

**Minutes of the Board of Zoning Appeals  
December 1, 2021  
City of Huber Heights**

- I. Chair Don Stewart called the Meeting of the City of Huber Heights Board of Zoning Appeals to order at 6:30 p.m.
- II. Roll call was taken. Present were Mr. Davidson, Mr. Deam, Mr. Mach, Ms. Newby, and Mr. Stewart.

Members Absent:

Staff present for this meeting: Don Millard, Code Enforcement Administrator, and Geri Hoskins, Planning & Zoning Administrative Secretary.

**III. Approval of Agenda**

Motion made by Mr. Davidson to approve the agenda. Seconded by Mr. Deam. No roll call needed for approval of agenda.

**IV. Swearing of Witnesses**

Mr. Stewart explained the proceedings for tonight's meeting and swore in all applicants and persons wishing to speak tonight. All present responded in the affirmative.

**V. Old Business**

1. None

**VI. New Business**

**1. BZA Case 21-13**

**The applicant, Ridvan Chakhalidze, is requesting a variance from Section 1181.04(h) – A cover, shall not be taller than 14 feet above grade at any point. Property located at 6090 Buttonbush Street.**

Mr. Millard stated that the property owner is requesting a variance of the City of Huber Heights Zoning Code pertaining to the maximum allowable height of a projection, in this case a rear patio/deck cover. The proposed cover needs to be as tall as 15-feet above grade to allow a uniform roofline with the existing home.

In your packet you will find an illustration of the proposed cover and an aerial view of the property and neighborhood.

Section 1181.04(h) states "A cover, carport, or enclosure shall not be taller than 14 feet above grade at any point."

**As a result, the property requires a variance from the height restriction.**

**Lot:** The lot is approximately .25 acres.

**Easement:** There are no easements on the property

**Structure:** Rear patio/deck cover

**Placement:** Attached to rear of house

**Engineering:** The City Engineering has no issues regarding this request.

### **Board Discussion**

Mr. Davidson asked if permit had been issued, Mr. Stewart asked if approved at 14 feet, Ms. Newby asked if it is already built, and Mr. Deam asked if 14 feet from grade level not patio level.

Ms. Alfiya Saddatova said due to the slope of backyard, the top is attached to the house a 14 feet, the other side measures 14.9 feet.

Discussion on already finished, what the exact measurement is and what the next steps are.

### **Action**

Mr. Davidson moved to table the requested variance. Seconded by Ms. Newby.  
Roll call showed: YEAS: Mr. Deam, Ms. Newby, Mr. Davidson, and Mr. Stewart.  
NAYS: None. Motion to table carried 4-0.

Zoning will go to the property and measure the cover.

## **VII. Additional Business**

Ms. Newby moved to approve the 2022 Meeting Schedule. Seconded by Mr. Deam.  
Roll call showed: YEAS: Mr. Deam, Mr. Davidson, Mr. Mach, Ms. Newby, and Mr. Stewart.  
NAYS: None. Motion to approve carried 5-0.

Discussion on the Variance Standards. Each standard will be voted on for each case starting at the January 5, 2022 meeting.

## **VIII. Approval of the Minutes**

Without objection, the minutes of the October 6, 2021, BZA meeting are approved.

## **IX. Upcoming Meetings**

January 5, 2022 and February 2, 2022

**X. Adjournment**

There being no further business to come before the Board, the meeting was adjourned at approximately 7:15 p.m.

*Don Stewart*

Don Stewart, Chair

*1-13-2022*

Date

*Gerri Hoskins*

Gerri Hoskins, Administrative Assistant

*1-13-2022*

Date