

VILLAGE OF MINSTER ZONING BOARD OF APPEALS

September 10, 2024

AGENDA

7:00 p.m.

1. Public Hearing
2. Call to Order
3. Approval of July 9, 2024 and August 13, 2024 minutes
4. New Business:
 - a) A variance request submitted by James Wolf and Vincent Cartwright for the property located at 87 North Main Street. Mr. Wolf has entered into an agreement to purchase the property and would like to convert the property into a retail establishment. The zoning code calls for the facility to have a minimum of four off street parking spaces. Currently the property has no off-street parking spaces. A variance is requested to allow Mr. Wolf to utilize the building without the required off street parking.
 - b) A variance request by Joseph and Maura Gavit owners of the property located at 94 South Hanover Street. The Gavits are requesting a variance, that would allow them to make repairs to an existing porch structure. The current porch is located 25 feet and 6 inches from the front property line and 7 feet and 6 inches from the side property line. The Zoning Code call for a front yard setback of 35 feet and a side yard setback of 17 feet and 6 inches. A variance of 9 feet 6 inches for the front yard setback and a variance of 10 feet for the side yard setback would be required.
 - c) A variance request by Joseph and Maura Gavit owners of the property located at 94 South Hanover Street. The Gavits are requesting a variance so that they can erect an addition onto the existing home. The proposed addition would be located 14 feet and 6 inches from the south property line. The Zoning Code calls for a setback of 17 feet and 6 inches for homes located on a corner lot. A variance of 3 feet from the side yard setback would be required.
 - d) A variance request by Joseph and Maura Gavit owners of the property located at 94 South Hanover Street. The Gavits are requesting a variance that would allow them to erect an attached garage onto the existing home. The proposed garage would be located 14 feet and 6 inches from the south property line. The Zoning Code calls for a side yard setback of 25 feet for garages located on a corner lot. A variance of 10 feet and 6 inches would be required.
5. Old Business:
 - a) Approval to allow a ground sign to be erected within 10 feet of the public right of way in accordance with Chapter 7, Section G of the Village's Zoning Code. The proposed

ground sign would be located at Wealthpoint Properties at 52 North Main Street in Minster.

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 September 10, 2024 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 James Wolf and Vincent Cartwright for the property located at 87 North Main Street. Mr. Wolf has entered into an agreement to purchase the property and would like to convert the property into a retail establishment. The zoning code calls for the facility to have a minimum of four off street parking spaces. Currently the property has no off-street parking spaces. A variance is requested to allow Mr. Wolf to utilize the building without the required off street parking.
- b) A variance request by Joseph and Maura Gavit owners of the property located at 94 South Hanover Street. The Gavits are requesting a variance, that would allow them to make repairs to an existing porch structure. The current porch is located 25 feet and 6 inches from the front property line and 7 feet and 6 inches from the side property line. The Zoning Code call for a front yard setback of 35 feet and a side yard setback of 17 feet and 6 inches. A variance of 9 feet 6 inches for the front yard setback and a variance of 10 feet for the side yard setback would be required.
- c) A variance request by Joseph and Maura Gavit owners of the property located at 94 South Hanover Street. The Gavits are requesting a variance so that they can erect an addition onto the existing home. The proposed addition would be located 14 feet and 6 inches from the south property line. The Zoning Code calls for a setback of 17 feet and 6 inches for homes located on a corner lot. A variance of 3 feet from the side yard setback would be required.
- d) A variance request by Joseph and Maura Gavit owners of the property located at 94 South Hanover Street. The Gavits are requesting a variance that would allow them to erect an attached garage onto the existing home. The proposed garage would be located 14 feet and 6 inches from the south property line. The Zoning Code calls for a side yard setback of 25 feet for garages located on a corner lot. A variance of 10 feet and 6 inches would be required.

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

MINUTES FOR MINSTER ZONING BOARD OF APPEAL

7:00 PM

08/13/2024

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

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

Also Present:

Craig Oldiges

Adam Meyer

Adam Meyer is wanting to install a new monument sign in front of his Main Street property located at 52 N. Main Street.

Adam went on to explain the sign location, size and proximity to the building.

- Sign is intended to be located perpendicular to the road
- Can turn it parallel with the road if that is the only way to get it in there.
- Noted that he has an agreement with K of C Hall to rent parking spot from them.

Conversation and comments from Zoning Board to Adam Meyer

- Need to determine where the property lines are and where the right of way line is
- Furnish Administrator / Zoning Board copy of parking agreement
- Furnish a site plan showing dimensions of where the sign will be located in accordance with property lines and right of way line
- Furnish elevation dimensions of signage. Height off the ground and overall height and width of sign.

Ned motioned to table until next meeting, Steve second. All in favor

Jean motioned to adjourn, Ned second, All in favor

MINUTES FOR MINSTER ZONING BOARD OF APPEAL

7:00 PM

07/09/2024

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

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

Also Present:

Craig Oldiges	Nicole Clune
Lindsey Kuenning	

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

- a) A variance request submitted by Vince and Nicole Clune owners of the property located at 3931 State Route 119. The owners would like to erect a detached accessory building on the property. The proposed building would be located 4 foot off of the west property line. The zoning code calls for a side yard setback of 7.5 feet for an accessory building. A variance of 3.5 feet would be required to allow the proposed accessory building to be constructed on the property. N. Clune explained that the reason for a new building was that the Clune's and Kuenning's previously shared a building, which was subsequently torn down. The Clune's would like to replace that building with a new one. There would be 7 feet between the two buildings which seems like an appropriate gap. B. Garmann stated that the Kuenning's building looks fine and can hardly be seen with the row of pine trees behind the house. He believes that the Clune's building will not be seen as well. N. Sielschott questioned the offset and if the building was laid out to be close to the pool. N. Clune replied that they wanted the building to be close to the deck and pool, which provided the offset.

II. The regular meeting was called to order by Brad Garmann at 7:05 pm.

III. The minutes from the March 12, 2024 meeting were read. Being no changes to the minutes, N. Sielschott motioned and J. Hinker seconded to approve the minutes. All members voted in favor of the motion to approve the minutes.

IV. New Business

- a) A variance request submitted by Vince and Nicole Clune owners of the property located at 3931 State Route 119. The owners would like to erect a detached accessory building on the property. The proposed building would be located 4 foot off of the west property line. The zoning code calls for a side yard setback of 7.5 feet for an accessory building. A variance of 3.5 feet would be required to allow the proposed accessory building to be constructed on the property. B. Garmann stated that the board was made aware that the Clune's may request a variance when the Kuenning variance was approved. Being no

further discussion, J. Hinker motioned to approve the variance request. This was seconded by N. Sielschott. All voted in favor.

VI. Old Business

Harrod explained that follow up letters would be sent to the five Air B & B properties in the village to remind them of the new zoning regulations.

V. Comments:

There were no comments.

VI. Adjournment

E. Schmiesing motioned and N. Sielschott seconded a motion to adjourn at 7:09 pm. Motion passed.

MINUTES FOR MINSTER ZONING BOARD OF APPEAL

7:00 PM

09/10/2024

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

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

Also Present:

Craig Oldiges
James Wolf
Joseph Gavit

- I. The public hearing was called to order by Eric Schmiesing at 7:00 pm.
 - a) A variance request submitted by James Wolf and Vincent Carter for the property located at 87 North Main Street. Mr. Wolf has entered into an agreement to purchase the property and would like to convert the property into a retail establishment. The zoning code calls for the facility to have a minimum of four off street parking spaces. Currently the property has no off-street parking spaces. A variance is requested to allow Mr. Wolf to utilize the building without the required off street parking. J. Wolf explained that he would like to move his retail business from the plaza to the old Ripploh Store. He stated that the retail store would have one employee who would park at the corporate building on Garfield Street. He also stated that he believes that for most of the time the store is open he will need two spots on Main Street for customers. He stated that he would be redoing the façade of the building and making improvements to it. J. Hinker asked about the proposed retail hours of the store. J. Wolf explained that they are open Monday thru Friday from 11:00 am to 6:00 pm and on Saturday from 9:00 am to 1:00 pm. He stated that there are times especially around the holidays that the store may be a little busier. J. Hinker asked how many parking spaces were in front of the building. D. Harrod replied that there were two on the west side of Main and several on the east side. N. Sielschott asked about parking for the existing Air BnB. D. Harrod stated that there were no regulations regarding the number of parking spaces a short-term rental must have. J. Hinkler expressed concern about parking on Fifth Street as there are already a number of cars that park very close to the intersection.
 - b) A variance request by Joseph and Maura Gavit owners of the property located at 94 South Hanover Street. The Gavits are requesting a variance, that would allow them to make repairs to an existing porch structure. The current porch is located 25 feet and 6 inches from the front property line and 7 feet and 6 inches from the side property line. The Zoning Code call for a front yard setback of 35 feet and a side yard setback of 17 feet and 6 inches. A variance of 9 feet 6 inches for the front yard setback and a variance of 10 feet for the side yard setback would be required.
 - c) A variance request by Joseph and Maura Gavit owners of the property located at 94 South Hanover Street. The Gavits are requesting a variance so that they can erect an

addition onto the existing home. The proposed addition would be located 14 feet and 6 inches from the south property line. The Zoning Code calls for a setback of 17 feet and 6 inches for homes located on a corner lot. A variance of 3 feet from the side yard setback would be required.

- d) A variance request by Joseph and Maura Gavit owners of the property located at 94 South Hanover Street. The Gavits are requesting a variance that would allow them to erect an attached garage onto the existing home. The proposed garage would be located 14 feet and 6 inches from the south property line. The Zoning Code calls for a side yard setback of 25 feet for garages located on a corner lot. A variance of 10 feet and 6 inches would be required. Joseph Gavit addressed all three variance requests. They would like to reconstruct the porch at the front of the house and then add on a living space and an attached garage. He stated that they would prefer to keep the house and the new addition in line, thus the need to keep it at 17 feet rather than the required 25 feet. He explained that this would also allow them not to encroach on the neighbors and allow them to put a patio on the north side of the house. J. Gavit also commented that the garage would be setback the same as the addition and that the garage would be a rear pull garage coming off of Third Street. N. Sielschott asked if the new addition and garage would be consistent with the line of the existing house. J. Gavit explained that it would. J. Hinker asked if any variances for the north side were needed. J. Gavit replied that there is approximately 20 feet from the proposed additions to the north property line and no variances were necessary. J. Hinker also asked if the existing garage was going to stay. J. Gavit replied that it would.

II. The regular meeting was called to order by Eric Schmiesing at 7:14 pm.

III. The minutes from the July 9th and the August 13th, 2024 meeting were read. Being no changes to the minutes, J. Hinker motioned and N. Sielschott seconded to approve the minutes. All members voted in favor of the motion to approve the minutes.

IV. New Business

- a) A variance request submitted by James Wolf and Vincent Carter for the property located at 87 North Main Street. Mr. Wolf has entered into an agreement to purchase the property and would like to convert the property into a retail establishment. The zoning code calls for the facility to have a minimum of four off street parking spaces. Currently the property has no off-street parking spaces. A variance is requested to allow Mr. Wolf to utilize the building without the required off street parking. N. Sielschott stated that there are other business on Main Street in the area that did not have off street parking. He also asked if any contact has been made with Brinkman's as there was a problem with the short-term rental guests parking in Brinkman's lot. Being no further discussion, N. Sielschott motioned to approve the variance request. This was seconded by J. Hinker. All voted in favor.
- b) A variance request by Joseph and Maura Gavit owners of the property located at 94 South Hanover Street. The Gavits are requesting a variance, that would allow them to make repairs to an existing porch structure. The current porch is located 25 feet and 6 inches from the front property line and 7 feet and 6 inches from the side property line. The Zoning Code call for a front yard setback of 35 feet and a side yard setback of 17 feet and 6 inches. A variance of 9 feet 6 inches for the front yard setback and a variance of 10

feet for the side yard setback would be required. E. Schmiesing stated that he had no major issues with the request. N. Sielschott said that the board encounters this issue with the small 68 wide lots. Being no further discussion, N. Sielschott motioned to approve the variance request. This was seconded by J. Hinker. All voted in favor.

- c) A variance request by Joseph and Maura Gavit owners of the property located at 94 South Hanover Street. The Gavits are requesting a variance so that they can erect an addition onto the existing home. The proposed addition would be located 14 feet and 6 inches from the south property line. The Zoning Code calls for a setback of 17 feet and 6 inches for homes located on a corner lot. A variance of 3 feet from the side yard setback would be required. J. Hinker stated that there was no encroachment into the setback than what the existing house was. Being no further discussion, J. Hinker motioned to approve the variance request. This was seconded by N. Sielschott. All voted in favor.
- d) A variance request by Joseph and Maura Gavit owners of the property located at 94 South Hanover Street. The Gavits are requesting a variance that would allow them to erect an attached garage onto the existing home. The proposed garage would be located 14 feet and 6 inches from the south property line. The Zoning Code calls for a side yard setback of 25 feet for garages located on a corner lot. A variance of 10 feet and 6 inches would be required. E. Schmiesing stated that this request is similar to the addition request and that there was a home at the intersection of Third and Main is similar in nature. N. Sielschott stated that everything is in line with the existing structure. He also asked if there were any concerns expressed by the neighbor. D. Harrod replied that he had received no comments from the neighbors. Being no further discussion, J. Hinker motioned to approve the variance request. This was seconded by N. Sielschott. All voted in favor.

VI. Old Business

- e) Approval to allow a ground sign to be erected within 10 feet of the public right of way in accordance with Chapter 7, Section G of the Village's Zoning Code. The proposed ground sign would be located at Wealthpoint Properties at 52 North Main Street in Minster. D. Harrod explained that the proposed sign would be 5 foot high and 5 foot in length and would be placed 5 feet behind the right-of-way line. He went on further to explain that the proposed sign meets the requirements of the zoning code, but such signs need to be approved by the zoning board. E. Schmiesing asked about lighting. D. Harrod explained the sign was interior lit with LED lighting. This too meets the requirements of the zoning code. Being no further discussion, N. Sielschott motioned to approve the sign request. This was seconded by J. Hinker. All voted in favor.

V. Comments:

J. Hinker asked about letters to the air BNB establishments in the village. Harrod replied that letters were sent to all know establishments but that he had not heard from anyone.

J. Hinker also commented about two trailers that were parked in the rear yards but not on a pad. Those two trailers were located on North Main Street and South Frankfort Street. D. Harrod replied that he would address the issue.

N. Sielschott asked about parking regulations in the requirements for short term rentals. D. Harrod replied that the only statements about parking is that the owner of the short-term rental must provide a description of the availability of parking. J. Hearn commented that this was done to handle each situation on a case-by-case basis.

VI. Adjournment

J. Hinker motioned and N. Sielschott seconded a motion to adjourn at 7:32 pm. Motion passed.