

# Village of *Waynesville*

## **BOARD OF ZONING APPEALS AGENDA**

Thursday, January 26, 2023– 5:30 pm

- I. Call to Order
- II. Roll Call
- III. Minutes from the August 24, 2022 meeting
- IV. Old Business
- V. New Business
  1. To consider a variance on the setbacks for 172 North Street. This is zoned General Commercial.

### **153.171 GENERAL COMMERCIAL DISTRICT (GC).**

#### (D) *Development standards.*

(d) Front yard setback: the minimum front yard setback shall be the average of the existing adjacent commercial structures on the same side of the street and facing thereon within the same block. Where there are no adjacent commercial structures, the building line shall not be less than 50 feet measured from the street right-of-way;

(e) Side yard setback: for main and accessory structures, including open service and loading areas, the required side yard shall be not less than 20 feet, unless adjacent to any residential zoning district, Planned Residential District, and Planned Unit District whereby the side yard shall be no less than 50 feet; and

(f) Rear yard setback: for main and accessory structures, **the required side yard shall be not less than 25 feet**, unless adjacent to any residential zoning district, Planned Residential District, and Planned Unit District whereby the side yard shall be no less than 50 feet. A use to be serviced from the rear shall have a service court, alleyway, or combination thereof not less than 40 feet in width.

- VI. Adjourn

**BZA**  
**Board Minutes**  
**August 24, 2022**

- I. Meeting called to order 5:30pm
  
- II. Roll call:
  - a. Kelly Miller
  - b. Roger Butler
  - c. Jerry Clark
  - d. Kevin McNeeley - absent
  - e. Judy Prickett
  - f. David Schrader – absent
  - g. Lyle Anthony
  
- III. Minutes from June 21, 2022 meeting
  - a. Motion to approve the minutes
    - i. Judy – 1<sup>st</sup>
    - ii. Roger – 2<sup>nd</sup>
    - iii. Vote:
      - 1. Roger – yes
      - 2. Lyle - yes
      - 3. Jerry – yes
      - 4. Kelly – yes
      - 5. Judy – yes

Motion approved

  
- IV. Old Business:
  - a. None
  
- V. New Business:
  - a. To consider a variance for 153.200 3(a) of a detached garage at 959 Creekview Dr
    - i. 153.200 ACCESSORY USES AND STRUCTURES
      - 1. (3) *Area*. The maximum permitted area of an accessory structure placed on a lot in a residential zoning district shall be based on the following lot categories on which the accessory structure is to be located.
        - a. (a) *Lot size two acres or less*. An accessory structure shall be no larger than 720 sq ft, shall contain no more than one story nor shall it exceed a total height of 15 feet as measured from the floor to the top of the roof, and no door serving the accessory

structure shall exceed nine feet in height.

- ii. Speaker: Brian K. Sharp, home owner, current address: 9480 Country Path Trail, Miamisburg, Ohio
  - 1. Presented the BZA with full scale blueprints, and images showing visual matching of house on the property that is currently under construction.
  - 2. Discussions covered the elevation, the back slope on rear of property, and plans for design/landscaping/pool.
  - 3. Discussion covered the height increase over code of 7' and size limit of 176 sq ft over allowance (25% approx. increase)
- iii. Open discussion followed to consider the variance – no one else approached the podium
- iv. Closed discussion followed to consider the variance.
- v. Motion to approve the variance regarding the height increase over code, and the size increase over code limits – made by Kelly
  - a. Motion to approve the variance:
    - i. Roger – 1st
    - ii. Lyle – 2nd
    - iii. Vote:
      - 1. Roger – yes
      - 2. Kelly – yes
      - 3. Judy – yes
      - 4. Jerry – yes
      - 5. Lyle – yes
      - 6. Motion carried.

VI. Meeting adjourned.











