

**Minutes of the Board of Zoning Appeals  
January 13, 2022  
City of Huber Heights**

- I. Vice Chair Eva Newby 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, and Ms. Newby.

Members Absent: Mr. Stewart.

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**

Ms. Newby 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 22-01**

**The applicant, Anthony Curtis, is requesting a variance from Section 1181.04(e) – Projections, from 16 ft. to 18 ft. Property located at 5150 Summerset Drive.**

Mr. Millard stated that the property owner is requesting a variance of the City of Huber Heights Zoning Code pertaining to the maximum allowable length of a projection, in this case a rear patio/deck cover (in this case a pergola). The proposed cover will project into the rear yard 18-feet from the rear house foundation.

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

Section 1181.04(e) states: "A patio cover or porch **shall not project into the side or rear yard more than 16 feet from the building line** of the dwelling provided it does not come nearer to the side or rear lot line than five feet."

**As a result, the property requires a variance of 2-feet from the projection restriction.**

**Staff Analysis**

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

**Easement:** There are no easements affected

**Structure:** Rear patio/deck cover

**Placement:** Attached to rear of house

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

Ms. Hoskins read a letter from the applicant who could not attend the meeting and a letter from a neighbor in favor of this variance.  
Mr. Kenneth Castor spoke in favor of this variance.

**Board Discussion**

Mr. Davidson asked for clarification on 16 ft from to footer line, the other 2 ft. extends past that. Mr. Millard stated correct.

**Action**

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

**VII. Additional Business**

Mr. Deam moved to appoint Eva Newby as the new Chair. Seconded by Mr. Mach.  
Roll call showed: YEAS: Mr. Deam, Mr. Davidson, Mr. Mach, and Ms. Newby. NAYS: None. Motion to approve carried 4-0.

Mr. Mach moved to appoint Scott Davidson as the new Vice Chair. Seconded by Ms. Newby.  
Roll call showed: YEAS: Mr. Deam, Mr. Davidson, Mr. Mach, and Ms. Newby. NAYS: None. Motion to approve carried 4-0.

Mr. Davidson moved to approve the 2022 Meeting Schedule. Seconded by Mr. Deam.  
Roll call showed: YEAS: Mr. Deam, Mr. Davidson, Mr. Mach, and Ms. Newby. NAYS: None. Motion to approve carried 4-0.

**VIII. Approval of the Minutes**

Without objection, the minutes of the December 1, 2021, BZA meeting are approved.

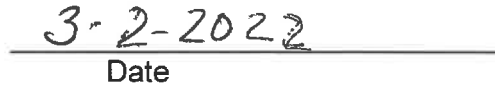
**IX. Upcoming Meetings**


February 2, 2022 and March 2, 2022

**X. Adjournment**

There being no further business to come before the Board, the meeting was adjourned at approximately 6:50 p.m.

  
\_\_\_\_\_  
Eva Newby, Chair

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Geri Hoskins, Administrative Assistant

  
\_\_\_\_\_  
Date

BZA

22-01

**Hoskins, GERALYN**

**From:** Tony curtis <fenceanddeck@yahoo.com>  
**Sent:** Thursday, January 13, 2022 9:54 AM  
**To:** Hoskins, GERALYN; Anita  
**Subject:** BZA Meeting letter/Anthony Curtis

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Geri,  
Thank you for your help with keeping this meeting on track!

Dear Board of Zoning Appeals,

My name is Anthony Curtis and I live in the Parktowne development at 5150 Summerset Drive Tipp City, Ohio. I apologize that due to illness neither my wife nor I could attend this evening's meeting. I would like to also thank the board for rescheduling this meeting for this evening versus delaying my application review until February.

I would like to build an outdoor living area for my family to enjoy. The current zoning regulations state that you can extend 16 feet away from the back edge of your home with a structure. I am requesting a variance that will allow me to extend to 18 feet. The additional 2 feet will allow me to build a support beam with an overhang for the covered pergola.

Thank you for your time and consideration.  
Respectfully,  
Anthony Curtis

BZA  
22-01

**Hoskins, GERALYN**

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**From:** Daniel Ramos <ramosdaniel379@gmail.com>  
**Sent:** Wednesday, January 12, 2022 12:08 PM  
**To:** Hoskins, GERALYN  
**Subject:** Advocacy for Mr. Anthony Curtis

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Ms. Hoskins,

Good afternoon ma'am, I am writing to express my support for my neighbor, Mr. Anthony Curtis, in his case before the Board of Zoning Appeals. Mr. Curtis has explained, in depth, what his plans are for his property and I have no issues or concerns with his modification.

I trust Mr. Curtis, given his extensive background in the contractor industry with over 30 years of experience, and know full well how much pride he takes in keeping his property in immaculate shape. I hope the board sees it the same way and grants him the required permit(s) to allow his vision to come to life. Thank you for the time and consideration in the matter.

Very Respectfully,  
Daniel Ramos  
Resident  
5136 Summerset Drive,  
Tipp City, OH  
(407) 624-6889