

Rose stated why she would like her lot split to happen and that the property has been used as a residential for as long as she has owned it.

Mr. Gross stated that there are several other properties similar in size and because of that he would be in favor.

There was a brief deliberation between Board members that was not able to be heard on the recording.

Mr. Moore asked if there was a motion. Mr. Gross made a motion to approve the variance as submitted. Mr. Amburgey seconded the motion. The motion was approved through roll as a 5-0-1 vote.

Mr. Gross – Yes to Approve

Mr. Hall – Absent

Mr. Moore – Yes to Approve

Mr. Amburgey – Yes to Approve

Mr. Heidenreich – Yes to Approve

Mr. Kash – Yes to Approve

Mr. Wannemacher – Abstained

VARIANCE REQUEST #8-23: 1723 BRENTWOOD STREET

Mr. Moore presented Variance Case #8-23: A request by applicant Ronald Dykes for approval of an Area and Dimensional Variance for the property located at 1723 Brentwood Street. The property is zoned R-4: Attached Residential District. The variance requested is to allow for the construction of a third garage with a footprint larger than the primary structure whereas the Middletown Development Code prohibits more than one garage on a residential lot and no accessory structures may be larger than the primary structure.

Mr. Metz was sworn in and presented the case using a PowerPoint presentation. Mr. Metz displayed photos of the subject. Mr. Metz displayed a zoning map and stated that the property is zoned R-4: Attached Residential District. Mr. Metz read the City of Middletown's Development Code Chapter 1206.01: Accessory Uses and Structures (c) 1 regarding temporary structures within the City of Middletown.

Mr. Metz stated that per the Middletown Development Code, the requirement for legal notice for variance requests, and meeting notice letters for the proposed appeal were sent to all property owners contiguous and directly across the street or public right-of-way and noted that no comments were received.

Mr. Metz displayed and read Chapter 1226.10: Variance Review Criteria.

Mr. Metz displayed the following Appeals information: any person or entity claiming to be injured or aggrieved by any final action of the Board of Zoning Appeals has the right to appeal the decision to the court of common pleas as provided in the Ohio Revised Code Chapters 2505 and 2506.

Mr. Metz stated the applicant was present and concluded his staff report.

Mr. Moore asked if there was anyone who would like to speak in favor of the project. Hearing no one, Mr. Moore closed the public hearing.

Mr. Kash asked Mr. Metz to reiterate the application. Mr. Metz stated that the applicant is wanting to build a third garage on this property that has a footprint three times the size of his current home on the property while the Development Code states that no accessory structure may be larger than the primary structure and that only one garage or carport is permitted on any residential lot.

Mr. Moore asked if there was a motion. Mr. Amburgey made a motion to deny the motion as submitted. Mr. Kash seconded the motion. The motion was denied through roll as a 7-0 vote.

Mr. Gross – Yes to Deny
Mr. Hall – Yes to Deny
Mr. Moore – Yes to Deny
Mr. Amburgey – Yes to Deny
Mr. Heidenreich – Yes to Deny
Mr. Kash – Yes to Deny
Mr. Wannemacher – Yes to Deny

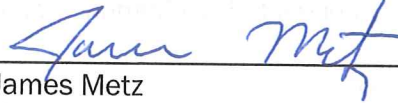
NEW/OLD BUSINESS

ADJOURNMENT

With no further business to conduct, there was a motion to adjourn at 6:32 pm.
The motion passed unanimously.



Todd Moore
Chairman



James Metz
City Planner

*Full Meeting Recording Available in the Development Services Department.