

HARRISON TOWNSHIP
Board of Zoning Appeals
Monday, April 10, 2017
7:00 p.m.

The meeting of the Harrison Township Board of Zoning Appeals was called to order at 7:00 p.m. on Monday, April 10, 2017.

Those present:

Charles Waldron
Patricia Larrick
Donald Marlow
Steven Russell
Jerry Barnes

Justin Riley Olszewski,
Zoning Administrator, Development Dept.

APPROVAL OF THE MINUTES:

Steven Russell made a motion to approve the minutes dated March 13, 2017. Ms. Patty Larrick seconded the motion. Motion carried and passed 5-0.

OLD BUSINESS:

None

NEW BUSINESS:

Case No. BZA-03-17

Case# BZA-03-17 was initiated by Justin Powell, Huntington Outdoor, 9422 SR 722, Laura, OH 45337. The applicant is requesting a Variance under Article 41, Section 4105.02(G)(I) to allow for the placement of an advertising sign on a property with an existing principle structure located within the "B-3" Business District. The property is located at 3781 Salem Ave., Dayton, OH 45406 in Harrison Township, Montgomery County, Ohio.

Staff stated that the property is located on the north corner of Salem Ave. at Falmouth Ave. The property is currently zoned "B-3" Business District. The surrounding zoning is "O-2" Office District to the north and east and "B-3" Business District to the west and south. The surrounding land use is commercial. The property currently operates as an automotive maintenance facility in the existing principle structure. Article 219.03 (A) Defines an advertising sign as "a sign... which directs attention to a use, commodity or service not related to the premises on which the sign is located." Article 41, Section 4105.02 (G) states "Advertising signs shall be considered a principle structure, and therefore meet all applicable zoning regulations." The plans submitted with the application indicate that the free-standing advertising sign will meet the development standards for a principle structure in the "B-3" Business District. The applicant has not included a statement with the application regarding the compatibility of the proposed use with adjacent

property and will need to address this to the board and demonstrate how the criteria for such a variance would be met.

Staff then stated that they recommend the Board take all information and testimony into consideration.

The applicant, Justin Powell, 9422 St. Rt. 722, Laura, Ohio was duly sworn and stated that he is the current owner of Huntington Outdoor. Mr. Powell stated that this is a family owned advertising business and has been in business about 7 years. Mr. Powell stated that he has 250 advertising signs located throughout Miami, Preble, Darke and Montgomery Counties. Mr. Powell then stated that his land use agreement states that Huntington Outdoor is responsible for the upkeep of the advertising sign with a 1 year lease agreement and a 70% renewal rate. Mr. Powell then stated that he has had a lot demand for advertising signs in the Dayton area. Mr. Powell then stated that letters, regarding tonight's meeting were mailed to property owners within 300 feet and there are no opponents in attendance. Mr. Powell stated that because the property is surrounded by commercial, industrial and business zoning he doesn't feel the advertising sign would be an issue. Mr. Powell then stated that the average billboard size 320 sq. ft., 15 to 25 feet in height, which is smaller than the typical billboard sign.

After some discussion among Board members, Mr. Steven Russell made a motion to approve Case No. BZA-03-17 as submitted. Ms. Patty Larrick seconded the motion. Motion carried and passed 3-2.

Case No. BZA-04-17

Case# BZA-04-17 was initiated by R.W. Remodeling, Inc., 4241 Cleveland Ave., Dayton, OH 45410. The applicant is requesting a Variance to Article 12, Section 1204.2, reducing the minimum front yard depth from 25 feet to 15 feet 8 inches along the west lot line on Merrimac Ave. The property is located at 4000 Merrimac Ave., Dayton, OH 45405, Harrison Township, Montgomery County, Ohio.

Staff stated that the property is located on the northeast corner of Merrimac Ave. and Wilbur Ave. The property is currently zoned "R-2" Single-family Residential. The surrounding zoning is "R-2" Single-family Residential. The surrounding land use is Single-family residential. The site is a corner lot and therefore has two front yards. Article 12, 1204.2, states that the minimum front yard depth shall be 25 feet. The applicant is proposing to expand the existing structure that would encroach on the front yard by 9 feet 4 inches, reducing the depth to 15 feet 8 inches.

Staff then stated that they recommend the Board take all information and testimony into consideration.

The applicant, Robert Westfall, 4241 Cleveland Ave., Dayton, Ohio was duly sworn and stated that he is proposing a 12 x 16 room addition on the south side of the home, which is the side that faces Wampler Ave. Mr. Westfall then stated that the room addition is needed to help the handicap home owner maneuver through the house in a wheelchair.

After some discussion among Board members, Mr. Don Marlow made a motion to approve Case No. BZA-04-17 as submitted. Mr. Steven Russell seconded the motion. Motion carried and passed 5-0.

ADJOURNMENT:

There being no further business to discuss, Ms. Patricia Larrick made a motion to adjourn the meeting. Mr. Steven Russell seconded the motion. Motion carried and passed 5-0.

Respectfully submitted,

Harrison Township
Board of Zoning Appeals

Shonda Hill,
Executive Secretary

Charles Waldron, President

Patricia Larrick, Vice President

Steven Russell

Jerry Barnes

Donald Marlow

Attested as to Signatures,

Justin Riley Olszewski,
Zoning Manager