

Organizational & Regular Meeting  
Lafayette Township Board of Zoning Appeals  
Variance #011-2024/25- 7486 Egypt Rd  
Safety Services Building  
Tuesday 1/21/25 @ 6:30pm

The Zoning Secretary called the meeting to order at 6:30pm. The first order of business is for Justin to administer the Oath of Office to our new alternate, Kevin Piatt.

Roll Call: Curtis Perkins, Bill Lister, David Ruebensaal, Julie Stanton, Robert Fertal, Absent: Simon Bartos. Attendance sheet was signed.

The Secretary acknowledges that the BZA follows the Public Body Rules as stated in ORC 121.22 and any adopted Lafayette Township regulations regarding public notification of all meetings.

The Secretary asked for a nomination from the board for Chairperson. David Ruebensaal was nominated by Bill Lister, seconded by Curtis Perkins. Roll call vote: Curtis-yes, Bill- yes, Julie-yes, Robert-yes. David is the Chair, and the meeting was turned over to him.

David called for a nomination from the board for Vice-Chair. Robert Fertal nominated Julie Stanton seconded by David Ruebensaal. Roll call vote: Curtis- yes, Bill-yes, David-yes, Robert- yes. Julie will serve as Vice-Chair. Julie did ask whether a packet of information could be made so if she needs to run a meeting, she will have an outline of how to proceed.

David asked the board for any discussion as to meeting date/time. Everyone stated that the third Tuesday works well and the time. Bill Lister made a motion, seconded by Julie Stanton, to keep the BZA meeting date as the third Tuesday of the month and the 6:30pm time slot. It was discussed to continue with monthly meetings, and with variances needed to be received by the last Friday of the month. If we have no variances, we will meet to approve meeting minutes and Findings of Fact. If the board had no variances in the prior month, nothing to approve or sign the meeting would be cancelled and an email notice to all board members sent. Roll call vote: Curtis- yes, Bill-yes, David-yes, Julie-yes, Robert- yes. Meeting date/time adopted.

David stated we will move onto variance #011-2024, will the secretary please read it into the minutes.

Secretary read from application as follows:

Application 011-2024 dated 11/19/24 and updated 11/29/24. Name of applicant is Thomas Hastings, Address is 7486 Egypt Rd, Medina, Oh. Phone number and email address are listed. Name of owners: Thomas & Veedy Hastings. Address of appeal is 7486 Egypt Rd. Present Zoning is Rural Residential. Variation requested and reasons include Section No. 301.5B of Zoning Resolution and interpretation claimed: I would like relief from the current side yard setback (15 feet) Section 301-5B to nine (9) feet. See reasons below and photos.

How will strict application of the provisions of the Resolution result in practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of the Resolution? My land slopes down on the opposite side. On the side I want relief the land is flat and has a gravel surface. It would be more economical as well as practical to build on the side.

Organizational & Regular Meeting  
Lafayette Township Board of Zoning Appeals  
Variance #011-2024/25- 7486 Egypt Rd  
Safety Services Building  
Tuesday 1/21/25 @ 6:30pm

What are the exceptional or extraordinary circumstances or conditions applying to the property or use involved that do not apply generally to others in the same district? As stated above, the ground drastically slopes- see attached photos. The ground is more stable where I desire to put my addition. Aesthetically, it will look better too.

Why will the granting of the variance not be of substantial detriment to the public interest or to property or improvements in such district so as to materially impair the purpose of the Resolution? I have five (5) acres. My property the house is 400' from the road. It will not be any detriment to the public interest.

The application is dated 11/19/24 and 11/29/24, a four-hundred-dollar fee was paid, the receipt no is listed, and the applicant has signed it.

A copy of the receipt and the check is attached. Two pages of email correspondence between the Zoning Inspector, Sherri Meinke and the applicant are included. Six photos of Mr. Hastings home and the proposed site of the barn are included. A sketch of the current garage with the proposed addition is included that shows the property line. A sketch of the front view of the current garage and proposed addition is included. An application for a zoning certificate is included with dimensions.

Two neighbors wrote letters of support as follows:

Dated 12/13/2024, To whom it may concern; My neighbor, Tom Hastings, has informed my sone and I of his hope to build a 10 x 32 addition to his detached garage. As the bordering property owner, I have no objections. Respectfully, Sandra J. Zorko-Yepko, 7498 Egypt Rd. with her phone # included.

Dated 12/13/2024, Lafayette Township Board of Zoning, As a long-term resident of 7498 Egypt Rd, I have no reason to object to Tom Hastings hope to build a 10 x 32 addition to his existing detached garage. Respectfully, James M Urbansky, 7498 Egypt Rd. with his phone # included.

David explained that anyone wanting to speak for or against this application would need to be sworn in. He swore in Mr. Tom Hastings and ask him to explain why he wants to build the addition.

Mr. Hastings explained that he is getting ready to retire and has a shop that he currently rents. He would like a place to house his equipment from that shop. He is already bringing some items home. The majority of items he does not have room for, so he needs the addition. Regarding placement of the addition, he again mentioned that is the best area, as the other side of the garage slopes away. His house was built on top of a hill.

Questions from the board:

Is it a free-standing barn? Not attached to the house. That is correct.

From the street, the barn would be on the right? Correct

Organizational & Regular Meeting  
Lafayette Township Board of Zoning Appeals  
Variance #011-2024/25- 7486 Egypt Rd  
Safety Services Building  
Tuesday 1/21/25 @ 6:30pm

Robert had a question regarding the email where the applicant states he wants to build eleven (11) feet off the property line, but the application states nine (9) feet. He explained about re-measuring and that's when he adjusted the application. Discussion that the drawing shows no doors, that the addition will be completely enclosed. That is correct.

Will your septic or heat be in the way of this addition. No, they are on the opposite side.

Will drainage be an issue? No, it won't go on the neighbor's yard.

David asked if there were any other questions or comments. He explained that the board must go through the Duncan Factors before considering a motion on the variance.

#1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance?

Curtis Perkins: Yes

Bill Lister: Yes

Julie Stanton: Yes

Robert Fertal: Yes

David Ruebensaal: Yes

#2. Whether the variance is substantial?

Curtis Perkins: No

Bill Lister: No

Julie Stanton: No

Robert Fertal: No

David Ruebensaal: No

#3. Will the essential character of the neighborhood be substantially altered or whether adjoining properties suffer a substantial detriment as a result of the variance?

Curtis Perkins: No

Bill Lister: No

Julie Stanton: No

Robert Fertal: No

David Ruebensaal: No

#4. Will the variance adversely affect the delivery of governmental services?

Curtis Perkins: No

Bill Lister: No

Julie Stanton: No

Robert Fertal: No

David Ruebensaal: No

Organizational & Regular Meeting  
Lafayette Township Board of Zoning Appeals  
Variance #011-2024/25- 7486 Egypt Rd  
Safety Services Building  
Tuesday 1/21/25 @ 6:30pm

#5. Whether the property owner purchase the property with the knowledge of the zoning restrictions?

Curtis Perkins: Yes

Bill Lister: Yes

Julie Stanton: No

Robert Fertal: No

David Ruebensaal: Yes

#6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance?

Curtis Perkins: No

Bill Lister: No

Julie Stanton: Yes

Robert Fertal: Yes

David Ruebensaal: Yes

#7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance?

Curtis Perkins: Yes

Bill Lister: Yes

Julie Stanton: Yes

Robert Fertal: Yes

David Ruebensaal: Yes

David: That concludes our review of the Duncan Factors. Can I have a motion to approve the variance as written?

Robert Fertal made a motion to approve the variance as written, this was seconded by David Ruebensaal.

**Roll Call Vote:**

Bill Lister: Yes

David Ruebensaal: Yes

Julie Stanton: Yes

Robert Fertal: Yes

Curtis Perkins: Yes

David: The variance did pass as written. At our next meeting in February, we will review the Findings of Fact, after that is approved you can obtain your permit from the ZI. Congratulations, you have your variance.

Organizational & Regular Meeting  
Lafayette Township Board of Zoning Appeals  
Variance #011-2024/25- 7486 Egypt Rd  
Safety Services Building  
Tuesday 1/21/25 @ 6:30pm

David: We need to approve the Meeting Minutes from 11/19/2024. Has everyone had a chance to review? Curtis made a motion to approve the minutes, seconded by Robert. All in favor state Aye, all opposed same sign. All voting in favor, meeting minutes have been approved.

David read the Findings of Fact for variance 009-2024, which will be attached to the approved meeting minutes. A motion was made by Curtis to approve, seconded by Julie. All in favor state Aye, all opposed same sign. All voting in favor, findings adopted.

David read the Findings of Fact for variance 010-2024, which will be attached to the approved meeting minutes. A motion was made by Bill to approve, seconded by Julie. All in favor state Aye, all opposed same sign. All voting in favor, finds adopted.

Justin brought up a question that was asked previously regarding whether the BZA could attach a time frame to variances, or can the board vacate previous variances if not acted upon. The board cannot vacate previous variances, but the board can add time restrictions as long as it is done at the time the variance is approved and is within a reasonable time frame. Discussion about what a reasonable time frame would be. Zoning permits are valid for two years once issued, it was determined that would be a good, consistent time.

Discussion about commercial variances? How would that differ from the residential ones? The ZI and Secretary will review the Regulations to see if there is any mention of extending permits. Does the variance go with the land? Yes, they do.

The next BZA meeting will be 2/18/2025.

Robert made a motion to adjourn the meeting, this was seconded by Julie. David: all in favor state "Aye", all opposed same sign. All voting in favor, the meeting is adjourned.

---

David Ruebensaal

---

Julie Stanton

Organizational & Regular Meeting  
Lafayette Township Board of Zoning Appeals  
Variance #011-2024/25- 7486 Egypt Rd  
Safety Services Building  
Tuesday 1/21/25 @ 6:30pm

\_\_\_\_\_  
Curtis Perkins

\_\_Absent\_\_\_\_\_  
Simon Bartos

\_\_\_\_\_  
Bill Lister

\_\_\_\_\_  
Robert Fertal- Alternate

\_\_\_\_\_  
Keith Piatt- Alternate

Date: \_\_\_\_\_