

**Board of Zoning Appeals Meeting**

**June 23, 2022**

**ZA-05-22, ZA-06-22**

Members/Attendance: X Michael Johnston  
N/A Ricky Morrison  
N/A Albert Sciulli  
X Robert Durick  
X John Grahovac  
X John Savarise

Also in attendance: X Bob Monus, Zoning Inspector  
X Patty Magazzino, Assistant Zoning Inspector

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 meeting held on March 31, 2022. Mike Johnston made a motion to approve the minutes from the March 31, 2022 meeting. John Grahovac seconded the motion.

Voting:

Yes Mike Johnston  
Yes John Grahovac  
Yes Bob Durick  
Yes John Savarise

Motion carried.

**2nd Order of Business:**

Mike Johnston stated that the next item for business is Dustin Bach/Car Wash. Mike stated he wanted to put into record that Dustin notified the zoning office that he installed some quieting devices on the dryers and asked if the office has heard anything from the neighborhood. Bob Monus stated he has not heard anything. Mike stated that the Board is at a point to do something about this and to bring Dustin back in to speak with him. He would like everyone on the Board to listen and understand exactly what happened with this noise reduction. He goes on to state that having not heard from any neighbors, he is mentioning to the Board to stop by and take a listen, when able to, and at the next meeting they have, bring it up again and see if there are any public comments.

Bob Durick made a suggestion to visit the area as a Board, for 15 minutes or so, on the same day.

John Grahovac stated he has been through the carwash about three times and has noticed a difference when pulling out of the carwash.

The Board discusses a probable meeting date. Bob Durick stated all the Board members will need to know in advance. Mike Johnston stated they will table this matter for now.

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

*Case #ZA-05-22 – This is a request by John Kountz to obtain relief from maximum square feet, height requirements, and reduction of side yard setback, to construct a seven hundred twenty (720) square foot accessory building. Dimensions are twenty-four feet wide by thirty feet deep (24' W x 30' D). Appellant is also seeking relief for the height of the structure, which will be twenty-two (22) feet high and request a reduction of side yard property setback from five (5) feet to three (3) feet. This property is located at 7785 Eastbrooke Trail, Poland, Ohio, Poland Township, and is known as lot 95, parcel number 35-053-0-127.00-0 and is located in a Residential-1 (R-1) zoning district.*

Items included in packet submitted:

1. Zoning Permit Denial Form
2. Application for Variance
3. Letter of Intent
4. Iworq Office Information
5. Property Description (Auditor)
6. Zoning District Map
7. GIS 2021 Aerial View
8. Site Drawing
9. Elevation Plan
10. Warranty Deed

**John Kountz**  
**7785 Eastbrooke Trail**

John Kountz stated that he is not requesting the side yard setback; it will be the standard five (5) feet. The Board noted that for the record.

Bob Durick asked Kountz if there was any opposition from neighbors. Kountz stated there was some opposition for the side yard setback.

John Savarise asked Kountz if there will be a concrete slab under the building. Kountz stated yes. He asked the approximate cost for the structure. Kountz stated approximately \$55,000.

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

The following motion was made:

***Motion***

*John Grahovac made a motion in Case ZA-05-22 to grant the variance request to allow for the construction of a seven hundred and twenty (720) square foot accessory building with dimensions of twenty-four feet wide by thirty feet long (24'W x 30' L) with a height of twenty-two (22) feet to the peak of roof, and shall maintain a setback of at least five (5) feet from any side lot line. Mike Johnston seconded the motion.*

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Voting:

Yes John Grahovac  
Yes Mike Johnston  
Yes Bob Durick  
Yes John Savarise

Motion carried.

**4<sup>th</sup> Order of Business:**

*Case ZA-06-22 – This is a request by Charles Butch and Dana Donatelli to obtain relief from driveway setback, from three (3) feet to approximately four (4) to six (6) inches to the property line. This property is located at 4444 New Castle Road, Lowellville, Ohio, Poland Township, and is known as lot 4, parcel number 41-079-0-083.00-0 and is located in an Agricultural (AG) zoning district.*

Items included in packet submitted:

1. Zoning Permit Denial Form
2. Application for Variance
3. Letter of Intent
4. Iworq Office Information
5. Property Description (Auditor)
6. Zoning District Map
7. GIS 2021 Aerial View
8. Plat showing house location
9. Site Plan
10. Additional Site Plans
11. Home Elevation Plan
12. Warranty Deed
13. Letter from Anthony Sahli (neighbor)

**Charles Butch**  
**613 Matawan Drive**  
**Campbell, Ohio**

Charles Butch stated he had nothing to add; however, he was advised by the Zoning Office that the Board may have questions for him due to the drawings that he submitted are not what the Board looks for or are in a different perspective than what the Board is used to. Mike Johnston stated he understands and proceeds to open the dialogue up to the Board.

Bob Durick asked Butch why the address was formerly 4366 New Castle Road. Butch stated it was an old address from a house that was demolished approximately ten years ago and the new address was changed when they purchased the lot and the land was replatted.

John Savarise questions what exactly a French drain is. Kountz explains in detail, and they go back and forth with more dialogue. Savarise also questions what a dry well is and Kountz explains that as well.

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Mike Johnston asks Kountz if the French drain, dry well, curbing, and the elevations have been designed by an engineer. Kountz stated no. Johnston asks Kountz if he is going to have it designed by an engineer. Kountz stated he could. Johnston asks how he came up with this solution and asks if he is a contractor.

**Dana Donatelli**  
**613 Matawan Drive**  
**Campbell, Ohio**

Dana Donatelli stated that she worked for a concrete company, having just left the company in January, and she is very familiar with catch basins and drains and has seen them installed.

Mike Johnston and the Board members proceed to ask more questions regarding the drain and water runoff. They are concerned that they should speak with Mahoning County regarding the storm water, being there is a neighbor concerned about the water runoff. Johnston states as a Board they can talk about the setback and how to get him closer and it is up to this Board to approve or not.

Bob Monus interjects to the Board to state that Mahoning County will not approve any residential water sheds. He states what the appellant is trying to do, is extend the driveway and create a method to capture the water and get it drained. For any type of water shed calculations for storm runoff, the County will not do that.

John Savarise asked if the other homes in the area have well water and septic systems. Butch stated yes.

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

**Linda Sahli**  
**4462 New Castle Road**  
**Lowellville, Ohio**

Linda Sahli states she is Anthony Sahli's mother, who is the neighbor (next door). Anthony owns the home and she lives there. She makes a complaint about the water. She asks for at least six (6) inches of setback and a privacy fence to be erected by the appellant.

Mike Johnston proceeds to read an email aloud from Anthony Sahli, the property owner.

Mike Johnston stated that the Board cannot mandate a fence. The only thing they have prevalence over is the setback issue. Any water issues are not for this Board to decide.

As far as the setback issue, Johnston stated he feels the six (6) inches is a little close. Bob Durick asks if the setback can be a foot. Bob Monus stated that the minimum is three feet and speaks about what the Board should look for and to balance what each party asks for.

Bob Durick stated he agrees that six (6) inches is too close. Mike Johnston stated he would be comfortable with twelve (12) inches. Mike asks if the appellant can work with twenty-four (24) inches with a twelve (12) inch setback, instead of the six (6) inch setback. Linda Sahli stated anything would be helpful. More dialogue and conversation continues between the appellant, the complainant, and the Board.

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Mike Johnston stated that the Board is in agreement to offer some type of relief on the setback, but they are struggling with the French drain and the whole water issue. The Board would like to continue the case in order to see more information from an engineer or contractor that will offer some assurance to the Board that the French drain system is sized appropriate enough to take care of the runoff water. More discussion continues between appellant and Board.

Mike Johnston further stated that the Board has two options – to either continue the case or deny the variance.

The following motion was made:

***Motion***

*Mike Johnston made a motion in Case ZA-06-22 for a continuance of the case in order to request further information on storm water management. John Grahovac seconded the motion.*

Voting:

Yes Mike Johnston  
Yes John Grahovac  
Yes Bob Durick  
Yes John Savarise

Motion carried.

Meeting adjourned at 7:55 p.m.

Submitted by:

Michele Richards/Recording Secretary

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