## BEFORE THE BROWN TOWNSHIP ZONING COMMISSION DELAWARE, OHIO

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JULY 9, 2025 MEETING

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Before

Commissioners: Brad Ebersole, Chair

Donald Dicke, Vice Chair

Shane Askins

Keith Holewinski

Kimberly Wilhelm - Alternate

Steve Serio, Inspector Vickie Sheets, Secretary

Edward Evans, Observer

Date and Time:

Wednesday, July 9, 2025

7:00 p.m.

Place:

Brown Township Hall

5555 State Route 521

Delaware, Ohio

Stenographic

Reporter:

Maria DiPaolo Jones, RDR, CRR

Notary Public - State of Ohio

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Wednesday Evening Session 1 July 9, 2025. 2 3 --|--BRAD EBERSOLE: We'll bring the meetings 4 5 to order. We'll do a Pledge of Allegiance. 6 (Pledge of Allegiance.) 7 BRAD EBERSOLE: Next on the agenda would be to approve the minutes for the September 11th of 8 9 2024 meeting. Are there any changes to the minutes? 10 (No response.) 11 BRAD EBERSOLE: Hearing none, do I have a 12 motion to approve? 13 DONALD DICKE: I so move. 14 BRAD EBERSOLE: I have and motion. And a 15 second? 16 SHANE ASKINS: I second. 17 BRAD EBERSOLE: Motion and a second. All in favor, say "aye." 18 19 (Ayes heard.) 20 KEITH HOLEWINSKI: Abstain. BRAD EBERSOLE: I will abstain as well. 2.1 2.2 wasn't here. 23 KIMBERLY WILHELM: I was going to say, 24 I'll abstain because I wasn't here. 25 DONALD DICKE: Well, then we don't have a

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quorum to approve the minutes.
1
2
                VICKIE SHEETS: Oh, no. Let's see, Shane.
3
     There's just two of you.
4
                SHANE ASKINS: Two of us, yeah.
                Steve?
5
6
                DONALD DICKE: Steve is not a voting
7
    member.
8
                SHANE ASKINS: That's right.
9
                DONALD DICKE: Was Linda --
10
                STEVE SERIO: Do we have enough still on
11
     the board --
12
                VICKIE SHEETS: We've got a guorum for
13
     this meeting.
14
                DONALD DICKE: No. We would still have
15
     enough on the board to approve the minutes from last
16
     September if Linda were here; we would have a quorum.
17
     So we, apparently, can't approve the minutes today.
                SHANE ASKINS: So we'll have to wait
18
19
     another nine months to --
20
                KEITH HOLEWINSKI: Next year.
2.1
                SHANE ASKINS: Yeah.
2.2
                (Laughter.)
23
                BRAD EBERSOLE: Yeah.
24
                SHANE ASKINS: Yeah, it's going to be like
25
     over a year to approve them.
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(Discussion off the record.) 1 2 BRAD EBERSOLE: We can go back on. So if we could have -- we've got a motion 3 and a second. All those in favor to approve the 4 5 minutes, say "aye." 6 (Ayes heard.) 7 BRAD EBERSOLE: Any opposed? 8 (No response.) 9 BRAD EBERSOLE: Hearing none, the motion 10 passes. 11 Boy, we've got some fun stuff from September 11th to throw out there, didn't we? 12 Our next action is our, well, it's our BZA 13 14 organization. We have a change of members, right? 15 So if you want to clarify who is now on the board and 16 if we have any openings. 17 VICKIE SHEETS: Okay. We have one 18 I thought the trustees were going to opening. 19 appoint Linda as a full member. Kimberly is an 20 alternate at this point. Keith is a full member. Donald and Shane and Brad are full members. And so 2.1 2.2 the organization for tonight will be to elect a chair 23 and vice chair and to confirm the meetings, the 24 Wednesdays that we hold for possible BZA hearings. 25 BRAD EBERSOLE: Okay. Do we have a

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recommendation for a chair?
1
                STEVE SERIO: Am I allowed to make a
2
     recommendation?
3
                BRAD EBERSOLE: You can make a
4
5
     recommendation.
6
                STEVE SERIO: Mr. Dicke.
                BRAD EBERSOLE: Very good.
7
                We have one recommendation for Mr. Dicke.
8
9
     Anyone else?
10
                SHANE ASKINS: I second.
11
                DONALD DICKE: You don't have to second.
12
                BRAD EBERSOLE: We have to have a motion,
     actually. He can recommend, but he can't make a
13
14
    motion. So if you'd like to make the motion --
15
                SHANE ASKINS: I'll make the motion.
                BRAD EBERSOLE: You made the motion. I'll
16
17
     second that.
                All in favor, say "aye."
18
19
                (Ayes heard.)
20
                BRAD EBERSOLE: Congratulations, Don, you
2.1
     are the new chairperson of the Zoning Board.
22
                DONALD DICKE: It means so much. My
23
     family, I'd like to thank Vickie.
24
                BRAD EBERSOLE: Do we need anybody else?
25
                VICKIE SHEETS: We need a vice-chair.
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BRAD EBERSOLE: A vice-chair. Okay.
1
                                                      Do
    we have motion for a vice-chair?
2
3
                DONALD DICKE: Or a nomination.
                BRAD EBERSOLE: Or a nomination, thank
4
5
     you.
6
                DONALD DICKE: Are you interested in vice
7
     chairing --
8
                BRAD EBERSOLE: Sure.
9
                DONALD DICKE: -- for the rest of this
10
     year?
11
                BRAD EBERSOLE: Yes.
12
                DONALD DICKE: I will nominate Brad as
    vice-chair.
13
14
                VICKIE SHEETS: Okay.
15
                BRAD EBERSOLE: We have a motion. Do we
16
    have a second?
17
                SHANE ASKINS: I second.
18
                BRAD EBERSOLE: I have a second.
                All in favor, say "aye."
19
20
                (Ayes heard.)
2.1
                BRAD EBERSOLE: Motion's approved.
22
     right.
            So we have a chair and vice-chair, and Linda
23
     is now a full time member, is that what you're --
24
                VICKIE SHEETS: No.
25
                DONALD DICKE: No, she's still an
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alternate. 1 2 SHANE ASKINS: No. VICKIE SHEETS: No. I thought they were 3 going to vote for it, but Steve was at the meeting 4 5 and doesn't recall them doing that. 6 BRAD EBERSOLE: Okay. 7 VICKIE SHEETS: So for right now we have a 8 seat open. 9 BRAD EBERSOLE: Terrific. We will continue that and have further discussions with the 10 11 trustees to take that to the next level. 12 We didn't have any additions or changes to 13 the agenda tonight. 14 The Zoning Inspector's report. 15 VICKIE SHEETS: I think to confirm the 16 meetings dates we have --17 SHANE ASKINS: Oh, yeah. We've got to do 18 that. 19 DONALD DICKE: Date and time. 20 SHANE ASKINS: Date and time. 2.1 DONALD DICKE: Second Wednesday of the 22 month, 7 p.m., Brown Township Hall. 23 BRAD EBERSOLE: 7 p.m., or would you like 24 to move it to 6 p.m.? I see that the trustee

25

meetings are at 6 now.

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STEVE SERIO: Township meetings are at 6.
1
2
     Regional planning meetings are at 6.
3
                SHANE ASKINS: In the wintertime it gets
     kind of dark.
4
5
                DONALD DICKE: It's dark before 6, though.
6
                BRAD EBERSOLE: If we can get here by 6.
7
     I mean, I can, but --
8
                SHANE ASKINS: I can.
9
                DONALD DICKE: I can when I'm not busy,
10
    but it was a struggle tonight. I'm indifferent.
11
                STEVE SERIO: We don't have that many a
12
     year.
13
                DONALD DICKE: Correct.
14
                BRAD EBERSOLE: Let's make it for
15
     six o'clock, that stays consistent with the rest of
16
     the township.
17
                VICKIE SHEETS: Well, and the Commission
     is still doing 7. The Zoning Commission is still
18
     meeting at 7. So, you know, it's totally up to you
19
20
     what you all prefer.
2.1
                STEVE SERIO: What did you say?
22
                SHANE ASKINS: It doesn't matter to me.
23
                DONALD DICKE: If we need to make an
24
     exception to the time, the Township just has to
25
     advertise it.
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SHANE ASKINS: Right.
1
2
                DONALD DICKE: We're fine with 6.
3
                VICKIE SHEETS: You want 6? Okay.
                DONALD DICKE: Yeah, 6 is fine.
4
5
                VICKIE SHEETS: So reserve the second
6
    Wednesday of the month. And it doesn't happen very
7
    often.
                SHANE ASKINS: No.
8
9
                VICKIE SHEETS: And we don't have any
10
    variances that we're aware of at the moment, so it
11
    may be a while.
                BRAD EBERSOLE: Okay. Now we've got the
12
13
    time. Are there any other items, then?
14
                VICKIE SHEETS: I don't think so.
15
                BRAD EBERSOLE: Zoning Inspector's report.
                STEVE SERIO: Well, last month I had four,
16
17
    I wrote four permits for a total of $1900, and no
18
    business, nothing new coming up.
19
                DONALD DICKE: Were the permits for new
    construction, or additions?
20
2.1
                STEVE SERIO: One was a new home.
22
    course one was a variance. I can't remember the
23
    other two. I think one was a --
24
                VICKIE SHEETS: A garage, wasn't it?
25
                STEVE SERIO: Yeah, a garage.
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What was the other? We've got 750, 600,
1
2
     that's 1350, 14, 15. Must have been an auxiliary
3
     building.
4
                DONALD DICKE: Okay.
5
                STEVE SERIO: I don't have it with me.
                BRAD EBERSOLE: No major common access
6
7
     drives or major developments at this time.
                DONALD DICKE: No.
8
9
                BRAD EBERSOLE: Okay.
10
                DONALD DICKE: The ones we don't have any
11
     say are the ones going in at Byxbe.
12
                BRAD EBERSOLE:
                                Yeah.
13
                Great. We'll move on, then. Thank you.
                STEVE SERIO: The only other thing is the
14
15
     trustees were wanting on the application, and I
16
     presented that to the Zoning Board, we're working on
17
     that, is they'd like to have the homeowner's name,
18
     phone number, and email; the contractor's name, phone
19
     number, and email; and one of the trustees also wants
20
     the contractor for the driveway's phone number and
2.1
     email. And that's what we are in process of putting
22
     that on the application.
23
                VICKIE SHEETS: That's on the permit
24
     application?
25
                STEVE SERIO: Yeah, on the application for
```

a permit. 1 2 DONALD DICKE: What if they don't have 3 that information yet? STEVE SERIO: Well, there is -- some of 4 5 it -- there's not room for all that on the permit, 6 that's why we're wanting to add that. 7 DONALD DICKE: Okay. STEVE SERIO: But I always tell them to 8 9 write it on there. Okay? When they call and ask me 10 or tell me what they're doing, and I tell them, you 11 know, what the fee is and how to fill out the application and the check, drop it off, that's all 12 13 explained to them. It's also on my voicemail in case I don't answer the phone. 14 15 DONALD DICKE: Okay. STEVE SERIO: But we're going to add that, 16 17 that way they see that also. 18 DONALD DICKE: Very good. 19 EDWARD EVANS: This is the zoning permit 20 that's on my iPad? 2.1 STEVE SERIO: Pardon? 2.2 EDWARD EVANS: Is this the zoning permit? 23 Is that what you're talking about? 24 STEVE SERIO: Yes.

EDWARD EVANS:

This is on my iPad?

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VICKIE SHEETS: His variance --
1
2
                STEVE SERIO: Your information is on
3
    yours.
4
                EDWARD EVANS: Okay.
5
                STEVE SERIO: Right.
6
                EDWARD EVANS: I just thought this was
7
    something else I didn't know about.
                STEVE SERIO:
8
                             No.
9
                EDWARD EVANS: Okay.
10
                STEVE SERIO: And you don't email anyhow.
11
                EDWARD EVANS: Right. Is there a zoning
    permit; is that what you were saying?
12
13
                STEVE SERIO: This is an application for
     zoning permit -- for every permit. Okay? It's just
14
15
    something that they're adding to it, I make sure that
    it's on there.
16
17
                EDWARD EVANS: Okay. Don't let me hold
18
    things up.
19
                STEVE SERIO: I always put -- It doesn't
20
    matter the builder, I always put the homeowner's name
2.1
    and the builder's name or the contractor's name, if
22
    they want it on there, because the homeowner changes,
23
    and I've had this happen, they've changed
24
    contractors. Well, the permit's in their name.
                                                      The
25
    permit goes with that property. It goes with the
```

property owner. So that's how I write it. 1 2 I've seen some in the past that weren't that way, but every one I've done has been that way. 3 4 VICKIE SHEETS: Mr. Evans, I believe if 5 your variance application is accepted tonight, you will get a permit at that point. 6 7 STEVE SERIO: Right. 8 EDWARD EVANS: Okay. Thank you. 9 STEVE SERIO: If they approve it, I'll 10 have your permit for you. EDWARD EVANS: Gotcha. That's all 11 included with the variance application, or what I 12 13 already paid you. 14 STEVE SERIO: Yeah. 15 BRAD EBERSOLE: Okay. Well, let's move forward, then, with the variance application for 16 17 Mr. Evans located at 3898 Leonardsburg Road. The 18 variance is requesting a variance for proximity to 19 the lot line, correct? 20 DONALD DICKE: Yes. The side setback. 2.1 BRAD EBERSOLE: Side setback. Thank you, 2.2 sir. 23 Additional questions? 24 Would you like to give an overview of the

variance itself in regards to it, or questions

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from -- A quick review, Steve?
1
2
                VICKIE SHEETS: It's also for the garage.
     He wants to build a larger garage --
3
4
                BRAD EBERSOLE:
                               Yes.
5
                VICKIE SHEETS: -- than is currently --
                EDWARD EVANS: There's one existing the
6
7
     same distance from the fence now.
                STEVE SERIO: What is that distance now?
8
9
                EDWARD EVANS: 7 feet.
                STEVE SERIO: 7 foot? And that's where
10
11
     you're wanting to do your new building.
12
                EDWARD EVANS: Yeah.
13
                STEVE SERIO: And, of course, your new
    building is going to be a lot bigger.
14
15
                EDWARD EVANS: Very much larger, yes.
                STEVE SERIO: What is the size?
16
17
                EDWARD EVANS: 24-by-48.
                STEVE SERIO: Okay.
18
19
                KIMBERLY WILHELM: Is it actually going to
20
    be attached to the existing garage, or is there a
2.1
     space?
22
                EDWARD EVANS: Yes, we're going to leave
23
    that one or rebuild it.
24
                STEVE SERIO: You're going to leave that
25
     one?
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EDWARD EVANS: Well, do I have to tell you
1
2
     right now whether I want to leave it?
3
                STEVE SERIO: Yeah. I mean, that's what
     the variance is for. I was under the assumption that
4
5
     you was tearing that down and building the
6
    building --
                EDWARD EVANS: Yes.
7
                STEVE SERIO: -- that close to the lot
8
9
     line.
10
                EDWARD EVANS: Yep.
11
                STEVE SERIO: That size building.
12
                EDWARD EVANS: Correct.
13
                DONALD DICKE: I don't think that has any
     relevance to our variance, though. This is a setback
14
15
     variance --
16
                STEVE SERIO: Right.
17
                DONALD DICKE: -- requesting to be able to
18
    build within 7 feet of the property line. So whether
     the existing building stays or doesn't, it's more
19
20
     about getting that variance to be able to build
2.1
     within 7 feet of the property line.
2.2
                STEVE SERIO: Of the side property.
23
                DONALD DICKE: So for our purposes, we're
24
     just hearing the variance for the setback, so whether
25
     the building stays or not, that's more between you
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and the zoning inspector. You guys will figure that out because that will pertain to --

2.1

EDWARD EVANS: I can either tear it down and rebuild it new, or I can just rebuild what I have.

KEITH HOLEWINSKI: If he tears it down and builds new, will he need another variance?

STEVE SERIO: That's what I was under the assumption that he was doing. Why he came if he was going to just leave that building there and the new building --

EDWARD EVANS: Well, I was trying to get grandfathered in and leave the old building. But no, I would rather tear it down and rebuild, yes, and that's what I told --

STEVE SERIO: Yeah, tear it down and still stay at the 7-foot and then build your new building right there.

EDWARD EVANS: Uh-huh.

DONALD DICKE: Mr. Evans, how big will the building be? Say this is assuming that you tear down the existing garage, what are the dimensions of that building going to be? Are they the plans that you provided to us, the 24-by-48-1/2?

EDWARD EVANS: Yeah, and then another

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12-by-20.
1
2
                DONALD DICKE: Is that just a parking pad,
3
     or is that going to be covered?
                EDWARD EVANS: It's going to be covered.
4
5
                DONALD DICKE: So that would essentially
6
    be where the existing garage is.
7
                EDWARD EVANS: Yes. Correct. Correct.
                STEVE SERIO: You're going to have another
8
9
    building 12-by-20?
                EDWARD EVANS: No, that's the --
10
11
                KIMBERLY WILHELM: A covered parking lot.
                EDWARD EVANS: -- existing building.
12
13
                SHANE ASKINS: Almost like a carport.
                EDWARD EVANS: Yeah, it's a single car
14
15
     parking garage.
                STEVE SERIO: Oh, off this building.
16
17
                EDWARD EVANS: On the front of it, yeah.
18
                STEVE SERIO: Okay.
                EDWARD EVANS: It's basically what the one
19
20
     is now, it's just a one-car parking garage, but she's
2.1
     coming down.
22
                SHANE ASKINS: How many feet is it from
23
     the building to the septic tank?
24
                EDWARD EVANS: I've got it right here.
25
                SHANE ASKINS: I have 11 feet, but I don't
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know if that's --
1
2
                EDWARD EVANS: Yeah. It's, like, right
3
     there.
4
                KIMBERLY WILHELM: Are you going to run a
5
    pad into it?
6
                EDWARD EVANS: No. No. No, I don't want
7
     to open that can of worms.
                I've got those dimensions here somewhere.
8
9
     It's like 11 --
10
                SHANE ASKINS: I see "11."
11
                EDWARD EVANS: Yeah.
                SHANE ASKINS: I just wanted to double
12
     check.
13
14
                EDWARD EVANS: Yeah, it's like 11-foot.
15
     It's, like, getting near the borderline.
16
                KEITH HOLEWINSKI: What is the rear
17
     setback to the rear of the property?
18
                EDWARD EVANS: It's like 15 foot from my
19
     own property line, because my lot is in three lots,
20
     and it's 15 foot from my dividing lot line.
2.1
                KEITH HOLEWINSKI: So you've got a
22
    property behind you that is yours also?
23
                EDWARD EVANS: Yes. But I'm led to
24
    understand that even though it's my property, both
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are my lots, I still got to be --

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DONALD DICKE: Yeah, if it's a separate
1
2
     parcel, because you can potentially try to sell that
     parcel to be buildable, so you're requesting a side
3
4
     and rear --
5
                EDWARD EVANS: Actually, it's 15 foot is
6
     what I got figured, to that rear.
7
                DONALD DICKE: What is that for the rear?
                KEITH HOLEWINSKI: Isn't it 25?
8
9
                DONALD DICKE: I think so.
10
                EDWARD EVANS: While we're at it, can't we
11
     just go ahead and throw that in there too?
12
                DONALD DICKE: It would be the time.
13
                STEVE SERIO: Yep.
14
                EDWARD EVANS:
                               In case I got a little too
15
     close or something like that.
16
                STEVE SERIO: For your tax purposes, it
17
     probably would be better to make it all one big
18
    parcel in the future.
19
                EDWARD EVANS: How do I go about that?
20
     Any idea?
2.1
                STEVE SERIO: Yeah, you just get it
22
     surveyed and take it to the auditor and have it
23
     recorded -- or, the recorder's office in Delaware.
24
     It's just the cost of the survey. And they could
25
    probably do it all because you got a legal
```

description on there. 1 2 SHANE ASKINS: It's probably on the township website, isn't it? 3 KEITH HOLEWINSKI: I'm pretty sure it's 4 25. 5 6 DONALD DICKE: Fifteen. "No accessory 7 building shall be located closer than 15 feet to said rear lot line." 8 9 EDWARD EVANS: I'm right there. 10 DONALD DICKE: I guess as long as it 11 complies, or if you're planning on going closer than 15 feet, you would want to --12 13 EDWARD EVANS: Well, it's, like, borderline. 14 15 DONALD DICKE: Well --16 EDWARD EVANS: So, like you said, now 17 is -- Is it a big deal just to say the back line too? DONALD DICKE: We would need no know what 18 19 kind of variance you're requesting. 20 BRAD EBERSOLE: The variance needs to be 2.1 not only -- yes, you need to know exactly where 22 you're going to be putting this building, let's say 23 it that way. 24 EDWARD EVANS: Well, I've got

measurements. I didn't give those to you?

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KEITH HOLEWINSKI: I don't see it on here.
1
2
                EDWARD EVANS: It's like 15, 16 foot or
3
     something. I measured everything everywhere. I laid
     it all out, too. It's like right around 15 foot,
4
5
     because it was -- That was my putting up strings and
6
    measuring and stuff.
7
                STEVE SERIO: As long as you stay within
     that 15 foot.
8
9
                EDWARD EVANS: I'm pretty sure I'm safe.
10
                STEVE SERIO: That's why I was saying, if
11
     you put it all in one, you would be -- it's all one
    parcel, you would be way --
12
                EDWARD EVANS: I could also move it
13
     forward a little bit if I have to.
14
15
                STEVE SERIO: Yeah. Make sure you --
                EDWARD EVANS: If I'm that close, I can
16
17
    move it forward a foot, the whole deal. So problem
     solved.
18
19
                STEVE SERIO: So you're just asking for
     the 7 foot off the side lot then?
2.0
2.1
                EDWARD EVANS: Yeah. Yep.
2.2
                STEVE SERIO: Okay.
23
                DONALD DICKE: What about the distance
24
     from the primary residence to the accessory building?
25
     I know there's a requirement on that. I know we ran
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into that -- Was it the Wells property on Hogback?
 1
                               Yes.
 2.
                SHANE ASKINS:
 3
                DONALD DICKE:
                               They had the garage.
 4
                SHANE ASKINS:
                               The garage that they were,
 5
     yeah, trying to build like a carport or a walkway or
 6
     something.
 7
                DONALD DICKE:
                               It was a garage.
                                                 It was
     initially going to be attached, and then it wasn't.
 8
 9
                SHANE ASKINS:
                               Yeah.
10
                DONALD DICKE: It was within a couple of
11
     feet, and we had to approve a variance for that.
12
                KEITH HOLEWINSKI: Factory build.
                DONALD DICKE: Yeah. I know there's a
13
14
     requirement, I'm not sure exactly where it is in
15
     our --
16
                BRAD EBERSOLE: So this would be --
17
                DONALD DICKE: -- zoning code.
18
                SHANE ASKINS: I remember that, and I
     can't remember what it was.
19
                BRAD EBERSOLE: I don't know exactly what
20
2.1
     this is, but the house is 32 foot away from it, and
22
     this is 7, 12, so it's 19. The distance between that
23
     corner to that corner. What would you say?
24
                SHANE ASKINS: Like the key up here, I
25
     think the square is 5 feet. So it would be 5 foot
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from the --1 2 BRAD EBERSOLE: Well, quite frankly, the 3 drawing shows that it's the same length, that it would be 32 feet. 4 That's 24 and 7, 31, so it's a foot. 5 6 SHANE ASKINS: Yeah. 7 BRAD EBERSOLE: It's one foot off. DONALD DICKE: Steve, do you know the 8 9 requirement, the zoning requirement, for the space 10 from the primary residence to an accessory structure? 11 STEVE SERIO: I haven't run across it. 12 DONALD DICKE: Let me see if I can find 13 that variance request. That was last year, I think, 14 wasn't it? 15 SHANE ASKINS: Yeah. 16 STEVE SERIO: Before I started. 17 SHANE ASKINS: I actually probably threw 18 those papers away before I came, so. 19 BRAD EBERSOLE: I was going to say, Don's 20 got everything. That's why we made him Chair. 2.1 DONALD DICKE: Uh-huh, thanks. 2.2 SHANE ASKINS: Right. 23 STEVE SERIO: I know what it has to be off 24 the lot lines and --25 SHANE ASKINS: I don't think Steve was

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there for that one.
1
2
                VICKIE SHEETS: No, I don't think he was.
                SHANE ASKINS: I was going to say, we
3
     could pull it up.
4
5
                VICKIE SHEETS: Would that be under the
6
     General Development Standards?
7
                SHANE ASKINS: I don't know.
                DONALD DICKE: Too bad we don't have a guy
8
9
     that was on the Zoning Commission now.
                That was 2024.
10
11
                SHANE ASKINS: I want to say it was in
     July of last year, I thought. June or July.
12
13
                VICKIE SHEETS: Then we'd have the
14
    minutes.
15
                DONALD DICKE: Let's look and see.
16
                BRAD EBERSOLE: If you have the prior
17
    minutes --
18
                SHANE ASKINS: Yeah, if you have the
    minutes, then --
19
20
                DONALD DICKE: That's Leonardsburg. This
2.1
     is the sign at Beechwood Estates.
22
                VICKIE SHEETS: We met in August and we
23
    met in -- I've got two Septembers.
24
                BRAD EBERSOLE: I don't have that.
```

VICKIE SHEETS: Was this the request for a

```
70-foot rear setback?
1
2
                DONALD DICKE: No, it was not.
3
                VICKIE SHEETS: Okay.
                SHANE ASKINS: No, it was a --
4
5
                BRAD EBERSOLE: It was a garage.
6
                SHANE ASKINS: -- garage. It was like a
     breezeway they were building, or something. Or they
7
     were trying to figure out how to attach it to the
8
9
     house or something. I can't remember what it was.
10
                DONALD DICKE: It was the Farmers.
                                                     The
11
     Farmer family.
12
                SHANE ASKINS: Down on --
13
                DONALD DICKE: Hogback Road.
14
                SHANE ASKINS: -- Hogback, yep.
15
                VICKIE SHEETS: And I've got two
16
     Septembers, and I don't have that copy with me, I'm
17
     sorry.
18
                EDWARD EVANS: I just found something
19
     that's -- If you look on that drawing I gave you, I
20
     think it's the same one. Yeah, each square equals 5
2.1
     foot.
2.2
                BRAD EBERSOLE: Yeah.
23
                EDWARD EVANS: So if you look at the back
24
     line, I'm only like 12 foot from the back line.
25
                BRAD EBERSOLE:
                               Okay.
```

```
EDWARD EVANS: So I'm guessing I'm going
1
2
     to have to do the back line too.
3
                BRAD EBERSOLE: There may be a need for a
     variance here. It's right here in between the house
4
5
     and this corner. If you're rebuilding right here,
     this corner, this could be too close.
6
7
                EDWARD EVANS: Yeah. I mean, that's where
     the existing one is now, but --
8
9
                BRAD EBERSOLE: Right. Yeah.
                                               The
10
     existing one is not a problem, but, yeah, if you're
     going to rebuild something --
11
                EDWARD EVANS: And, actually, that
12
13
     existing -- The new one's only going to be 12-foot
     wide, so it's not going to come clear over there.
14
15
                SHANE ASKINS: No, he's talking about
16
    between the house and the existing building, if you
17
    tear it down, then --
18
                BRAD EBERSOLE: You're going to replace it
19
     or --
20
                EDWARD EVANS: Well, I'm going to be
     another 12 foot over.
2.1
22
                BRAD EBERSOLE: Yeah. That would be this
23
    here, yeah.
24
                EDWARD EVANS: I can't tell upside down.
25
                BRAD EBERSOLE: That's okay. So what
```

```
you're saying is this is going to be 24 wide, so it's
1
2
    just a big square.
3
                EDWARD EVANS: Yeah. This little square
    here, there's not going to be anything there. It's
4
5
    only going to be 12 wide here, and back here it will
    go to 24 wide.
6
7
                BRAD EBERSOLE: So there wouldn't be
    anything --
8
9
                EDWARD EVANS: No.
10
                BRAD EBERSOLE: -- in this space?
11
               EDWARD EVANS: No.
                KIMBERLY WILHELM: You mean, like, where
12
13
    the existing garage is now, you're going to tear that
    down and that's going to be a parking pad --
14
15
                EDWARD EVANS: Yeah.
16
                KIMBERLY WILHELM: -- into the new one, so
17
    there's no actual structure here?
18
                EDWARD EVANS: Right. Right.
                KIMBERLY WILHELM: That's what I was
19
20
    thinking. So this is a big square.
2.1
                SHANE ASKINS: I thought he was talking
22
    about building another building. That's what I --
23
                BRAD EBERSOLE: I did, too. So you're --
24
                EDWARD EVANS: Right.
25
                BRAD EBERSOLE: Let's clarify what you
```

```
want to do. You have a garage here that exists
1
2
    today.
3
               EDWARD EVANS: Yes.
                BRAD EBERSOLE: And you're going to tear
4
5
    this down, right?
6
                EDWARD EVANS: Uh-huh.
7
               BRAD EBERSOLE: And putting nothing new
8
    there?
9
                EDWARD EVANS: Yes. Just that much of it,
    though.
10
11
               BRAD EBERSOLE: You're going to replace
12
    that garage, then.
13
                EDWARD EVANS: Just this 12-foot wide
14
    part.
15
                BRAD EBERSOLE: Okay. So you're going to
16
    replace and you're going to make this a garage.
17
                EDWARD EVANS: Yeah.
18
               BRAD EBERSOLE: And you're going to make
19
    this a pad.
20
                EDWARD EVANS: Where my finger is is a
21
    pad, or it's grass or whatever.
22
                BRAD EBERSOLE: Yeah. Okay.
                SHANE ASKINS: Okay.
23
24
                EDWARD EVANS: And then here it will start
25
    24 foot wide and go to 48.
```

```
BRAD EBERSOLE: So this probably removes
1
2
     the need for that variance.
3
                SHANE ASKINS: That's 25 foot, the squares
4
     are right.
5
                BRAD EBERSOLE: Yeah.
6
                EDWARD EVANS: Yeah, it's --
7
                SHANE ASKINS: From the corner of the
     house or the porch or whatever that is.
8
9
                BRAD EBERSOLE: Yeah.
10
                EDWARD EVANS: And you just said it had to
11
    be -- or didn't you say?
12
                BRAD EBERSOLE: We don't know for sure.
                SHANE ASKINS: We don't know for sure.
13
                BRAD EBERSOLE: We think that's --
14
15
                KEITH HOLEWINSKI: What's this zoned in?
                DONALD DICKE: It's FR-1.
16
17
                VICKIE SHEETS: Yeah, that's what I was
18
     wondering too.
19
                DONALD DICKE: Well, it should be.
20
                KEITH HOLEWINSKI: "No building or
     structure shall be located closer than 25 feet to any
2.1
     side lot if the rear lot is 15."
22
23
                SHANE ASKINS: Yeah, so it's 25 foot
24
     exactly, if it's right. Yeah, because it's 12-foot.
25
     Yeah. Because it has to be, what, 15?
```

```
BRAD EBERSOLE: 15.
1
2
                STEVE SERIO: 15.
3
                BRAD EBERSOLE: Did you find something?
4
     I'm sorry.
5
                KEITH HOLEWINSKI:
                                   No.
6
                EDWARD EVANS: And I had it drawn in red
7
     and black, and the copier just made it all one color,
     so it's hard to tell. On my copy I got it drawn in
8
9
     red and black.
10
                SHANE ASKINS: You don't have it, Don,
11
    with all that paper?
12
                DONALD DICKE: We ended up --
13
                SHANE ASKINS: I think they had to build a
14
     breezeway.
15
                DONALD DICKE: No. We ended up tabling it
    because Steve -- Steve ended up giving them their
16
17
    money back for it and then getting them -- they ended
     up just needing a permit instead of a variance so we
18
19
     didn't even end up hearing it.
20
                BRAD EBERSOLE: Yeah, that's what we did.
2.1
     Now I remember. That's how it ended up.
                KEITH HOLEWINSKI: They just changed which
2.2
23
    permit they needed?
24
                DONALD DICKE: There was another way to go
25
```

about it, and they went about it that way.

```
KEITH HOLEWINSKI: Because they already
1
2
    built it, right?
3
                DONALD DICKE: Correct.
                BRAD EBERSOLE: Yeah.
4
                SHANE ASKINS: Because I think we talked
5
6
     about them building a breezeway in between it to
7
     attach it.
                KEITH HOLEWINSKI: To attach it, yeah.
8
9
                DONALD DICKE: Yeah, but we ended up not
10
     having to make any decision on that.
11
                BRAD EBERSOLE: They ended up pulling
     their application --
12
13
                DONALD DICKE: Yes.
14
                BRAD EBERSOLE: -- and having to resubmit,
15
     and they were going to waive the fees.
16
                DONALD DICKE: Yeah.
17
                BRAD EBERSOLE: That's how that ended up
18
    playing out.
                DONALD DICKE: Yeah, that is. I'm glad we
19
20
     finally got there, guys, good job. I still don't
2.1
     know what the requirement is from building primary
2.2
     structure to --
23
                BRAD EBERSOLE: I think we might be safe
24
    because of the way that the build is.
25
                DONALD DICKE: Right. I see that there's
```

going to be that blank space there. 1 EDWARD EVANS: It's easier to see with 2 3 mine because I got it drawn in red. The red is the new building, and the black is the existing. 4 5 DONALD DICKE: Okay. BRAD EBERSOLE: This distance from here to 6 7 this corner to this corner is probably --EDWARD EVANS: Yeah. 8 9 DONALD DICKE: Okay. 10 BRAD EBERSOLE: -- acceptable. 11 DONALD DICKE: So, Mr. Evans, are you requesting a rear setback variance as well? 12 13 EDWARD EVANS: Since it's only 12 foot. 14 DONALD DICKE: And you're requesting it for 12 foot, so if you request it for 12 foot and you 15 16 end up building and it's 11-6, you're going to have 17 to get another variance. 18 STEVE SERIO: What you tell us now is what 19 you have to do. 20 EDWARD EVANS: Okay. So, yeah, I'll make 2.1 it 12 foot. According to my measurements --22 BRAD EBERSOLE: Well, let's ask you. 23 got two options. You could table tonight, ask to 24 have this tabled so that you don't have to go back

and do a new permit and you can figure out exactly

```
what you want to do, or you can -- or you can tell us
1
2
     tonight and we will --
3
                EDWARD EVANS: No, we'll just make it 12.
     I'm pretty confident with my measurements, and I'll
4
5
    make it that.
6
                BRAD EBERSOLE: Okay.
7
                EDWARD EVANS: That way I can get rolling.
            If that works for you guys.
8
9
                STEVE SERIO: 7 foot from the side and 12
     from the rear.
10
11
                EDWARD EVANS: Yeah.
12
                STEVE SERIO: So 24-by-48.
13
                KEITH HOLEWINSKI: Just out of curiosity,
     on this plan, I know you you've got it X'd out, but
14
15
     do you know what that was?
16
                EDWARD EVANS: Oh, that's my tent garage.
17
                KEITH HOLEWINSKI: So it's a temporary
18
     structure?
19
                EDWARD EVANS: Yes.
20
                KEITH HOLEWINSKI: Okay.
2.1
                SHANE ASKINS: So what's the distance from
22
     the septic to the garage?
23
                DONALD DICKE: 11 feet.
24
                SHANE ASKINS: Well, I know that, but
25
    what's the requirement for that?
```

```
STEVE SERIO: 10.
1
2
                SHANE ASKINS: Is it 10?
3
                DONALD DICKE: I don't know. That's not
     for us to decide. That's for the Health Department
4
5
     to figure out.
6
                SHANE ASKINS: All right.
7
                BRAD EBERSOLE: That's true.
                KEITH HOLEWINSKI: Yeah, because you've
8
9
     got to turn that in to the Health Department.
10
                STEVE SERIO: Yeah.
11
                BRAD EBERSOLE: I have two other questions
12
     on this particular project.
13
                EDWARD EVANS: Well, now, you told me I
     didn't have to have the Health Department.
14
15
                STEVE SERIO: You have to let Delaware
16
     County know what you're doing and they will let
17
     know --
18
                EDWARD EVANS: Okay. But what you're
19
     saying is --
20
                STEVE SERIO: You might ask them for a
     septic inspection. They just want to know how far it
2.1
2.2
     is from the line -- from the tank to the building.
23
                EDWARD EVANS: Okay.
24
                KEITH HOLEWINSKI: They want to make sure
25
     you're not building on top of it.
```

```
STEVE SERIO: Yeah, they want to make sure
1
2
     you're not building on top of that or the leach
     lines, that's all.
3
                BRAD EBERSOLE: So there are two very
4
     large trees currently next to, one looks like it's on
5
6
     the adjoining property, is the back one on your
7
     property?
                EDWARD EVANS: Uh-huh.
8
9
                BRAD EBERSOLE: And will that have any
10
     impact to --
11
                EDWARD EVANS: It's coming down.
                BRAD EBERSOLE: You're taking that tree
12
13
     down.
           Okay.
14
                EDWARD EVANS: Uh-huh. All those trees.
15
                BRAD EBERSOLE: And the other tree's on
16
     their property, correct?
17
                EDWARD EVANS: Yeah. And, yeah, it's kind
     of leaning the other way. They probably actually
18
     will let me take it down if I wanted to. Is it an
19
2.0
     issue?
2.1
                BRAD EBERSOLE: It looks like an issue for
22
     your build, is what I would say. I don't know that
23
     it's an issue for us as a Zoning Appeals committee,
24
    but it looks like it's an issue.
25
                EDWARD EVANS:
                               The one that is an issue is
```

```
coming down. The one on the other side of the fence,
1
2
     the only way it would be an issue is if the branches
     fell on my building.
3
4
                BRAD EBERSOLE: Okay.
5
                EDWARD EVANS: And I plan on trimming it
6
     up before I build, so.
7
                BRAD EBERSOLE: Have you had any
     communication with the neighbor in regards to this?
8
9
                DONALD DICKE: Yeah. There's a letter in
10
     here.
11
                SHANE ASKINS: There's a letter, yeah.
12
                BRAD EBERSOLE: Did I miss that?
13
                KIMBERLY WILHELM: It was written.
14
                BRAD EBERSOLE: Okay. That was from them,
15
     okay.
                KIMBERLY WILHELM: Cecelia.
16
17
                EDWARD EVANS: Yeah, they're all about it.
                BRAD EBERSOLE: Okay. I guess I didn't
18
     look at the address quick enough.
19
20
                Thank you.
2.1
                DONALD DICKE: So, just to clarify, this
     variance is for a -- they're requesting relief from
22
23
     the side property line and the rear setback
24
     requirements, they're requesting 12 feet in the rear
25
     and 7 on the side.
```

```
EDWARD EVANS: Now, is that to the eave,
1
2
     or is that to the wall?
3
                STEVE SERIO: That's on the foundation.
4
                BRAD EBERSOLE: Do we have any additional
5
     questions?
6
                KIMBERLY WILHELM: I'm curious, is like
7
     the activity, is it going to be a noisy thing that,
     like building equipment or, you know, grinding or,
8
     like -- I don't know. Is it a personal use building
9
10
     or --
11
                EDWARD EVANS: Personal use, yeah.
12
                KIMBERLY WILHELM: Oh, yeah.
13
                EDWARD EVANS: Yeah, I might have a few
     projects out there, but I'm not going to making a
14
15
     living out of there or anything.
16
                KIMBERLY WILHELM: Okay.
17
                STEVE SERIO: It's for residential. It's
18
    not commercial.
19
                EDWARD EVANS: Yeah. That's right.
20
                KIMBERLY WILHELM: Yeah.
2.1
                EDWARD EVANS: My own personal projects.
22
                STEVE SERIO: He would have to get it
23
     rezoned if it was.
24
                DONALD DICKE: I know we do have precedent
25
     for the side yard. I know we've done rear relief as
```

```
well. I can remember the building that we did on

North 3Bs at the corner of North 3Bs and 521, that

would be the northwest corner.

SHANE ASKINS: The new house that's there
```

DONALD DICKE: They built the barn there

SHANE ASKINS: Camper.

2.1

on the corner?

to store the --

DONALD DICKE: -- the Airstream camper in there, and that was a setback as well. It was bringing the building further forward because it was forward at the corner of the house.

BRAD EBERSOLE: Yeah.

DONALD DICKE: So I know we have precedent on the side yard. And I don't know specific examples, but I know we've granted relief on rear setback.

KEITH HOLEWINSKI: I know in Zoning we're talking about pulling stuff out of the cloud and overlaying Kilbourne and Leonardsburg just for these particular scenarios, because the properties aren't big enough, but anything on them make them setbacks.

BRAD EBERSOLE: It's certainly a challenge here, and Leonardsburg, and having an existing building already sitting. We're not moving anything

```
closer to it. I think it gives it, again, some
1
2
    precedent to have some consideration here.
3
                The setback on the rear, obviously,
     defining that is most important today. Knowing that
4
5
     it is your property as well there is a benefit, we
6
     don't have to have concerns for another resident
     today in regards to that.
7
                Are there any other questions of the
8
9
     committee?
10
                (No response.)
11
                BRAD EBERSOLE: Do we have a motion?
12
                SHANE ASKINS: I motion.
13
                BRAD EBERSOLE: A motion to, approve?
14
                SHANE ASKINS: Approve. Sorry.
15
                BRAD EBERSOLE: That's okay.
16
                SHANE ASKINS: I zoned out.
17
                BRAD EBERSOLE: Do I have a second?
18
                DONALD DICKE: I'll second.
19
                BRAD EBERSOLE: Okay. All in favor, say
     "aye."
20
2.1
                VICKIE SHEETS: Brad, do you want me to
22
     calling the roll?
23
                BRAD EBERSOLE: Sure. Yes. Please.
24
                VICKIE SHEETS: Okay. Mr. Ebersole.
25
                BRAD EBERSOLE: Yes.
```

		40
1	VICKIE SHEETS: Mr. Dicke.	
2	DONALD DICKE: Yes.	
3	VICKIE SHEETS: Mr. Askins.	
4	SHANE ASKINS: Yes.	
5	VICKIE SHEETS: Mr. Holewinski.	
6	KEITH HOLEWINSKI: Present.	
7	VICKIE SHEETS: Ms. Wilhelm.	
8	KIMBERLY WILHELM: Yes.	
9	BRAD EBERSOLE: Motion passes unanimously.	
10	EDWARD EVANS: That's it?	
11	BRAD EBERSOLE: That was it for tonight.	
12	EDWARD EVANS: I mean, you don't have to	
13	contact anybody or anything?	
14	BRAD EBERSOLE: Again, you'll work	
15	through the	
16	DONALD DICKE: That's between you and	
17	Steve.	
18	BRAD EBERSOLE: Yeah, you and Steve are	
19	working through the rest of your processes.	
20	EDWARD EVANS: All right.	
21	VICKIE SHEETS: Who seconded? Donald?	
22	BRAD EBERSOLE: Don.	
23	VICKIE SHEETS: That's what I thought.	
24	BRAD EBERSOLE: Do we have any old	
25	business? Any new business?	

KEITH HOLEWINSKI: Did they pass any new 1 2 updates to the zoning code? VICKIE SHEETS: We're at the point where 3 we held a public hearing, we shared it with Regional 4 Planning, they recommended approval with a 5 6 suggestion. We incorporated that suggestion, it was 7 just a phrase, in the -- it was in Article 14, of 8 course. And we sent that on to the trustees just this past -- they were supposed to schedule their 9 public hearing at their meeting last night, that's 10 11 what Connie told me. So that's where we're at. 12 KEITH HOLEWINSKI: Okay. 13 VICKIE SHEETS: So it's in process. 14 KEITH HOLEWINSKI: Okay. 15 BRAD EBERSOLE: Any other questions? 16 (No response.) 17 BRAD EBERSOLE: Motion to adjourn? 18 DONALD DICKE: I so move. 19 BRAD EBERSOLE: All in favor? 20 (Ayes heard.) 2.1 BRAD EBERSOLE: Thank you. 22 (Whereupon, at 7:38 p.m., the deposition 23 meeting concluded.) 24 -- | --

25

1
 2
 3

## CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Wednesday, July 9, 2025, and carefully compared with my original stenographic notes.

Maria DiPaolo Jones,

Registered Diplomate Reporter, Certified Realtime Reporter, and Ohio Notary Public

My commission expires: June 19, 2026.

(34245-MDJ)

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