

**BOARD OF ZONING APPEALS
MINUTES OF MEETING HELD JUNE 11, 2014.**

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The Board of Zoning Appeals met in regular session on June 11, 2014 at 5:41 p.m. in the Municipal Building Council Chambers.

MEMBERS PRESENT:

The following members were present: Jonathan Greene, Pete Hutchinson, and Jeff Jones.

MEMBERS ABSENT:

None.

ALSO PRESENT:

Also present were Anna Sizemore, Municipal Manager; Brian Wafzig, Council Liaison; Kelli Novak, Zoning Officer and two visitors.

ORGANIZATION:

MOTION: Mr. Hutchinson moved to appoint Jeff Jones as Chairperson.

ROLL CALL: Mr. Hutchinson, yes; Mr. Jones, yes; Mr. Greene, yes. 3-yes, 0-no.
MOTION CARRIED

MOTION: Mr. Jones moved to appoint Pete Hutchinson as the Vice Chairperson.

ROLL CALL: Mr. Hutchinson, yes; Mr. Jones, yes; Mr. Greene, yes. 3-yes, 0-no.
MOTION CARRIED

APPROVAL OF BY-LAWS:

Mr. Jones stated that each year we have approval of the By-Laws, which is the instrument that is used to run the meeting and the internal rules and regulations for the Board.

MOTION: Mr. Jones motioned to approve the By-Laws.

ROLL CALL: Mr. Hutchinson, yes; Mr. Jones, yes; Mr. Greene, yes. 3-yes, 0-no.
MOTION CARRIED

APPROVAL OF MINUTES:

The Board reviewed the September 9, 2013 meeting minutes.

MOTION: Mr. Jones moved to approve the September 9, 2013 minutes as submitted.

ROLL CALL: Mr. Hutchinson, yes; Mr. Jones, yes; Mr. Greene, yes. 3-yes, 0-no.
MOTION CARRIED

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PUBLIC HEARINGS:

Mr. Jones stated the Board would begin with Conditional Use Application #14-03, made by Jerry Green, owner of Real Estate Solutions Unlimited, to allow 218 Dayton Germantown Pike to be used as a Single-Family Dwelling under Section 1127.72 (a)(1), Multi-Family Dwelling, of the Planning and Zoning Code of the Municipality of Germantown. If granted, the Conditional Use would allow the current home zoned as R-3 Multi-Family to be used as a Single-Family Dwelling which is permitted in Section 1127.73(a)(1).

Applicants Presentation:

Jerry Green, 529 Trey Court, stated that he is asking for 218 Dayton Pike to be used as a single-family dwelling. They purchased the property in 2013 and it was being used as a single-family dwelling at that time. It is currently under contract to sell and during this time we found out that it was zoned multi-family even though it was used as a single-family when he purchased it. He would like to see a family back into the house and see the transaction completed.

Staff Summary:

Mrs. Novak stated that she did not have any response from the neighboring properties.

The Public Hearing opened at 5:47 p.m.

Proponents Recognized:

None.

Opponents Recognized:

None.

Final Statement of Staff:

None.

Final Statement of Appellant:

None.

Close Public Hearing:

Mr. Jones closed the Public Hearing at 5:48 p.m.

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Deliberation and Decision:

Mr. Jones stated that according to the tax documents it is considered a double-family dwelling. The current zoning is multi-family and a single-family use is considered a Conditional Use.

Mr. Jones moved to approve Conditional Use Application #14-03 made by Jerry Green, owner of Real Estate Solutions Unlimited to allow a single-family use at the dwelling, 219 Dayton Germantown Pike, Parcel ID# D13002020079.

ROLL CALL: Mr. Hutchinson, yes; Mr. Jones, yes; Mr. Greene, yes. 3-yes, 0-no.
MOTION CARRIED

OTHER BUSINESS:

None.

ADJOURNMENT:

There being no further business to conduct, Mr. Jones motioned to adjourn the meeting.

The meeting adjourned at 5:57 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council