

**Minutes of the Board of Zoning Appeals
March 6, 2024
City of Huber Heights**

- I. Chair Eva Newby called the Meeting of the City of Huber Heights Board of Zoning Appeals to order at 6:00 p.m.

II. Oath of Office

Sheila Ballard was sworn in.

- III. Roll call was taken. Present were Ms. Ballard, Mr. Deam, Mr. Mach, and Ms. Newby.

Members Absent: Mr. Schaeffer, excused.

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

IV. **Approval of the Minutes**

Without objection, the minutes of the February 7, 2023, BZA meeting are approved.

V. **Approval of Agenda**

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

VI. **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.

VII. **Old Business**

None.

VIII. **New Business**

1. **BZA Case 24-04**

The applicant, Jason Haun, is requesting a variance from Section 1191.01 – Accessory Building Location/Height and 1191.02 – Corner Lots. Property located at 8407 Betal Court.

Mr. Millard stated that the owner is requesting a variance from the City of Huber Heights Zoning Code to construct a detached garage in the front yard on Betal Ct. This will allow the applicant to take advantage of the existing driveway and avoid installing a driveway that might impact his leach field.

Zoning Code Section 1191.01, Location – states, in part “In any "R", "B", "A", "P-PD" or "I" District an accessory building not exceeding one and one-half stories or 14 feet in height **may be permitted in any rear yard not within five feet of the side and rear lot lines...** (Case 269, 7-16-69; Case 411, 6-1-78; Ord. 81-O-08, Passed 8-3-81; Case 95, 3-9-87; Ord. 87-O-229, Passed 2-9-87)

In order to build in the Betal Ct. frontage the applicant requires a variance from the Board.

City staff feels this is a reasonable request and has no objection to the granting of this variance.

Mr. Jason Haun was present

Action

Mr. Deam moved to approve the request by the applicant, Jason Haun, for a variance from Section 1191.01 and 1191.02. Property located at 8407 Betal Court. Seconded by Ms. Ballard.

Roll call showed: YEAS: Mr. Deam, Ms. Ballard, Mr. Mach, and Ms. Newby. NAYS: None. Motion to approve carried 4-0.

2. BZA Case 24-05

The applicant, W.E. Bilbrey General Contractor, is requesting a variance from Section 1191.01 – Accessory Building Location/Height. Property located at 4280 Powell Road.

Mr. Millard stated that the owner is requesting a variance from the City of Huber Heights Zoning Code to construct a 24 x 32 x 13.5 detached garage in the side yard, opposite the house. This will place the garage approximately 350-feet off of the road and 30-feet west of the house.

Zoning Code Section 1191.01, Location – states, in part “In any "R", "B", "A", "P-PD" or "I" District an accessory building not exceeding one and one-half stories or 14 feet in height **may be permitted in any rear yard not within five feet of the side and rear lot lines...** (Case 269, 7-16-69; Case 411, 6-1-78; Ord. 81-O-08, Passed 8-3-81; Case 95, 3-9-87; Ord. 87-O-229, Passed 2-9-87)

In order to build in the side yard, the applicant requires a variance from the Board.

City staff feels this is a reasonable request and has no objection to the granting of this variance.

Terry Naughton, the homeowner, was present.

Action

Mr. Mach moved to approve the request by the applicant, W.E. Bilbrey General Contractor, for a variance from Section 1191.01. Property located at 4280 Powell Road. Seconded by Mr. Mach.

Roll call showed: YEAS: Mr. Deam, Ms. Ballard, Mr. Mach, and Ms. Newby. NAYS: None. Motion to approve carried 4-0.

IX. Additional Business

None

X. Upcoming Meetings

April 3, 2024

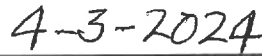
May 1, 2024

XI. Adjournment

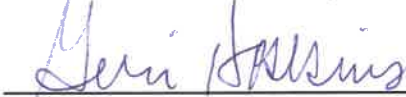
There being no further business to come before the Board, the meeting was adjourned at approximately 6:30 p.m.



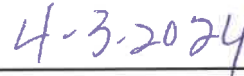
Eva Newby, Chair



Date



Geri Hoskins, Administrative Assistant



Date