

BOARD OF ZONING APPEALS MINUTES

**Wednesday, November 9, 2016
7:00pm**

A. Andrew Baudendistel reading of Voluntary Title VI Public Involvement Survey—As a recipient of federal funds, and in support of Dearborn County's efforts to ensure nondiscrimination and equal access to all citizens, the County gathers statistical data regarding participants in county activities. Therefore, we have provided a Voluntary Title VI public Involvement Survey at this meeting. You are not required to complete this survey. However, the form is anonymous and will be used solely for the purpose of monitoring our compliance with Title IV and ADA.

B. ROLL CALL

Members Present:

Richard Pope - Chairman
Jim Thatcher
Phil Darling
Russell Beiersdorfer
Jane Ohlmansiek

Nicole Daily—Zoning Administrator
Derek Walker—Assistant Planner
Andrew Baudendistel—Attorney

Members Absent: None

C. ACTION ON MINUTES—

Mr. Russel Beiersdorfer made a motions to accept minutes of October 12, 2016 as written.
Mrs. Jane Ohlmansiek seconded the motion. All in favor. None opposed. Motion carried.

D. OLD BUSINESS SCHEDULED TO BE RE-OPENED—None

E. OLD BUSINESS TO REMAIN TABLED—None

F. NEW BUSINESS

1. Request: **A Variance for Pond Setbacks**
Applicant: **Mike Stehlin / Jeremy & Stephanie Brown**
Site Location: **9227 SR 62**
Legal: **Sec. 14, T5, R3, Parcel #15-10-14-300-046-000-004**
Township: **Clay**
Zoning: **Residential** **Size: 6.93 acres**

Ms. Nicole Daily, the Zoning Administrator explained the first item of new business in regards to pond setbacks. Ms. Daily recommends that the request be tabled until the December meeting because detailed drawings were not received in time for herself and the County Engineer to review.

Mr. Jim Thatcher made a motion to table the request until December 13th meeting for staff to review the details plans. Mr. Phil Darling seconded the motion. All in favor. None opposed. Motion carried.

2. Request: A Variance for Pool Setbacks
Applicant/Owner: Michelle Dornbusch-Wilson
Site Location: 24093 Barth Road
Legal: Sec. 36, T7, R1, Parcel #15-01-36-400-045.003-006
Township: Harrison
Zoning: Agriculture (A) Size: 2.04 acres

Ms. Daily presented the staff report. The request derived from an enforcement case, because the owner's pool was installed prior to permitting. The request is required because the pool does not meet proper setbacks. Variance requested is in reference to Article 25, Section 2517.

Pool is located approximately 4.5 feet out of the road right-of-way, and a 14.5 feet variance is needed to permit the pool in its current location

Mr. Phil Darling asked if the County Engineer had a problem with the location.

Ms. Daily stated that he had conducted an inspection and was fine with the pool location since it is outside of the right-of-way, and that the Health Department requested that no decking could be added because of proximity to the septic system.

Christopher came to the podium on behalf of the owner. He explained that they were sorry that they didn't go through the permitting process but that they were unaware of the process and the pool company never mentioned a need for a permit.

Jim Thatcher asked who installed the pool.

Chris, significant other of Ms. Michelle Dornbusch, spoke on behalf of the applicant and explained that Watsons, a company out of Ohio, installed the pool, and that no one had any idea that they were in violation of any codes.

Mr. Phil Darling mentioned that the pool is currently on the only flat spot of the property, and the owners are limited to where they could put a pool.

Mr. Jim Thatcher stated that given that it's a dead end road and the pool doesn't interfere with the septic system he don't see any issues.

Mr. Phil Darling made a motion to grant a 14.5 ft. variance to Article 25 Section 2517 and approve the pool in its current location. Mr. Russel Beiersdorfer seconded the motion. All in favor. None opposed. Motion carried.

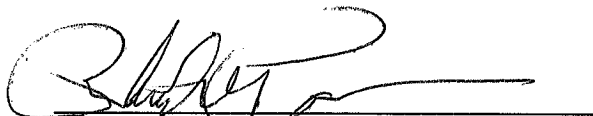
Administrative:

There will be a December meeting.

Mr. Baudendistel stated that Marvin Hammond, Johnny Wright, and Louis Dautel had ongoing court cases for enforcement purposes.

Mr. Russel Beiersdorfer made a motion to adjourn the meeting. Mr. Phil Darling seconded the motion. All in favor. None opposed. Motion carried.

Meeting adjourned at 7:40 PM


Rick Pope, Chairman
Nicole Daily, Zoning Administrator