

**Hiram Township Board of Zoning Appeals
Yoder Variance Request
November 30, 2016**

Board Members: Chairman, Janet Pancost, Gary Bott, Wendell Schulda, Tom Franek and Bette Gualtieri.

Public Present: Zoning Inspector, Rich Gano, Charles Gotthardt, Mr. and Mrs. Robert Simsa, Mark Brann, Steve Lallathin and Lester Yoder.

Janet Pancost called the meeting to order at 6:30 p.m.

Mrs. Pancost stated that from the discussions that took place prior to the Hearing, there seems to be discrepancy between the letters sent to the adjacent property owners and the tax map that was provided. Mrs. Pancost asked for clarification.

Mrs. Pancost asked if Mr. Lallathin received a letter. He replied yes.

Mrs. Pancost asked Mr. and Mrs. Simsa if they received a letter. Mr. and Mrs. Simsa answered yes but that their daughter did not. Mrs. Pancost asked if their daughter was a property owner and if her lot was on the map provided. Mr. and Mrs. Simsa answered that their daughter is a property owner and that her lot is not on the map provided.

Mrs. Pancost asked Mr. Brann if he received a letter. Mr. Brann answered yes.

Mrs. Pancost asked Mr. Gotthardt if he received a letter. Mr. Gotthardt replied yes.

Mrs. Pancost expressed her concern that Mr. and Mrs. Simsa's daughter did not receive a letter and that the map provided appears to be out of date as there are lots not showing. Mrs. Pancost stated that she does not feel that it is right to proceed with the Hearing until we have updated information and everyone within five hundred feet of Mr. Yoder's property has been notified. Mrs. Pancost apologized for the inconvenience.

Mr. and Mrs. Simsa stated that they could speak on the behalf of their daughter. Mrs. Pancost replied that they could but the legalities of this meeting have not been properly met by not having every person notified. Mrs. Pancost welcomed comments from the Board.

Rich Gano stated that the map came from the Tax Department. He further stated that before the internet this is what we would have gone by. This should be the most updated information. There was a discussion regarding revisions and document record keeping.

Tom Franek inquired what the issue was as he came a little later. Mrs. Pancost replied that the audience members reviewed the map prior to the meeting starting and noticed that there were several lots not noted on the map. There are property owners within five hundred feet of Mr. Yoder's property that were not properly notified of the Hearing.

There was a brief discussion regarding rescheduling the Hearing.

Lester Yoder stated that he went to the Tax Department and got the maps. He asked what he should have done differently. Mrs. Pancost replied that she understands his concern and shares it. Mrs. Pancost added that this isn't fair to Mr. Yoder or the other people in attendance. Mrs. Pancost asked if she could keep one of maps provided and confirmed that Mr. Yoder received the maps from the Auditor's office. Mrs. Pancost would like to take a copy of the map with her to the Auditor's office and ask about it. Mr. Gano stated that he did the research and thought that all appropriate property owners should have been listed.

The audience and Board members reviewed the map.

Mrs. Pancost stated that after extensive deliberation, we are going to reschedule the meeting. Mrs. Pancost is going to take a copy of the map provided to the Auditor's office and request the adjacent section not shown. Mr. Gano will confirm the list of the property owners within five hundred feet of Mr. Yoder's property. The letters to the property owners will be sent out again and we will set a date to meet again. Mr. Gotthardt asked that he not be sent another letter. Mrs. Pancost replied that we are legally required to send a letter. Mr. Simsa asked if they needed to be at the next meeting. Mrs. Pancost replied if you want to attend you can. If you don't want to attend or cannot, you do need to. If you are unable to attend and have something to say, send a letter. Secretary, Kellie Durr stated that her email information is listed on the letters sent as well.

Mr. Gotthardt would like it noted that he does not have any objection to the lot split. Mr. Lallathin and Mr. and Mrs. Simsa also stated that they do not have any objection to the lot split.

Mrs. Pancost reiterated that this will start again once we have properly notified all property owners involved. A legal notice will be published two weeks prior to the next scheduled Hearing. There was a brief discussion regarding the scheduling of the next Hearing.

Mr. Yoder showed Mr. Schulda on the map provided how he hoped to split the property.

There was a discussion regarding the next Hearing date. The Hearing is tentatively scheduled for Thursday, December 22, 2016 provided the required information is received in sufficient time.

There was a brief discussion regarding the County Recorder's Office.

The members reviewed the minutes of the November 16, 2016 meeting and made corrections.

Wendell Schulda motioned to approve the minutes as amended. Tom Franek seconded the motion. Roll Call: Janet Pancost YES, Wendell Schulda YES, Gary Bott YES, Tom Franek YES, Bette Gualtieri (abstained).

Wendell Schulda motioned to adjourn the meeting. Tom Franek seconded the motion. Roll Call: Janet Pancost YES, Wendell Schulda YES, Gary Bott YES, Tom Franek YES, Bette Gualtieri YES.

The meeting adjourned at 7:11 p.m.