

Board of Zoning Appeals Meeting
May 24, 2007
ZA-03-07 & ZA-04-07

Members/Attendance: X Hank Grover
 N/A Jim Burgham
 N/A Al Franceschelli
 X Jim Pluchinsky
 N/A Maria Rutana
 X Bill Custer

Also in attendance: X Bob Monus, Zoning Inspector
 X Michele Richards, Recording Secretary

Hank Grover called the meeting to order at 7:00 p.m.

1st Order of Business:

Hank Grover stated that the first order of business is to approve the minutes from the meeting held on April 19, 2007. Jim Pluchinsky made a motion to accept the minutes from the April 19, 2007 meeting. Bill Custer seconded the motion. Motion carried.

2nd Order of Business:

Case #ZA-03-07 – A request by Joe and Ann Rouzzo to obtain relief from maximum square footage of an accessory building located at 5644 Arrel-Smith Road, known as parcel number 39-018-0-009.03-0, lot 9. Parcel is located in Poland Township, Poland, Ohio, in an (E) Estate 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

Joe Rouzzo
5644 Arrel-Smith Road

Rouzzo stated that when the garage was built the property was zoned agricultural and the requirement was 1200 square feet for the accessory building.

Monus explained that when the structure was built the property was zoned agricultural and the requirement was up to 1200 square feet for the accessory structure. In May of 2004 when the township did a comprehensive zone change the property was reclassified as an (E) Estate district, which reduced the requirements for an accessory structure to 750 square feet.

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Rouzzo stated that while they were building his home the contractor obtained the permit for the pole barn and discovered then that the zoning had changed. Rouzzo was not aware that the zoning had changed.

Bill Custer asked Rouzzo if the building currently exists and if the Board just needs to make it legal. Rouzzo stated yes. Monus stated that the structure falls within the required setbacks. Hank Grover stated that Rouzzo still needs the zoning permit as well as the building permit.

Motion

Jim Pluchinsky made a motion in Case ZA-03-07 to grant relief for the 450 additional square feet for the accessory building. Bill Custer seconded the motion.

Voting:

Yes Bill Custer
Yes Jim Pluchinsky
Yes Hank Grover

Motion carried.

Hank Grover stated there is another matter to address in Case ZA-03-07 and asked Monus to explain it to the Board.

Monus stated that there is a home occupation of a beauty salon at this property. The permit was obtained for the beauty salon in October of 2002. Once the house was built they were operating the beauty salon which was permitted. In May of 2004 when the zoning changed it was prohibited as a home occupation. After receiving a complaint, it was discovered that the salon was not licensed with the State of Ohio. While speaking to the property owners, it was found that the license was in the process of being transferred from the property owners' previous address to their current address and somehow the correspondence had failed between the State and the property owner.

The Board had discussion and made the following motion:

Motion

Jim Pluchinsky made an addendum motion in Case ZA-03-07 to reverse the decision of the Zoning Inspector based upon the prior non-conforming use. Bill Custer seconded the motion.

Voting:

Yes Bill Custer
Yes Jim Pluchinsky
Yes Hank Grover

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Motion carried.

3rd Order of Business:

Case ZA-04-07 – A request by Steve Platz, representing Five Peas, LLC, to obtain relief from sign regulations to modify the existing pole sign and for relief for square footage of sign for property located at 3057 Center Road, known as parcel number 35-022-0-039.00-0, lot 1. Parcel is located in Poland Township, Poland, Ohio, in a (TC) Town Center 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

Steve Platz
4021 Via Cassia

Platz stated that he has a letter from Dr. Art Duran, one of the current property owners, giving authorization for the zoning application. Platz stated that the plan is to redevelop the building with five tenants and that is why the multi-tenant sign is needed. The property is unique because it is a corner location. Other corner locations have free standing signs. Because of the corner location, site lines are important for the safety of the traveling public. There are two issues; one is the size of the sign. The proposed sign is larger than the current zoning allows, yet is smaller than the existing sign. The second issue is the placement of the sign. If it is a ground mounted sign, they will lose parking spaces.

Platz stated he does not feel it will have an adverse impact on any of the adjacent property owners. Grover stated that the Board is in receipt of a letter from one the adjacent property owners, Sami Rafidi, owner of Sami Quick Stop, stating that the request is reasonable and should be granted.

Grover asked Platz if he will use the pole that is on the existing sign. Platz replied yes, he plans to repaint it.

Grover stated he feels a ground mounted sign would be a safety hazard.

After further discussion, the Board agreed to the following motion:

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Motion

Jim Pluchinsky made a motion in Case ZA-04-07 to grant a relief from the pedestal sign to a pole sign and to grant relief from the 36 square feet requirement to 50 square feet. Bill Custer seconded the motion.

Voting:

Yes Bill Custer

Yes Jim Pluchinsky

Yes Hank Grover

Motion carried.

Meeting adjourned at 7:45 p.m.

Submitted by:

Michele Richards/Recording Secretary

cc: Trustees (3)
Board of Zoning Appeals (6)
Zoning Commission (6)
J. Scharville (1)
J. Granitto (1)
File (1)