

1 STATE OF OHIO )  
2 COUNTY OF MAHONING ) SS:  
3 TOWNSHIP OF POLAND )

4  
5 POLAND TOWNSHIP BOARD OF ZONING APPEALS

6 PUBLIC HEARING

7 SEPTEMBER 30, 2025 - 7:00 P.M.

8 CASE #ZA-08-25

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11 RE: Case #ZA-08-25 - Joseph Kay

12 Variance Request

13 CASE # ZA-08-25: This case is a request of James [sic] Kay  
14 who is pursuing relief from maximum square feet allowance  
15 for an accessory building. His request is for a (1,200') one  
16 thousand, two hundred square foot structure. The property  
17 is located at 6785 Struthers Rd. Poland Township, Poland,  
18 Ohio known as Lot 3, parcel number 35-024-0-030.00-0 and is  
19 in a Residential-2 (R-2) zoning district.  
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**APPEARANCES:**

**POLAND TOWNSHIP BOARD OF ZONING APPEALS**

Michael Johnston, Chairman and Member of the Board  
Ricky Morrison, Vice-Chairman/Member of the Board  
Robert Durick, Member of the Board  
John Grahovac, Member of the Board  
David Long, Member of the Board

Patty Magazzine, Zoning Inspector

**ON BEHALF OF THE APPELLANT:**

Joseph Kay, Appellant

**PLACE:** Poland Township Government Center  
3339 Dobbins Road  
Youngstown, Ohio 44514

**REPORTER:** Dena K. Crissman, M.S., R.P.R., C.R.I.  
Registered Professional Reporter  
4308 Lyntz Townline Road, S.W.  
Warren, OH 44481  
E-mail: Crissmancourtreporting@outlook.com  
Office: 330-502-8862

**P R O C E E D I N G S**

**PUBLIC HEARING**

(WHEREAS, THE PUBLIC HEARING OF  
THE POLAND TOWNSHIP BOARD OF  
ZONING APPEALS COMMENCED ON  
TUESDAY, SEPTEMBER 30TH, AT 7:00  
P.M. IN CASE #ZA-08-25. THE  
FIRST ORDER OF OLD BUSINESS WAS  
APPROVAL OF THE MINUTES OF FOUR  
(4) CASES HEARD ON JUNE 11TH,  
2025 CASES. THE MINUTES FOR  
CASES #ZA-02-25, #ZA-03-25,  
#ZA-04-25 AND #ZA-05-25 WERE  
APPROVED. ROLL CALL VOTE:  
3, AYE; 0, NAY; 2, ABSTAINED.  
MR. JOHNSTON AND MR. GRAHOVAC  
WERE NOT PRESENT FOR THE JUNE  
11TH, 2025, HEARING; THEREFORE,  
THEY ABSTAINED FROM VOTING.  
THE NEXT ITEM ON THE AGENDA WAS  
APPROVAL OF THE JUNE 24TH, 2025,  
HEARING IN CASE #ZA-06-25. ROLL  
CALL VOTE: 5, AYE; 0, NAY;  
0, ABSTAINED. THE NEXT MATTER  
BEFORE THE BOARD TONIGHT, UNDER

1 NEW BUSINESS, CASE #ZA-08-25,  
2 WAS NEXT ON THE AGENDA. THE  
3 APPELLANT EXPLAINED THAT THE  
4 LEGAL NOTICE, STATING THE  
5 APPELLANT WAS "JAMES" KAY WAS  
6 INCORRECT. THE APPELLANT'S  
7 CORRECT NAME IS "JOSEPH" KAY.  
8 THE BOARD MADE NOTATION OF THE  
9 CORRECTION. JOSEPH KAY THEN  
10 PRESENTED HIS CASE TO THE BOARD.  
11 THE BOARD INQUIRED. EVERYONE  
12 WAS GIVEN AMPLE OPPORTUNITY TO  
13 SPEAK, AND THERE WAS NO  
14 OPPOSITION PRESENTED. THE  
15 FOLLOWING MOTION WAS MADE BY THE  
16 POLAND TOWNSHIP BOARD OF ZONING  
17 APPEALS IN CASE #ZA-08-25:)

18 MR. MORRISON: I would like  
19 to make a motion in Case #ZA-08-25 -- to allow  
20 the construction of an accessory building --  
21 not to exceed 900 square feet -- as well as the  
22 Appellant must remove the existing shed before  
23 construction of this accessory building.

24 MR. JOHNSTON: If you could  
25 read back -- whenever you're ready?

1 COURT REPORTER: All right.

2 (WHEREAS, THE COURT REPORTER  
3 READ BACK THE MOTION ON PAGE 4,  
4 LINE 18, AND PROCEEDINGS WERE AS  
5 FOLLOWS:)

6 MR. MORRISON: Thank you.

7 MR. JOHNSTON: Anyone like to  
8 second that?

9 MR. GRAHOVAC: I'll second  
10 it.

11 MR. JOHNSTON: Mr. Grahovac  
12 will second -- if you could poll the Board,  
13 please?

14 MS. MAGAZZINE: Yeah, one  
15 second. I was just writing the motion for  
16 me -- okay, Ricky Morrison?

17 MR. MORRISON: Yes.

18 MS. MAGAZZINE: John  
19 Grahovac?

20 MR. GRAHOVAC: Yes.

21 MS. MAGAZZINE: David Long?

22 MR. LONG: Yes.

23 MS. MAGAZZINE: Michael  
24 Johnston?

25 MR. JOHNSTON: Yes.

1 MS. MAGAZZINE: Robert  
2 Durick?

3 MR. DURICK: Yes.

4 (ROLL CALL VOTE: 5, AYE;  
5 0, NAY; 0, ABSTAINED.)

6 MR. JOHNSTON: Mr. Kay, you  
7 can construct up to 900 square feet --  
8 dimensions as you see fit, but work within that  
9 900 square foot -- square footage limitation.

10 If you're less, you're fine. If you need  
11 to go more, then you're going to have to come  
12 back and see us again.

13 MR. KAY: Yes -- thank you  
14 very much.

15 MR. JOHNSTON: Sure, just  
16 catch up with Patty, here, in the next couple  
17 of days, and she'll get you on the right path.

18 MS. MAGAZZINE: Just so you  
19 know, I'm not there tomorrow.

20 MR. JOHNSTON: She's not  
21 there tomorrow.

22 MS. MAGAZZINE: I'm going to  
23 go see the Indians.

24 MR. MORRISON: Well,  
25 hopefully, you can bring them some good luck.

1 MS. MAGAZZINE: I hope -- but  
2 they know in the office, if you want to call.  
3 Are you ready to do this yet?

4 MR. KAY: I was going to do  
5 the concrete prior.

6 MS. MAGAZZINE: Okay.

7 MR. KAY: As far as a  
8 Building Permit --

9 MS. MAGAZZINE: Uh-huh.

10 MR. KAY: -- are you guys  
11 going to generate one or --

12 MS. MAGAZZINE: Uh-uh -- you  
13 have to purchase one. You have to purchase  
14 your Building -- or your Zoning Permit; and  
15 then you'll have to go to Mahoning County  
16 Building Inspection, too, and Board of Health.  
17 I would call and check on that information.

18 When you're ready to come in, give us a  
19 call a day or two ahead of time.

20 MR. KAY: Of course.

21 MS. MAGAZZINE: Okay?

22 MR. KAY: Thank you.

23 MS. MAGAZZINE: Let them know  
24 it's for the variance that you filed. That's  
25 it.

1 MR. JOHNSTON: Any other  
2 business for this Board tonight?

3 (WHEREAS, THERE WAS NO RESPONSE  
4 FROM THE BOARD, AND PROCEEDINGS  
5 WERE AS FOLLOWS:)

6 MR. JOHNSTON: A motion to  
7 adjourn.

8 MR. MORRISON: Second.

9 MR. JOHNSTON: Meeting  
10 adjourned.

11 (WHEREUPON, THE PUBLIC HEARING  
12 BEFORE THE POLAND TOWNSHIP BOARD  
13 OF ZONING APPEALS CONCLUDED AT  
14 7:25 P.M. ALL ORIGINAL EXHIBITS  
15 AND DOCUMENTATION WERE RETAINED  
16 BY THE POLAND TOWNSHIP ZONING  
17 OFFICE AND FILED/INCORPORATED  
18 INTO THE CASE RECORD.)

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STATE OF OHIO            )  
                                  ) ss.           REPORTER'S CERTIFICATE  
COUNTY OF MAHONING)

I certify that the above and foregoing is a true and partial transcript of the minutes and motions made during the Public Hearing, as shown by stenotype notes written by me, in the presence of the witnesses at the time of the Public Hearing.

*Dena K. Crissman, M.S., R.P.R., C.R.I.*  
\_\_\_\_\_  
Dena Kay Crissman, Notary Public  
My Commission Expires 2-08-2029



	are [2] 7/3 7/10 as [9] 1/16 4/21 4/21 5/4 6/8 7/7 7/7 8/5 9/10 AYE [3] 3/15 3/23 6/4	FILED/INCORPORATED [1] 8/17 fine [1] 6/10 FIRST [1] 3/8 fit [1] 6/8 FOLLOWING [1] 4/15 FOLLOWS [2] 5/5 8/5 foot [2] 1/15 6/9 footage [1] 6/9 foregoing [1] 9/8 FOUR [1] 3/9
COURT REPORTER: [1] 5/1 MR. DURICK: [1] 6/3 MR. GRAHOVAC: [2] 5/9 5/20 MR. JOHNSTON: [10] MR. KAY: [6] 6/13 7/4 7/7 7/10 7/20 7/22 MR. LONG: [1] 5/22 MR. MORRISON: [5] 4/18 5/6 5/17 6/24 8/8 MS. MAGAZZINE: [13]	<b>B</b> back [3] 4/25 5/3 6/12 before [3] 3/25 4/22 8/12 BEHALF [1] 2/9 BOARD [18] bring [1] 6/25 building [6] 1/14 4/20 4/23 7/8 7/14 7/16 business [3] 3/8 4/1 8/2	<b>G</b> generate [1] 7/11 get [1] 6/17 give [1] 7/18 GIVEN [1] 4/12 go [3] 6/11 6/23 7/15 going [4] 6/11 6/22 7/4 7/11 good [1] 6/25 Government [1] 2/13 Grahovac [4] 2/5 3/16 5/11 5/19 guys [1] 7/10
1	<b>C</b> C.R.I [1] 2/16 call [6] 3/14 3/23 6/4 7/2 7/17 7/19 can [2] 6/7 6/25 case [11] CASES [3] 3/10 3/11 3/12 catch [1] 6/16 Center [1] 2/13 CERTIFICATE [1] 9/1 certify [1] 9/8 Chairman [2] 2/4 2/4 check [1] 7/17 come [2] 6/11 7/18 COMMENCED [1] 3/5 Commission [1] 9/15 CONCLUDED [1] 8/13 concrete [1] 7/5 construct [1] 6/7 construction [2] 4/20 4/23 CORRECT [1] 4/7 CORRECTION [1] 4/9 could [2] 4/24 5/12 COUNTY [3] 1/1 7/15 9/2 couple [1] 6/16 course [1] 7/20 COURT [1] 5/2 Crissman [2] 2/16 9/14 Crissmancourtreporting [1] 2/18	<b>H</b> have [4] 6/11 7/13 7/13 7/15 Health [1] 7/16 HEARD [1] 3/10 HEARING [8] 1/6 3/2 3/3 3/18 3/22 8/11 9/10 9/12 here [1] 6/16 His [2] 1/14 4/10 hope [1] 7/1 hopefully [1] 6/25 huh [1] 7/9 hundred [1] 1/15
1,200' [1] 1/14 11TH [2] 3/10 3/18 18 [1] 5/4		<b>I</b> I'll [1] 5/9 I'm [2] 6/19 6/22 INCORPORATED [1] 8/17 INCORRECT [1] 4/6 Indians [1] 6/23 information [1] 7/17 INQUIRED [1] 4/11 Inspection [1] 7/16 Inspector [1] 2/7 is [7] 1/13 1/14 1/14 1/15 1/16 4/7 9/8 it [2] 5/10 7/25 it's [1] 7/24 ITEM [1] 3/20
2		<b>J</b> James [2] 1/13 4/5 John [2] 2/5 5/18 Johnston [3] 2/4 3/16 5/24 Joseph [4] 1/11 2/10 4/7 4/9 JUNE [3] 3/10 3/17 3/21 just [3] 5/15 6/15 6/18
2-08-2029 [1] 9/15 2025 [4] 1/7 3/11 3/18 3/21 2029 [1] 9/15 24TH [1] 3/21 25 [12]		<b>K</b> Kay [8] 1/11 1/13 2/10 4/5 4/7 4/9 6/6 9/14 know [3] 6/19 7/2 7/23 known [1] 1/16
3		<b>L</b> LEGAL [1] 4/4 less [1] 6/10 Let [1] 7/23 like [2] 4/18 5/7
30 [1] 1/7 30TH [1] 3/6 330-502-8862 [1] 2/18 3339 [1] 2/13 35-024-0-030.00-0 [1] 1/16	<b>D</b> David [2] 2/6 5/21 day [1] 7/19 days [1] 6/17 Dena [2] 2/16 9/14 dimensions [1] 6/8 district [1] 1/16 do [2] 7/3 7/4 Dobbins [1] 2/13 DOCUMENTATION [1] 8/15 Durick [2] 2/5 6/2 during [1] 9/10	
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6785 [1] 1/15	<b>F</b> far [1] 7/7 feet [3] 1/14 4/21 6/7 filed [2] 7/24 8/17	
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<b>A</b> above [1] 9/8 ABSTAINED [4] 3/15 3/19 3/24 6/5 accessory [3] 1/14 4/20 4/23 adjourn [1] 8/7 adjourned [1] 8/10 again [1] 6/12 AGENDA [2] 3/20 4/2 ahead [1] 7/19 All [2] 5/1 8/14 allow [1] 4/19 allowance [1] 1/14 AMPLE [1] 4/12 Any [1] 8/1 Anyone [1] 5/7 APPEALS [5] 1/5 2/3 3/5 4/17 8/13 APPEARANCES [1] 2/1 APPELLANT [5] 2/9 2/10 4/3 4/5 4/22 APPELLANT'S [1] 4/6 APPROVAL [2] 3/9 3/21 APPROVED [1] 3/14		

<p><b>L</b>  limitation [1] 6/9  LINE [1] 5/4  LINE 18 [1] 5/4  located [1] 1/15  Long [2] 2/6 5/21  Lot [1] 1/16  luck [1] 6/25  Lyntz [1] 2/17</p>	<p>Patty [2] 2/7 6/16  Permit [2] 7/8 7/14  PLACE [1] 2/13  please [1] 5/13  POLAND [10]  poll [1] 5/12  presence [1] 9/11  PRESENT [1] 3/17  PRESENTED [2] 4/10 4/14  prior [1] 7/5  PROCEEDINGS [2] 5/4 8/4  Professional [1] 2/16  property [1] 1/15  PUBLIC [7] 1/6 3/2 3/3 8/11 9/10 9/12  9/14  purchase [2] 7/13 7/13  pursuing [1] 1/14</p>	<p>there [4] 4/13 6/19 6/21 8/3  THEREFORE [1] 3/18  they [2] 3/19 7/2  this [4] 1/13 4/23 7/3 8/2  thousand [1] 1/15  time [2] 7/19 9/11  tomorrow [2] 6/19 6/21  tonight [2] 3/25 8/2  too [1] 7/16  Townline [1] 2/17  TOWNSHIP [9] 1/2 1/5 1/15 2/3 2/13  3/4 4/16 8/12 8/16  transcript [1] 9/9  true [1] 9/8  TUESDAY [1] 3/6  two [2] 1/15 7/19</p>
<p><b>M</b>  M.S [1] 2/16  made [3] 4/8 4/15 9/9  Magazine [1] 2/7  MAHONING [3] 1/1 7/15 9/2  mail [1] 2/18  make [1] 4/19  MATTER [1] 3/24  maximum [1] 1/14  me [2] 5/16 9/11  Meeting [1] 8/9  Member [5] 2/4 2/4 2/5 2/5 2/6  Michael [2] 2/4 5/23  minutes [3] 3/9 3/11 9/9  more [1] 6/11  Morrison [2] 2/4 5/16  motion [5] 4/15 4/19 5/3 5/15 8/6  motions [1] 9/9  MR [2] 3/16 3/16  Mr. [2] 5/11 6/6  Mr. Grahovac [1] 5/11  Mr. Kay [1] 6/6  much [1] 6/14  must [1] 4/22  My [1] 9/15</p>	<p><b>R</b>  R-2 [1] 1/16  R.P.R [1] 2/16  Rd [1] 1/15  RE [1] 1/11  read [2] 4/25 5/3  ready [3] 4/25 7/3 7/18  RECORD [1] 8/18  Registered [1] 2/16  relief [1] 1/14  remove [1] 4/22  REPORTER [3] 2/16 2/16 5/2  REPORTER'S [1] 9/1  request [3] 1/12 1/13 1/14  Residential [1] 1/16  Residential-2 [1] 1/16  RESPONSE [1] 8/3  RETAINED [1] 8/15  Ricky [2] 2/4 5/16  right [2] 5/1 6/17  Road [2] 2/13 2/17  Robert [2] 2/5 6/1  ROLL [3] 3/14 3/22 6/4</p>	<p><b>U</b>  uh [3] 7/9 7/12 7/12  Uh-huh [1] 7/9  Uh-uh [1] 7/12  UNDER [1] 3/25  up [2] 6/7 6/16  us [2] 6/12 7/18</p>
<p><b>N</b>  NAME [1] 4/7  NAY [3] 3/15 3/23 6/5  need [1] 6/10  NEW [1] 4/1  next [4] 3/20 3/24 4/2 6/16  NO [2] 4/13 8/3  not [4] 3/17 4/21 6/19 6/20  Notary [1] 9/14  NOTATION [1] 4/8  notes [1] 9/10  NOTICE [1] 4/4  number [1] 1/16</p>	<p><b>S</b>  S.W [1] 2/17  second [5] 5/8 5/9 5/12 5/15 8/8  see [3] 6/8 6/12 6/23  SEPTEMBER [2] 1/7 3/6  she'll [1] 6/17  She's [1] 6/20  shed [1] 4/22  shown [1] 9/10  sic [1] 1/13  so [1] 6/18  some [1] 6/25  SPEAK [1] 4/13  square [6] 1/14 1/15 4/21 6/7 6/9 6/9  ss [2] 1/1 9/1  STATE [2] 1/1 9/1  STATING [1] 4/4  stenotype [1] 9/10  structure [1] 1/15  Struthers [1] 1/15  Sure [1] 6/15</p>	<p><b>V</b>  variance [2] 1/12 7/24  very [1] 6/14  Vice [1] 2/4  Vice-Chairman/Member [1] 2/4  VOTE [3] 3/14 3/23 6/4  VOTING [1] 3/19</p>
<p><b>O</b>  office [3] 2/18 7/2 8/17  OH [1] 2/17  OHIO [4] 1/1 1/16 2/14 9/1  okay [3] 5/16 7/6 7/21  OLD [1] 3/8  one [4] 1/14 5/14 7/11 7/13  OPPORTUNITY [1] 4/12  OPPOSITION [1] 4/14  ORDER [1] 3/8  ORIGINAL [1] 8/14  other [1] 8/1  outlook.com [1] 2/18</p>	<p><b>T</b>  thank [3] 5/6 6/13 7/22  that [6] 4/3 5/8 6/8 7/17 7/24 9/8  That's [1] 7/24  them [2] 6/25 7/23  then [3] 4/9 6/11 7/15</p>	<p><b>W</b>  want [1] 7/2  Warren [1] 2/17  was [11]  well [2] 4/21 6/24  WERE [5] 3/13 3/17 5/4 8/5 8/15  When [1] 7/18  whenever [1] 4/25  WHEREAS [3] 3/3 5/2 8/3  WHEREUPON [1] 8/11  who [1] 1/14  will [1] 5/12  within [1] 6/8  witnesses [1] 9/11  work [1] 6/8  would [2] 4/18 7/17  writing [1] 5/15  written [1] 9/11</p>
<p><b>P</b>  P.M [3] 1/7 3/7 8/14  PAGE [1] 5/3  parcel [1] 1/16  partial [1] 9/9  path [1] 6/17</p>	<p><b>Z</b>  ZA [12]  ZA-02-25 [1] 3/12  ZA-03-25 [1] 3/12  ZA-04-25 [1] 3/13  ZA-05-25 [1] 3/13</p>	<p><b>Y</b>  Yeah [1] 5/14  Yes [6] 5/17 5/20 5/22 5/25 6/3 6/13  yet [1] 7/3  you [17]  you filed [1] 7/24  you'll [1] 7/15  you're [5] 4/25 6/10 6/10 6/11 7/18  Youngstown [1] 2/14  your [2] 7/14 7/14  your Building [1] 7/14</p>

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ZA-06-25 [1] 3/22

ZA-08-25 [7] 1/8 1/11 1/13 3/7 4/1 4/17  
4/19

zoning [9] 1/5 1/16 2/3 2/7 3/5 4/16  
7/14 8/13 8/16