

VILLAGE OF MINSTER ZONING BOARD OF APPEALS

January 10, 2023

AGENDA

7:00 p.m.

1. Public Hearing
2. Call to Order
3. Approval of December 13, 2022 minutes *STAYED/NEO*
4. New Business:
 - a)
5. Old Business:
 - a) Consider an extension request to the Stop Work Order issued to Philip and Erin Frilling.
6. Comments *NEO - 20 days / Second - Second*
→ All in favor
7. Adjournment

1/10/23 NEO/ERIC

*→ Walter Busch
2/10/23*

*(→ on 6/10/23)
new location?*

MINUTES FOR MINSTER ZONING BOARD OF APPEAL

7:00 PM

12/13//2022

Zoning Board Present (P) or Absent (A):

Steve Bruns	P	Brad Garmann, Pres	P
Ned Sielschott	P	Eric Schmiesing	A
Jean Hinker	P	Jim Hearn	P
Don Harrod ZA	P		

Also Present:

Dennis Kitzmiller	Tricia Schmiesing
Brian Schmiesing	

- I. The public hearing was called to order by President Brad Garmann at 7:00 pm.
 - a) A conditional use permit request by Brian and Tricia Schmiesing to utilize the building located at 86 North Hanover Street as commercial office space. A conditional use permit is needed to operate a commercial enterprise in a residential district. B. Schmiesing would like to purchase the Halls of Hanover and continue to operate the facility as it currently operates. There are five businesses in the facility now and those businesses would remain. T. Schmiesing stated that they would like to renovate the building to make it more attractive to businesses so that the facility could expand. B. Schmiesing stated that he would be purchasing the LLC from the Halls of Hanover. S. Sielschott inquired about any changes to the parking situation. B. Schmiesing reported that there would be no change to parking and that no equipment or trailers would be parked in the area. B. Garmann asked about the parking lease agreement with the church. B. Schmiesing stated that it is in place and is a month-to-month lease. He also stated that he has talked with the Church and that lease will continue.
- II. The regular meeting was called to order by Brad Garmann at 7:07 pm.
- III. The minutes from the October 11th meeting and the November 8, 2022 meeting were presented to the board at the meeting. J. Hinker suggested that since both her and Jim Hearn have the same initials that the minutes of October 11, 2022 be changed to reflect who commented on what. Harrod stated that he would make those changes. A motion was made by N. Sielschott and seconded by S. Bruns to approve both the minutes from October 11th and November 8th. Being no further discussion, all members voted in favor of accepting of the minutes.
- IV. New Business
 - a) A conditional use permit request by Brian and Tricia Schmiesing to utilize the building located at 86 North Hanover Street as commercial office space. A conditional use permit is needed to operate a commercial enterprise in a residential district. S. Bruns commented that he was glad to see that the building was going to be continued to be maintained. S. Bruns motioned to approve the conditional use request and this was seconded by N. Sielschott. Being no further discussion, all members voted in favor of approving the request.

VI. Old Business

D. Harrod shared that the he has researched what regulations other communities have enacted regarding the regulation of short-term rentals. He is currently reviewing them and will talk with Jim Hearn about putting together regulations for the village. S. Bruns asked about HB 563's status. Harrod explained that HB 563 has not been approved and that communities can still regulate short term rentals.

D. Harrod updated the board on the Frillings efforts to resolve the encroachment and zoning violation. Harrod was contacted by Phillip Frilling who stated that they are working with the Williams to try to acquire a permanent easement that would bring the Frillings into compliance with the variance granted by the zoning board. Harrod instructed the Frillings to advise the board when this easement had been obtained as the board would need to approve it. Jim Hearn explained that the easement would need to be a permanent easement and "run with the land" meaning that the easement would remain in place even if the property owners changed.

VI. Comments:

- a) There were no comments.

VII. Adjournment

N. Sielschott motioned and S. Bruns seconded a motion to adjourn at 7:36 pm. Motion passed.

Erin & Philip Frilling

40 S. Hanover Street
Minster, Ohio 45865

30th December 2022

Don Harrod

Village Administrator, Minster, Ohio
5 West Fourth Street
Minster, Ohio 45865

Dear Mr. Harrod

We are writing to ask for another extension to the stop work order on our garage at 40 S. Hanover Street that is currently set to expire January 13, 2023. We are currently in continued negotiations with the Williams and are hopeful to come to an agreeable settlement. However, we're not confident that everything will be finalized by the current deadline.

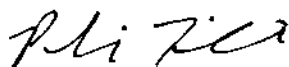
To recap where we are in the process:

- We received an initial settlement offer from the Williams on 11/17/2022
- We met with our attorney on 11/23/2022 and sent a counter offer on 12/2/2022.
- We received a revised settlement offer from the Williams on 12/17/2022.
- We discussed this second offer with our attorney on 12/21/2022 and instructed him that we were okay with the proposed settlement, but needed clarification on terms before signing off.

We are currently awaiting a response from our attorney with final terms and next steps. The process is moving in a positive direction, but we're not confident that anything will be finalized ahead of the current deadline. For this reason, we are asking for another extension.

Thank you for your consideration.

Sincerely,



Erin & Philip Frilling