

**SUGARCREEK TOWNSHIP  
BOARD OF ZONING COMMISSION  
THURSDAY, AUGUST 25<sup>th</sup>, 2022**

This regular meeting of the Sugarcreek Township Board of Zoning Appeals was held on Thursday, August 25<sup>th</sup>, 2022, at 7:00 p.m.

Mrs. Moore called the meeting to order.

Everyone in attendance stood for the Pledge of Allegiance.

Ms. Moore asked Mrs. Tilford to take roll. Upon call of the roll, the vote resulted in the following:

Mrs. Vantrease - Present  
Mrs. Moore - Present  
Mr. Haibach - Absent  
Mr. Froehlich - Present  
Dr. Morris – Present

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

Mrs. Moore noted that there is one case on the agenda tonight is BZA08-2022.

Mrs. Tilford, being duly sworn, provided the Staff Report for BZA08-2022. Applicant, Amanda Smith is requesting a Variance from Section 7.04 B. A. a. and Section 7.04 B. 1. e. of the Sugarcreek Township Zoning Resolution to allow for the construction of 6' wood privacy fence extending 88' from the house toward Wilmington Dayton Road and extending 21' from the house toward Conference Road in front yards of the subject parcel (a corner lot with frontage on both Conference and Wilmington Dayton Roads). The subject property is 4267 Conference Road, parcel L32000100050001500, contains 1.78 acres, is owned by Amanda Caudill, and located in the E (Estate Residential) District. Mrs. Tilford noted the home on the lot is situated in a way that the side and rear yard is extremely limited. The applicant was notified by staff when a fence as being built without a zoning permit. Mrs. Tilford provided pictures. As soon as the applicant was notified, they called Mrs. Tilford and stated they did call and get approval as they would not have moved forward without it. Mrs. Tilford stated the applicant called Greene County Building Department who told the applicant a zoning permit was not required and did not refer the applicant back to the township. Therefore, there is a partially built fence which the applicant would like to finish. Some discussion followed on the location of the fence in the front vs. side vs. rear yard.

Mrs. Moore asked if anyone was in attendance to speak on behalf of the applicant.

Harry Smith, 4267 Conference Road, being duly sworn stated the property was Amanda Smith's fathers who passed away 4 years ago, and she inherited the house. He and Amanda had their first child January of last year and plan on raising their family in this house. Their biggest concern is

Conference Road and the speeding and congestion that occurs on it. He notes there was a death there 2 years ago and multiple crashes on the corner. They are trying to provide a safe area for their pets to roam and child to play. He adds their back yard from the porch to the property line is 10 ft. The way the house is situated on the land has made it difficult to lay out a privacy fence or area for their child to play. He adds they live close to their neighbors, and they support the fence. He adds he was unaware he had to receive a permit from Sugarcreek Township, as this was his first time doing any construction. He goes over his phone call with Greene County Building Department and notes the gentleman who he was speaking to was making jokes and saying, "He doesn't care" and making more jokes like "Don't put up and electric fence or dig up a commode and put alligators in it." He states on that premise he thought he was good to go and bought \$5,000 worth of wood and materials. He states again the fence is for privacy and safety for his child and pets. Some discussion followed.

Mrs. Tilford states she got a call from a woman who lived nearby and was in support of the fence.

Mrs. Moore made a motion to close the public portion of the meeting. Mrs. Vantrease seconded.

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

Mrs. Vantrease - Yes

Mrs. Moore - Yes

Mr. Froehlich -Yes

Dr. Morris - Yes

Mrs. Moore stated corner lots are always awkward and provide issues for the homeowner because of the two front yards. She adds the proposed fence is a good distance from the roads and she does not have any significant issues believing it can form to the general usage of the neighborhood. She adds it is partially covered by the trees and the other landscaping, so it is not as much in view and the neighbors are agreeable to it.

Mrs. Moore made a motion to approve the variance as requested by the applicant. Mrs. Vantrease seconded. Upon call of the roll, the vote resulted in the following:

Mrs. Vantrease - Yes

Mrs. Moore - Yes

Mr. Froehlich -Yes

Dr. Morris - Yes

Mrs. Moore made a motion to adjourn, which was seconded by Dr. Morris. Upon call of the roll, the vote resulted in the following:

Mrs. Vantrease - Yes

Mrs. Moore - Yes

Mr. Froehlich -Yes

Dr. Morris - Yes

