PERRY TOWNSHIP

BOARD OF ZONING APPEALS HEARING MINUTES

## 7 February 2025 7:00 pm

CALL TO ORDER BY: Brad Warvel @ 7:00pm

**\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\***

**ROLL CALL:**

**Warvel - Here Steck: Here Schreyer- Here**

##### VISITORS: Jamie Evans, Conzay Easton, CR Freshour

##### SWEARING/AFFIRMING IN OF WITNESSES: There is no one wishing to speak.

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##### CASE # BZA 2025 001V1

**Owners:** Conzay Easton

**Address Being:** 12021 Old Dayton Rd., Brookville, OH 45309

**Nature of Appeal**: **Brad Warvel**: The purpose of the meeting is to review the Case BZA# 2025 001V1 filed by Conzay Easton for the property at 12021 Old Dayton Rd., Brookville, OH 45309, Perry Township, Montgomery County. The applicant is requesting a variance in accordance with Perry Township Zoning Regulation, Article 4, Section 403.B.2., and Article 38 Subsection 3804.I.

**Al Acker:** As members of the Board, sorry Brad this is your section.

**Brad Warvel:** As members of the Board of Zoning Appeals, it is our duty to review these cases at a public hearing and render a decision for or against based on the application, staff report, testimony and evidence presented and heard at this hearing. All testimonies at this hearing are required to be under oath. I would ask at this time anyone wishing to present testimony raise his or her right hand for swearing in. (Pause) There is no one wishing to speak.

Introduction of the Case BZA# 2025 001V1

**Al Acker**: Brad, do you want me to read the staff report?

**Brad Warvel:** Yes.

**Al Acker:** Read staff report. (see attached).

**DISCUSSION:**

**Mr. Warvel**: The Board of Zoning Appeals may authorize variances from the terms of this resolution as stated in section 403.B. when the board has made finding of the fact based upon the standards set out in Subsection 405.5 of this resolution. The staff report has addressed each of the standards. Does anyone have any questions.

**MOTION TO CLOSE HEARING Mr. Warvel** entertained a motion to close the hearing at 7:07pm.

**Decision**

**Mr. Warvel**: I went to the site and took pictures and had them enlarged fort the board members.I will make a motion to accept the location of the building.

The variance requested arises from the special conditions of or involving the property, which are unique, a situation which is not ordinarily found in the same zoning district and that situation results from the enforcement of this regulation of this resolution and not by an action or actions of the property owner, the applicant or any other person or party who has had control of the property.

**Mr. Warvel**: These are true or false.

**Warvel True Schreyer True Steck True**

**Mr. Warvel:** The strict application of the provisions of this resolution from which a variance is requested will not constitute unnecessary hardship upon the property owner represented in the application.

**Warvel True Schreyer True Steck True**

The variance desired will not adversely affect the public health, safety, and morals.

**Warvel True Schreyer True Steck True**

The variance desired will not compromise the general spirit and intent of the resolution.

**Warvel True Schreyer True Steck True**

The variance desired will not compromise the preservation of prime agricultural and open spaces.

**Warvel True Schreyer True Steck True**

**Mr. Warvel**: Is there a motion to Grant or Deny Case #2025 001V1.

**Mr. Marvel:** I make the motion.

**Mr. Steck**: I second.

**Mr. Warvel:** No stipulation.

**Warvel Aye Schreyer Aye Steck Aye**

**Al Acker:** I have the minutes from the three (3) BZA cases in 20024 and have made copies for each of you. We can approve them now unless you need more time and want to take them home.

**Manfred Schreyer**: No, we can read these and approve now.

**David Steck:** Second.

**Vote:**

**Warvel Aye Schreyer Aye Steck Aye**

Is there a motion to accept the minutes for BZA case # 2024-0001v1.

**Mr. Warvel**: Motion to approve.

**Mr. Schreyer:** Second.

**Vote:**

**Warvel Yes Schreyer Yes Steck Yes**

Is there a motion to accept the minutes for BZA case # 2024-0002v1.

**Mr. Warvel:** Motion to approve.

**Mr. Schreyer:** Second.

**Vote:**

**Warvel Yes Schreyer Yes Steck Yes**

Is there a motion to accept the minutes for BZA case # 2024-0003v1.

**Mr. Warvel**: Motion to approve.

**Mr. Schreyer:** Second.

**Vote:**

**Warvel Yes Schreyer Yes Steck Yes**

**MOTION TO ADJOURN:** Made by **Mr. Warvel** Second by: **Mr. Steck**

**All: Ayes**

**Respectfully submitted.**

**Al Acker**

**Perry Township -Montgomery County Zoning Administrator**