



Building & Zoning Appeals Board
Monday, September 11, 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 #23-021

Daniel & Elizabeth Ryan
Paul & Lori O'Brien
Brighton Place Apartments
CMI Living
Daniel & Carly Pittman
Arthur & Michelle Baldini
Steven & Cassandra Darmon

Address: 1960 Maplewood (Parcel #56-00708)

Request:

This is a request to keep an existing 196 sq. ft. accessory structure in the front yard. The structure is located approximately 80 feet from the right-of-way and 20 feet in front of the house.

The zoning code requires that accessory buildings are located in the rear or side yards. Front yards are prohibited.

The property has an area of 1.15 acres and is zoned R-3 – Residential.

The applicant is requesting the following variances:

1. Variance to allow an accessory structure to be located in the front yard. – C.O.S. Section 1143.07(a)

Case #23-024

James & Kristen Scherer
Christopher Andrew & Lauren Balodis
Eric & Jennifer Motz
Cindy Czocher
Ronald & Kelly Winkler
Clair & Carol Grosenbacher
Rom & Jenae Caniglia
Steve & Joyce Kalb

Address: 4124 Sandpiper Cir. (Parcel #56-04800)

Request:

The applicant proposes to construct (keep) an existing 100 sq. ft. (10' x 10') gazebo in the side yard located 7 feet from the side property line to the east and 30 feet from the house. The gazebo is 11 feet in height. Per Section 1143.07(a), accessory structures located in the side yard are required to meet the minimum required setbacks of the principal building. The R-1 zoning district required a 15 foot side yard setback.

The applicant also proposes to install 40 feet of a 6-foot dog-eared wood fence along the east property line, extending 12 feet into the front yard. By definition, the front yard is the space between the front of the dwelling and the right-of-way. Section 1143.07(e) (1) allows fences up to 4 feet in height in the front yard.

The applicant is requesting the following variances:

1. Variance (8ft) to allow for a 7ft side yard setback for an accessory building – C.O.S. Section 1143.04
2. Variance (2ft) to allow for a 6ft fence in the front yard – C.O.S. Section 1143.07(e)(1)

Case #23-27

Raymond Stone

Michael McCrady

William Proctor

Martin & Deborah Harrington

David & Patricia Smith

Sky Trust Etal Trustee

Address: 1934 Bryn Mawr Dr. (Parcel #56-06330)

Request:

The applicant proposes to construct a 384 sq. ft. (24' x 16') shed in the rear yard located approximately 111 feet from the rear property line and 15 feet to the edge of the detached garage with a 17-foot height.

The property contains an existing 200 sq. ft. shed and a 728 sq. ft. detached garage which brings the total combined floor area of all accessory structures to 1,312 sq. ft. with the proposed shed. The maximum allowable area for the combined floor area of all accessory structures is 800 sq. ft. Therefore, the applicant requests a variance of 512 sq. ft.

In addition, the applicant requests a 2-foot variance from the maximum height for accessory buildings of 15 feet.

The applicant is requesting the following variances:

1. Variance (512 sq. ft.) to exceed the maximum combined floor area of all accessory buildings of 800 sq. ft. – C.O.S. Section 1143.07(b)
2. Variance (2 ft.) to exceed the maximum height of 15 feet for accessory structures. – C.O.S. Section 1143.07(c)

Case #23-28

Thomas & Traci Tondiglia
Patsy Charters
Curtis & Marilyn Brazelton

Address: 1951 & 1953 Elmwood Ave. (Parcel #56-11120)

Request:

The applicant proposes to install a 6-foot privacy fence on the property with a portion of it extending into the front yard towards Williamson Road, 15 feet from the right-of-way. The property is located on the corner of Williamson Road and Elmwood Avenue and has two front yards.

By definition, the front yard is the space between the front of the dwelling and the right-of-way. Section 1143.07(e) (1) allows fences up to 4 feet in height in the front yard. In addition, fences within 20 feet of the right-of-way are required to be open and non-vision impairing. Therefore, a variance of 2 feet is requested and a variance to allow a privacy fence within 20 feet of the right-of-way is requested.

The applicant is requesting the following variances:

1. Variance (2ft) to allow for 6ft privacy fence in the front yard. – C.O.S. Section 1143.07(e)(1)

New Business: Final Document

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.