

VILLAGE OF MINSTER ZONING BOARD OF APPEALS

May 11, 2021

AGENDA

7:00 p.m.

1. Public Hearing
2. Call to Order
3. Approval of April 13, 2021 Minutes *Minutes* *1/10/2021*
4. New Business:
 - a) A variance request by Alan Clune owner of the property located at 122 South Lincoln Street. Mr. Clune would like to cover an existing patio with a roof and the support structures for the roof would be 5 feet 8 inches from the property line. The zoning code calls for any structure to be located a minimum of 7 feet 6 inches from the property line. In order for Mr. Clune to cover the existing patio a variance of 1 foot 10 inches would be needed.
 - b) A variance request by Zach Fleming of 240 North Frankfort Street. Mr. Fleming would like to erect an above ground pool on the property. The pool would be located 50 feet from the rear property line and more than 15 feet from all other property lines. The zoning code states does not permit above ground pools.
5. Old Business:
 - a) A conditional use permit request submitted by Bryan and Matt Niemeyer. The Niemeyer's would like to erect a mini-storage facility on a parcel of ground located to the west of True Value Hardware. The property where the storage facilities are to be built is zoned as a Residential Planned Unit Development. The zoning code states that a conditional use permit is needed to erect mini-storage facilities in the Village.
6. Comments
7. Adjournment *1/10/2021*



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

The Minster Board of Zoning Appeals will conduct a hearing on May 11, 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 by Alan Clune owner of the property located at 122 South Lincoln Street. Mr. Clune would like to cover an existing patio with a roof and the support structures for the roof would be 5 feet 8 inches from the property line. The zoning code calls for any structure to be located a minimum of 7 feet 6 inches from the property line. In order for Mr. Clune to cover the existing patio a variance of 1 foot 10 inches would be needed.
- b) A variance request by Zach Fleming of 240 North Frankfort Street. Mr. Fleming would like to erect an above ground pool on the property. The pool would be located 50 feet from the rear property line and more than 15 feet from all other property lines. The zoning code states does not permit above ground pools.

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

7019 2280 0001 3232 5434	Baizadoni
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7019 2280 0001 3232 5458	Clune
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7019 2280 0001 3232 5465	Rauy
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7019 2280 0001 3232 5489	Fleming
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7019 2280 0001 3232 5496	Fleming
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7019 2280 0001 3232 5502	Wasson
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7020 2450 0002 0163 9557	Bonhous
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MINUTES FOR MINSTER ZONING BOARD OF APPEAL

7:00 PM

04/13/2021

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

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

Also Present:

Dennis Kitzmiller	Kathy Warnock
Bryan Niemeyer	Jennifer Hartings
Matt Niemeyer	Jeff Vandermier
Dave Burke	Tyler Schneider
Don Riethman	Scott Kuenning

II. The public hearing was called to order by President Brad Garmann at 7:00 pm.

One item was discussed in the public meeting:

- 1) A variance request by Eric and Janey Belcher of 18 Fieldcrest Drive. The Belcher's are asking for a variance to allow a detached accessory building to be 19 feet – 7 inches in height. The zoning code calls for the height of an accessory building to be no more than 18 feet in height. A height variance of 1 foot – 7 inches is needed to allow the Belcher's to construct their detached accessory building. D. Riethman explained that they would like to erect a detached two car garage at the rear of the property. The garage would match the appearance of the house and would also have the same roof pitch as the house. There will be storage above the garage, that is why the request for additional height. J. Hinker asked if all other setbacks were in line with the zoning code and if there were any comments from the neighbors. Harrod replied that there were no comments from the neighbors and that all other setback requirements were met.
- 2) A variance request by Brian Wolf of 133 Northcrest Drive. The Wolf's are asking for a variance to allow a detached accessory building to be 23 feet – 8 inches in height. The zoning code calls for the height of an accessory building to be no more than 18 feet in height. A height variance of 5 foot – 8 inches is needed to allow the Wolf's to construct their detached accessory building. No one was present to discuss the topic, however, B. Garmann stated that he talked with Mr. Wolf and that he indicated that the garage would match the appearance of the house and would also have the same roof pitch as the house. There will be storage above the garage, that is why the request for additional height.
- 3) A conditional use permit request by Burke Petroleum owners of the property at 315 West First Street. Burke Petroleum would like to install a 30,000 gallon bulk propane storage tank at the rear of the property. A conditional use permit is required to allow a fire or explosive hazard to be located in an industrial park. J. Hartings explained that they would like to install the propane tank to expand their business. J. Vandermier who represents the propane tank installer, stated that the design will meet or exceed all NFPA 54 and 58 codes relating to fire protection and propane tanks storage. The codes call for the tanks to be 50 feet from all property lines and that they are well away from that on the south and west sides. He also stated that propane tanks like these are very common in industrial parks. He stated that they will provide training to the local fire department as part of their installation process. B.

Garmann asked if the propane was going to be only distributed through Burke Petroleum trucks or would it be retail sales. J. Hartings replied that there would be no retail sales of propane. B. Garmann stated that he had taken a look at the site and that the site looked like an appropriate use. J. Hinker expressed some concerns but stated that those concerns were addressed when J. Vandermier said that they would do training with the local fire departments.

- 4) A variance request by Tyler Schneider owner of the property located at 224 North Hanover Street. Mr. Schneider is asking for a variance to allow an attached garage to be build onto his existing home. The proposed garage would be 2 foot off of the north property line. The side yard setback calls for an attached garage to be 7 feet – six inches off of the property line. A side yard variance of 5 feet – 6 inches is requested. T. Schneider explained that they would like to remove the breezeway and existing garage and add a new garage onto the north side of the home. The new garage would be 2 foot off of the property line. The current garage is approximately three and a half foot off of the property line. T. Schneider explained that they would like to add onto the garage to allow two cars to be parked in the garage and so that they did not have to take their young children out into the cold to load them into the cars. K. Warnock, a neighbor, asked about water lines being installed into the garage. She was concerned that there would be some water issues. T. Schneider explained that the addition would be on the north side rather than the southside. This satisfied K. Warnock. J. Hinker asked that the only thing changing is that the footprint of the garage is getting bigger. T. Schneider confirmed that that was true. B. Garmann inquired about whether or not there was a detached garage in the back of the Schneider lot. T. Schneider said that there was just an old shed.
- 5) Bryan and Matt Niemeyer have submitted a conditional use permit request to allow them to install a mini-storage facility on a parcel of ground located to the west of the True Value Hardware store. The property is currently zoned as a Residential Planned Unit Development. The zoning code states that a conditional use permit is needed to erect a mini-storage facility in the Village. B. Niemeyer stated that he and his brother would like to erect a mini-storage facility on the property that lies to the west of the Hardware Store. He explained how the property is hidden from view. The proposed facilities would be built on the north side of the property closer to Cotterman's and that a mound and a line of trees would be placed at the south property line to shield the facility from the Rosebud Subdivision. L. Kitzmiller asked how many units would be erected. M. Niemeyer stated that there would be two units to begin with and that each unit would be between 200 to 250 feet long and approximately 30 feet wide. They would open on the long side for individual storage spaces. B. Niemeyer stated that there was not a lot of use for the property given its location. He also stated that it would probably be the least intrusive place to put mini-storage facilities given how it is difficult to see the property from State Route 66. L. Kitzmiller asked about how the facility would be lit. M. Niemeyer explained that there would be minimum lights installed and that renters could come and go as they pleased. He stated that would not be a fence installed around the facility at this time. Access to the site would come off of Midway Drive. B. Niemeyer stated that if they need to they would be willing to install some asphalt to make the transition easier from Midway Drive. S. Kuenning addressed the group and said that he was not opposed to the conditional use. He wanted to remind the Niemeyer's and the board that there is an easement through the property and that the utilities are actually outside of the easement. He also wanted to let the Niemeyer's know that the area was filled with dirt back in the late 1980's. He did express some concerns about gravel being drug out onto Midway Drive. B. Garmann asked if the site plan was accurate. M. Niemeyer explained that it wasn't. B. Garmann was concerned about the narrowness behind the two buildings. M. Niemeyer explained that having a drive only 20 to 30

feet wide was recommended as if the drive was bigger people would try to back up trailers and hit the buildings. There would be a drive all the way around each building. B. Garmann would like to see an accurate drawing be provided. J. Hearn stated that he had concerns about the board granting approval since the Niemeyer's do not currently own the property. He advised the board to grant an advisory opinion, stating that the board would likely grant the conditional use permit. Once the Niemeyer's owned the property they could come back and request the conditional use permit. L. Kitzmiller asked if the majority would decide the advisory opinion. J. Hearn replied that it would.

The public meeting was called to order by President Brad Garmann at 7:32 pm.

III. The minutes from the March 9, 2021 meeting were read. Being no further changes to the minutes, L. Kitzmiller motioned and J. Hinker seconded to approve the minutes. All members voted in favor of the motion to approve the minutes.

IV. New Business

1. A variance request by Eric and Janey Belcher of 18 Fieldcrest Drive. The Belcher's are asking for a variance to allow a detached accessory building to be 19 feet – 7 inches in height. The zoning code calls for the height of an accessory building to be no more than 18 feet in height. A height variance of 1 foot – 7 inches is needed to allow the Belcher's to construct their detached accessory building. B. Garmann stated that he felt that the request appeared to be appropriate for the neighborhood. Being no further discussion, L. Kitzmiller motioned and J. Hinker seconded the motion to approve the height variance. All voted in favor.
2. A variance request by Brian Wolf of 133 Northcrest Drive. The Wolf's are asking for a variance to allow a detached accessory building to be 23 feet – 8 inches in height. The zoning code calls for the height of an accessory building to be no more than 18 feet in height. A height variance of 5 foot – 8 inches is needed to allow the Wolf's to construct their detached accessory building. B. Garmann stated that again this is a common request received by the board especially when the house height is high. Being no further discussion, J. Hinker motioned and L. Kitzmiller seconded a motion to grant the variance request. All voted in favor.
3. A conditional use permit request by Burke Petroleum owners of the property at 315 West First Street. Burke Petroleum would like to install a 30,000 gallon bulk propane storage tank at the rear of the property. A conditional use permit is required to allow a fire or explosive hazard to be located in an industrial park. B. Garmann stated that he looked at the property and that he thought it was an appropriate use. J. Hinker stated that she thought it was a good idea to organize training for the fire department. B. Garmann stated that it was good that this was not going to be a retail sales of propane. Being no further discussion, J. Hinker motioned and L. Kitzmiller seconded a motion to approve the conditional use request. All voted in favor.
4. A variance request by Tyler Schneider owner of the property located at 224 North Hanover Street. Mr. Schneider is asking for a variance to allow an attached garage to be build onto his existing home. The proposed garage would be 2 foot off of the north property line. The side yard setback calls for an attached garage to be 7 feet – six inches off of the property line. B. Garmann expressed concerns about the property to the north of the Schneider's was set so close to the property line. He was concerned that bringing the Schneider's building that close would create a fire hazard or maintenance issue. The house to the north pre-dates zoning so allowing the Schnieder's to built out that far does offer much protection. L. Kitzmiller stated that if

followed the existing foot print there would only be about 20 inches difference. T. Schneider stated that he has talked to the Ripploh's and they have discussed putting concrete between the two structures and eliminating the grass strip. L. Kitzmiller motioned and J. Hinker seconded the motion to grant the variance request. A vote was taken with L. Kitzmiller and J. Hinker voting yes and B. Garmann voting no. Motion carried by a 2 to 1 vote. B. Garmann advised T. Schneider that he should look at putting some fire rated drywall on the north side of the garage to provide a little more protection.

5. Bryan and Matt Niemeyer have submitted a conditional use permit request to allow them to install a mini-storage facility on a parcel of ground located to the west of the True Value Hardware store. The property is currently zoned as a Residential Planned Unit Development. The zoning code states that a conditional use permit is needed to erect a mini-storage facility in the Village. B. Garmann stated that he thought this was an appropriate use for the site. J. Hinker stated that there certainly is a need for self storage facilities. B. Garmann stated that with the lay of the land you can not see the property from State Route 66 or from Rosebud. He did state that he would like to see an appropriate site plan before final approval. Board members agreed that they would likely grant the approval of the conditional use permit once the Niemeyer's become the owners of the property. D. Harrod suggested that a special meeting be held to allow the Niemeyers to purchase the property and then come back before the board. All agrees to attend a special meeting. Given no further discussion, J. Hinker motioned to table the conditional sue permit request, L. Kitzmiller seconded the motion. All voted in favor.

V. Old Business

D. Harrod stated that he is working with Rich Stein to get the shrubs cut back from encroaching onto the sidewalk.

L. Kitzmiller inquired about the new owners of the old Dudley's Flower Shop building. D. Harrod stated that the new owners of the flower shop are submitting a conditional use permit request and that it should be presented at the next meeting.

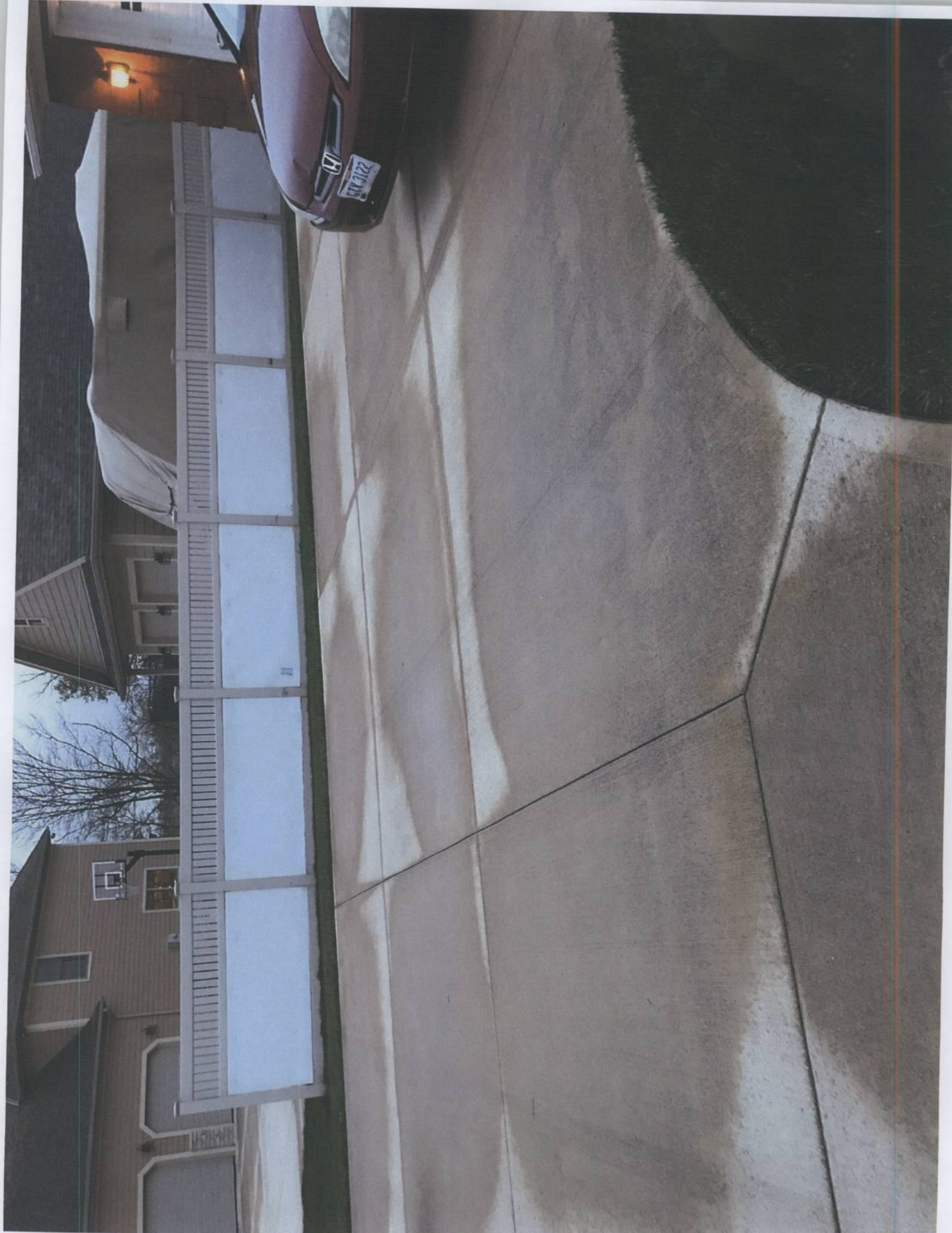
D. Harrod noted that the tires between the Post Office and Far Motors have been removed

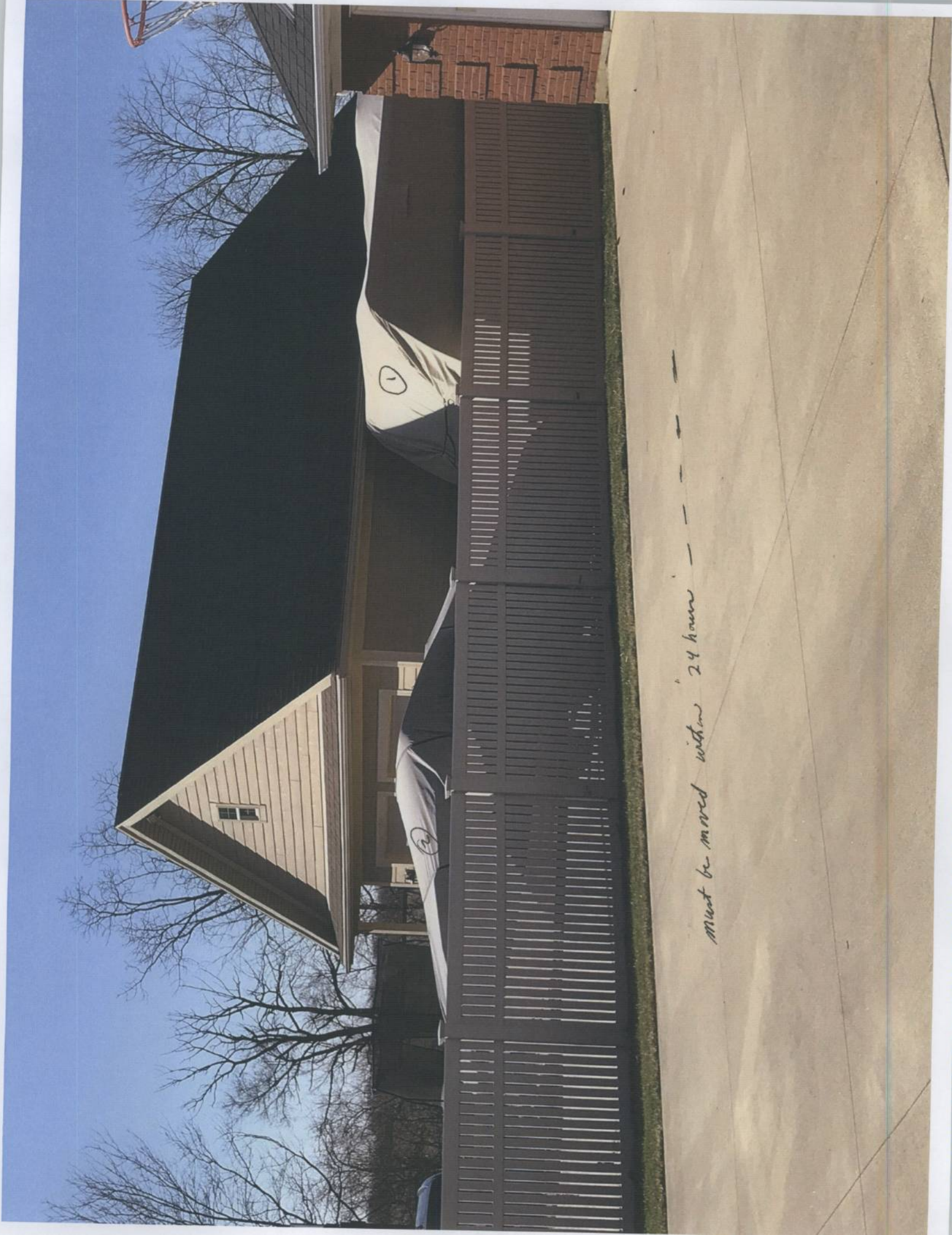
VI. Comments:

- a) L. Kitzmiller inquired about whether the bike shop was still operating at the corner of Frankfort Street and Seventh Street. D. Harrod replied that it was not open anymore.

VII. Adjournment

- a) L. Kitzmiller motioned and J. Hinker seconded a motion to adjourn at 7:41pm. Motion passed.





must be moved within 24 hours



May 13, 2021

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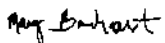
Item Details

Status:	Delivered
Status Date / Time:	May 10, 2021, 1:13 pm
Location:	MINSTER, OH 45865
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™
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Shipment Details

Weight: 1.0oz

Recipient Signature

Signature of Recipient:	
Address of Recipient:	 232 N FRANKFORT ST MINSTER, OH 45865-1047

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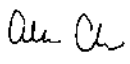
Item Details

Status:	Delivered
Status Date / Time:	May 11, 2021, 11:33 am
Location:	MINSTER, OH 45865
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™
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Shipment Details

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Recipient Signature

Signature of Recipient:	 Alan Clune
Address of Recipient:	122 S LINCOLN ST MINSTER, OH 45865-1241

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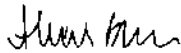
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Status Date / Time:	May 10, 2021, 4:12 pm
Location:	MINSTER, OH 45865
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Signature of Recipient:	 ALEXIS BLUM
Address of Recipient:	248 N FRANKFORT ST MINSTER, OH 45865-1067

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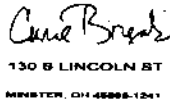
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Status Date / Time:	May 11, 2021, 1:11 pm
Location:	MINSTER, OH 45865
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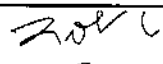
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Status:	Delivered, Left with Individual
Status Date / Time:	May 4, 2021, 2:42 pm
Location:	MINSTER, OH 45865
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Recipient Signature

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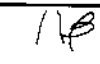
Item Details

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Status Date / Time:	May 4, 2021, 9:18 am
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Recipient Signature

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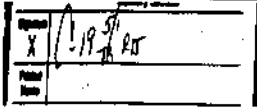
Item Details

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Status Date / Time:	May 1, 2021, 2:18 pm
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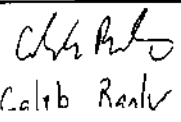
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Address of Recipient:	Caleb Rankin 117 E 3RD ST MINSTER, OH 45865 1216

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