-2020-01. There was a short discussion regarding the application. Mr. Greg Kovacs, the applicant thanked the board for reviewing his application for the setback. He owns both lots and the structure would be on the vacant lot adjacent to his home. The land has a slope and the natural placement of the structure about 5' inside of the allowed 15' setback. Mr. Collins asked the applicant if he had any intention of merging the 2 properties. Mr. Kovacs indicated that he was planning on merging the properties, however, at the present time the liens on the property are held by 2 different banks. Mr. Kovacs said he just wanted make sure he followed the letter of the law. Mr. Collins stated that under the language in our zoning resolution text a variance is required and thanked Mr. Kovacs for being forthcoming. The specific section of the zoning text Mr. Kovacs is seeking a variance from is Section 406.02.

BZA member, Mr. Chris Barrett, is a neighbor of Mr. Kovacs and commented that the placement of the garage will be further away from the neighbor on the other side. Has communicated with Mr. Kovacs and does not have any questions or other comments.

Mr. Clapham made a Motion to accept Variance Application 12-02-2020-01 – **12862 Bevelhymer Road** - requesting a variance to decrease the required yard setback and schedule this case for public hearing on January 12, 2021 at 7:00 pm. Mr. Brad Martin seconded the motion. All in favor. Motion Carried.

**Variance Application 12-02-2020-02 – 8212 Bevelhymer Road** - requesting a variance to increase the size of accessory structure in excess of the permitted square footage and decrease the required side yard setback.

Mr. Richard Martin introduced application Variance Application 12-02-2020-02. Mr. Collins stated that this application is also on Bevelhymer Road around the corner closer to the park and also involves Section 406.02. The application is in order. The accessory structure is intended for personal use for storage of a RV, boat, ATV, outside pool furniture, and other equipment. The variance includes a request to increase the size of the accessory structure in excess of the permitted 3120 square feet. This is a very long parcel over 1100' deep and 200' wide. The structure requested is about 100' long. That is a pretty large structure. The required setback is 25' due to the fact that that the lot is 5 acres. Mr. Conley is also asking for a side yard setback of 15'. The next door neighbor has a large accessory structure that is 25' from the property line so, if approved, Mr. Conley's accessory structure would be a deviation from the adjoining property. Mr. Conley indicated that he has talked to his neighbor on multiple occasions about building an accessory structure. Mr. Conley's building would run parallel to his neighbor's structure. Mr. Conley also indicated that he would use the porch overhang as a porch for the pool. Mr. Barrett and Mr. Richard Martin indicated that the neighbor's opinion would be taken into consideration.

Mr. Barrett made a Motion to accept Variance Application 12-02-2020-01 – **12862 Bevelhymer Road** - requesting a variance to decrease the required yard setback and schedule this case for public hearing on January 12, 2021 at 7:00 pm. Mr. Clapham seconded the motion. All in favor. Motion Carried.

**OLD BUSINESS**

None

**HEARING**

None

**BOARD MEMBER COMMENTS**

None

**PUBLIC COMMENTS**

None

**ADJOURNMENT**

Mr. Barrett 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