



AGENDA
BOARD OF ZONING APPEALS

City Hall - Council Chambers
6131 Taylorsville Road
July 2, 2025
6:00 P.M.

1. Call Meeting To Order
2. Roll Call
3. Approval of Minutes
 - A. Without objection the Minutes of the June 4, 2025, BZA meeting are approved.
4. Approval of the Agenda
5. Swearing Of Witnesses
6. Old Business
 - A. None
7. New Business
 - A. BZA Case 25-05 The applicant, Howard Adams, is requesting 2 variances from Section 1151.04 - Rear Yard Depth and Section 1181.20 - Building Materials. Property is located at 6644 Loblolly Drive.
8. Additional Business

A. None

9. Upcoming Meetings

A. August 6, 2025
September 3, 2025

10. Adjournment

AI-10953

3. A.

Board of Zoning Appeals

Meeting Date: 07/02/2025

Information

Purpose

Without objection the Minutes of the June 4, 2025, BZA meeting are approved.

Background

Administrative Use Only

Attachments

Minutes

Minutes of the Board of Zoning Appeals
June 4, 2025
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. Roll call was taken. Present were Ms. Ballard, Mr. Deam, Mr. Mach, Mr. Schaeffer, and Ms. Newby.

Members Absent: None.

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

III. Approval of the Minutes

Without objection, the minutes of the May 7, 2025, BZA meeting are approved.

IV. Approval of Agenda

Motion made by Mr. Schaeffer to approve the agenda. Seconded by Ms. Ballard.

V. 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.

VI. Old Business

None.

VII. New Business

1. BZA Case 25-03

The applicant, Keith Bean, is requesting a variance from Section 1191.01 – Accessory Building Location and Height. Property located at 6795 Fishburg Road.

Mr. Millard stated that the owner is requesting a variance from the City of Huber Heights Zoning Code to allow an existing and unpermitted accessory building to remain in the side yard. The building also exceeds the height limit for this type of structure in this zoning district.

The property owner constructed a barn without contacting the City. He says he was told by Montgomery County that since the building will be used agriculturally it did not require a building permit (I have verified this fact with the CBO of Montgomery County); he states it simply did not occur to him the City would have an interest, or requirement for a zoning permit, if Montgomery County exempted him from a building permit.

Additionally, the building height of 16-feet exceeds the allowable height for an accessory structure.

The structure was observed by a Zoning inspector who, seeing the building placement, investigated and found no permit issued by the City. A violation notice was mailed to the property owner who then responded to the inspector's request that he make contact.

Zoning Code Section 1191.01, Location states, "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. In order for any structure to be classified as an accessory building, it shall be at least five feet from any permanent structure. (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)

As a result of the code restrictions on building location and maximum allowable height the property owner requires a variance.

City staff has no objection to the granting of this variance. Adjacent properties were notified of the variance request, and no objections have been received by the City.

Action

Mr. Mach moved to approve the request by the applicant, Ketih Bean, for a variance from Section 1191.01. Property located at 6795 Fishburg Road. Seconded by Mr. Deam.

Roll call showed: YEAS: Ms. Ballard, Mr. Mach, Mr. Deam, Mr. Schaeffer, and Ms. Newby. NAYS: None. Motion to approve carried 5-0.

2. BZA Case 25-04

The applicant, Pauline Baldonado, is requesting a variance from Section 1191.01 – Accessory Building Height. Property located at 6981 Fishburg Road.

Mr. Millard stated that the owner is requesting a variance from the City of Huber Heights Zoning Code to construct an accessory building for motor home storage. Due to the height of the motor home a 14-foot overhead door is required thus requiring a building height of 16 feet.

Zoning Code Section 1191.01, Location states, "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. In order for any structure to be classified as an accessory building, it shall be at least five feet from any permanent structure. (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)

As a result of the code restrictions on building height the property owner requires a variance of 2 feet.

City staff has no objection to the granting of this variance. Adjacent properties were notified of the variance request, and no objections have been received by the City.

Action

Mr. Schaeffer moved to approve the request by the applicant, Pauline Baldonado, for a variance from Section 1191.01. Property located at 6981 Fishburg Road. Seconded by Ms. Ballard.

Roll call showed: YEAS: Ms. Ballard, Mr. Mach, Mr. Deam, Mr. Schaeffer, and Ms. Newby. NAYS: None. Motion to approve carried 5-0.

VIII. Additional Business

None.

IX. Upcoming Meetings

July 2, 2025 – Mr. Schaeffer cannot attend.
August 6, 2025

X. Adjournment

There being no further business to come before the Board, the meeting was adjourned at approximately 6:20 p.m.

Eva Newby, Chair

Date

Geri Hoskins, Administrative Assistant

Date

AI-10954

7. A.

Board of Zoning Appeals

Meeting Date: 07/02/2025

Information

Purpose

BZA Case 25-05 The applicant, Howard Adams, is requesting 2 variances from Section 1151.04 - Rear Yard Depth and Section 1181.20 - Building Materials. Property is located at 6644 Loblolly Drive.

Background

Administrative Use Only

Attachments

Staff Report

Application

Applicable Code

Applicable Code

Setback and Elevation

Aerial Map

Street View Image

Memorandum

Staff Report for Meeting of July 2, 2025

To: Huber Heights Board of Zoning Appeals
From: Don Millard, Zoning/Code Enforcement Manager
Date: June 17, 2025
Subject: BZA Case 25-05

Application dated June 9, 2025

Department Code Enforcement Division

City of Huber Heights

APPLICANT/OWNER: Howard Adams
6644 Loblolly Dr.
Huber Heights Ohio 45424

ADDRESS/LOCATION: 6644 Loblolly Dr.
Huber Heights OH 45424

ZONING: R-7

EXISTING LAND USE: Single Family Home

**ZONING
ADJACENT LAND**

North-	R-7
East-	R-7
South-	R-7
West-	R-7

REQUEST: The applicant is requesting 2 variances; from the 40-foot rear setback and the exterior masonry cladding requirements for a rear room addition.

**APPLICABLE Huber Heights
Zoning Code:** 1151.04 - R-7 rear yard depth requirement.
1181.20 - Building materials for dwellings.

**OUTSTANDING ZONING
VIOLATIONS:** None

CORRESPONDENCE: In Favor –
In Opposition –

ATTACHMENTS:**Aerial map, street view, applicable code sections****Overview****The owner is requesting 2 variances;**

- Re: section 1151.04, a reduction of the required 40-foot rear yard depth to a depth of 27-feet (26'9").

- Re: section 1181.20(d)(2), installation of board and batton wood siding rather than the required masonry cladding that would maintain the integral look of the dwelling.

As a result of the code requirements on building setback and exterior cladding, the owner will require these variances to move forward with their project as planned.

City staff has no objection to the granting of either or both variances. Adjacent properties were notified of the variance request, and no objections have been received by the City.

Staff Analysis:

Lot: The parcel is approximately .18 acres.

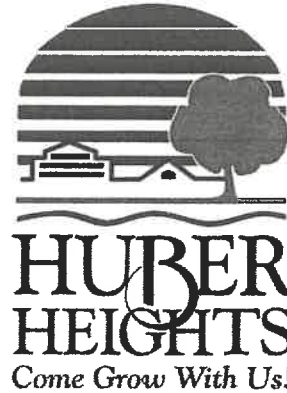
Easements: Not a factor. No City utilities in play.

Structure: Rear addition.

Placement: South side of the house.

Engineering: The Engineering Dept. has no concern about this request.

25 JUN 9 2:45PM
BOARD OF ZONING APPEALS APPLICATION
CITY OF HUBER HEIGHTS



PLANNING DEPARTMENT

6131 Taylorsville Road
Huber Heights, Ohio 45424

937.233.1423
937.233.1272 (Fax)

Application Number 25-05
Receipt Number 537761

Date Filed 6-9-25
Amount Paid \$75.00

TYPE OF ACTION REQUESTED

Check all that apply. Attach explanations & additional information as required.

- ☐ Annexation & Zoning (Attach original annexation petition to this application.)
- ☐ Annexation Agreement
- ☐ Rezoning to _____
- ☐ Special Use
- ☒ Variance from the Zoning Ordinance
- ☐ Lot Split
- ☐ Final Plat/Replat
- ☐ Preliminary Plat
- ☐ Text Amendment
 - ☐ Zoning Ordinance
 - ☐ Subdivision Regulations
 - ☐ Other

- ☐ Planned Unit Development
 - Basic Development Plan
 - ☐ Detailed Development Plan
 - ☐ Major Change
 - ☐ Minor Change

- ☐ Appeal of an Administrative Decision
- ☐ Other _____

July 2, 25

APPLICANT INFORMATION

Identify the applicant & contact person on this page. Complete the attachment to list the owner(s) & other parties involved with the application.

APPLICANT
Name Howard Adams
Address 6644 Loblolly Dr.
Huber Heights
Phone 937-287-2644
Fax N/A
Email diane.brogan.adams@gmail.com

CONTACT PERSON
Name Diane Brogan-Adams
Address 6644 Loblolly Dr.
Same as applicant
Phone _____
Fax _____
Email _____

PROPERTY INFORMATION

Project Name: Room Addition

Location of property: 6644 Loblolly Drive

Book N/A Page N/A Parcel Number(s) P70 00608 0013

Current Zoning: R-7 Proposed Zoning: Variance Request

Property Owner's Name: Howard & Diane Adams telephone: 937-287-2644

Address: 6644 Loblolly Drive

Total acres included in this application: N/A

Type of Development: Residential ☐ Commercial ☐ Office ☐ Industrial ☐ Other ☐

Brief description of application request:

See attached applicant's request
Variance for setback rear yard 1151.04

Applicant's status: Owner ☒ Lessee ☐ Purchaser ☐ Agent ☐

Name of Engineer: _____ Telephone: _____

Attach additional information as required. Please refer to the applicable application submittal checklist.

Applicant's Signature

Applicant's Signature:

Printed Name:

The owner of the property, if other than the applicant, must sign this application as evidence of concurrence with the request.

OWNER

Subscribed and sworn to before me this _____ day of _____, 20____.

NOTARY PUBLIC

BY THE ABOVE SIGNATURE, THE APPLICANT HEREBY ATTESTS TO THE TRUTH AND EXACTNESS OF ALL INFORMATION SUPPLIED AND SUBMITTED ON AND WITH THIS APPLICANT. BY THE ABOVE SIGNATURE, THE APPLICANT FURTHERMORE CONSENTS TO BE BOUND BY THIS APPLICATION, BY ANY AGREEMENT MADE BY THE APPLICANT OR ITS AGENT, AND BY ALL DECISIONS MADE BY THE CITY OF HUBER HEIGHTS RELATING TO AND IN CONNECTION WITH APPLICATION AND REQUESTS.

=====

Date Received _____ Fee Paid _____ Received by _____

How does your Variance Request fulfill these requirements?

- A. Will the property in question yield a reasonable return or will there be any beneficial use of the property without the variance?

Yes, our variance request will yield a reasonable return, allowing for a substantial increase in the property's overall energy efficiency.

- B. Is this variance substantial?

No. The applicant does not view this request should be categorized as substantial.

- C. Would the essential character of the neighborhood be substantially altered or would adjoining properties suffer a substantial detriment as a result of the variance?

No

- D. Would the variance adversely affect the delivery of governmental services such as water, sanitary sewer, or garbage removal?

No

- E. Did the property owner purchase the property with the knowledge of the zoning restriction?

No

F. Could the property owner's predicament feasibly be averted through some method other than a variance?

The applicant does not believe there is a
feasible method other than the requested
variance to meet anticipated expectations.

G. Will the spirit and intent behind the zoning requirement be observed and substantial justice done by granting the variance?

Yes

Applicant's Variance/ Special Exception Request

The property owners/applicants have been making incremental improvements to their home located on parcel P70 00608 0013 (***ref Auditor's Map***), in anticipation of improving the overall energy efficiency of their home, while also attempting to incorporate a tasteful utilization of space, while remaining mindful of the overall character within the neighborhood.

As the applicants approach their mid-70s and find themselves adjusting to transitions associated with the aging process, deteriorating conditions with the original concrete patio - attached to the rear of the home, made it necessary for them to remove the entire structure out of necessity; the concrete patio had fractured while slipping approximately 24 inches over the years, cascading to affect the overall stability and viability of the attached 30 year old wood decking, leading to the property owners experiencing difficulties in a practical utilization of the area/ space (***ref attached photos***).

Oblivious to existing City Code addressing Setback requirements for additions to existing homes within Zone R-7, the property owners chose to move forward by having the patio/deck removed in the Fall of 2024; planning on taking advantage of 2025 Federal and State of Ohio Energy Efficiency Tax Credits by replacing the damaged patio/deck with an enclosed structure (*within the footprint of the removed deck*) constructed utilizing materials having some of the highest energy efficiencies ratings currently available.

The applicants respectfully request that they be granted a Variance from the Zoning Ordinance(s) which may be authorized under 1127.03 (C), and applicable to Setback restrictions associated with R-7 zoning. As matching the existing 40-year-old brick has proven difficult, the applicants further request a special exception determination (1127.04) be granted by the Board of Zoning Appeals acknowledging the materials being utilized in construction of the addition adhere to the intent and purpose of Section 1181.20 of the Zoning Code; hopefully allowing the applicants to move forward with their project (***ref material/design documents***).

1151.04 Area standard.

All lots shall have an area, frontage and yard requirements as follows:

			*Front	Side Yard Widths		Rear
	Lot Area Per Family Dwelling (square feet)	Lot Frontage (feet)	Yard Depth (feet)	Least Width (feet)	Total Side Yards (feet)	Yard Depth (feet)
Single-family dwellings	7,500	60	25	8	16	40
Two family	5,000	40	25	0	10	40
Three to eight family	2,000	15	25	0	0	40

In all cases the distance between buildings (containing two to eight family dwellings) shall be 20 feet.

* The front yard depth shall be measured from the established right-of-way lines as shown on the Official Thoroughfare Plan.

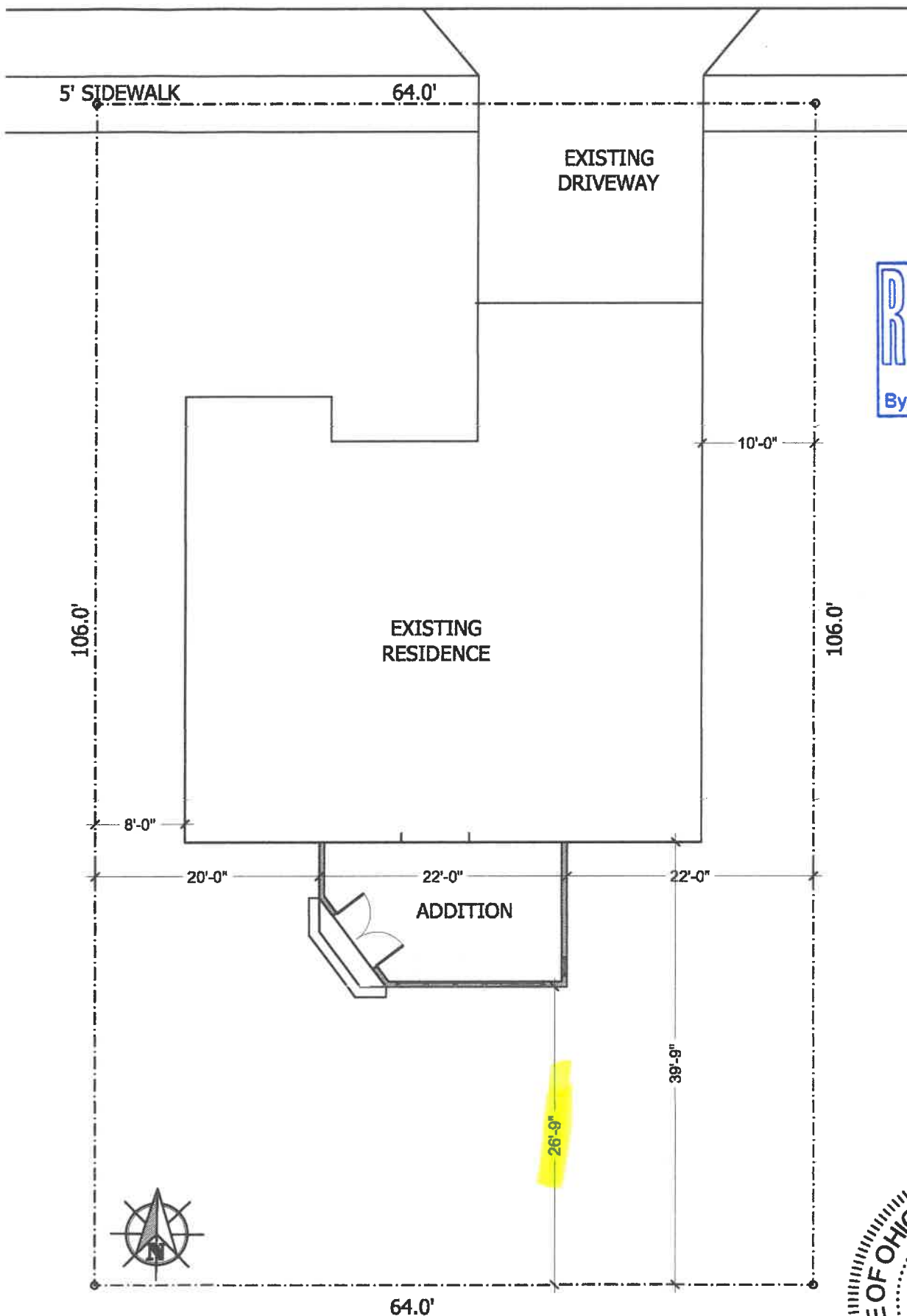
(Ord. 81-O-08, Passed 8-3-81)

1181.20 Building materials for dwellings.

- (a) *One-story dwellings.* 25 percent of the front façade of one-story dwellings shall be constructed of full depth brick, cultured brick, stone, or cultured stone. Other exterior wall areas may be constructed of full depth brick, cultured brick, stone, cultured stone, EFIS, poured concrete, split-faced concrete block, stucco, masonry, or vinyl siding. All vinyl siding shall have a thickness of not less than 0.44mm or be insulated.
- (b) *Dwellings over one story.* The first-floor front façade shall be constructed of 25 percent of full depth brick, cultured brick, stone, or cultured stone. Other exterior wall areas may be constructed of full depth brick, cultured brick, stone, cultured stone, EFIS, poured concrete, split-faced concrete block, stucco, masonry, or vinyl siding. All vinyl siding shall have a thickness of not less than 0.44mm or be insulated.
- (c) *Dwellings in planned unit developments.* Exterior building wall material requirements for all residential and mixed-use residential buildings shall be established through the Basic Development Plan or Detailed Development Plan approval. At least 10 percent of the aggregate multi-family or mixed-use building wall surface, within the development, should be full depth brick, cultured brick, stone, or cultured stone. Single-family and two-family development front façades shall be constructed of not less than 25 percent full depth brick, cultured brick, stone, or cultured stone. When establishing the requirements, the Planning Commission shall consider the types, location, and layout of the buildings to:
 - (1) Encourage a mix of building facades and material usage and discourage monotonous building repetition.
 - (2) Encourage higher percentages of full depth brick, cultured brick, stone, cultured stone, or other approved masonry product along the frontage of major public streets and thoroughfares.
- (d) *Exceptions.* The requirement for certain exterior walls of dwellings to be constructed of brick or other approved masonry type of material shall not apply to:
 - (1) Exterior wall areas of the dwelling where federal, state and/or local building codes prohibit the use of brick or other masonry materials such as gas fireplace inserts, cantilevers, gables, overhangs, soffits, downspouts and gutters, kitchen and other bays and other type of protrusion for which it is not reasonably practical to use the material stated above.
 - (2) Room additions or remodeling to or of dwellings that do not comply with subsections (a) and (b) above when such dwellings were constructed prior to enactment of this section. **Material that is used for additions or remodeling must be similar to the existing structure and maintain the integral look of the dwelling.**
- (d) *Definitions.* For purposes of this section, the following terms shall have the following definitions:
 - (1) "Dwelling" means any building or portion thereof occupied or intended to be occupied exclusively for residential purposes, but not including a tent, cabin, trailer, or trailer coach or other temporary or transient structure or facility.
 - (2) "First floor" means the highest point at the finish grade of the proposed ground surface.
 - (3) "Front façade" means the side of the building facing the lot front as defined by Section 1123.69 (Lot, Front).

(Ord. 2011-O-1925, Passed 11-28-11; Ord. No. 2023-O-2600, § 1, Passed 9-11-23)

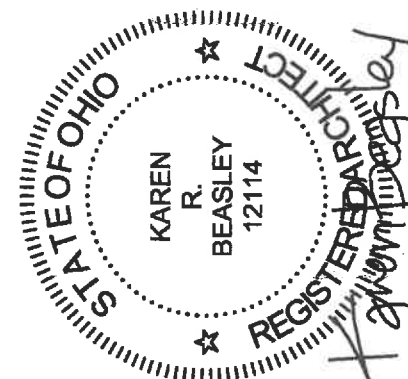
LOBLOLLY DRIVE



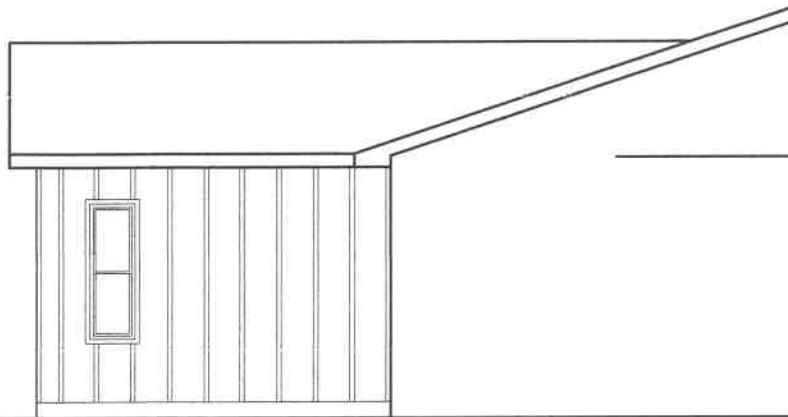
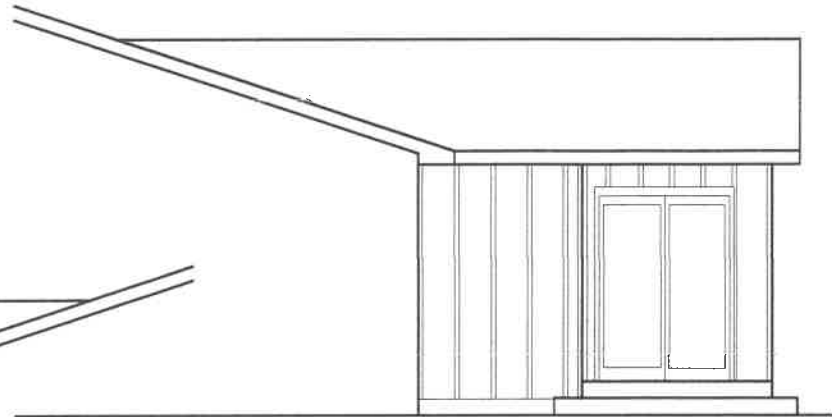
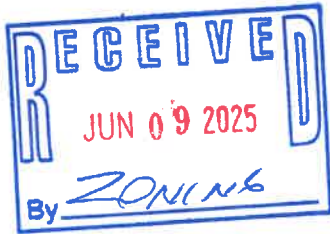
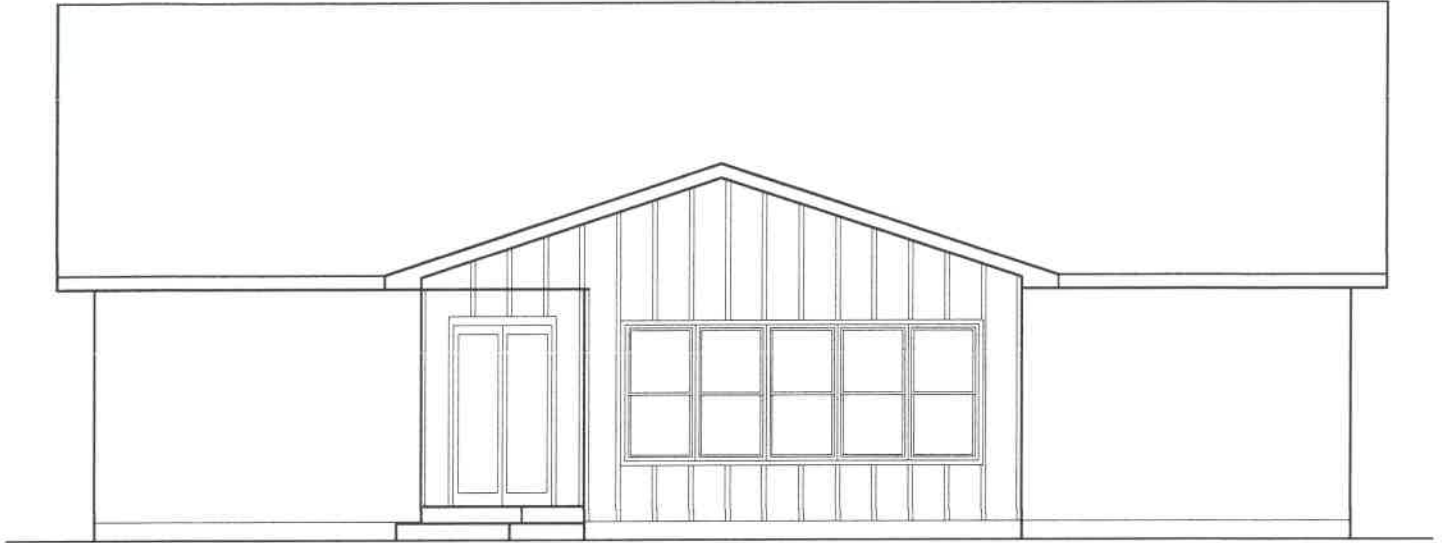
SITE PLAN

ADDITION TO THE BROGAN-ADAMS RESIDENCE

6644 LOBLOLLY DRIVE DAYTON, OHIO 45424
MONTGOMERY COUNTY PARCEL # P70 00608 0013



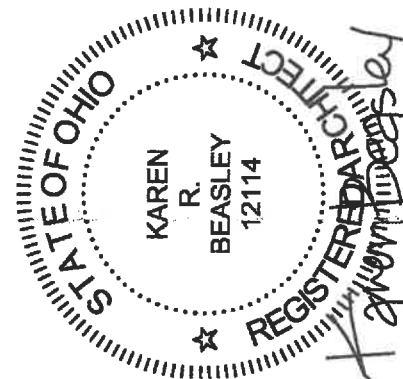
Karen Beasley, License # 981211
Expiration Date 12/31/2025



EXTERIOR ELEVATIONS

ADDITION TO THE BROGAN-ADAMS RESIDENCE

6644 LOBLOLLY DRIVE DAYTON, OHIO 45424
MONTGOMERY COUNTY PARCEL # P70 00608 0013



Karen Beasley, License # 98121
Expiration Date 12/31/2025

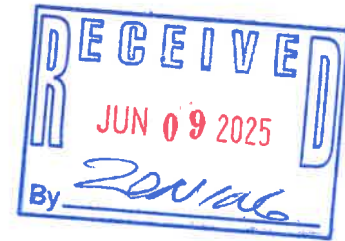
RUSSELL LAINE CONSTRUCTION LLC

P.O. BOX 212
ROSEWOOD, OH 43070

Estimate# 25019
Revised

937-751-8911

JOB ESTIMATE



TO: Diane Brogan Adams
6644 Loblolly Dr.
Dayton, Ohio
937-287-2644
dianebroganadams@gmail.com

JOB DESCRIPTION
4 Season Room Frame Exterior Finish

SCOPE OF PROJECT	AMOUNT
* Menards Material Package / Includes tax Less 1 Door & 8 Windows Package Install Labor * Frame & Sheet Walls * Frame & Sheet Roof * Asphalt Shingles with ice guard and tar paper <i>Exterior Finish</i> * 50lf soffit * 50lf fascia * 75lf Gutters * 450sq' of AZEK Paint Pro Board & Batton * Paint 450sq' of AZEK siding Sherwin Williams UV Protection Line Subfloor & Roof Tie In * Treated lumber joist floor and sill with mechanical fasteners to concrete foundation/Includes 3/4 T&G sub fl * Labor * Roof tie-in/ includes 2x4, 7/16" sheathing & approx. 200sq' of asphalt shingles * Labor	
TOTAL ESTIMATED JOB COST	

This is an estimate only, not a contract.
Estimate pricing is valid for 15 days and are subject to materials market
price increase at the time of order

Ed Becker
PREPARED BY

3/2/25
DATE

DS Initial
EB DBA



Scale: 1 in equals 47 ft

City of Huber Heights, OH

Date: 6/17/2025



6644 Loblolly

Facade

Legend

6644 Loblolly Dr

