

Board of Zoning Appeals Meeting
March 12, 2009
ZA-01-09

Members/Attendance: X Hank Grover
 X Jim Burgham
 X Al Franceschelli
 X 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:

Reorganization of the Board. Jim Burgham made a motion to nominate Hank Grover as Chair of the committee. Holly Grant seconded the motion.

Voting:

Yes Holly Grant
Yes Jim Burgham
Yes Al Franceschelli
Yes Bill Custer
Abstain Hank Grover

Motion carried.

Al Franceschelli made a motion to nominate Jim Burgham as Vice Chair of the committee. Bill Custer seconded the motion.

Voting:

Yes Bill Custer
Yes Al Franceschelli
Yes Holly Grant
Abstain Jim Burgham
Yes Hank Grover

Motion carried.

2nd Order of Business:

Hank Grover stated that the next order of business is to approve the minutes from the meeting held on December 11, 2008. Bill Custer made a motion to accept the minutes from the December 11, 2008 meeting. Al Franceschelli seconded the motion.

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Voting:

Yes	Al Franceschelli
Yes	Bill Custer
Yes	Holly Grant
Yes	Jim Burgham
Yes	Hank Grover

Motion carried.

3rd Order of Business:

Case #ZA-01-09 – A request by Thomas Madej who is representing Poland Local School District (Poland High School) to seek a variance for construction of a new stadium, which requires relief for the following items: off-street parking landscaping theme, parking space regulations, building height and fence height. In addition, a conditional use permit is requested for construction of the facility. Location of the school property is 3199 Dobbins Road. Project will be situated on two parcels of land known as parcel numbers 35-047-0-024.00-0 and 35-047-0-023.00-0, both known as great lot 18 and both are located in Poland Township, Poland, Ohio, in a Residential-1 (R-1) District.

Items included in packet submitted:

1. Application for Variance
2. Zoning Permit Denial Form
3. Site Plan Review Issues
4. Description of Requested Variances/Conditional Use
5. List of Abutting Property Owners
6. County Map

Thomas Madej
4131 Fairway Drive
Canfield, Ohio

Madej reviewed the Description of Requested Variances/Conditional Use, which all of the board members received in their packet.

Hank Grover stated that items 2, 3, and 4 of the above mentioned letter are not in the jurisdiction of the Board of Zoning Appeals to either approve or disapprove.

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 or voice their concerns or issues to the Board regarding the request.

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Mark Bilas
3106 Hummingbird Hill Drive

Bilas stated that he does not know if he is for or against the variance at this point. He stated that one year the school kept the lights and sound system on at the stadium until 2:00 a.m. He approached the Superintendent of Schools and was told they would take care of it, which they did not. He then called the township police to address it. After that incident, he received a letter from the school. He stated his concern with the new parking lot is the lighting system.

Madej stated there will be thirty-five foot (35') poles and the lights will only extend to the perimeter of the parking lot.

Bilas stated he is also concerned with water runoff to his property and also security issues at the stadium.

Madej stated that they did design a full security system with surveillance cameras, which will enhance the security at the stadium. As far as the storm water, he stated they are actually improving the whole situation. The retention system is sized properly to accommodate the 100 year storms and there are filtration systems in place as well.

Steve Donahue
3116 Hummingbird Hill Drive

Donahue stated that there is no entrance or exit off of Route 170 into the parking lot. Madej stated not as of yet. Madej stated the construction entrance was created for the turf project. Donahue stated that it is odd that construction has already started and the variance meeting is now being held. Madej stated they approached the zoning board in December and it was a miscommunication because the zoning board thought we were referring to a project that they had already received. All of the work in progress has been approved through the County at this point. No work has been done outside of regulations.

Robert Budinsky
3130 Hummingbird Hill Drive

Budinsky asked if there is a minimum parking requirement for play off games at the stadium.

Madej stated he does not know of parking requirements for play off games. Those regulations are determined by the Ohio High School Athletic Association.

Budinsky also stated that he is concerned about traffic. Madej stated that the school district has hired additional traffic control to address this.

The Board then reviewed the Site Plan Review Issues.

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Conditional use permit is required by the Board of Zoning Appeals for construction of a stadium in an area zoned R-1. **(4.05)(3)(d)**. Grover explained that in 2004 when the zoning resolution was rewritten, the stadium was in an AG district. The rezoning of that area made it R-1 zoning. It was a valid non-conforming use and was grandfathered in. The new stadium requires a conditional use for the zoning that was placed upon that land in 2004.

Parking regulations for the 3,007 seat stadium requires approximately 1,002 parking spaces with 22 handicap provisions. **7.24(12)(b)(9), 7.24(11)**. There are 465 existing parking spaces and they are proposing an additional 238 parking spaces.

Off street parking plans does not show landscaping theme for trees on the five foot (5') divider island and a right of way perimeter. **7.16(4)**. Grover asked Madej if the islands in the parking lot are still anticipated. Madej stated that is based on the Board's decision.

Building height exceeds the thirty-five foot (35') high limit. **4.14**. Grover asked Madej if the height is forty-five feet (45') to the roof. Madej stated yes, it is forty-seven feet (47') to the peak, and forty-five feet (45') to the hip-roof structure of the press box.

Fence height exceeds the allowable height as required by fence regulation. **7.14(1)**. Monus stated that the current regulation is six feet eight inches (6'8"). They are requesting an additional one foot four inches (1'4").

The Board discussed the case further and the following motion was made:

Motion

Jim Burgham made a motion in Case ZA-01-09 to grant the conditional use permit requested for the construction of the stadium.

Variance also granted to provide relief from the landscaping and divider islands required for off street parking.

Variance granted to allow for a reduced number of parking spaces required by zoning regulations.

Variance granted to allow for building height, which exceeds thirty-five feet (35').

Variance to allow for the additional height of the fencing system.

All variances are for the renovations of the Poland High School stadium project as per the plans submitted. Al Franceschelli seconded the motion.

Voting:

Yes Al Franceschelli
Yes Jim Burgham
Yes Bill Custer
Yes Holly Grant
Yes Hank Grover

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Motion carried.

Meeting adjourned at 8:20 p.m.

Submitted by:
Michele Richards/Recording Secretary

cc: Trustees (3)
Board of Zoning Appeals (7)
Zoning Commission (8)
J. Granitto (1)
File (1)