

**SUGARCREEK TOWNSHIP
BOARD OF ZONING COMMISSION
THURSDAY, SEPTEMBER 22nd, 2022**

This regular meeting of the Sugarcreek Township Board of Zoning Appeals was held on Thursday, September 22nd, 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 are two cases on the agenda tonight, the first being BZA09-2022.

Mrs. Tilford, being duly sworn, provided the Staff Report for BZA09-2022. Applicants, Justin and Elizabeth Deters, are requesting a Variance from Section 4.14 D. 3. A. of the Sugarcreek Township Zoning Resolution to allow for the construction of a detached garage with a 1985.7 SF footprint. The subject property is 2502 Indian Wells Trail, parcel L32000200300013400, owned by Justin and Elizabeth Deters, containing 2.5 acres and located in the R-A1 (Suburban Residential-Low) District. Based on the house size of 4518 SF they would be allowed a detached garage size of 1154.5 SF. Mrs. Tilford stated this lot size being 2.5 acres is rather large for the R-A1 District, and if in another district, it would allow for this size structure. Mrs. Tilford stated she spoke with the neighbor, and he expressed concern that the garage doors would be on the side of the building not the front of the building consistent with the architecture of the houses in the neighborhood. Mrs. Tilford stated the applicants do have HOA approval.

Dr. Morris asked if there would be a driveway leading into this detached garage which Mrs. Tilford stated he would have to address with the applicant as she is not sure.

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

Justin Deters, 2502 Indian Wells Trail, being duly sworn stated the property stated there would be a separate driveway going to the 3-car detached garage. Some discussion followed of the applicant showing visually where the driveway would be located. He stated this garage would be for additional space and there is an 18 FT maximum for the height. The applicant adds he did go through his HOA architecture approval committee, and he has received approval through them

for the same drawings he has presented with his zoning application. The applicant adds he and his wife did reach out to everyone on the list that would be receiving notice of this requested Variance and only one neighbor had questions regarding which way the garage would be facing.

Dr. Morris asked if without the storage, would it meet the Variance. Mrs. Tilford states it would still be larger because the large car part is 1352 SF, and the small storage part is 633 SF.

Mrs. Moore asked if anyone wished to speak in opposition of the applicant. Hearing none, Mrs. Moore asked if anyone wished to speak neutrally on the application. Hearing none, 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 one interesting part of this application to her, is that this lot is considerably larger than the minimum for this district and is large enough to meet the estate district qualifications. If it were in the estate district, they would be able to put this garage in. Mr. Froehlich added it looks nice and the neighbors don't care. Mrs. Moore adds it is suitable for this size of a lot as well as when compared to the main structure. Dr. Morris adds if he is remembering correctly this is larger lot than the rest of the lots in the neighborhood. He adds although this lot can support it, compared to the rest of the lots it may make it look out of place. Mrs. Tilford adds it was oriented in a way that the visual impact would be minimized based on the placement of the structure. Mr. Froehlich added they may have neighbors coming in saying if they built it, I want to build it too. Dr. Morris stated it would not be due to the size of the lot.

Mrs. Vantrease made a motion to approve the variance as requested by the applicant. Mrs. Moore 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 noted that there is another case on the agenda tonight: BZA10-2022.

Mrs. Tilford, being duly sworn, provided the Staff Report for BZA10-2022. Applicant, First Baptist Church of Kettering, is requesting Variances from Section 8.06 B. 11. of the Sugarcreek Township Zoning Resolution to allow for the construction of eight (8) directional signs in the parking lot of the property, one (1) at a height of 8.5' with an area of 26.8 SF and the other seven (7) being 5' in height with an area of 10 SF. The subject property is 3939 Swigart Road, parcel L32000100140000300, owned by First Baptist Church of Kettering, containing 75.484 acres, and located in the A-1 (Agricultural) District. Staff noted the subject size is very large with different

rooms, halls, etc. that people must be able to locate upon arrival. Additionally, there are multiple entrances to the building and the proposed signs would not be visible from Swigart Rd and they are ground mounted and address the directional needs for this building. Some discussion followed of Mrs. Tilford showing visually where the signs would be on a map.

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

Jeff Tilford, 3939 Swigart Road, being duly sworn stated they consistently set out temporary signs and the wind blows them. They have tried all other options with no luck. The reason they are wanting the signs to be at that height are for when people are parked up against the curbs, people are still able to see. They have put numbers on their doors, and he has spoken with both the fire and police department which will help direct them quicker as well. He added there is a sign for each wing of the building, and there is only one that is not an entrance so they would like to keep people moving around it. Some discussion followed of the applicant showing where the signs would be visually. The sign closest to the building will be a wooden structure wrapped in aluminum buried into the ground and there is only one sign with a stone base. He added they have events occurring almost every night during the week and they average 700 visitors on Sundays and for all these events they need signage.

Mrs. Moore asked if anyone wished to speak in opposition of the applicant. Hearing none, Mrs. Moore asked if anyone wished to speak neutrally on the application. Hearing none, 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 this is a very large site and she feels this is a very reasonable request. She thinks it is appropriate for the circumstances presented.

Mrs. Moore made a motion to approve the variance as requested by the applicant. Mr. Froehlich 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 table the minutes from July 28,2022. Mrs. Vantrease seconded. Upon call of the roll, the vote resulted in the following:

Mrs. Vantrease – Yes

Mrs. Moore - Yes
Dr. Morris - Yes
Mr. Froehlich -Yes

Mrs. Moore made a motion to approve the minutes from August 25, 2022. Mrs. Vantrease seconded. Upon call of the roll, the vote resulted in the following:

Mrs. Vantrease – Yes
Mrs. Moore - Yes
Dr. Morris - Yes
Mr. Froehlich -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