

**SUGARCREEK TOWNSHIP
BOARD OF ZONING APPEALS
THURSDAY, April 22nd, 2021**

This regular meeting of the Sugarcreek Township Board of Zoning Appeals was held on Thursday, April 22nd, 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 BZA06-2021 and asked Mrs. Tilford for the Staff Report.

Mrs. Tilford, being duly sworn, provided the Staff Report for BZA06-2021. BZA06-2021: Applicant, Sheela Patel, is requesting a Variance from Section 4.13 D. 1. c. of the Sugarcreek Township Zoning Resolution to allow for the construction of an inground pool at a setback of 6' from the principal structure (10' required). The subject property is 1625 Fox Trail, parcel L32000100120003000, owned by Sheela Patel, and located in the R-1A (Suburban Residential-Low) District.

Mrs. Moore asked if there were any questions for Mrs. Tilford before they move on.

Mr. Froehlich, being duly sworn, spoke about the mention of an existing tree line, but he does not see this tree line.

Mrs. Tilford stated that the trees could have been planted after the aerial photo that she has on her slides was taken. She believes that the trees are in the way of the proposed pool if the set back stays at the 10-foot line. They would then have to cut down those trees to fit their pool in that is why they are requesting 6 feet instead.

Mr. Froehlich asked if the covered porch to the red line outlining the property is 47 feet.

Mrs. Tilford stated yes, it is 47 feet.

Mrs. Vantrease, being duly sworn, asked if the trees were exactly on the property line.

Mrs. Tilford stated no, the trees are closer to the house than the actual property line. That is why the applicant is requesting a 6-foot setback instead of the 10-foot setback, as too not have to cut down the trees.

Mrs. Moore asked if there were any other questions for Mrs. Tilford. Hearing none she asked if there was anyone in attendance to speak on behalf of the applicant.

Mrs. Patel of 1625 Fox Trail, being duly sworn, stated that the trees in question are roughly 10 feet beyond the line of the pool on the diagram. The trees are about 20 feet tall; they are mature trees that run through the whole back yard.

Mrs. Moore asked if by pushing back the pool 4 more feet it would infringe on the space for the trees.

Mrs. Patel stated that there would not be enough room for the equipment for the pool so the trees would have to come down.

Mrs. Moore asked about the covered patio and that it is not built in or screened in.

Mrs. Patel stated that that is correct.

Mr. Cramer from Knickerbocker Pools, being duly sworn, stated that where the pool is located is also a big factor. The back yard is on a slope, and with the trees there they have tried to best fit the pool into the back yard.

Mrs. Moore asked if there were any other questions or comments for the proposed plan. Hearing none she asked if there were any comments against the proposed plan. Hearing none she asked if anyone wished to speak neutrally on the proposed plan. Hearing none, Mrs. Moore moved to close the public hearing. Mrs. Vantrease seconded.

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 BZA06-2021 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 March 25th meeting minutes 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 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