



**BOARD OF ZONING APPEALS
MEETING MINUTES
AUGUST 3, 2023**

CALL TO ORDER/ROLL CALL

Jim Hrivnak, Chairman called the Board of Zoning Appeals Meeting of Thursday, August 3, 2023 to order at 6:30 p.m. Board Members present included: Ryan Brickner, Don DePalma, Randy Duncan, and Jim Hrivnak. Board Member Herrmann was absent. Staff in attendance included: Elise Schellin, Senior Planner; Peyton Kaman, Development Technician; and Pam Friend, Administrative Assistant.

APPROVAL OF MEETING MINUTES

June 1, 2023 Meeting Minutes
[06012023_BZA_Draft_Min.pdf](#)

MOTION: Board Member Duncan moved to approve the minutes of June 1, 2023. Board Member DePalma seconded.

Chair Hrivnak requested a roll call for passage: Randy Duncan, yes; Don DePalma, yes; Ryan Brickner, yes; and Jim Hrivnak, abstain. Motion passed.

VOTE: Y – 3 N – 0 AB – 1

STAFF ITEMS

None

NEW CASES

VARIANCE REQUEST (2023-21V)

Applicant: Donald and Marlena Taynor

Location: 402 Ashmoore Circle East

Zoning: PR - Planned Residence District

Request: Review and approval of a variance to Code Section 1147.06(b)(2) to reduce the required easement setbacks for swimming pools from twelve feet to two feet from the northern drainage easement.

[1. Taynor Pool- BZA Staff Report 8.03.23.pdf](#)

[2. Taynor Pool Combined Set.pdf](#)

Peyton Kaman, presented the Staff Report and reviewed the seven (7) standards the Board considers when reviewing a variance request. Staff recommends approval of both variances to Code Section 1147.06(b)(2).

Marlena Taynor, 402 Ashmoore Circle East, Powell, the applicant, was sworn in and presented the reasons for the variance request.

Harry Ruska, 396 Ashmoore Circle E, Powell, spoke in support of the variance request.

No one spoke in opposition to the variance request.

Board Member DePalma thanked staff for the excellent job with the rationale for the variance.

Board member Brickner agrees with staff's assessment. He asked the applicant if any thought had been given to making the pool smaller, for which the applicant responded it would not allow for the diving board

Board Member Duncan said he agreed with the assessment staff provided in their report reviewing the seven standards.

Board Member Hrivnak asked questions of the applicant with regards to the consideration of relocating the pool or installing a smaller pool and the retaining wall.

MOTION: Board Member Board Member DePalma moved to approve the variance to Code Section 1147.06(b)(2) to reduce the required easement setback for swimming pools from 12-feet to 2-feet from the northern drainage easement. Board Member Duncan seconded the motion.

Chair Hrivnak requested a roll call for passage: Don DePalma, yes; Ryan Brickner, yes; and Jim Hrivnak, yes, and Randy Duncan. Motion passed.

VOTE: Y – 4 N – 0 AB – 0

OTHER BUSINESS

None

ADJOURNMENT

Board Member Brickner moved to adjourn the meeting at 6:47 p.m. Board Member Duncan seconded. Motion passed by consensus.

MINUTES APPROVED: Thursday, September 7, 2023

 9-7-23
Jim Hrivnak, Chair Date

 9.7.2023
Pam Friend, Admin. Assistant Date