

Monclova Township Board of Zoning Appeals

Summary for March 11, 2024

The meeting commenced with the Pledge of Allegiance to the Flag at 5:30 PM led by Chair Doug Stanton.

Roll Call:

Present: Board Member Stanton, Board Member Limes, Board Member Ballmer, Board Member Ross, Board Member Stewart

Staff Members Present: Zoning Administrator Eric Wagner and Recording Secretary/Support Staff Kathleen Stewart Kuns

Record of Proceedings:

MOTION: Stanton moved to approve the September 11, 2023 minutes as submitted by Recording Secretary.

SECOND: Ross

Yes: Board Member Stanton, Board Member Limes Board Member Ballmer, Board Member Ross, Board Member Stewart

Public Hearing:

Public hearing for a variance to Section 4.15 of the Zoning Resolution. Property owner is requesting 15' variance from required 100' setback from Whitehouse Spencer Road at 10940 Reed Road; Applicant: Boudreaux

Zoning Administrator Wagner gave a brief review of the case. Shed originally installed without a zoning certificate. Applied, but denied due to location, thus the variance request.

Chuck Boudreaux was sworn in and gave testimony. Communicated with Lucas County for building permit. Did not realize he needed a permit from the township. Shed is 85' off road and placed in wooded area. Willing to place more pine trees up in order to give additional buffer.

Ballmer asked about weight of pre-built shed and other specs. Boudreaux's response included information that the shed is used to house mower, other items; estimating 8 feet at peak.

Ross inquired about relocation. Boudreaux commented that because the building has already been erected, he would have to cut trees to drag the structure over.

Limes asked Wagner about placement and any concerns. Wagner stated that it is not very noticeable from the roadway.

Stanton called for additional testimony opposing or in favor of the request.

Jeff Yoder, Reed Road, who lives south of Boudreaux, was sworn in. Yoder stated that shed is not noticeable. With the amount of cover, it extremely difficult to see. He has no objections to the shed placement.

Ballmer stated the following Finding of Facts:

Whitehouse-Spencer Road, per Section 4.1, call for 100 foot setback along the east side;

Applicant requesting a variance of 15 feet so that a shed may be 85 feet from the centerline of Whitehouse-Spencer Road;

Applicant constructed the shed was constructed without a permit or contacting the Monclova Township Zoning Department;

Applicant has since applied for a zoning certificate and has had the zoning certificate denied;

Under Section 16.2.C variances, there are two of the five criteria that we look at:

16.2.C(4) - the requested variance, if authorized, will not alter essential character of the neighborhood or district; and

16.2.C(5) - that the requested variance, if authorized, will represent the minimum variance this will afford relief.

Ballmer moved to approve a 15 feet variance to the 100 feet setback along the east side of Whitehouse-Spencer Road subject to the property owner, at his own expense, moving the shed in if it might conflict with future improvements to Whitehouse-Spencer Road as directed by the Lucas County Engineer and/or Monclova Township

Seconded by Ross.

Yes: Stanton, Limes, Ballmer, Ross, Stewart

Public Hearing:

Variance to Section 9.9B1 of the Zoning Resolution. Property owner is requesting installation of 75' of fencing in front yard that is 8' tall versus an allowed 4' fence; Applicant: Sutton

Zoning Administrator Wagner gave a brief review stating that the fencing is for screening purposes. It would not be visible from the road.

Robert Sutton was sworn in and gave testimony. Sutton statements included but were not limited to neighbors having exotic animals with outdoor cages that are visible especially in winter with no cover. Considered different options and feels that fencing would meet the visual block that is needed. Asked neighbor for concessions, but to no avail. Sutton commented that he could still

hear the fox, wolves, cockatoos, dogs, peacocks, cows, pigs, raccoons, but this would be a visual block of the exotic animal farm, which his neighbor breeds and sells.

Ross inquired about material for fence. Sutton commented on fence post with green screening, for which he brought a sample. Will be flush with ground, 8' tall. Will start 50' from road. Ballmer inquired if a length of 75 feet would be enough. Discussion.

No one else in attendance to oppose or support the request.

Ballmer stated the following Finding of Facts:

Variance of Section 9.9B(1) - to exceed 48 inches high between the principal building and a street; and to exceed the allowable 6 feet height for all residential/open space district. Ballmer commented that there are actually two variances that the BZA is looking at.

Under Section 16.2.C Variances, there are several criteria that can be met.

Property is unique as house is at the rear of the property as there is a pond in the center of it so fence has to be in front.

Property owner did not create the hardship.

Due to the property being wooded, the variance, if authorized, will not alter essential character of the neighborhood.

The proposed location of the variance, if authorized, will represent the minimum variance that will afford relief.

Ballmer moved to approve a variance of an 8 foot high fence, approximately 75 feet long to be place in front of the applicants house and ending 50 feet from the edge of the existing roadway. The fence structure and fabric screening material should be maintained in a neat and safe manner.

Discussion. Limes asked for the stipulation of 'up to 100 feet of fencing.'

Ballmer revised his motion accordingly.

Limes seconded amended motion.

Ross suggested including language that will allow flexibility with 50 feet setback for any future roadwork that might inhibit the Maumee-Western Road stipulation.

Ballmer moved to revise his motion to relocate the fence back from the 50' setback should Lucas County and/or Monclova Township require the area for improvements to Maumee-Western Road.

Seconded by Stanton.

Yes: Stanton, Limes, Ballmer, Ross, Stewart

Organizational Meeting Items:

Ballmer moved to hold meeting on the 2nd Monday of every month, as needed, at 5:30 or the following Tuesday when a holiday falls upon the normal meeting night. Seconded by Stanton.

Yes: Stanton, Limes, Ballmer, Ross, Stewart

Chair welcomed nominations for 2024 Chair and Vice Chair.

Ballmer moved to name Michelle Ross as Vice Chair for the 2024 year. Seconded by Stanton.

Yes: Stanton, Limes, Ballmer, Ross, Stewart

Ballmer moved to name Keith Stewart as 2024 Chair. Seconded by Stanton.

Yes: Stanton, Limes, Ballmer, Ross, Stewart

Adjournment:

MOTION: Stewart moved to adjourn at approximately 6 PM

SECOND: Ross

Yes: Stanton, Limes, Ballmer, Ross, Stewart

Respectfully Submitted:

Kathleen Stewart Kuns, Recording Secretary

Accepted by:

Keith Stewart

Michelle Hudson Ross

Doug Stanton

Jeff Ballmer

Darrel Limes

Roll calls taken in random order. Official minutes will display signatures. This meeting was electronically recorded. Audio is available at monclovatwp.org during that same calendar year. Also on file in the Office of the Fiscal Officer in accordance with the township's Records Retention Schedule.