

Board of Zoning Appeals Meeting
October 22, 2015
ZA-08-15, ZA-09-15

Members/Attendance:	X	Hank Grover
	X	Jim Burgham
	N/A	Holly Grant
	X	Michael Johnston
	X	Ricky Morrison
	X	Frank Prusak
Also in attendance:	X	Bob Monus, Zoning Inspector
	X	Michele Richards, Recording Secretary

Jim Burgham called the meeting to order at 7:00 p.m.

1st Order of Business:

Jim Burgham stated the first order of business is to approve the minutes from the August 6, 2015 meeting. Mike Johnston made a motion to approve the minutes from the August 6, 2015 meeting. Ricky Morrison seconded the motion.

Voting:

Yes	Mike Johnston
Yes	Ricky Morrison
Yes	Frank Prusak
Abstain	Hank Grover
Abstain	Jim Burgham

2nd Order of Business:

Case #ZA-08-15 – Is a variance request by Cheryl Hicks to obtain relief from Poland Township zoning regulations for her property located at 6146 Diana Drive, Poland, Ohio, Poland Township. The request is for relief from fencing regulations for height of fence between the street right-of-way and the minimum building setback line, and also for fence location (distance) from the street right of way. This property is known as parcel #35-008-0-058.00-0, lot number 155, and is located in a (R-1) Residential-1 zoned district.

Items included in packet submitted:

1. Application for Variance
2. Zoning Permit Denial Form
3. Letter of Intent
4. Warranty Deed
5. County Map
6. Property Description
7. Site Plan

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Cheryl Hicks
6146 Diana Drive

Hicks stated she moved in the end of August and has a large dog that could jump a three (3) foot fence and that is why she is requesting a four (4) foot fence. It will also be safe for her grandchildren to be in a fenced in yard.

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

Hank Grover asked Hicks how she arrived at the fence being twenty-four (24) feet off of the road. Hicks stated the fence will be twelve (12) feet from the property line, and the property line is twelve (12) feet from the curb.

Motion

Mike Johnston made a motion in Case ZA-08-15 to grant the variance for a fence height of four (4) feet, as well as the setback reduction of twelve (12) feet, for the construction of a chain link fence as per the plans submitted. Hank Grover seconded the motion.

Voting:

Yes Mike Johnston
Yes Hank Grover
Yes Ricky Morrison
Yes Frank Prusak
Yes Jim Burgham

Motion carried.

3rd Order of Business:

Case #ZA-09-15 – Is a variance request by Dr. John Daugherty, DVM, owner of Poland Veterinary Centre, to obtain relief from Poland Township zoning requirements for his property located at 6609 Clingan Road, Poland, Ohio, Poland Township. The request is to reduce the side yard setback to the south side of the building to eleven (11) feet from the required fifteen (15) feet to construct a twelve foot three inch (12'3") addition to the existing four thousand four hundred forty (4,440) square foot building. A ten foot one inch (10'1") addition will also be constructed to the north side of the building but does not require any relief from zoning requirements. This property is known as parcel number #35-022-0-006.01-1, lot number 3, and is located in a (TC) Town Center zoned district.

Items included in packet submitted:

1. Application for Variance
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3. Letter of Intent
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7. Site Plan
8. Information from Prior Variance

Burgham stated that the GIS drawings included in the packet may not reflect accurate measurements. The side yard setback that was required at the time of the original construction was fifteen (15) feet. The original drawing from the zoning appeals meeting in 2002 for this property showed the building being constructed at fifteen (15) feet. The Board will need to identify if the building was constructed at fifteen (15) feet side yard setback or at the twenty (20) feet as shown in the architectural drawings. If it was set at the fifteen (15) feet, the current side yard setback is twenty-five (25) feet, so the variance would take place from what the current zoning regulation is. If the building was set at the twenty (20) foot as per the drawing, we will be looking at a nine (9) foot variance. If the building was set at the fifteen (15) feet, which the 2002 drawing showed, we will be looking at a fourteen (14) foot variance.

Ron Faniro
Faniro Architects, Inc.
217 ½ West Federal Street
Youngstown, Ohio

Faniro is the architect representing Dr. Daugherty. Faniro stated that his drawing from 2002 showed a twenty (20) foot setback and to his knowledge it was built at the twenty (20) foot setback. He stated that the current parking will satisfy the building expansion.

Jim Burgham asked if anyone would like to speak in favor of this request.

Al Sciulli
5027 Miller Road

Sciulli states he is speaking as a resident and not as an alternate member of this Board. He stated the sixty (60) foot lot to the south of the veterinary office has a street going back to Poland Medical Center and Arby's. He does not see anyone putting an access road to the south of the building, nor does he see anyone using the sixty (60) foot lot. He stated that he cannot vote, but he is in favor of the variance.

Caitlyn Denney
6665 Clingan Road

Denney stated she is in favor of the variance request.

Jim Burgham asked if anyone would like to speak against this request. No one responds.

Jim Burgham stated that the Board may want to consider granting the variance to allow the building to be constructed four (4) feet closer to the property line than it currently sits. Faniro asked if the Board would consider five (5) feet. Burgham stated yes.

After further discussion, the following motion was made.

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Motion

Mike Johnston made a motion in Case ZA-09-15 to grant the variance request to allow for an addition to the current building that will be five (5) feet closer to the property line than the current southern face of the building. Hank Grover seconded the motion.

Voting:

Yes Hank Grover
Yes Mike Johnston
Yes Ricky Morrison
Yes Frank Prusak
Yes Jim Burgham

Motion carried.

Meeting adjourned at 7:40 p.m.

Submitted by:

Michele Richards/Recording Secretary

cc: Trustees (3)
Board of Zoning Appeals (7)
Zoning Commission (7)
P. Canter, Fiscal Officer (1)
File (1)