

MINUTES
Board of Zoning Appeals Meeting
September 13, 2021

The public meeting was called to order at 6:00 p.m. at the EMS Building located at 320 Baker Rd.

Members present were: Chairman David Subler, Lester Kueterman, Billie Platfoot, and John Wagaman. Mike Darnell was absent. Also in attendance was Village Administrator Michael Busse and guest Justin Bergman.

A motion to approve the agenda was made by John Wagaman, seconded by Billie Platfoot. Vote: All yeas.

A motion to approve the minutes from the September 7, 2021 BZA meeting was made Billie Platfoot, seconded by Lester Kueterman. A vote followed with all members voting to approve the minutes as presented.

Chairman Subler administered the oath to Justin Bergman allowing him to testify at the hearing.

The Board was presented with BZA Case No. 21-11. Mr. Busse reviewed the following statement of facts for the Board and explained what the zoning standards are affecting the property.

Mr. Busse stated that BZA Case No. 21-11 is a variance application filed by Justin Bergman representing Endless Pint Brewing, 39 East Main Street. Mr. Bergman is requesting a variance for a reduction in the required front yard (Second Street) setback to construct an 8-foot-tall privacy fence with 12-foot-tall posts in the rear (north) parking area and extending out 1 foot into the right-of-way where Versailles Zoning Regulations limit the height of a rear yard fence to 8 feet and the height of a front yard fence to 36 inches.

Mr. Bergman is also requesting a variance to remove and reconstruct a set of entrance/egress steps and a landing along with the installation a 36-inch-tall fence within the Second Street right-of-way. This proposed fence is requested to allow for patrons to access the rear patio area from the inside of the building. Mr. Busse informed the Board that Mr. Bergman has a contract with the Village to allow him to lease this sidewalk area for \$1.00 per year.

After a lengthy discussion a motion was made by Lester Kueterman, and seconded by David Subler to approve the variance request as submitted with the following conditions.

- The fence must be installed as proposed in his application.
- Mr. Bergman must obtain approval from the Ohio Department of Liquor Control.
- Mr. Bergman must obtain approval for the fence and step installation from the Miami County Building Department.

Mr. Bergman was also reminded that the Village Council will review his lease agreement annually to be sure that continuing the agreement is in the best interest of the Village.

A vote followed with all members voting to conditionally approve the variance.

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With no further business to conduct, a motion to adjourn the meeting was made by David Subler and seconded by Billie Platfoot. Vote: all yeas.

The meeting was adjourned at 6:55 p.m.

BZA Chairman

Michael Busse, Secretary