

**SUGARCREEK TOWNSHIP
BOARD OF ZONING APPEALS
THURSDAY, MARCH 25, 2021**

This regular meeting of the Sugarcreek Township Board of Zoning Appeals was held on Thursday, March 25, 2021 via Zoom at 7:00 p.m.

Mrs. Moore called the meeting to order.

Everyone present stood for the Pledge of Allegiance.

Upon call of the roll, the vote resulted in the following:

Mr. Haibach – present
Mrs. Staten – absent
Mr. Froehlich – present
Mrs. Vantrease – present
Mr. Demko – absent
Mrs. Moore – present

Mrs. Moore swore in all those present wishing to provide testimony at the meeting.

Mrs. Moore noted that the first item of business was BZA05-2021 and asked Mrs. Tilford for the Staff Report.

Mrs. Tilford, being duly sworn, provided the Staff Report for BZA05-2021. Applicant, Wade Smith, is requesting a Variance from Section 4.11 G. of the Sugarcreek Township Zoning Resolution to allow for the construction of a single-family dwelling at a front yard setback of approximately 70' (125' required). The subject property is 3683 Middle Run Road, parcel L32000100080005800, owned by Martin Land Co., containing approximately 5.1 acres, and located in the A-1 (Agricultural) District.

Mr. Wade Smith, 3652 East Salinas Circle, being duly sworn, noted that he and his wife have been looking for a lot in Sugarcreek for a long time. He noted that when they found this lot it had everything they were looking for as the setting. It is wooded and gorgeous. He noted that the existence of a creek on the parcel and its associated topographical conditions renders 80 percent of the unbuildable. He noted that the requested Variance is necessary in order for a house to be constructed on the lot.

Mr. Moore asked for any comments in favor, in opposition or neutral.

Mr. Marvin Moeller, 3614 Middle Run Road, spoke in opposition. He noted he was speaking on behalf of Dr. Ozoude, who owns the adjacent to the lot in question, as well. They do not believe the issuance of a Variance is warranted and ask the BZA to deny the request.

Mrs. Shannon Costello, 3610 Middle Run Road, spoke in opposition. She noted that this house will be located closer to the road than any other house on Middle Run Road. She noted that they should be able to build a house, just not where they were proposing.

Mrs. Tilford brought up the GIS map and reviewed the location of homes along Middle Run Road.

Mrs. Moore asked for any additional public comments. There being none, she made a motion to close the public hearing which was seconded by Mrs. Vantrease. Upon call of the roll, the vote resulted in the following:

Mr. Froehlich-yes
Mr. Haibach-yes
Mrs. Moore-yes
Mrs. Vantrease-yes

Mrs. Moore stated that the topography of the lot is problematic from a house placement standpoint and meets the standard for a special condition and circumstance. She noted that other houses on Middle Run are as close or closer to the road and that the granting of the variance would not alter the essential character of the neighborhood.

Mrs. Moore made a motion to approve the variances as requested by the applicant, which was seconded by Mrs. Vantrease.

Upon call of the roll, the vote resulted in the following:

Mr. Froehlich-yes
Mr. Haibach-yes
Mrs. Moore-yes
Mrs. Vantrease-yes

Mrs. Moore made a motion to approve the February 25, 2021 Minutes, which was seconded by Mr. Haibach. Upon call of the roll, the vote resulted in the following:

Mr. Froehlich-yes
Mr. Haibach-yes
Mrs. Moore-yes
Mrs. Vantrease-yes

Mr. Haibach made a motion to adjourn, which was seconded by Mrs. Vantrease.

Upon call of the roll, the vote resulted in the following:

Mr. Froehlich-yes
Mr. Haibach-yes
Mrs. Moore-yes
Mrs. Vantrease-yes