

November 18, 2013

Mr. Jim Eichmann – Chairman  
Mr. Ted Leugers – Vice-Chairman  
Mr. Tom Scheve – Member  
Mr. Jim LaBarbara – Secretary  
Mr. Jeff Heidel – Member

**Item 1. – Meeting called to Order**

Chairman Eichmann called the meeting of the Board of Zoning Appeals to order at 7:00 P.M. on Monday, November 18, 2013.

**Item 2. – Opening Ceremony**

Mr. Eichmann led the Pledge of Allegiance.

**Item 3. – Roll Call of the Board**

Mr. LaBarbara called the roll.

Members Present: Mr. Heidel, Mr. Eichmann, Mr. Leugers, and Mr. LaBarbara

Members Absent: Mr. Scheve

Also Present: Harry Holbert and Beth Gunderson

**Item 4. – Swearing In**

Mr. Eichmann swore in those providing testimony before the board.

**Item 5. – Approval of Minutes**

Mr. Eichmann stated the next order of business was to approve the October 21, 2013 meeting minutes.

Mr. Eichmann asked for any corrections to the October 21, 2013 meeting minutes. No response.

Mr. Leugers moved to approve the October 21, 2013 minutes as written.

Mr. Heidel seconded.

Mr. LaBarbara called roll.

All voted yes to approve the minutes.

**Item 6. – Old Business**

B2013-14V  
Nathaniel Bush  
12103 2<sup>nd</sup> Avenue  
Variance

Mr. Holbert presented the Resolution approving with one condition Case# B2013-14V.

Mr. Eichmann asked for any comments. No response.

Mr. LaBarbara called roll.

Mr. Heidel – AYE  
Mr. Scheve – ABSENT  
Mr. Eichmann – NEA  
Mr. Leugers – AYE  
Mr. LaBarbara – AYE

**Item 7. – New Business**

Mr. Eichmann reviewed the process by which a variance is reviewed and a decision made by the Board of Zoning Appeals.

B2013-16V  
Doug and Debbie Miller  
8622 Plainfield Lane  
Variance

Mr. Holbert presented the case and case history in a power point presentation. Mr. Holbert noted that the applicant had obtained a permit for the detached garage but when the final inspection was completed, the garage was found to be over the maximum height permitted by the Sycamore Township Zoning Resolution.

The board asked questions of Mr. Holbert.

Mr. Eichmann asked if the member of the public present wished to speak.

The applicant was not present.

Mr. Tom Honsaker, of 8619 Plainfield Road, Sycamore Township, OH, addressed the Board. He stated he lives directly behind the Millers and that their property looks great. He said there are other structures in the area of a greater height and that the Millers' variance request should be granted.

Mr. Eichmann closed the floor to comments from the public and the board discussed the issues brought before them.

Mr. Eichmann expressed concern about setting a precedent by approving a variance request for something that was not built according to approved plans. Mr. Eichmann was troubled by the fact that the applicant was not present for the meeting.

Mr. Leugers stated that even though the applicant was not present, he was inclined to approve the request because the height of the garage exceeded the maximum permitted by a small amount.

Mr. LaBarbara asked Mr. Holbert if he thought the contractor knew the measurement was off.

Mr. Holbert stated at some point during the construction the contractor would have known.

Mr. Heidel asked if the Zoning Department had received a complaint about the garage.

Mr. Holbert said no, the discrepancy in the height was discovered at the final zoning inspection.

Mr. Leugers motioned to approve case B2013-16V as submitted.

Mr. LaBarbara seconded.

Mr. LaBarbara called roll.

Mr. Heidel – NEA

Mr. Scheve – ABSENT

Mr. Eichmann - NEA

Mr. Leugers – AYE

Mr. LaBarbara – AYE

The Board vote ended in a tie, therefore the case will be continued until the December meeting. The applicant will be notified.

**Item 8. – Date of Next Meeting**

Mr. Eichmann noted the date of the next meeting – Monday, December 16, 2013.

**Item 9. – Adjournment**

The meeting adjourned the meeting at 7:24 P.M.

Minutes Recorded by: Beth Gunderson, Planning & Zoning Assistant