

VILLAGE OF MINSTER ZONING BOARD OF APPEALS

February 9, 2020

AGENDA

7:00 p.m.

1. Public Hearing
2. Call to Order
3. Approval of January 12, 2021 *NEC/STEVE*
4. New Business:
 - a) A variance request submitted by McDonalds Corporation owners of the property at 400 North Main Street. McDonald's is asking for a variance to allow a wall sign to be placed on the north side of their building. The zoning code states that wall signs shall be limited to one per each street for which the structure fronts. Thus, for McDonalds to place a wall sign on the north side a variance would need to be granted.
 - b) A variance request from Craig Lehmkuhl of 121 North Frankfort Street. Mr. Lehmkuhl is asking for a side yard variance to allow him to erect an addition on to the existing house that would be 5' - 9" off of the property line. A variance of 1' - 7" is needed on the south side of the property. The zoning code calls for a side yard setback of 7'-6" from the property line.
 - c) A variance request by B & B Logistics, doing business as Springcreek Building Supply, and located at 331 South Ohio Street. B & B Logistics would like to erect an addition on to their building. The proposed addition would be 19 feet from the front property line. The zoning code calls for a front yard setback to be 35'. Thus, a 16' variance would be needed to allow B & B Logistics to add on to their building.
 - d) A variance request submitted by John and Elizabeth Dues of 24 North Hanover Street. Mr. and Mrs. Dues would like to build a garage/pool house with loft at the rear of the property. The proposed garage/pool house will be 25' - 2" tall. The zoning code calls for the height of an accessory building to be 18 feet. A height variance of 7' - 2" is needed to allow the Dues' to construct their detached accessory building.
5. Old Business:
 - a) A variance request from Jeff and Lisa Dirksen of 16 Greenhills Drive. The Dirksen's are asking for a variance to allow them to park a recreational vehicle within 7'-6" of the property line. The zoning code calls for a recreational vehicle to be parked at least 7'6" from the property line.
6. Comments
7. Adjournment



**NOTICE OF HEARING
BOARD OF ZONING APPEALS
VILLAGE OF MINSTER
AUGLAIZE COUNTY, OHIO**

The Minster Board of Zoning Appeals will conduct a hearing on February 9, 2021 in the Village of Minster Council Chambers located at 5 West Fourth Street, Minster, Ohio at 7:00 p.m. The purpose of the public meeting is to consider the following:

- a) A variance request submitted by McDonalds Corporation owners of the property at 400 North Main Street. McDonald's is asking for a variance to allow a wall sign to be placed on the north side of their building. The zoning code states that wall signs shall be limited to one per each street for which the structure fronts. Thus, for McDonalds to place a wall sign on the north side a variance would need to be granted.
- b) A variance request from Craig Lehmkuhl of 121 North Frankfort Street. Mr. Lehmkuhl is asking for a side yard variance to allow him to erect an addition on to the existing house that would be 5' - 9" off of the property line. A variance of 1' - 7" is needed on the south side of the property. The zoning code calls for a side yard setback of 7'-6" from the property line.
- c) A variance request by B & B Logistics, doing business as Springcreek Building Supply, and located at 331 South Ohio Street. B & B Logistics would like to erect an addition on to their building. The proposed addition would be 19 feet from the front property line. The zoning code calls for a front yard setback to be 35'. Thus, a 16' variance would be needed to allow B & B Logistics to add on to their building.
- d) A variance request submitted by John and Elizabeth Dues of 24 North Hanover Street. Mr. and Mrs. Dues would like to build a garage/pool house with loft at the rear of the property. The proposed garage/pool house will be 25' - 2" tall. The zoning code calls for the height of an accessory building to be 18 feet. A height variance of 7' - 2" is needed to allow the Dues' to construct their detached accessory building.

Any person wishing to comment on the proposed appeal may attend the meeting or call the Zoning Administrator or a member of the Zoning Board of Appeals.

Donald W. Harrod
Zoning Administrator



**NOTICE OF HEARING
BOARD OF ZONING APPEALS
VILLAGE OF MINSTER
AUGLAIZE COUNTY, OHIO**

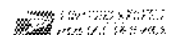
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Donald W. Harrod
Zoning Administrator

7018 1830 0000 1785 7701	McDonalds	7018 1830 0000 1785 7619	Dues
7018 1830 0000 1785 7688	Eckle	7018 1830 0000 1785 7602	Hunter
7018 1830 0000 1785 7695	Re	7018 1830 0000 1785 7633	Wimmer
7018 1830 0000 1785 7640	Lehmkuhl	7018 1830 0000 1785 5813	Harrod
7018 1830 0000 1785 7657	Baly	7018 1830 0000 1785 5820	Boschert
7018 1830 0000 1785 7626	abernethy	7018 1830 0000 1785 5790	Pool
7018 1830 0000 1785 7671	Foot	7018 1830 0000 1785 5806	B+B
7018 1830 0000 1785 7664	Church	7018 1830 0000 1785 5783	Hynes

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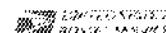
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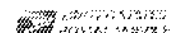
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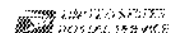
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Signature	 Megan B
Address	5731 Alden

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Signature	 Craig Lehmkuhl
Address	121 N FRANKFORT ST MINSTER, OH 45865-1044

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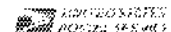


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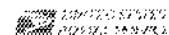
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Address	127 N FRANKFORT

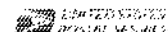
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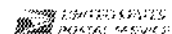
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Address	CDV 19

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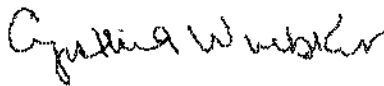
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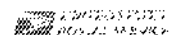
Signature	 Cynthia Wuebker
Address	PO BOX 93 MINSTER, OH 45865-0093

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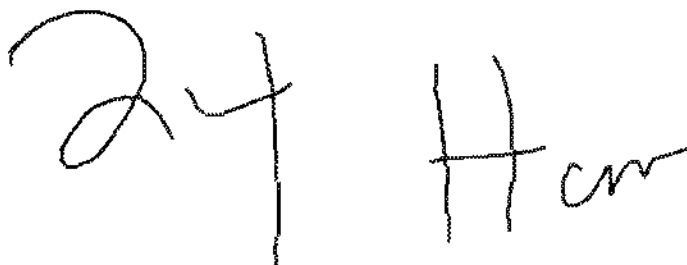
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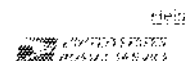
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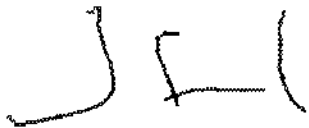
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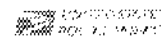
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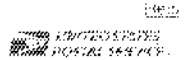
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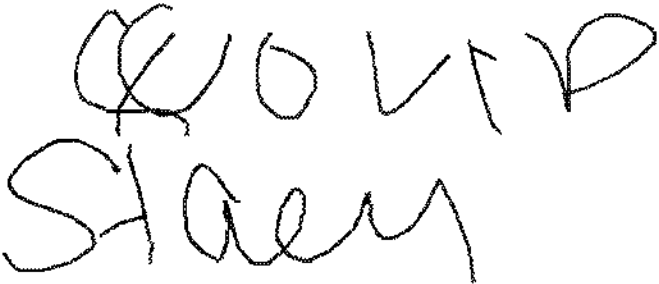
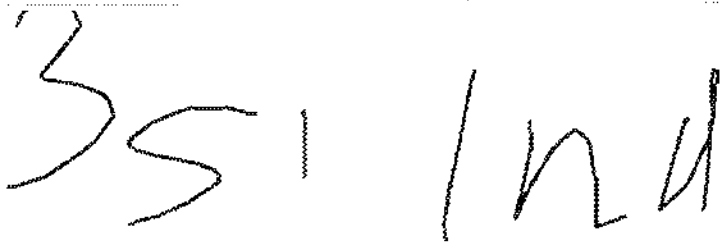
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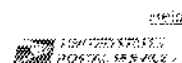
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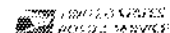
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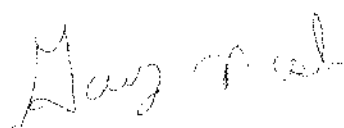
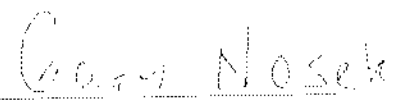
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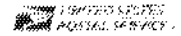
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Delivery Signature and Address

**Price Change 1/26/2020:**

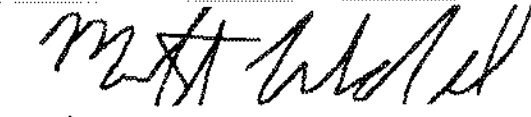
USPS Premium Tracking: USPS will offer a fee-based service to extend the availability of tracking data on domestic competitive products for an additional 6 months up to 10 years. In addition, customers can also request a Premium Tracking Statement via email.

The Manual Entry Acceptance screen will be modified to use the Pricing Engine for all rates calculations. Users will no longer enter fees for Collect on Delivery (COD) and Additional Insurance; instead, users will enter the dollar amount to be collected for COD or the insured value for Insurance.

Tracking Number: 7018 1830 0000 1785 5605

This item was delivered on 02/05/2021 at 10:15:00

[Return to Tracking Number View](#)

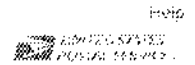
Signature	 MATT HINDEL
Address	342 WC - WED

Enter up to 35 terms separated by commas

Select Search Type	Quick Search	Submit
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Product Tracking & Reporting All Rights Reserved
Version: 21.2 2 0 17

Product Tracking & Reporting

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USPS Tracking Intranet Tracking Number Result



Price Change 1/26/2020

USPS Premium Tracking: USPS will offer a fee-based service to extend the availability of tracking data on domestic competitive products for an additional 6 months up to 10 years. In addition, customers can also request a Premium Tracking Statement via email.

The Manual Entry Acceptance screen will be modified to use the Pricing Engine for all rates calculations. Users will no longer enter fees for Collect on Delivery (COD) and Additional Insurance; instead, users will enter the dollar amount to be collected for COD or the insured value for Insurance.

Result for Domestic Tracking Number 7018 1830 0000 1785 5783

Tracking Expires On:
February 4, 2023

Destination and Origin

Destination

ZIP Code	City	State
45865	MINSTER	OH

Origin

ZIP Code	City	State
45865998	MINSTER	OH

Still not
picked up.

Tracking Number Classification

Class/Service

Class/Service: Certified Mail
Class of Mail Code/Description: 11 Unknown

Destination Address Information

Address: PO BOX 88
City: MINSTER
State: OH
5-Digit ZIP Code: 45865
4-Digit ZIP Code add on: 0088
Delivery Point Code: 88
Record Type Code: Post Office Box

Origin / Return / Pickup Address Information

Address:
City:
State:
5-Digit ZIP Code: 45865
4-Digit ZIP Code add on: 9998

Service Delivery Information

Expected Delivery: on Friday 02/05/2021
Expected Delivery: by 9:00pm
Expected Delivery Displayed Externally?: Check service calculation information page
PO Box: Y
Other Information: Service Calculation Information

Payment

Payment Type: Postage Affixed
Payment Account Number: 000000000000
Postage: \$0.00
Weight: 0 lb(s) 1 oz(s)

Agent Information

Request Internal: USPS Tracking Plus Statement

MINUTES FOR MINSTER ZONING BOARD OF APPEAL

7:00 PM

09/08/15

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

Steve Bruns	P	Brad Garmann, Pres	P
Ned Sielschott	P	Linda Kitzmiller, Vice Pres	P
Jean Hinker	P	James Hearn, Solicitor	P
Don Harrod ZA	P		

Also Present:

Dennis Kitzmiller	Diana Orick
Jeff Dirksen	Joe Barhorst
Terry Orick	Todd Weigandt
Deb Ranly	

II. Public meeting called to order by President Garmann at 7:00 pm

Two Items were discussed in the public meeting:

- A variance request by Jeff Dirksen of 16 Greenhills Drive to erect an accessory building with a height of 21.8 feet. Mr. Dirksen is requesting a 6.8 foot variance from the required 15 foot height regulation for accessory buildings. Mr. Dirksen explained that the proposed garage is a standard sized garage with a patio on one side. There will be 8 foot doors which would face the house. The location of the garage is at the same place as was proposed at the last meeting, approximately 12 foot off of the property line. J. Hinker inquired if the height of the garage was similar to the neighbors. J. Dirksen replied that it will be several feet lower due to the slope of the ground. J. Dirksen stated that there would be two detached garages together on his and his neighbor's lot. B. Garmann asked about which side of the garage would face the neighbors and J. Dirksen replied that it would be the side that did not have the patio on. J. Hinker asked if the neighbors had commented. Harrod reported that he had spoken to one neighbor but that neighbor gave no indication for or against the proposed garage.
- Joe Barhorst is requesting a variance for the property at 223 North Main Street. Mr. Barhorst would like to erect a detached building on an existing concrete pad that is approximately 5 feet from the property line. A variance of 2.6 feet is necessary. J. Barhorst explained that there is currently an old shed on the concrete pad that would be torn down and a larger building would be put in its place. Mr. Barhorst would like to use the existing concrete pad for the new building. B. Garmann asked if the building was to be longer and if he was going to start over. J. Barhorst indicated that it would be longer and that he would tear the old shed down as it was in terrible condition. N. Sielschott asked if access to the proposed building would be from the alley. J. Barhorst indicated it would. B. Garmann inquired about which way the doors would face. J. Barhorst indicated they would face the house (east). B. Garmann also inquired if the neighbors had commented. Harrod replied that they did not.
- A conditional use permit for the property at 271 North Main Street. The Oricks would like to operate a restaurant and have a drive thru. A conditional use permit is needed to operate a restaurant with a drive thru in a commercial district. T. Orick explained that the previous restaurant had a drive thru and that he didn't realize that he needed a permit to operate it, so he had already designated the area as a drive thru. N. Sielschott asked what type of traffic is anticipated to use the drive thru. T. Orick explained that the restaurant has a dining room and the only traffic that would access the window would be if an order was called in to the business, so he did not anticipate a great deal of traffic. N. Sielschott asked if the access was off of SR66 or from the back alley. T. Orick explained that access would be from SR66 with traffic exiting in the alley. L. Kitzmiller asked if the shrubs that were proposed when the last conditional use permit was granted were planted. Harrod indicated that they had been, Harrod also indicated that the neighbor to the north did call into the village and report that she had no concerns. D. Ranly inquired if the previous conditions would be imposed on this drive thru restaurant as well and the board indicated that they would.

President Garmann called the regular meeting to order at 7:16 pm.

III. The minutes from the August 11, 2015 meeting were read. N. Sielschott and S. Bruns motioned to approve the minutes as read. All members voted in favor.

IV. New Business:

- 1) A variance request by Jeff Dirksen of 16 Greenhills Drive to erect an accessory building with a height of 21.8 feet. Mr. Dirksen is requesting a 6.8 foot variance from the required 15 foot height regulation for accessory buildings. Being no further discussion, a motion was made by N. Sielschott and seconded by J. Hinker to approve the request. All voted in favor of the request.
- 2) A variance request by Joe Barhorst of 223 North Main Street to erect a detached building on an existing concrete pad that is approximately 5 feet from the property line. A variance of 2.5 feet is necessary to comply with the required 7.5 foot setback requirements. B. Garmann expressed concern that the current buildings condition was not very good and that he was glad to see it was going to be replaced. Being no further discussion, a motion was made by L. Kitzmiller and seconded by N. Sielschott to approve the request. All voted in favor of the request.
- 3) A conditional use permit request by Diana Orick to utilize the building at 271 North Main Street as a restaurant with drive thru service. A conditional use permit is required to operate a restaurant with drive-in or drive thru service. Being no further discussion, a motion was made by S. Bruns and J. Hinker to approve the request. All voted in favor of the request.

V. Old Business

- 1) Harrod stated that he Planning Commission met on Wednesday night, August 26th and discussed possible changes to the zoning code. He noted that the Planning Commission instructed Jim Hearn and Harrod to put together some recommendations for them to consider.
- 2) Harrod was questioned about the vehicles apparently from Far Motors that were being parked on Lincoln Street around the Third Street intersection. Apparently rental cars from Far Motors are being parked in this area and various neighbors are complaining. Harrod indicated that he has received some calls from the neighbors and that he was going to discuss the matter with Jim Hearn. Mr. Hearn felt that the parking of these vehicles in the area was a violation of the zoning code because these cars were being rented out for customers to use. Hearn felt that a letter should be sent to the business owners informing them that the activity was in violation of the zoning code and a conditional use permit must be obtained from the Zoning Board of Appeals to continue the practice.

VI. Comments:

VII. Adjournment

- 1) N. Sielschott moved and L. Kitzmiller seconded a motion to adjourn at 7:29 pm. Motion passed.

Board of Zoning Appeal – Thank you for your time this evening.

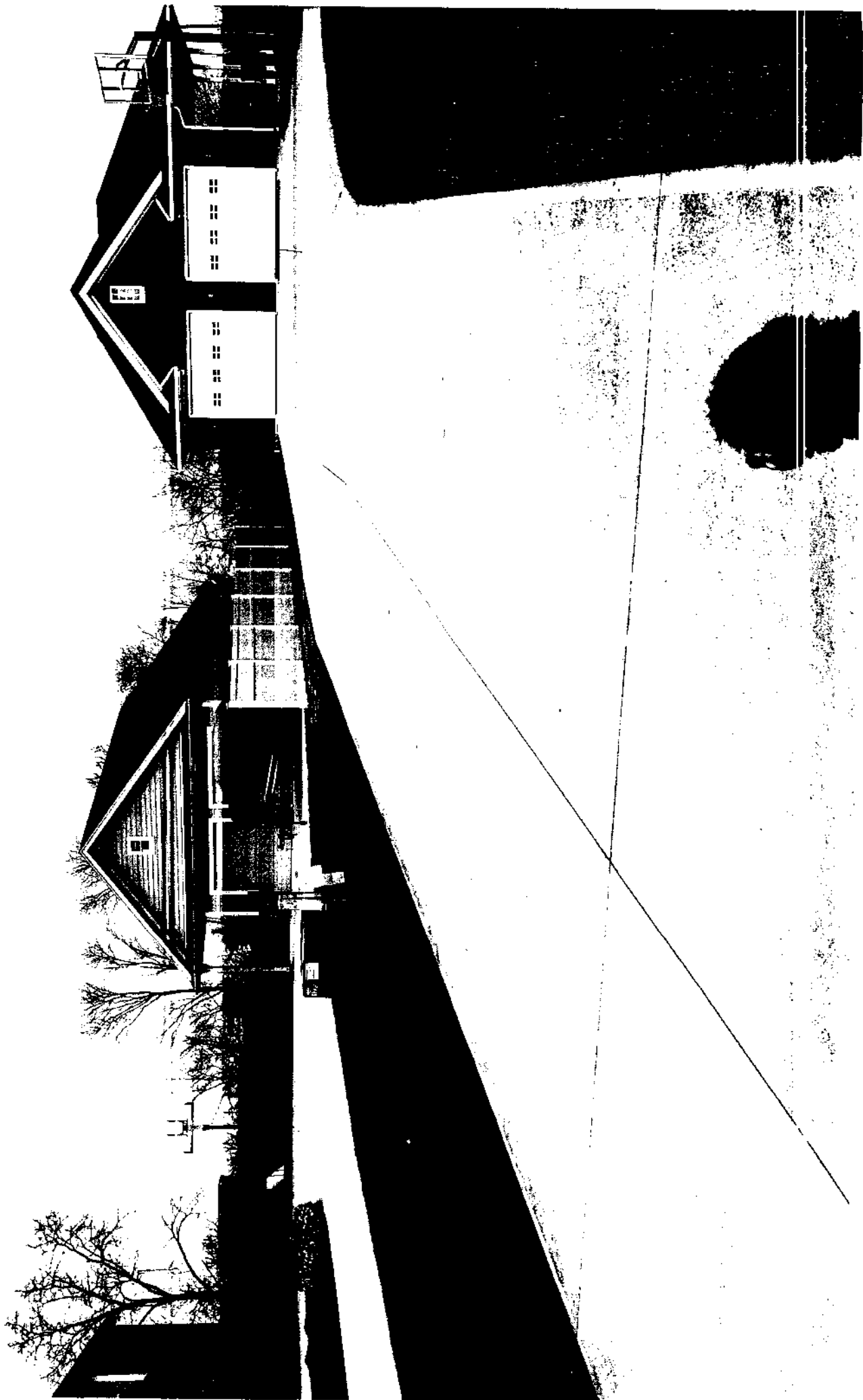
- For the past few months, I have been doing some research, and in the Village of Minster, there are dozens of homes with driveways and parking areas that are right along property lines. These driveways and parking areas have no screening, and the first thing people see when they walk out of their homes are their neighbor's vehicles... service vans, trucks, some real eye sores.
- There are also recreational vehicles that are more than 7' 6" away from the property line and are in clear view of their neighbor's house. They are following the zoning code, but some are in a position that are a real eye sore.
- In 2015 our outbuilding and concrete slab was designed and built following all zoning regulations. The concrete slab was designed and built for a recreational vehicle. We also designed and built the concrete slab with the required screening, which is a 6' high and 80' long privacy fence.
 - The outbuilding is 12' 6" from the property line.
 - The concrete slab is 1' 6" from the property line.
 - The screening/fence is 1" from the property line.
- I am not aware of anyone in the Village of Minster that took the time, money, and effort to design and build a neighbor friendly parking area for a recreational vehicle (neatly tucked away between two outbuildings).
- We are here this evening asking for a variance to allow us to park our recreational vehicle with 7' 6" of the property line (roughly 3' from the property line). The reasons we would like you to consider our variance request are as follows:
 - We have a unique situation like none other in the village of Minster. Our concrete slab was designed and built for parking a recreational vehicle and designed to be neighbor friendly.
 - We agree to only park our boat on the concrete slab and nothing larger... like a camper.
 - The boat will be tucked away between two outbuildings and is it is barely visible unless you are in our driveway.
 - We spent nearly \$8,000 on the concrete slab and fence and we would like to utilize this space for it's designed purpose.
 - We spoke to our neighbors (Slonkowskys and Garringers), the only neighbors with a clear view of our boat and they have no problem with us parking our boat in the designed area. In fact, both asked why we are not parking it in the designed area (neatly tucked away), and I had to explain the new ordinance.

- Most of our friends and family have also asked us why we are not parking our boat in the designed area (neatly tucked away between two outbuildings), and I have explained the new ordinance.
- Some additional items/questions to consider are as follows:
 - How is a boat more of an “eye sore” than an old rust van, or an old rusty truck or a service van with no screening, out in the open?
 - Our boat has a lower profile than most trucks and the various service vans we have identified around town, which are parked within the 7’ 6” property line with no screening (and are real eye sores).
- In summary, we are here this evening asking for a variance to allow us to park our recreational vehicle within 7’6” of the property line, utilizing the concrete slab for the purpose it was designed and built... to park a recreational vehicle (in this case only our boat). We have a unique situation like none other in the village of Minster. Thank you for your time and thank you for your consideration of our variance request.

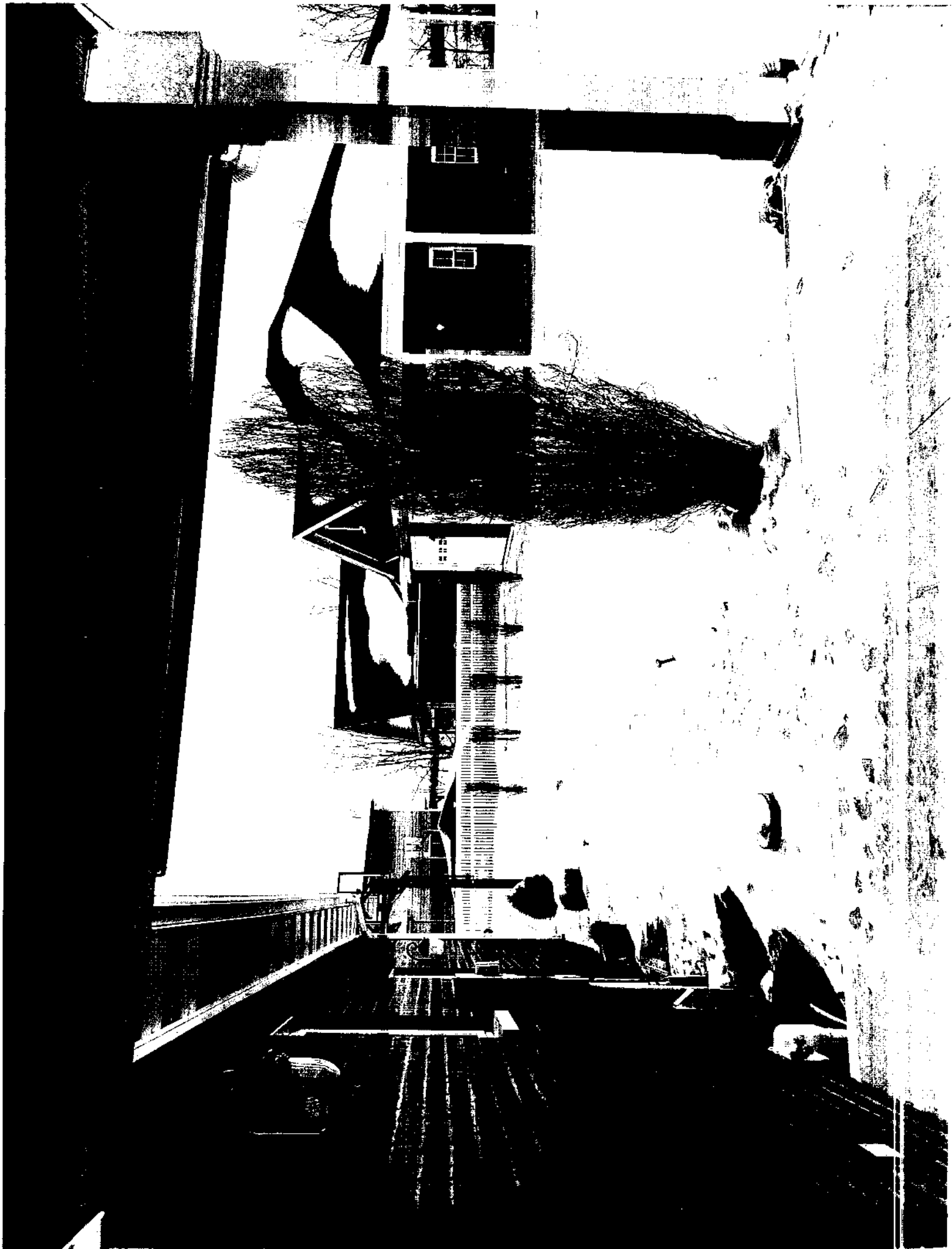
Additional Notes:

- Mr. Borgerding has told me he has a personal issue with me, and he would rather see our boat out in the open following the zoning code (creating an eye sore)... versus being neatly tucked away between two outbuildings. He does this as he thinks this will create hardship and problems for me and my family.
- Mr. Borgerding told the Zoning Board (several times) that it took us months to move our camper after being informed of the new ordinance. As you know this is not true. We moved our camper within a couple days of received the new ordinance letter.
- Mr. Borgerding told the Zoning Board our boat is the first thing he sees when walking out of his house. As you know this is not true. Our parking area is toward the back of the lot and tucked away between the two outbuilding. Also, only a small portion of the boat is visible (above the 6’ fence) from Mr. Bordering’s lot. Mr. Borgerding tried to mislead the zoning board by taking misleading pictures of our boat.



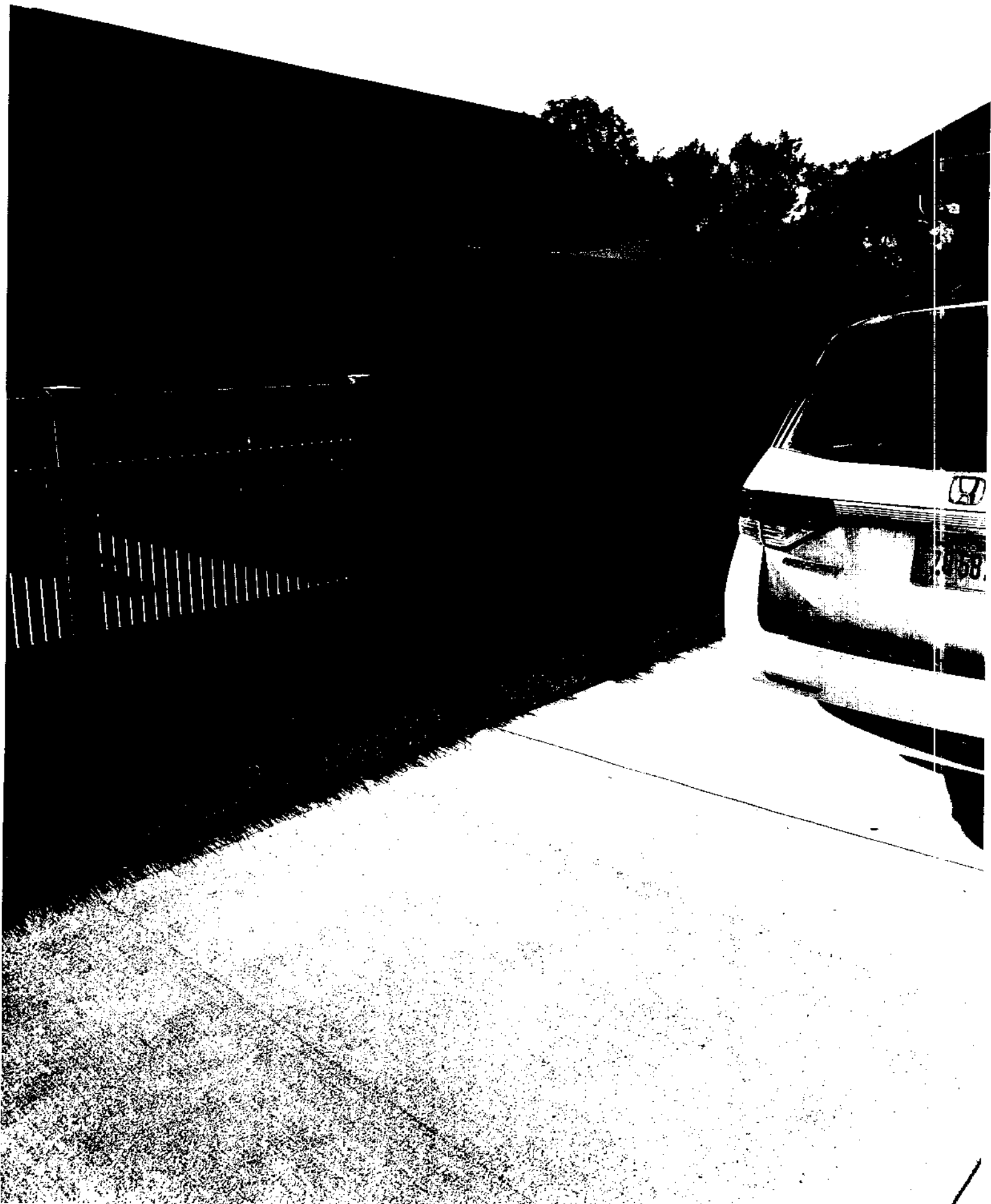














APPLICATION FOR VARIANCE
BOARD OF ZONING APPEALS
VILLAGE OF MINSTER
AUGLAIZE COUNTY, OHIO

Application Number: _____

1. Name of Owner: Jeffrey + Lisa Dirksen

Mailing Address: 16 Greenhills Dr.

Telephone: (Home) 419-501-2305 Work: 419-305-5325

2. Location Description:

Subdivision Name: Rosebud Acres Lot Number: 8
(If not in a platted subdivision, attach a legal description)

Street Number and Name 16 Greenhills Dr.

3. Nature of Variance: (Describe generally the nature of the variance.)

Highest point of accessory bldg. will be 21.8 feet

In addition, plans in triplicate and drawn to scale must accompany this application showing dimensions and shape of the lot, the size and locations of existing buildings, the locations and dimensions of proposed buildings or alterations, and any natural or topographic peculiarities of the lot in question.

4. Justification of Variance: In order for a variance to be granted, the applicant must prove to the Board of Zoning Appeals that the following items are true:

(Please attach these comments on a separate sheet.)

- Special conditions exist peculiar to the land or building in question;
- That a literal interpretation of the Zoning Code would deprive the applicant of rights enjoyed by other property owners;
- That the special conditions do not result from previous actions of the applicant; and
- That the requested variance is the minimum variance that will allow a reasonable use of the land or buildings.

Jeffrey Dirksen
Signature of Owner

8/21/15
Date

FOR OFFICIAL USE ONLY

Date Filed: 8-21-2015

Fee Paid: Invoice

Date of Notice in Newspaper: _____

Date of Public Hearing: 9/8/15

Date of Notice to Parties in Interest: 9-1-15

Decision of Board of Zoning Appeals: Approved: ☒ Denied: ☐

If Approved, the following conditions and safeguards were prescribed:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

If Denied, reason for denial:

Date: 09/09/15

Donald W. Howard
Zoning Administrator

Note: One (1) copy to be filed with Zoning Administrator and two (2) copies with the Zoning Board of Appeals.

APPLICATION FOR ZONING CERTIFICATE

Permit #: 2015-09-01

TOWNSHIP: Jackson

The undersigned hereby applies for a zoning certificate for the following use, to be issued on the basis of the representations contained herein, all of which is application swears to be true.

- Location of Property: Block 1b Parcel ID: E1522200800
 Lot#: 8 Subdivision: Rosebud Acres Sec#: 0222-00-008-00
 Range: _____ Town: Minster Result of Split? _____
- Name of Land Owner: Jeffrey + Lisa Dirksen (as appears on the deed)
 Address: 16 Greenhills Dr
- Occupant: Single Family Land Contract?: No
- Proposed Use: New Construction of: _____ Residence: _____ Accessory Bldg. X
 Remodeling of: _____ Other: _____
- Estimated Cost of Construction: \$ 35,000

6. Sketch of lot, showing existing buildings and proposed construction or use for which this application is made. "SEE REVERSE SIDE:"

- a.) Main road frontage: 71.12 feet Set back from side of road right of way
90 feet side 120 feet c.) Side yard clearance right side 12 feet Left
 side 120 feet d.) Rear yard clearance 170 feet e.) Depth of lot from
 right of way 294 feet f.) Dimension of building: Width: 31 feet
 Depth 33 feet Highest point of building above established grade 21.8 feet

- Building Use: Garage Number of Stories: 1 Basement: _____
 # of Square feet of living area N/A Sq.Ft. _____
 # of Rooms: N/A # of Traps _____
- Is set of Blue Prints filed with this application? Yes X No _____
- Zoning District: R-2

ALL QUESTIONS MUST BE ANSWERED

Date filed with Zoning Inspector

8/21/15

Signature of Applicant:

Jeffrey Dirksen

PRINTED NAME of Applicant

Jeffrey Dirksen

Zoning Inspector/Representative approval

Donald L. [Signature]

HIGHWAY VARIANCE GRANTED by Z.B.A. on 9/8/15

GENERAL CONTRACTOR:

Jeff Dirksen

PLUMBING CONTRACTOR:

N/A

ELECTRICAL CONTRACTOR:

N/A

BASEMENT CONTRACTOR:

N/A



\$35,000.00

BUILDING PERMIT

JEFFREY & LISA DIRKSEN

NO: 2015-09-01

16 GREENHILLS DRIVE

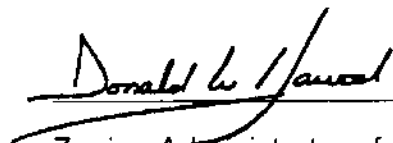
MINSTER OH 45865

I, the undersigned, Zoning Administrator of the Village of Minster, Ohio, by virtue of the powers vested in me, do hereby grant you the permission to erect an accessory building described in the application filed with me, said Zoning Administrator on the 21st day of August, 2015.

Said building to be erected and constructed in accordance with the laws and regulations of the Village of Minster, Ohio, governing the erection, construction, alteration and repair of buildings and structures within the corporate limits and to be located on the following described premises situated in the Village of Minster, County of Auglaize, and the State of Ohio, to wit:

On Lot No. 8, Rosebud Acres Subdivision, Minster, Ohio.

Signed and sealed the 9th day of September, 2015.



Zoning Administrator of
Minster, Ohio

Name of General Contractor: Self

This permit is valid for one year from the date of issuance.



Village of Minster
5 West Fourth Street
P.O. Box 1
Minster, OH 45865
P: 419-628-3497
F: 419-628-1037
www.minsteroh.com

INVOICE

INVOICE NO: 2015-09-08
DATE: September 9, 2015

To:

JEFFREY & LISA DIRKSEN
16 GREENHILLS DRIVE
MINSTER OH 45865

PROJECT: ACCESSORY BUILDING

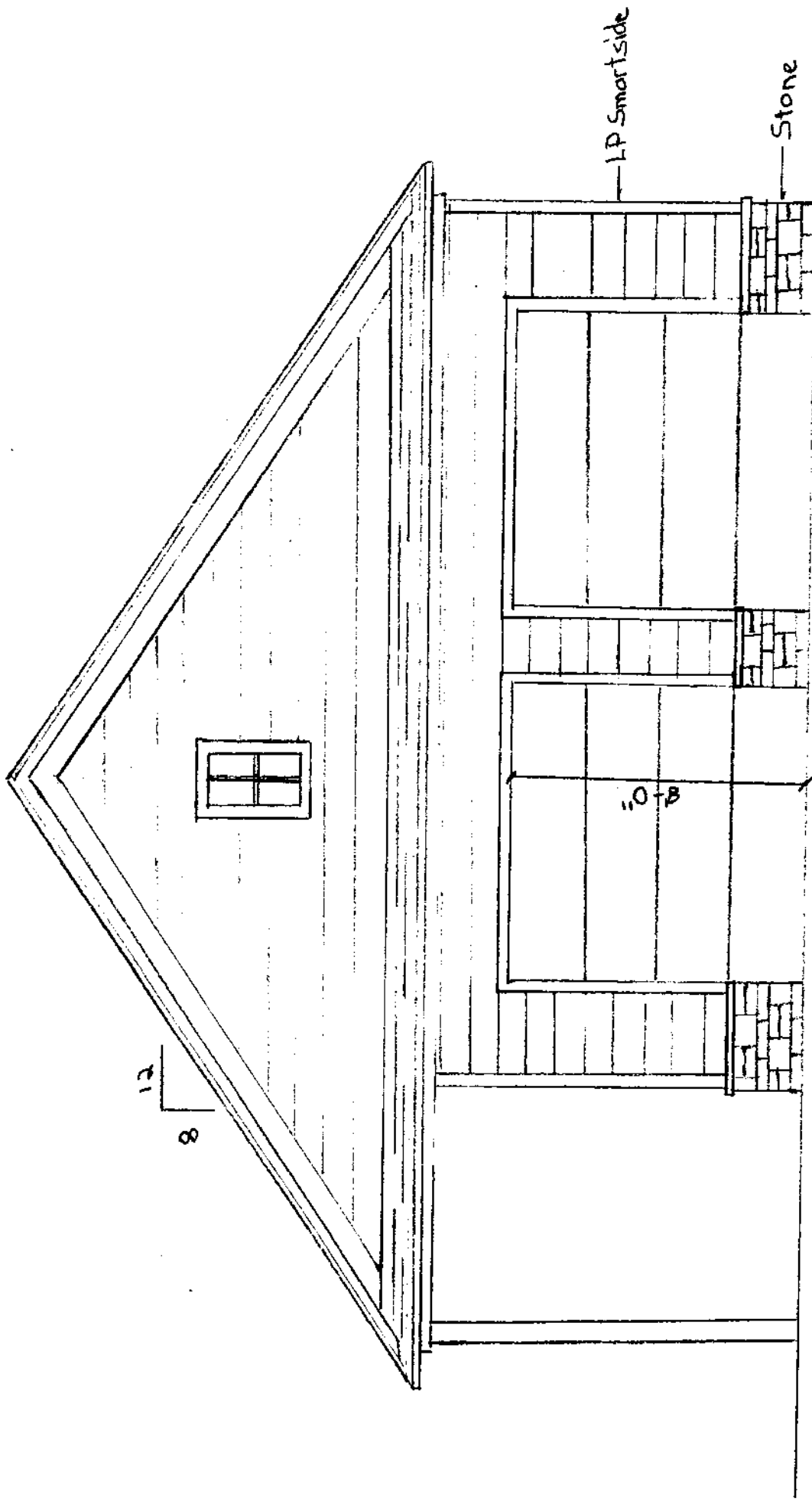
QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1	BUILDING PERMIT – No. 2015-09-01	\$25.00	\$25.00
1	VARIANCE PERMIT	\$25.00	\$25.00
TOTAL AMOUNT DUE			\$50.00

Payment due upon receipt

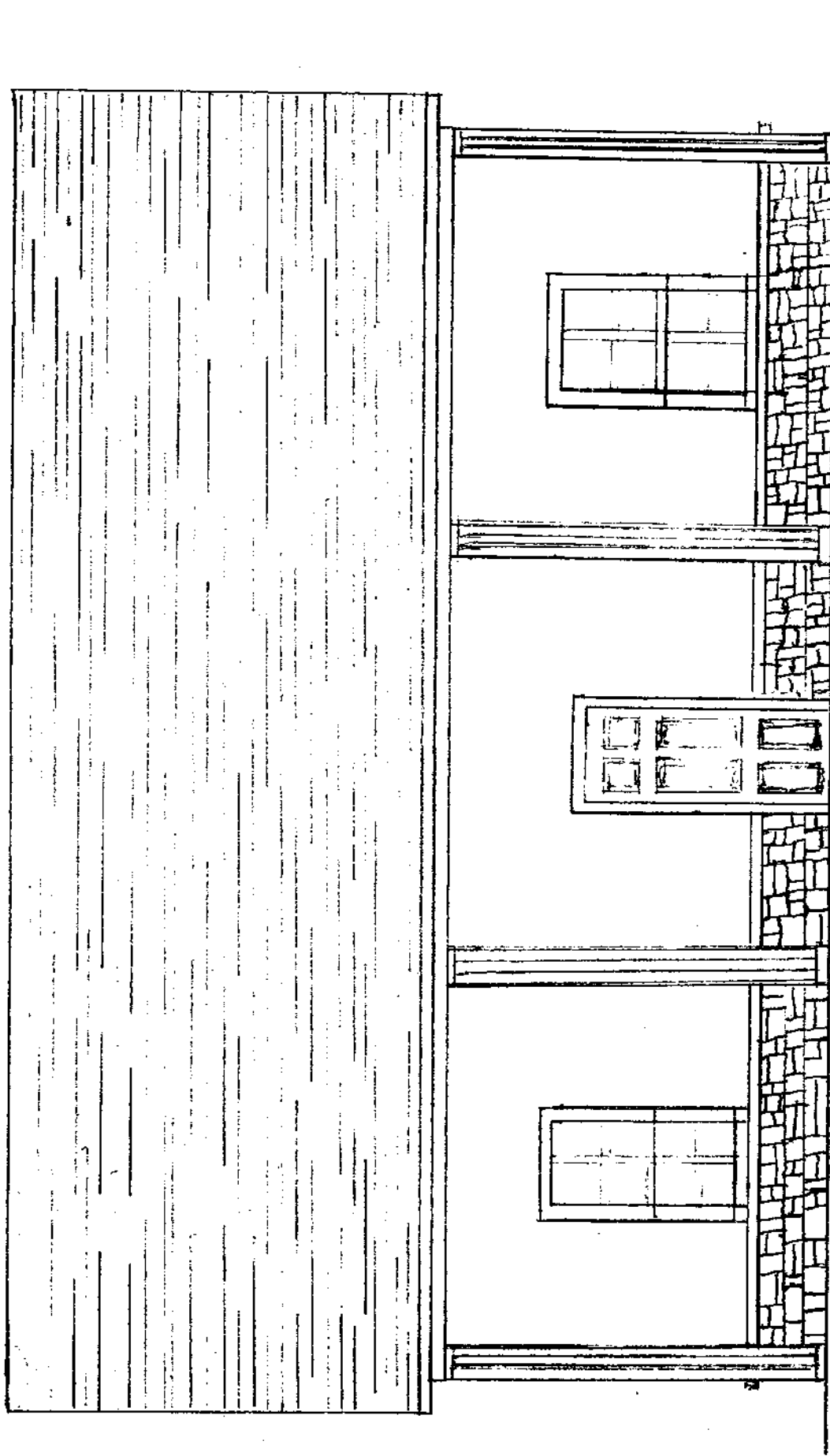
1ST COPY – CUSTOMER

2ND COPY - FILE

30 YR. DIMENSIONAL SHINGLES

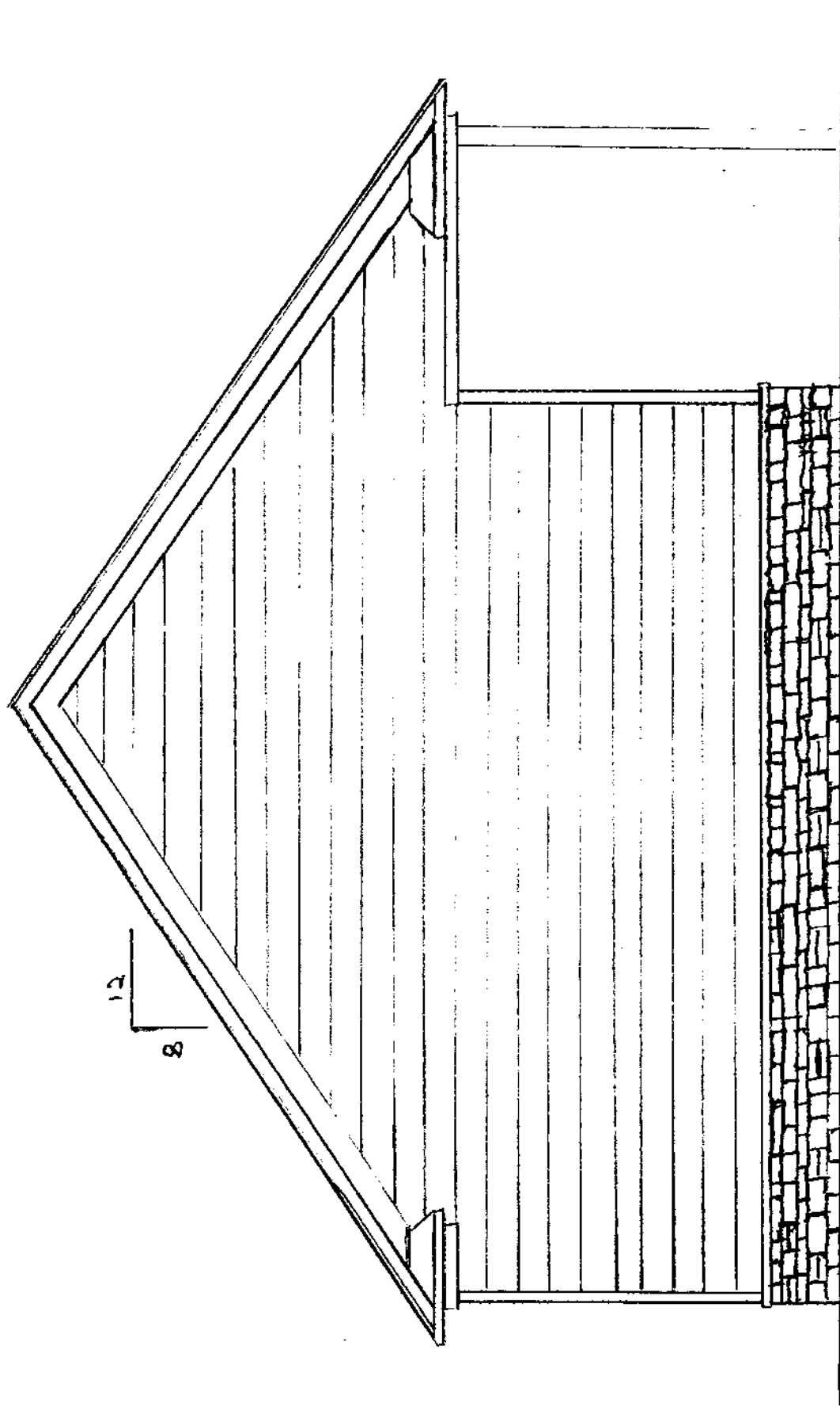


FRONT ELEVATION
 $\frac{1}{4}" = 1'-0"$

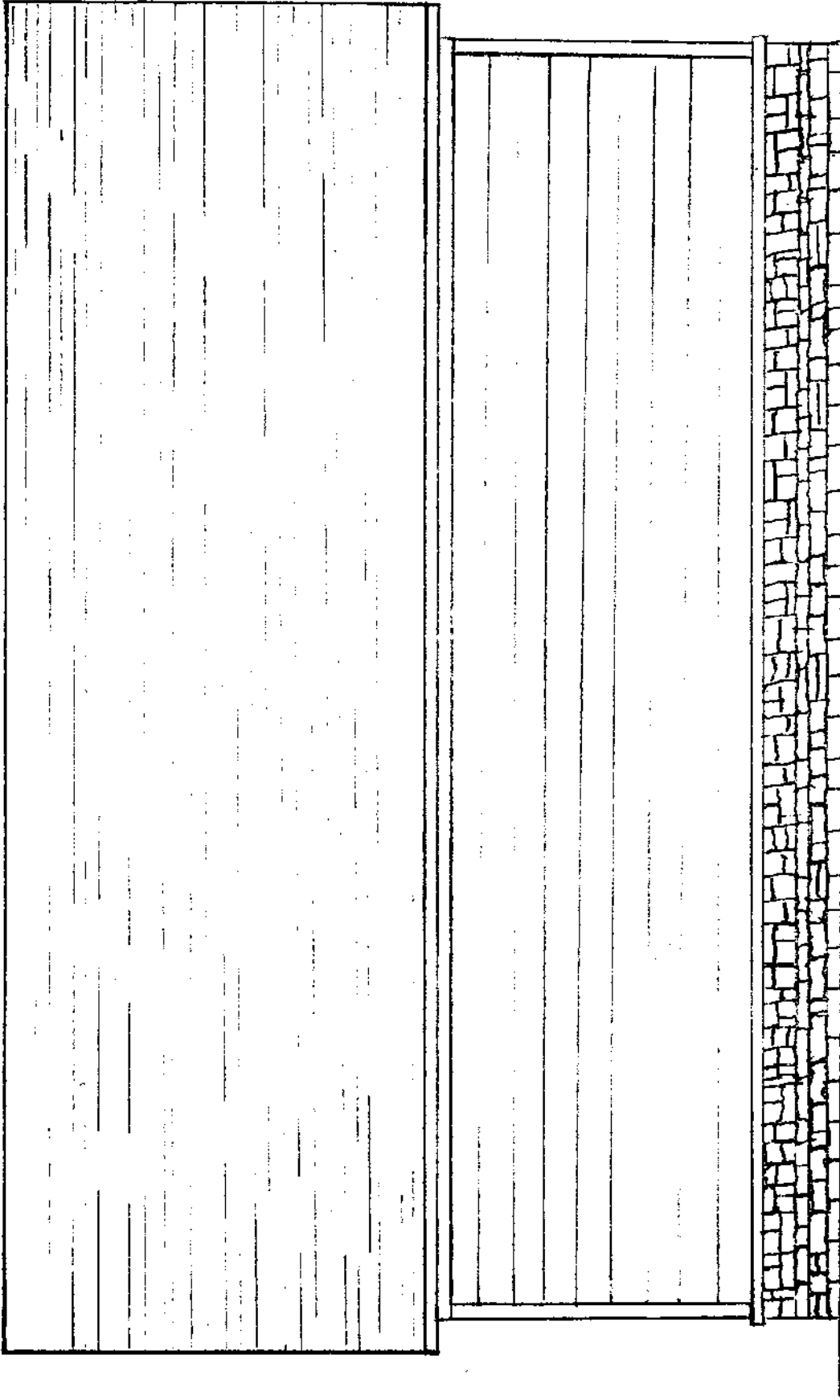


LEFT ELEVATION

1/4" = 1'-0"

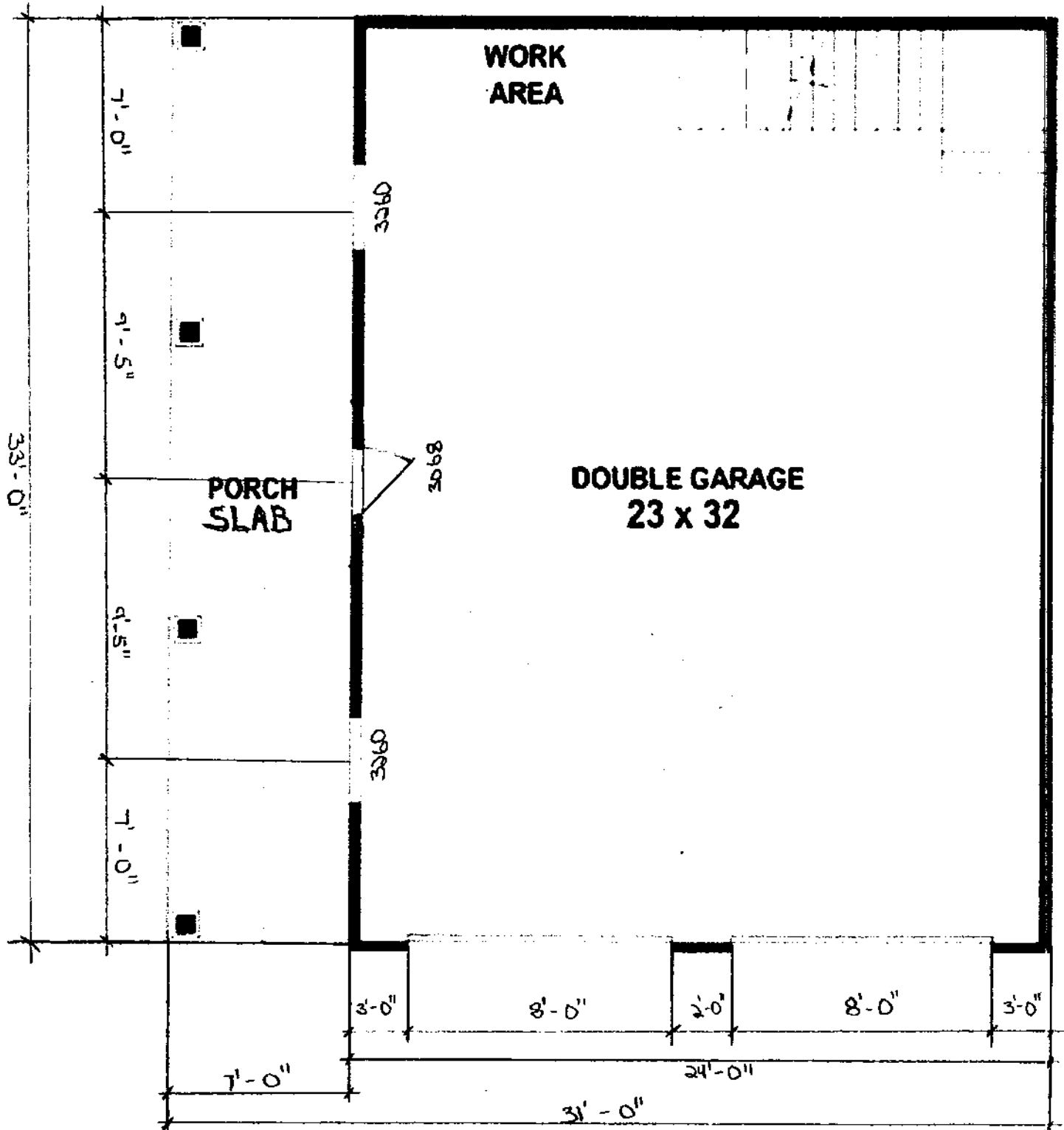


REAR ELEVATION
1/4" = 1'-0"



RIGHT ELEVATION
 $\frac{1}{4}'' = 1' - 0''$

FLOOR PLAN



FOUNDATION PLAN

