

Summit Township Zoning Board of Appeals
Thursday, April 14, 2016

PRESENT: Jack Shelby, Vice Chairman & Planning Commission Liaison; Bob Dubois, Secretary & Township Trustee; Tony Hollow, Scott Blakemore, Debby Kelly and John Worden, Zoning Administrator

ABSENT: Chairman, Charles Nelson

Vice Chairman, J. Shelby, called the meeting to order on Thursday, April 14, 2016 at 7:00 p.m., in the Township Hall Meeting Room at 2121 Ferguson Road.

The case between Epicurean Development, LLC and Summit Township returns to Circuit Court on Friday, May 6, 2016.

A motion was made by B. Dubois, supported by D. Kelly, to approve the minutes of the Thursday November 12, 2015 as written. The motion carried unanimously

Vice Chairman, J. Shelby, excused himself, because he is representing the applicant.

Scott Blakemore was appointed to chair the meeting.

Case# 16-04-0002 – Setback Rear Yard Lots 304, 305 and 306 Brookline Addition-500 block 19th Street – Property Zoned Light Industrial (L-1) – Bull Investments, LLC – Bill Bullinger Applicant

A public hearing was held at the request of Bull Investments, LLC of 530 19th Street, for a rear yard set back at 520 19th Street for a proposed structure to be located on lots 304, 305 and 306 of Brookline Addition 19th Street. The structure, a sixty-four (64) by forty (40) pole barn, will serve as an indoor storage facility for equipment and vehicles of AJAX Heating and Air Conditioning located at 530 19th Street. Lots 304, 305 and 306 Brookline Addition was rezoned from Urban Residential (RU-1) to Light Industrial (L-1) on January 12, 2016. The requested rear yard set back of six (6) feet from the required thirty-five (35) feet would allow the overhead doors to face the south, allowing ingress and egress from a single driveway off 19th Street instead of a new driveway. The rear yard faces an alleyway that is fourteen (14) feet in width and is not accessible or useable.

Jack Shelby, representing the applicant, requested the board review the provided drawings included in the application. He pointed out the location of the alleyway and stated it was not maintained or utilized. If the Road Commission were to abandon the alleyway the applicant would not need a rear yard setback, because seven (7) feet of the fourteen (14) feet of the alleyway would revert to either side. Therefore, the application request would not be necessary because the required rear yard setback would have been met.

Also, J. Shelby addressed the storm water issue with the property. Because the storm water system has not been maintained, a waterway has been formed, and water runoff is traveling down the alleyway and discharging onto lots 304 and 305. The area has heavy tree coverage, and a pond has formed as a result. The applicant has spoken with the Jackson County Drain Commissioner, and because the applicant will be adding a hard surface, this will create additional water issues. The applicant has volunteered to clean up and maintain the storm water runoff creating a waterway for Jackson County allowing the runoff to discharge into the manhole on 19th street.

By taking control of the storm water issues, this will limit the placement of the proposed pole barn. To obtain the maximum overall size of the structure, ease of entry and exit, maintain the ascetic of the neighborhood and to over come the hardship of the rear set back requirement of Light Industrial (L-1) a variance is being requested.

Public Comment

There were no public comments.

A motion was made by B. Dubois, supported by T. Hollow, to grant the variance of six (6) feet from the required thirty-five (35) feet rear yard setback in the Light Industrial (L-1) District in accordance with Chapter150.367 (B)(1)(a)(b)(c)(d) and for this request only.

The motion carried 4 yes and 1 abstention.

A motion was made by J. Shelby, supported by D. Kelly, to adjourn the meeting at 7:17 p.m. The motion carried unanimously.

Respectfully Submitted,

B. Dubois, Secretary