

**CITY OF GERMANTOWN BOARD OF ZONING APPEALS
MINUTES OF MEETING HELD JUNE 14, 2021**

The City of Germantown Board of Zoning Appeals met on June 14, 2021 at 7:02 p.m. via Zoom.

MEMBERS PRESENT: The following members were present at the Call to Order: Mrs. Spencer, Mrs. Izor, Mr. Jones, Mr. Dalton, and Mr. Treiber.

ALSO PRESENT: Kelli Novak, Clerk of Council; Keith Brane, City Planner; and John Burkhardt, Applicant.

CONSIDER APPROVAL OF THE MINUTES OF THE MARCH 22, 2021 BZA MEETING: Mr. Treiber said there was note that says "Mr. Treiber asked if fire proofing was required" and I really asked the question "if the exterior walls were required to be fire resistance rated".

On a motion by Mr. Jones, seconded by Mr. Dalton, it was moved to approve the minutes of the March 22, 2021 meeting as corrected. On call of the roll: Mr. Dalton, yes; Mr. Jones, yes; Mr. Treiber yes; Mrs. Izor, yes; and Mrs. Spencer, yes. Motion carried.

VARIANCE APPLICATION V21-02: Chairman Jones said tonight we have one public hearing, Variance Application V21-02 made by John and Kande Burkhardt of 50 East Warren Street to appeal Section 1129.02 (b) (6) Accessory Structures of the Codified Ordinances of the City of Germantown. If granted the variance would allow construction of a 10 x 16 foot shed in a front yard of the property.

Mr. Brane reviewed the staff report stating why this is before the board and Mr. Burkhardt's narrative as to why he wants to build the accessory structure. Staff recommends approval with the following conditions:

1. The variance granted affects the placement of the proposed new detached 16' by 10' shed structure from the front yard placements requirements: the minimum setback from the common property line with 42 E. Warren Street under GCO 1129.02(b) (5) and all other provisions of Chapters 1127.50 and 1129.02 shall remain in full force and effect.
2. Proper drainage sufficient to evacuate storm water run-off away from the common property line with 42 E. Warren Street shall be provided during/after construction.
3. All construction activity and debris shall be contained within the 50 E. Warren Street property.

Mr. Brane said I review the case then develop a rationale for the recommendation. From that recommendation, if there are things I don't feel comfortable about, I develop conditions. He reviewed the conditions and said with that, I feel it is a good case for approval.

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Mr. John Burkhardt of 50 East Warren Street said he is applying to put a shed in his rear yard which also happens to be partially in the front yard off of the alley. My house has three front yards, Warren Street, Cherry Street, and the alley behind. I need the shed to put things in from my garage which I plan to remodel and put my car in it for the first time in a very long time. I'm also going to put in a new driveway.

Chairman Jones opened the public hearing at 7:09 p.m. and asked if there were any proponents in favor of the approval hear to speak. Seeing none, he asked in there were any opponents of the approval of the application. He closed the public hearing at 7:10 p.m.

Chairman Jones asked the board if there was any discussion.

Chairman Jones asked if the plot plan reflected a new garage. Mr. Burkhardt said I am not going to build the new garage. Chairman Jones asked if the proposed shed would be at least four feet from the existing garage. Mr. Burkhardt said yes.

Mrs. Izor said out of curiosity, how tall will this structure be? Mr. Burkhardt said inside will be about six feet and the peak will be about eight feet.

Chairman Jones said I assume a building permit will be required. Mrs. Novak said it is under 200 square feet so a building permit is not required, only a zoning permit.

On a motion by Chairman Jones, seconded by Mrs. Izor, it was moved to approve Variance Application V21-02 to allow 50 East Warren Street to appeal Section 1129.02 (b) (6) to allow a 10 x 16 foot shed subject to the conditions recommended by staff. On call of the roll: Mr. Dalton, yes; Mr. Jones, yes; Mr. Treiber, yes; Mrs. Izor, yes; and Mrs. Spencer, yes. Motion carried.

ADJOURNMENT: With no further business, the meeting adjourned at 7:29 p.m.

Jeffrey Jones
Chairman, Board of Zoning Appeals

Keith A. Brane
City Planner