

Board of Zoning Appeals Meeting
July 24, 2008
ZA-05-08, ZA-06-08, ZA-07-08

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

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 May 22 and May 29, 2008 meetings. Jim Pluchinsky made a motion to accept the minutes. Jim Burgham seconded the motion. Motion carried.

2nd Order of Business:

Case #ZA-05-08 – A request by Holy Family Church, represented by Joan Madej, to obtain relief from accessory building regulations for (square footage, height, and number of buildings permitted) and also from parking requirements for (spaces required) for property located at 2729 Center Road, known as parcel #35-007-T-013.00-0, Great Lot 16. Parcel is located in Poland Township, Poland, Ohio, in a (R-1) Residential-1 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

Hank Grover read the letter of intent submitted by the Appellant.

Joan Madej
7325 Oak Drive

Joan Madej stated that she is the project architect for Holy Family on this project. Tom Fortunato was also in attendance. Fortunato is the co-chair of the building committee for the church. Joan presented the site plan. She stated that they are maintaining the same driveway but

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would like to add a right turning lane. She stated that they will be removing the existing two homes on Route 224 and build a new parking lot in that space. The proposed building is approximately eighteen thousand (18,000) square feet. The existing church height is fifty-two feet nine inches (52'9") and the proposed height for the new building is forty-one feet (41'). She stated they are proposing that all buildings will not be in use at the same time, which is the reason they are asking for the variance for the parking spaces. They are sixty-three (63) spaces short, which would be required for full capacity of all the buildings. A barn structure in the back will also be removed along with the two homes on Route 224.

Holly Grant asked if they are adding a right turn only lane on Route 224. Madej stated the current driveway of the church will be widened and a right turn only lane will be added to the driveway of the church. There will be no modifications made to Route 224.

Jim Burgham asked if the parking spaces are increasing by thirty-five (35) additional spaces, but wanted to know if it is sixty-five (65) spaces less than what would be required if all buildings had full occupancy. Joan Madej replied yes.

Holly Grant asked if the two buildings will be connected. Joan Madej replied they will be connected by a covered canopy. Tom Fortunato stated they will be able to come out of church and walk under this canopy to the new building to attend after mass socials or bereavement dinners. Joan stated that currently the proposed building is not approved for wedding receptions.

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

Lisa Argiro
213 Evergreen Drive

Argiro stated that she is a Holy Family parent and has concerns about water problems on her property as well as wedding receptions being held there in the future.

Monus stated that the proposed plan can correct some of the water issues, which should improve drainage in that area.

Jim Burgham asked if the church has ever considered replatting the property. Madej stated she inquired and the church stated they do not typically do that. Fortunato stated he will inquire with the church as far as replatting the property.

Hank Grover asked if anyone else would like to speak in regard to the request.

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Ginny Buzas
7683 Lee Run Road

Buzas stated she is a Holy Family parishioner and is concerned about the water runoff along Diana Drive.

Joan Madej explained that there is an underground retention system along Diana Drive which is already in place, and with the proposed plan, some of the water problems should be relieved.

After further discussion, the following motion was made:

Motion

Jim Burgham made a motion in Case ZA-05-08 to grant the required variances necessary to allow for the construction of a social hall and additional parking spaces as per the plans submitted. These variances are granted viewing the ten parcels as one piece of property and request that a good faith effort be made to replat these ten parcels into one parcel. Holly Grant seconded the motion.

Voting:

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

Motion carried.

3rd Order of Business:

Case ZA-06-08 – A request by Stephen & Nancy Lin, to obtain relief from accessory building regulations (for number of buildings permitted) for property located at 5348 Kennedy Road, known as parcel #35-087.0-033.00-0, Great Lot 48. Parcel is located in Poland Township, Lowellville, Ohio, in a (R-1) Residential-1 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

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Hank Grover read the letter of intent submitted by the Appellant.

Nancy Lin
5348 Kennedy Road

Grover asked if there is anything else she would like to add to the letter. Lin replied no. Grover stated that once the existing house is torn down they will meet the requirements because they have a detached garage. Once the new house is built, it will have an attached garage and it will make the detached garage an accessory building.

Grover explained that they need a variance for a second accessory building on the lot.

Holly Grant asked Lin if they are building the new house on the same structure as the old house. Lin replied yes.

Grover stated he has no problem with the second accessory building due to the location and amount of property. Holly Grant stated that the second accessory building did not look out of place with the others on that road.

Motion

Al Franceschelli made a motion in Case ZA-06-08 to grant the variance to allow for the two accessory buildings as constructed. Jim Pluchinsky seconded the motion.

Voting:

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

Motion carried.

4th Order of Business:

Case ZA-07-08 – A request by Robert DeVicchio to obtain relief to retain a second accessory building and obtain variances from accessory building regulations (for number of buildings permitted) for property located at 5745 Clingan Road, known as parcel #39-012-0-011.00-0, lot number 11. Parcel is located in Poland Township, Struthers, Ohio, in a (R-1) Residential-1 District.

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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

Hank Grover read the letter of intent submitted by the Appellant.

Hank Grover stated that he was at the DeVicchio residence earlier today and was told by DeVicchio that he had a prior commitment and was not able to attend tonight's meeting.

Jim Burgham asked Monus if DeVicchio just recently purchased the home with the two accessory buildings on the property. Monus stated that when DeVicchio purchased the home he added the one accessory building that is located off the driveway and then later on he brought in the second accessory structure. The second accessory structure is the one that we are addressing tonight and is already constructed. Grover asked if a permit is required for this structure. Monus stated yes. Monus stated that he explained to DeVicchio that he was in violation with the second structure, which was last summer. The Board felt that DeVicchio should have put a good faith effort to resolve the issue when Monus advised him that he was in violation, rather than waiting until now.

Holly Grant stated that due to the size of the accessory building and the location of it, she does not have a problem granting the variance. Al Franceschelli stated he agrees with Holly, however, other residents in the community need to be made aware that a situation like this must come before the Board for approval.

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

Motion

Holly Grant made a motion in Case ZA-07-08 to grant the variance for the twelve foot by sixteen foot (12'x16') accessory building, which has already been constructed after the fact. Al Franceschelli seconded the motion.

Voting:

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

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Motion carried.

The next meeting will be held on August 14, 2008.

Meeting adjourned at 8:30 p.m.

Submitted by:
Michele Richards/Recording Secretary

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