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Monclova Township Board of Zoning Appeals

Summary for June 10, 2024

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

**Roll Call:**

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

Absent: None

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

**Record of Proceedings:**

MOTION: Stewart moved to approve the March 11, 2024 minutes as submitted by Recording Secretary.

SECOND: Stanton

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

**Public Hearing:**

Public hearing to consider-a variance of seven feet to Section 9.15A of the Monclova Township Zoning Resolution to accommodate a swimming pool at 3952 Timber Valley Drive; Applicant: Rosa; Agent: Mossing Pools.

Chair Keith Stewart commenced the hearing. Zoning Administrator Eric Wagner gave a brief review of the request. Comments included information on proposed pool that will interfere with addition. Large easement infringes on placement of pool.

Luke Mossing, Metamora Ohio, was sworn in as agent for the applicant. Mossing gave details on the six-foot infringement.

Stanton believed the request is actually a variance for the pool, as well as a variance for the covered porch. Stanton received verification that the porch is attached to the house. So pool has to sit back 10 feet – which would place it in the easement. If porch was not attached, then it would need to be 15 feet away from the house. Either way, would need a variance.

Stewart asked if the owners wanted to speak.

Jason Rosa, Timber Valley Drive, gave details for the request. Pool would still be behind the house. Will be secluded. Will not violate the 25 feet. Neighbor who is behind the Rosa residence is in agreement to the request, and in fact has agreed to have the equipment come through his property.

Limes received clarification on the placement.

Stanton asked about dimensions that were submitted. Couldn't validate the seven feet. Believes in is nine feet.

1 Section 9.15A does not permit pools in the requested location; needs to be behind the home, but  
2 in addition to that, if approved would be placed in the easement.

3 Proposed covered porch becomes part of the house because it is attached.

4 Discussion on drainage encroachment.

5 Ballmer commented on Finding of Facts:

6 1) Section 9.15A does not permit pools to be in front or side yards but needs to be behind  
7 the rear of the house.

8 2) The proposed covered porch is attached to the house and becomes part of the structure  
9 and per Section 9.15A the pool would have to be placed beyond the rear line of the  
10 proposed covered porch.

11 3) In placing the pool beyond the rear line of the proposed covered porch, the pool would  
12 encroach into the utility and drainage easement.

13 Ballmer noted the following under Section 16.2.C, Variance:

14 1) There are five unique physical circumstances or conditions

15 2) The property cannot be developed in strict conformity. Both #1 and 2 are due to the  
16 utility and drainage easement which limits the development.

17 3) The unnecessary hardship has not been created by the applicant.

18 4) The variance, if authorized, will not alter the essential character of the neighborhood or  
19 district.

20 5) The variance, if authorized, will represent the minimum variance that will afford relief.

21 Ballmer moved, Stanton seconded, to approve a variance up to nine feet of setback from the rear  
22 of the house to allow an inground pool to be constructed at 3952 Timber Valley Drive.

23 Yes: Stanton, Limes, Ballmer, Ross, Stewart

24 **Adjournment:**

25 MOTION: Stewart moved to adjourn.

26 SECOND: Ross

27 Yes: Stanton, Limes, Ballmer, Ross, Stewart

28 Respectfully Submitted:

29 Kathleen Stewart Kuns, Recording Secretary

30 Accepted by:

31 \_\_\_\_\_  
32 Keith Stewart

\_\_\_\_\_   
Michelle Hudson Ross

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34 \_\_\_\_\_  
35 Doug Stanton

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Jeff Ballmer

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37 \_\_\_\_\_  
38 Darrel Limes

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41 Roll calls taken in random order. Official minutes will display signatures. This meeting was electronically recorded. Audio is available at  
42 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.

