

Board of Zoning Appeals

February 21, 2024

It is now _____ PM this 21st day of February, 2024.

I hereby call the meeting of the Sagamore Hills Board of Zoning Appeals to Order.

I ask all in attendance this evening to please silence all cell phones and other electronic devices so that we can conduct this meeting without interruption. I would like to thank all in attendance for their cooperation.

Please stand for the Pledge of Allegiance

- 1. Roll Call by Zoning Secretary**
- 2. Election of Officers**
- 3.** The Board of Zoning Appeals serves in the capacity of a judicial branch of zoning administration; however, it is technically an administrative body. The Board of Zoning Appeals is permitted to exercise only three functions per the Ohio Revised Code:
 1. Appeals
 2. Variances
 3. Issuance of Conditional Use Certificate.
- 4. Topic for this Evening:**
 - A. An Appeal pursuant to Ohio Revised Code Section 519.14(A) of a denial of an application for a Certificate of Zoning Compliance Occupancy Permit requested by New Aurora Health Care Center of 997 W. Aurora Road, Sagamore Hills, Ohio 44067. Business Owner Name: Kevin Strong. Property Owner Name: Investments At Barnett – James Blazek, Agent, 385 North High Street, Suite 300, Columbus, Ohio 43214.

The SHZR Section 5.2(A)(11), permits a “[p]rofessional offices such as medical, dental, legal, engineering, realtor, accounting and such.”

The planned use of the property is a “medical office/mental health and substance abuse treatment center.” The Zoning Inspector denied the Permit as the planned use, i.e., “mental health and substance abuse treatment center”, does not fall within the permitted uses set forth in SHZR Section 5.2(A).

Mr. Strong is requesting a reversal of the denial of the permit by the Zoning Inspector.

Additional information relating to the communications between the Township, the Zoning Inspector, Township Counsel, Mr. Strong, and New Aurora Health Care Center Counsel was furnished to the Board.

There is a potential second issue in this appeal related to an application for a second building upon a commercial lot that was denied by the Zoning Inspector. The Zoning Inspector denied that application finding the Commercial section of the Zoning Resolution does not permit more than one building upon a commercial lot. The appeal attaches the information related to this second building application but does not include any additional written information or arguments. I ask the applicant to address whether the denial of the second building is also subject to appeal and if so, address it during the hearing.

5. Oath for Participation

If anyone wishes to speak at these proceedings, please stand and follow after me for the Oath of Participation

I do swear and affirm
That the information and testimony
Given as part of this proceeding
Is true and accurate
To the best of my knowledge and belief

6. Were Notices Sent Out

7. Has any correspondence been received?

8. Presentation of variance by requestor

9. Motion from Board

10. Discussion among Board Members

11. Vote on Motion

12. Approval of Minutes of the May 24, 2023 BZA Meeting

13. Motion to Adjourn