

RECORD OF PROCEEDINGS
MIAMI TOWNSHIP BOARD OF ZONING APPEALS

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

DECEMBER 6, 2021

Held _____

_____20_____

The Miami Township Board of Zoning Appeals met in a regular session on Monday, December 6, 2021, at 7:00 p.m. at the Miami Township Civic Center, 6101 Meijer Drive, Miami Township, Ohio 45150.

Chair Todd Munro called the meeting to order and led the Pledge of Allegiance.

Upon roll call the following members were present: Wayne Loudermilk, Todd Munro, Randy Merrill, Tim Brandstetter, and Greg Horn. Also present: Township Planning & Zoning Administrator Brian Elliff and Board Secretary Nicole Browder.

Mr. Loudermilk made a motion to approve the minutes of the November 1, 2021, Board of Zoning Appeals meeting, seconded by Mr. Merrill. The motion carried unanimously.

There were no continued hearings.

Public hearings: Mr. Elliff reported that the applicant's attorney in Case #997, Amy and Alex Tulip, property owners at 6177 Cook Road, Milford, OH 45150, has requested additional time for their case to be heard regarding their appeal to the Zoning Violation Notice dated September 23, 2021.

Mr. Loudermilk made a motion to reschedule Case #997 and set it for hearing at the February 7, 2022, meeting, seconded by Mr. Brandstetter with all voting "YES".

Case #996 Brendan O'Reilly, applicant for the subject property located at 1545 Mashie Woods Drive, Loveland, OH 45140, was called, and the notice of public hearing was read. Mr. Elliff reported the applicant requests to allow an elevated patio landing to be site two inches from the right-side property line. A fire pit is proposed to be ten feet from the property line. Mr. Elliff presented a PowerPoint presentation of the staff report which included plans and photos of the subject property and surrounding properties.

Mr. Elliff highlighted that the patio was installed without a zoning permit and the office received a complaint about the patio location. A courtesy violation was issued on October 1, 2021, and a second complaint was received on November 13, 2021.

Applicant Brendan O'Reilly, 1545 Mashie Woods Drive, Loveland, OH 45140 was present for the application. He informed the Board that when the property was purchased in July 2020, he was told the stream was the property line. He noted the patio was constructed with the stream as the property line, and it would have been within the parameters. The site was selected as there was otherwise unusable space.

Mr. Munro reviewed the complaints received, and it was noted that one complaint was received from Chad and Lisa Brines. The other complaint was received from the property management company (HOA) from a Mr. Murphy.

Chair Munro called for any adjoining property owners that wished to speak on the application.

Chad and Lisa Brines, 6606 Stableford Drive, spoke in opposition to the patio installation. The Brines asserted that they have a survey of their property, and the property line information was provided by them to the applicant prior to the patio construction. The Brines commented that the patio could be a property value issue while they consider selling their home and a safety issue for kids.

HOA representative Tammy Hogberg, 6733 Sterling Court, spoke in opposition to the patio. She shared that the O'Reilly's filed for a deck permit not a patio. She expressed concern for the precedent being set if approved.

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John Hayes, 1547 Mashie Woods Drive, came forward in response to the notice of hearing received but had no comment and offered to answer any questions.

No additional persons were present that wished to speak on the application.

Mr. Munro reviewed the construction method with the applicant, and it was confirmed that it was gravel, sand, and paver blocks - not concrete.

Mr. Elliff presented the staff recommendation to deny the application.

The open portion of Case #996 was closed, and the Board held discussion.

Mr. Merrill made a motion in Case #996 to accept the staff recommendation for denial of the application, seconded by Mr. Brandstetter with all voting "YES".

New Business: Mr. Elliff presented for the Board's review a meeting schedule for 2022.

It was noted that Mr. Brandstetter has been recommended for appointment to the Zoning Commission.

Mr. Elliff reported that Cheryl Eckelman has been recommended for appointment to the Board of Zoning Appeals. He stated she owns a temporary personnel service, has her real estate license, and had property on Glen Echo that was divided.

Mr. Elliff announced new Township Planner Jamie Kreindler will begin with the Township December 8.


Mr. Elliff reported no cases were received to set for January's agenda so far. He will email when the filing deadline passes as to whether a meeting will take place.

With no further business to come before the Board, the meeting was adjourned. The next regularly scheduled meeting will be held on Monday, January 3, 2022, at 7:00 p.m.

Respectfully submitted,



Nicole Browder, Secretary



Todd Munro, Chair

Sound reference

cc: Board of Zoning Appeals Members BZA
File