



BOARD OF ZONING APPEALS MEETING MINUTES

Location: 120 Royal Crest Drive, Seville, OH 44273

Date: 1/22/2024

The meeting began at 6:52 p.m.

PRESENT: Doug Metzger (Chair), Kathy Stugmyer (Member), Greg Kaus (Member), Jan Vierheller (Member), Tom James (Member), Barry Frey (Zoning Inspector), Lisa Nemastil (Deputy Fiscal Officer), Kris Immell (Village Solicitor Representative), Jennifer Gray (Recorder)

ABSENT: NONE

Mr. Kaus made a motion to approve the minutes as written from 10/23/2023. The motion was seconded and passed.

PRIVILEGE OF THE FLOOR: None

New Business:

- **BZA 2023-12 – Jessica Barton of Sunset Pines at 165 Center Street has applied for a variance to eliminate the landscape screen on the east and north edge of the business driveway. This violates code 1006.**

Comments:

Mr. Kaus asked Mrs. Barton about her comment in the public hearing regarding the landscaping screen was never discussed before at any meetings during the planning. He also asked why wasn't this ever brought up by zoning? Mr. Frey said stated he was not at the last meeting but at the previous meetings our engineer had brought up his concerns about the screening with Mrs. Barton's site plan. Mr. Frey stated that if this variance is passed, she can go ahead with her plans without the screening but if the variance is not passed, she will have to put these trees in her site plan to have Zoning approve.

Mrs. Nemastil stated the initial meeting was for conditional zoning when Mrs. Barton presented the site plan. The purpose of that meeting was not to say what was required for screening, it was to decide if they could have the zoning use in the neighborhood.

Mr. Kaus stated he was trying to figure out if it was brought up to her. Mrs. Nemastil stated the Engineer did bring it up during the planning process. Mrs. Barton did agree he mentioned it but more as saying it would be nice to have and then Kris Immel looked at the code and stated it was required.

Beth Boyert asked the committee if they pass this variance, is the committee setting a precedence for the future for any business on route 3 to not be required to have any screening. Mr. Metzger stated that each item that comes before the board stands on its own. Mrs. Boyert stated as a business owner she could start a business on route 3 and mention the committee gave Mrs. Barton a variance for this. Mr. Metzger again stated that each item that comes before the board stands on its own. Mr. Immel stated there is no precedence for any variance. Each one is individual.

Mr. Vierheller in the audience stated that there is a duplex next to and in front of where the driveway is that Zoning is asking for the screening for.

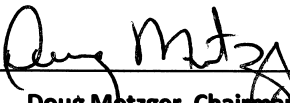
Motion:

Ms. Stugmyer made a motion to approve the variance. The motion was seconded – Roll Call Vote: *Stugmyer – No, Metzger – No, Kaus – No, Vierheller – No, James – abstained. Motion failed.*

Old Business: None

Mr. James made a motion to adjourn, the motion was seconded and carried unanimously. The meeting ended at 7:01 p.m.

Minutes approved by: x


Doug Metzger, Chairman