

**Hiram Township Board of Zoning Appeals
Snyder Application for Variance
March 4, 2020**

Board Members: Chairman, Janet Pancost, Tierney Bryant, Gary Bott, and Tom Franek.

Public Present: Cory & Hillary Snyder, Bert Johnson, William & Jeanne Kepich, Zoning Inspector Rich Gano.

The meeting was called to order at 7:00 p.m.

Secretary, Eric Hankinson stated that a legal notice for the meeting was published on February 25, 2020 and that adjoining property owners were notified via certified mail on February 22, 2020.

Mrs. Pancost explained what the BZA is and how the meeting will work.

The Board members then introduced themselves.

Mrs. Pancost swore in the audience members for those in attendance that wish to speak during the meeting.

Mrs. Pancost asked the Snyders' to explain why they asked for a Variance. Snyders are looking to split their property into 3 lots. They review how their lot would be split if they followed Zoning regulation as is. They presented a plot drawing with a split example following the Zoning (consisting of 230' farm plot, 350' [existing residence], and 60' for the Flag lot), and what they would like to do with a variance to make some adjustments to the frontage. The Snyders explain why they want the lots split up the way they are presenting. They would like to eventually build a home in the wooded area further back.

Mr. Bott asks about the property drainage and provides some history about how it was prior to the Snyders owning it. The Snyders note that the tillable acreage is being farmed.

Mrs. Pancost asks for the rational again why the Snyders want the lots split like they do. She provides a possible idea on how to split the lots up. She then asks why the Snyders are convinced that their request is the way it is. They have done some testing for well & septic of parts of the other proposed lots.

Mrs. Bryant then asks the Snyders to confirm some measurements on the submitted paperwork. There was a discussion regarding value of large lots and "excessive acreage" in regards to bank financing.

There is then a bit of discussion between the Snyders, Kepichs, and Bert Johnson in a group, and the BZA Board in another group discussing different ways to split the lot that would be beneficial to all parties present.

Mr. Kepich spoke about where he lived in relation to the lot in question. He voiced his concern that he did not want someone to buy the portion of the split next to his lot in the event that they could build

way in the back of that property and that would put the new home in view from his backyard. He also explained a ditch that exists in the Snyders' farm field that is for drainage.

Mr. Snyder explained that given the information presented, the overlay in red is what would be done per current Zoning code and the black overlay is what they would like to do.

Bert Johnson Jr. provided his feedback on the lot split and that he did not approve of it.

Mr. Kepich voiced his concern about having a junkyard right near his home. Mrs. Pancost briefly explained the difference between the BZA and Zoning Boards.

Mrs. Pancost then petitions the public present and Board for any additional feedback. Mr. Snyder reiterates why he feels the 3 lot split is necessary (specifically around selling the lots eventually once they are able to afford to build on what would be the wooded lot).

Mrs. Pancost then closes the meeting to public comments and explains the next steps of the meeting.

Guidelines for Variance Request

1) ***Whether the land will yield a reasonable return or whether there can be any beneficial use of the land without the variance?***

Tom Franek: Yes

Janet Pancost: Yes

Gary Bott: Yes

Tierney Bryant: Yes

2) ***Whether the variance proved substantial?***

Tom Franek: Abstain

Janet Pancost: Yes

Gary Bott: Yes

Tierney Bryant: Yes

3) ***Whether the essential character of the neighborhood would be substantially altered or whether adjoining landowners would suffer a substantial detriment as a result of the variance?***

Tom Franek: No

Janet Pancost: No

Gary Bott: No

Tierney Bryant: No

4) ***Whether the variance would adversely affect the delivery of government services?***

Tom Franek: Yes

Janet Pancost: No, once something is built then Yes

Gary Bott: Yes

Tierney Bryant: Yes

5) ***Whether the applicant purchased the land with knowledge of the zoning regulation?***

Mrs. Pancost asked the Snyders if they had any idea of zoning existing in Hiram Township. The Snyders responded that they were unaware of the frontage requirements when purchasing the lot initially as they purchased it as a farm.

Tom Franek: Yes

Janet Pancost: Yes

Gary Bott: Yes

Tierney Bryant: Yes

6) ***Whether the applicant's predicament feasibly can be obviated through some other method other than the variance?***

Tom Franek: Yes

Janet Pancost: Yes

Gary Bott: Yes

Tierney Bryant: Yes

7) ***Whether the spirit and intent behind the zoning regulation would be observed and substantial justice done by granting the variance?***

Tom Franek: No

Janet Pancost: No

Gary Bott: No

Tierney Bryant: No

Mrs. Pancost explains to the Snyders the concept of precedent regarding prior BZA rulings in response to their inquiries regarding the subject.

Mrs. Pancost asks for any discussion/proposals from the rest of the Board.

Mrs. Bryant asks Mrs. Pancost if they should enter private deliberations. Mrs. Pancost then announces that The Board will enter deliberations and that the public must exit the building. This is approximately at 7:54pm.

Mrs. Pancost then retrieved the public in attendance and the Board exited private deliberations at approximately 8:14pm.

Mr. Franek motions to deny the variance as presented and discussed at the meeting, Mr. Bott seconded.

Roll Call Vote on the Motion:

Tom Franek: Yes

Janet Pancost: Yes

Gary Bott: Yes

Tierney Bryant: Yes

Mrs. Pancost then explains to the Snyders what happens once these meeting minutes are journalized and their option to appeal the BZA's decision to the Common Pleas Court.

The Board the moves onto journalization of minutes from the December 4th 2019 BZA meeting

Mrs. Bryant motions to accept the minutes as is, Mr. Bott seconds.

Roll Call Vote on the Motion:

Tom Franek: Yes

Janet Pancost: Yes

Gary Bott: Yes

Tierney Bryant: Yes

Mr. Franek motions to adjourn, Mrs. Bryant seconds.

Roll Call Vote on the Motion:

Tom Franek: Yes

Janet Pancost: Yes

Gary Bott: Yes

Tierney Bryant: Yes

The meeting is adjourned at 8:22pm.