

**BOARD OF ZONING APPEALS  
REGULAR MEETING  
APRIL 20, 2022  
MINUTES**

**Call To Order**

The Board of Zoning Appeals met in regular session on Wednesday, April 20, 2022 at 5:30 p.m.

**Roll Call**

The meeting was called to order at 5:30 p.m. Present: Mr. David Fish, Mr. Denny Beis, Mr. Dan Leaverton, and Chairman Donald Moore.

**Approval of Minutes**

The minutes of November 17, 2021 were reviewed. Mr. Beis moved and Mr. Leaverton seconded:

***MOTION:** To approve the minutes as presented.*

**At roll call, the vote resulted as follows:** Mr. Fish, "Aye", Mr. Leaverton, "Aye", Mr. Beis, "Aye", and Chairman Moore, "Aye".

***MOTION CARRIED***

**BUSINESS SECTION**

**1. Election of Officers**

Mr. Beis moved and Mr. Leaverton seconded the following:

***MOTION:** To appoint Mr. Donald Moore as Chairman of the BZA for 2022.*

**At roll call, the vote resulted as follows:** Mr. Fish, "Aye", Mr. Leaverton, "Aye", Mr. Beis, "Aye", and Chairman Moore, "Abstain".

***MOTION CARRIED***

Mr. Beis moved and Mr. Leaverton seconded the following:

***MOTION:** To appoint Mr. David Fish as Vice-Chairman of the BZA for 2022.*

**At roll call, the vote resulted as follows:** Mr. Fish, "Abstain", Mr. Leaverton, "Aye", Mr. Beis, "Aye", and Chairman Moore, "Aye".

***MOTION CARRIED***

**2. Application #01-22**

**Sonder Investments LLC– Ryan Bauman  
2082 Stringtown Road  
Sabina, Ohio 45169**

***Issue: Variance to setback requirements for new 1-Family Dwelling at 432 Peabody Avenue.***

Ryan Bauman stated that he had removed an old dwelling at 432 Peabody Avenue and wanted to build a new single-family dwelling there, but that it was a corner lot with two front yard setback requirements of 25' each and that that made it impossible to put a 900 square foot house as required for a single-family dwelling inside the City per the zoning code.

Mr. Beis asked what the rear yard requirement should be, and Mr. Bryant indicated that since the property was zoned R2, that the rear yard requirement was 40 feet. Mr. Bryant also stated that a two-family could have been proposed at this location, but that Mr. Bauman sought a variance for a single-family dwelling. He also stated that the two front yards were to be 25' each, with an 8' side yard.

Mr. Leaverton indicated that it appeared as though the variance was being sought for the two front yards and the rear yard and Mr. Bryant indicated that to be correct.

Chairman Moore asked if this would be for sale or rent and Mr. Bauman stated that all three requests tonight were single-family dwelling which would be for sale and not to be rentals.

Mr. Jerry Crawford of 421 Eastern Avenue addressed the Board and stated that he had lived there for 70 years and that the City didn't need any more rentals and that the land was too small to build upon. He stated that there was a well in the middle of the lot and that there was a tree there that was falling down. He stated that he had to clean the sidewalk which were always littered with trash.

Mr. Bauman reminded the Board that the property would not be a rental and that he had owned the property for years and that the tree would be removed and that he was the person responsible for removing the dilapidated dwelling that previously existed.

Mr. Beis stated that the new development would eliminate and resolve most of the concerns that Mr. Crawford had raised.

With no further discussion, Mr. Fish moved and Mr. Leaverton seconded the following:

***MOTION: To approve Application #01-22 as submitted.***

**At roll call, the vote resulted as follows: Mr. Fish, "Aye", Mr. Leaverton, "Aye", Mr. Beis, "Aye", and Chairman Moore, "Aye".**

***MOTION CARRIED***

**3. Application #02-22**

**Sonder Investments LLC– Ryan Bauman  
2082 Stringtown Road  
Sabina, Ohio 45169**

***Issue: Variance to setback requirements for new 1-Family Dwelling at 617 E. Market Street.***

Mr. Bauman stated that the lot and property at 617 E. Market Street had two dwellings that he had removed. He indicated that an alley was along the side of the property and that he sought a variance similar to the previous request, needing variances to two, front yards and a rear yard.

Mr. Bryant stated that the alley was not a public street that required a front yard requirement and that only one front yard variance was being sought. He indicated that the property was zoned RO which meant that the setback were: 25' front, 8' per each side, and 35' rear. Mr. Bryant also stated that the adjacent neighbor could not attend the meeting, but hoped that the side yard from her side would comply with the code and that the dwelling would be setback even or farther-back from her dwelling.

Mr. Bauman stated that he had no issues with the neighboring request and could shift the dwelling back to be even with her house and that he could get a foot closer to the alley to comply with the 8 foot side yard.

Mr. Fish asked about the square footage of the proposed dwelling and Mr. Bauman stated that it would be 1316 square feet of living space and 1936 square feet with the attached garage.

With no further discussion, Mr. Beis moved and Mr. Leaverton seconded the following:

***MOTION:*** *To approve Application #02-22 with the change to shift the dwelling back to be even with, or behind the adjacent dwelling, and to move it 1 foot closer to the alley.*

**At roll call, the vote resulted as follows:** *Mr. Fish, "Aye", Mr. Leaverton, "Aye", Mr. Beis, "Aye", and Chairman Moore, "Aye".*

***MOTION CARRIED***

**4. Application #03-22**

**Sonder Investments LLC– Ryan Bauman  
2082 Stringtown Road  
Sabina, Ohio 45169**

***Issue: Variance to setback requirements for new 1-Family Dwelling at 918 Maple Street.***

Mr. Bauman stated that this lot at 918 Maple Street also contained a dilapidated dwelling that he removed. He stated that the lot was 60' wide by 80' deep.

After some discussion, it was determined that the ranch-style dwelling proposed for the lot didn't work well and Mr. Bauman stated that he had actually anticipated that, and that he had brought another set of plans for a two-story dwelling.

The Board liked the new two-story proposal, but wanted the dwelling to be no closer to Maple Street than the existing dwellings and that the two 8' side yards would be met.

With no further discussion, Mr. Leaverton moved and Mr. Beis seconded the following:

**MOTION:** *To approve Application #03-22 with a new 30' X 30' two-story dwelling that would be no closer to Maple Street than the existing adjacent dwellings and that both 8 foot side yards would be met.*

**At roll call, the vote resulted as follows:** *Mr. Fish, "Aye", Mr. Leaverton, "Aye", Mr. Beis, "Aye", and Chairman Moore, "Aye".*

**MOTION CARRIED**

**OTHER BUSINESS**

No other business discussed.

**ADJOURNMENT**

There being no further discussion, Mr. Fish moved and Mr. Leaverton seconded the following:

**MOTION:** *To adjourn the April 20, 2022 Board of Zoning Appeals meeting.*

**At roll call, the vote resulted as follows:** *Mr. Fish, "Aye", Mr. Leaverton, "Aye", Mr. Beis, "Aye", and Chairman Moore, "Aye".*

**MOTION CARRIED**

Meeting adjourned at approximately 6:14 p.m.

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Respectfully Submitted,

\_\_\_\_\_  
Rod J. Bryant, Recording Secretary

\_\_\_\_\_  
Donald Moore - Chairman