

**Board of Zoning Appeals Meeting**  
**May 29, 2008**  
**ZA-03-08, ZA-04-08**

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

Also in attendance:       X     Patty Magazzine, Assistant Zoning Inspector  
                                  X     Michele Richards, Recording Secretary

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

**1<sup>st</sup> Order of Business:**

*Case #ZA-03-08 – A request by Michael Simon, to obtain relief from accessory building regulations (square footage), located at 8468 North Lima Road, known as parcel # 35-062-0-007.00-0, Great 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

**Michael Simon**  
**8440 North Lima Road**

Grover asked Simon if there were any other comments or additions that he would like to add in regard to this case. Simon replied no. Grover stated that he was at the site and noticed a retaining wall and that the building will set inside the retaining wall. Grover stated he spoke with a worker there and he was told that Simon intends to stay ten feet (10') inside the retaining wall. Simon stated the retaining wall was necessary to stop any erosion.

Holly Grant asked Simon if he owns the two abutting properties. Simon stated that he owns the house at 8468 North Lima Road, which consists of seven acres, and to the right of this property there is a small orchard and he owns the back four acres of that property.

Hank Grover asked if anyone would like to speak in favor of the request.

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**Robert Magni, Jr.**  
**7504 Cobblers Run**

Magni stated he has known Simon for a long time and he is in favor of this variance request.

Hank Grover asked if anyone would like to speak against the request. No one responds.

Jim Burgham stated that Simon has an ideal location for this variance request. Hank Grover stated he does not see any issues with this variance request.

After further discussion, the following motion was made:

***Motion***

*Jim Burgham made a motion in Case ZA-03-08 to grant the variances necessary to allow for the construction of an accessory building one thousand eighty feet (1,080') in size and to allow for the access to that accessory building to come from the adjacent property due to the common ownership of both properties. Jim Pluchinsky seconded the motion.*

Voting:

Yes Jim Pluchinsky  
Yes Jim Burgham  
Yes Holly Grant  
Yes Hank Grover

Motion carried.

**2<sup>nd</sup> Order of Business:**

*Case ZA-04-08 – A request by Walter and Bethann Passarello, to obtain relief from minimum yard setback regulations (for side yard setback), located at 3584 Timberbrooke Trail, known as parcel # 35-053-0-086.00-0, Lot 69. Parcel is located in Poland Township, Poland, Ohio, in a (R-1) Residential District.*

Items included in packet submitted:

1. Application for Variance
2. Zoning Permit Denial Form
3. Letter of Intent
4. Warranty Deed
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**Walter Passarello**  
**3584 Timberbrooke Trail**

Passarello stated that there are changes to his request. He would like to move the building six feet (6') on the right side, six feet (6') away from his existing home, for a total of an eighteen foot (18') wide garage, which will still be attached. Grover stated that the original request will be amended and that Passarello is now asking for a one foot (1') variance on the right side and a total variance of four feet (4'). The total width of the building is eighteen feet (18'). Patty Magazzino asked for clarification. Passarello stated he is requesting six feet (6') on the driveway side. Grover reiterated that Passarello is asking for a one foot (1') variance on the right side and a total variance of four feet (4'). Grover asked Passarello if he discussed this with his neighbor on the right side, Mr. Rubino. Passarello stated yes.

Burgham stated that he spoke with the builder and he was told that the garage will match the house with the same siding and roofing and it will blend with the house.

Hank Grover asked if anyone would like to speak in favor of the request. No one responds. Hank Grover asked if anyone would like to speak against the request. No one responds.

Holly Grant stated she is comfortable with the change of six feet (6') on the neighbor's side. Jim Burgham agreed. Hank Grover stated he has no objections either.

***Motion***

*Holly Grant made a motion in Case ZA-04-08 to grant the variance allowing a combined side yard of sixteen feet (16') with the right side yard to be reduced to six feet (6'). Jim Burgham seconded the motion.*

Voting:

Yes Holly Grant  
Yes Jim Burgham  
Yes Jim Pluchinsky  
Yes Hank Grover

Motion carried.

Meeting adjourned at 7:30 p.m.

Submitted by:

Michele Richards/Recording Secretary

cc: Trustees (3)  
Board of Zoning Appeals (7)  
Zoning Commission (7)  
J. Granitto (1)  
File (1)