

**MINUTES**  
**Unified Land Management**  
**Board of Appeals**  
**August 26, 2008**  
**4:30 p.m.**

**Members Present:** Craig Sims  
Marion Gramling  
Kyle Atkins  
Michael Henthorn  
Jackie Moss  
Ronald Stokes

**Members Absent:** David Long  
Gerald Lawson  
Gerald Noe

**Staff Present:** Joan Holliday  
Laurie Horton  
Edwin Haskell  
Freelance Reporting Services, Transcriptions

**1. Call to Order**

Craig Sims called the meeting to order.

**2. Approval of Minutes of July 22, 2008**

Marion Gramling made a motion to approve the July 22, 2008 minutes as submitted. Kyle Atkins. The vote carried unanimously.

**3. Old Business**

**None**

#### 4. **New Business**

**OPUS Styling Salon** – Laurie Horton, Land Use Inspector, was sworn in and presented the background information to the Board:

Mr. Kim Keith, applicant, is requesting a variance from Unified Land Management Ordinance to convert a storage building on commercial property to a beauty shop.

There are two issues that are preventing the applicant from meeting the requirements of ULMO:

1. The building is 1.8 feet from the rear property line. Section 2.02-1 Table 3 requires a structure to have a 20-foot rear setback.
2. ULMO Section 2.02-2 Table 4 requires a Class 2 buffer between a Low Intensity use and all other residential. The building is located within the buffer yard area.

1. The variance requests are as follows:

1. A reduction of the required rear yard setback from twenty (20) feet to one point eight (1.8) feet. (Section 2.02-1 Dimensional Standards Table 3)
2. A waiver to not install a Class 2 buffer along the east side property line. (ULMO Section 2.02-2 Buffer yards Table 4)

Mr. Keith is also requesting that the 30-day waiting period be waived.

All other requirements of the Ordinance will be met.

Craig Sims opened the public hearing.

Kim Keith, applicant, was sworn in. He stated that this was an existing building that was used as a workshop. He stated that Mr. Lewis Lynch, adjoining property owner, was present to state that he did not have any objections to the variance request. Mr. Keith stated that the existing building was only 400 square feet and there would only be one employee that would occupy the building.

Mr. Lewis Lynch, 1535 Skylyn Drive, was sworn in. He stated that the existing building was on the property before he purchased the adjoining property. He stated that this used to be a work shop and that he did not object to the variance request.

Carolyn Early, Beauty Shop Owner, was sworn in. She stated that she would like to be a good neighbor.

Craig Sims closed the public hearing.

Marion Gramling made a motion to grant the variance as requested. Mike Henthorne seconded the motion. The vote carried unanimously.

**Ben Avon United Methodist Church** – Laurie Horton, Land Use Inspector, already sworn in, presented the background information to the Board:

Mr. John Rounds, representative for the church, is requesting a variance from the Unified Land Management Ordinance, Section 2.02-2 Dimensional Standards, Table 3 Setbacks.

The applicant is proposing to expand a nonconforming structure (front setback) on the property:

1. Section 2.02-2 Dimensional Standards, Table 3 Setbacks – Requires all other uses to have a setback of 30 feet off of a minor street.

Mr. Rounds is requesting the following:

1. A reduction in the required front yard setbacks from 30 feet to 17.2 feet along Boyd Road.
2. Waiving of the 30-day waiting period for the permit.

Craig Sims opened the public hearing.

Mr. John Rounds, representative for the church, was sworn in. He stated that they plan to add on to the fellowship hall and that the addition would be located in the existing court yard.

Craig Sims closed the public hearing.

Kyle Atkins made a motion to approve as requested. Ronald Stokes seconded the motion. The vote carried unanimously.

**5. Other Business**

None

**6. Adjourn**

Ronald Stokes made a motion to adjourn. Kyle Atkins seconded the motion. The meeting adjourned at 4:43 p.m.

