

**Board of Zoning Appeals Meeting**

**May 18, 2017**

**ZA-02-17, ZA-03-17**

Members/Attendance: X Hank Grover  
N/A Jim Burgham  
X Michael Johnston  
X Ricky Morrison  
X Albert Sciulli  
X Robert Durick

Also in attendance: X Bob Monus, Zoning Inspector  
X Michele Richards, Recording Secretary

Mike Johnston called the meeting to order at 7:00 p.m.

**1st Order of Business:**

Mike Johnston stated that the first order of business is to approve the minutes from the meetings held on March 23, 2017. Ricky Morrison made a motion to approve the minutes from the March 23, 2017 meeting. Al Sciulli seconded the motion.

Voting:

Yes Ricky Morrison  
Yes Al Sciulli  
Yes Bob Durick  
Abstain Hank Grover  
Yes Mike Johnston

Motion approved.

**2<sup>nd</sup> Order of Business:**

*Case #ZA-02-17 – Is a variance request by David Sayre to obtain relief from fence regulations for height of fence between the street right-of-way line and minimum building setback line and also for location (distance) from the street right-of-way line. This property is known as 3168/3170 Heatherbrae Drive, parcel #35-008-8-0-157.00-0, lot number 128. The parcel is located in Poland Township, Poland, Ohio, in a Residential-2 (R-2) zoned district.*

Items included in packet submitted:

1. Application for Variance
2. Zoning Permit Denial Form
3. Letter of Intent
4. Site Plan
5. Property Description (Zoning)
6. Property Description (Auditor)
7. Zoning District Map
8. County GIS Plate Map
9. Warranty Deed

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**David Sayre**  
**3170 Heatherbrae Drive**

Sayre stated he would like to construct a six (6) foot high fence along his property on Clingan Road parallel with Heatherbrae in an “L” shape. This will enable him to utilize more of his rear yard as well.

Mike Johnston asked if anyone would like to speak in favor of this request. No one responds. Johnston asked if anyone would like to speak against this request. No one responds.

Hank Grover stated his concern was the safety of backing out of the appellant’s driveway. He visited the appellant’s residence and pulled his car in the driveway and backed out with no visibility issues.

Bob Durick stated he has no issues with fence as well. Mike Johnston agreed, as did Ricky Morrison.

***Motion***

*Hank Grover made a motion in Case ZA-02-17 to grant the requested variances as submitted. Bob Durick seconded the motion.*

Voting:

Yes Hank Grover  
Yes Bob Durick  
Yes Al Sciulli  
No Ricky Morrison  
Yes Mike Johnston

Motion carried.

**3<sup>rd</sup> Order of Business:**

*Case #ZA-03-17 – Is a variance request by Matthew Skurich to obtain relief from accessory building regulations for square footage and height. The structure will be a maximum square footage of one thousand four hundred sixty (1,460) square feet and the height will be twenty-seven (27) feet. The property is located at 8576 Catarina Place (currently a vacant lot) and is known as parcel #35-069-0-003.05-0, Lot #20. Parcel is located in Poland Township, Poland, Ohio, in an (E) Estate zoned district.*

Items included in packet submitted:

1. Application for Variance
2. Zoning Permit Denial Form
3. Letter of Intent
4. Abutting Property Owners List
5. Site Plan
6. Property Description (Zoning)
7. Property Description (Auditor)
8. Elevation Plans
9. Zoning District Map

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10. County GIS Plate Map
11. Architectural Design Plans
12. Letter from Skurich to neighbors
13. Petition against this variance from neighbors
14. Warranty Deed

**Matthew Skurich**  
**8608 Catarina Place**

Skurich's father, Michael Skurich, is also in attendance.

Matthew Skurich stated he is requesting to build a fifty by thirty-four (50x34) square foot accessory building, which will be used to store his collectible cars that he presently has at a storage facility. The proposed house plans include a completely finished basement with bedrooms, family room and bathrooms and will have no additional storage.

Skurich stated he is aware of neighborhood opposition to this variance. Two letters were distributed in the neighborhood, one written by a neighbor and the other written by him. He read the letter that was written by the neighbor. He also read the letter that he wrote to the Board, as well as giving them a copy.

Hank Grover stated in regard to the accessory buildings that the Board has no control over deed restrictions. Grover questioned the drawing. He stated that a fifty (50) foot setback in Poland Township is fifty (50) feet back from the right of way line. The proposed drawing is drawn fifty (50) feet back from the curb, which reflects an infraction of twenty-four (24) to twenty-five (25) feet into the fifty (50) foot setback. This would require an additional variance.

Mike Johnston stated there is a fundamental problem with the information presented, as to the way the structures are shown to be situated on the property.

Further discussion followed on this issue.

Mike Johnston stated that the appellant can choose to continue the presentation, or redesign the project and seek a variance on the right of way.

Question from the audience:

**Cynthia Dota**  
**4183 Timberlane Trail**  
**Canfield, Ohio**

Dota stated she is considering moving to Catarina Place. She would like to know the Board's position on granting a variance for such a large building in a residential neighborhood. She stated it would make her think twice about moving to the neighborhood. Mike Johnston stated he can't say what the Board would decide but with the information presented the Board is unable to make a decision due to having insufficient information.

Mike Johnston asked if anyone would like to speak in favor of the request.

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**Ruth Skurich**  
**8608 Catarina Place**

Skurich is the spouse of the appellant. She stated they do not want to offend their neighbors. She also stated that they have no intention to rent the house.

Mike Johnston asked if anyone would like to speak against the request.

**Tim McGiffin**  
**8580 Catarina Place**

McGiffin stated that it is nothing personal against the appellant. He feels the structure is too large and does not want it built next to his house. He also feels it will take away the value of his property. He is also concerned someday if the appellant moves it will turn into an auto mechanic garage or a rental property.

**Jason Delatore**  
**8685 Raintree Run**

Delatore is concerned about drainage issues on his property if the structure is built. He is also concerned of the size and location of the structure.

**Lisa Gomon**  
**8572 Catarina Place**

Gomon stated she has nothing personal against the appellant. She suggested that the structure be attached to the home. She does not agree with the size of the structure and feels it should be attached to the home.

After further discussion, the appellant stated he wished to continue the case and the following motion was made.

***Motion***

*Hank Grover made a motion in Case ZA-03-17 to continue the case until further information is submitted to the Board. Bob Durick seconded the motion.*

**Voting:**

- Yes Hank Grover
- Yes Bob Durick
- Yes Al Sciulli
- No Ricky Morrison
- Yes Mike Johnston

Motion carried.

Meeting adjourned at 8:30 p.m.

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Submitted by:  
Michele Richards/Recording Secretary

cc: Trustees (3)  
Board of Zoning Appeals (6)  
Zoning Commission (6)  
P. Canter, Fiscal Officer (1)  
File (1)