

**BOARD OF ZONING APPEALS
REGULAR MEETING
MINUTES
JULY 15, 2009**

A. Call To Order

The Board of Zoning Appeals met in regular session on Wednesday, July 15, 2009. The meeting was called to order at 5:30 p.m.

1. Roll Call

Chairman David Fabb called the meeting to order at 5:30 p.m. Present were Mr. Louie Kuhlwein, Mr. Don Scaggs, Mr. Donald Moore, Mr. Jason Little, and Chairman David Fabb. Also present, Chief Building Official and Recording Secretary Rod Bryant.

2. Approval of Minutes

The minutes of June 17, 2009 were reviewed. Mr. Moore moved and Mr. Kuhlwein seconded the following motion:

***MOTION:** To approve the minutes as presented.*

***At roll call, the vote resulted as follows:** Mr. Moore, "Aye", Mr. Scaggs, "Aye", Mr. Kuhlwein, "Aye", Mr. Little, "Aye", and Chairman Fabb "Aye".*

MOTION CARRIED.

B. BUSINESS SECTION

1. Application #03-09

**Tarkio & Cynthia Chester
6101 Boyd Road
Washington C.H., Ohio 43160**

Issue: Requesting variance for building setback requirements for 1392 Rawling Street.

Mrs. Chester spoke and stated that this was a family business and that most of the family was present tonight. Tark Chester stated that this was an outpatient physical therapy clinic and that the request was for a 20' setback around all sides of the lot. Mr. Chester indicated that by adhering to the 50' requirement, the building would be of inadequate size and would not allow for the usage they needed or for any growth or expansion. He indicated that there is a 2-4 week wait to see a therapist and would like to grow the business to alleviate this problem.

Mr. Chester indicated that the proposed building location allows for better parking and maneuvering around the facility and that the facility will have a somewhat residential appearance.

Mr. Kuhlwein asked about signage and Mr. Chester stated that a non-illuminated sign with in the regulations would be erected.

Mr. Little inquired about the future ingress/egress on Rawling Street and Mr. Chester described his intent to use this if the business grows. There was also some discussion regarding a dumpster for trash and Mr. Chester stated that they would be using residential trash barrels to blend with the neighborhood.

Mr. Moore inquired about the owner's thoughts from the adjacent two-family lots and owner Mr. Bill Beatty spoke to his support of the variance request.

With no further discussion from the Board or audience Chairman Fabb asked for a motion. Mr. Kuhlwein moved and Mr. Scaggs seconded the following motion:

***MOTION:** To approve application #03-09 as submitted.*

At roll call the vote resulted as follows: Mr. Moore, "Aye", Mr. Scaggs, and "Aye", Mr. Little, "Aye", Mr. Kuhlwein, "Aye" and Chairman Fabb, "Aye".

MOTION CARRIED.

C. OTHER BUSINESS

There was no other business for discussion.

D. ADJOURNMENT

There being no further discussion from the Board or the audience, Chairman Fabb requested a motion. Mr. Moore moved and Mr. Little seconded the following motion:

***MOTION:** To adjourn the July 15, 2009 Regular Meeting.*

At roll call, the vote resulted as follows: Mr. Moore, "Aye", Mr. Scaggs "Aye", Mr. Little, "Aye", Mr. Kuhlwein, "Aye" and Chairman Fabb, "Aye".

MOTION CARRIED.

Meeting adjourned at approximately 5:50 p.m.

APPROVED this _____ day of _____, 2009.

Respectfully Submitted,

Rod J. Bryant, Recording Secretary

Chairman David Fabb