



Building & Zoning Appeals Board
Monday, May 8, 2023, at 6:00 p.m.
BOARDS & COMMISSIONS ROOM
AGENDA

1. Call to Order
2. Roll Call of Members
3. Approval of Minutes - **Draft**
4. Sworn Oath of Attendees
5. Business Items:

Case #23-007

Robert & Jennifer Vober
Greg & Kellee Soldierson
Scott Benson
Louie & Mary Criss
Josh & Kelsie Hillier
Brandon & Elizabeth Fitzpatrick
William & Tabatha Koziol
ZJ

Request: This is a request by Robert Vober, applicant, to allow an accessory building at 3490 Oak Rd. to exceed the allowable size of a single building of 500 sq. ft. and of the combined floor area of all accessory buildings of 500 sq. ft. In addition, a variance is requested is from the minimum side setback of 10 feet for an accessory structure to be located 6 feet from the side property line.

The property has an approximate area of 0.37 acres and is zoned R-2 - Residential. The applicant proposes to construct a 576 sq. ft. building at 6 feet from the south side property line and approximately 50 feet from the rear property line.

The applicant is requesting the following variances:

1. Variance (76 sq. ft.) from the maximum floor area of 500 sq. ft. for a single accessory building on a parcel with an area less than 1/2 acre - C.O.S. Section 1143.07(b).
2. Variance (76 sq. ft.) from the maximum combined floor area of 500 sq. ft. for a combined floor area of all accessory buildings on a parcel with an area less than 1 acre. - C.O.S. Section 1143.07(b).
3. Variance (4 ft.) from the minimum accessory setback requirement for accessory structures between 500-800 sq. ft. – C.O.S. Section 1143.07(a).

Case #23-009

Ron Antal
William Ross, Inc.
Mark & Diane Vale
Boone Law Firm
Costanzo & Co.

Midwest Home Care
 Alfred Grzegorek, Ph.D.
 Ingrid Kunstel, Ph.D.

Appeal: The applicant proposes to have a tattoo parlor as a tenant in the office buildings at 4466 Darrow Road. However, tattoo parlors and personal services are not permitted in the C-6 – Office district. This application is to Appeal the determination that a tattoo parlor is a personal service, and that personal services are not permitted in the C-6 zoning district per Section 1145.02.

Case #23-010

Brett & Cynthia Kasper
 John & Marilyn Mazzarella
 Rose Marie Konet
 Kathleen Miller
 Melvin Erler
 David & Brittany Hosey
 Neil & Margaret Durbin

Request: This is a request by Brett Kasper, applicant, to allow an accessory building to exceed the allowable size of a single building of 500 sq. ft. and of the combined floor area of all accessory buildings of 500 sq. ft.

The property has an approximate area of 0.37 acres and is zoned R-3 - Residential. The applicant proposes to construct a 572 sq. ft. building at 10 feet from the south side and rear property line.

The applicant is requesting the following variances:

1. Variance (72 sq. ft.) from the maximum floor area of 500 sq. ft. for a single accessory building on a parcel with an area less than 1/2 acre - C.O.S. Section 1143.07(b).
2. +
3. Variance (72 sq. ft.) from the maximum combined floor area of 500 sq. ft. for a combined floor area of all accessory buildings on a parcel with an area less than 1/2 acre. - C.O.S. Section 1143.07(b).

Case #23-011

Dan Francis
 William & Diane Muncy
 Susan Chodera
 Casey Getic & Johanna Nicodemus
 K&A Investments

Request: This is a request by Dan Francis, applicant, to allow an accessory building to not meet the minimum setback requirements and maximum height requirement for a 1,200 sq. ft. structure. A 25-foot rear and side yard setback and a 150-foot setback from the right-of-way is required for structures greater than 800 sq. ft. In addition, accessory structures shall not exceed 15 feet in height.

The property has an approximate area of 1.73 acres and is zoned R-3 - Residential. The applicant proposes to construct a 1,200 sq. ft. (30'x40') building at 6 feet from the side and rear property lines with a height of 17 feet to the peak.

The applicant is requesting the following variances:

1. Variance (19 ft.) from the minimum accessory structure rear & side setback of 25 feet – C.O.S. Section 1143.07(a)

2. Variance (16 ft.) from the minimum accessory structure right-of-way setback of 150 feet – C.O.S. Section 1143.07(a)
3. Variance (2 ft.) from the maximum accessory structure height of 15 feet – C.O.S. Section 1143.07(c)

Case #23-012

Ashley Lepke
 Howard Morgan & Elizabeth Bray
 Robert & Opal Tingle
 Summit Holding Development Corp.
 Glore Properties
 Robert John Becarria
 Betty Knight

Request: This is a request by Ashley Lepke, applicant, to allow a 6-foot privacy fence in the front yard on a corner lot at 2159 Conwill Rd.

The property has an approximate area of 0.29 acres and is zoned R-3 - Residential. The applicant proposes to install a 6-foot privacy fence in, what is considered by code, the front yard approximately 19 feet from the Klein Avenue right-of-way and 9.5 feet from the Conwill Road right-of-way. The front yard is defined as the area between the right-of-way line and the dwelling.

The zoning code allows fences in the front yard to be constructed up to 4 feet in height, except that no vision impairing fence, or wall greater than 18 inches shall be located 20 feet of a street right-of-way.

The applicant is requesting the following variances:

1. Variance from the fence height (2ft) and type requirements to allow a 6-foot privacy fence in the front yard. - C.O.S. Section 1143.07(e).

6. Adjournment

If you cannot attend this meeting but have a concern you wish to voice, please call Mary Botts, Secretary for the Building & Zoning Appeals Board, at 330-689-2719. There must be at least 3 "Yes" votes from the Board for a variance request to pass. If approved, it is good for 1 year and is non-transferable. A zoning certificate must be secured from the Zoning Department and a building permit from the Building Department before construction may begin.