

City of Norton
BOARD OF ZONING & BUILDING APPEALS
October 15, 2019

The Board of Zoning & Building Appeals convened in Council Chambers at the Safety Administration Building; Ms. Sandy Chrisant called the meeting to order at 6:00 PM. This was followed by the Pledge of Allegiance and a moment of silent prayer.

I. ATTENDANCE:

PRESENT:

X	Donald Welch	Bill Helmick	X Sandy Chrisant
X	Andrew Mullins	Nick Genis	

EXCUSED:

Donald Welch	X Bill Helmick	Sandy Chrisant
Andrew Mullins	X Nick Genis	

ALSO PRESENT: Jack Gainer-Ward 1 Councilman

II. SWEARING IN:

Ms. Chrisant proceeded by stating that this was a quasi-judicial Board and advised that anyone wishing to speak needed to sign the attendance sheet, giving their full name and address before being sworn in prior to speaking. Ms. Chrisant confirmed Mr. Bennett, the applicant, was present and asked him to come to the podium. Ms. Chrisant pointed out that even though they were short a couple members, if the decision was a 2 – 1 vote it would automatically be a failed request and would still hold. The applicant could reschedule for next month if desired. Mr. Bennett indicated he wanted to proceed. Ms. Chrisant reviewed the procedural requirements for the night's hearing.

III. PUBLIC HEARINGS:

Ms. Chrisant called the hearing open on BZA Application A15-2019 for PN #4608811 located at 4269 Knollbrook Dr. and stated it was requesting a variance to section 1296.03 of the Code for the detached garage size. Ms. Chrisant asked the applicant or agent to come forward, be sworn in, state his/her name and address for the record, and present pertinent information regarding the application. Jake Bennett, owner, 4269 Knollbrook Dr., Norton, was sworn in:

A. BZA Application A15-2019
Jake Bennett– Owner
4269 Knollbrook Dr.
PPN # 46-08811
[A Variance for Detached Garage Size- Section 1296.03.]

Mr. Bennett – I don't really have anything to present other than what I have already turned in.

Ms. Chrisant – Just to be clear for the record, you are just going to be a foot over the zoning requirement.

Mr. Bennett – Yes, but he believed they were going to grade it up to the point of 21 feet.

Ms. Chrisant – So the variance is just a precautionary measure?

Mr. Bennett – I think the variance was a part because he wasn't building it behind the house; it's parallel with

the existing garage.

Mr. Mullins – You are getting a denial on this because of height. If you are going to re-grade, it would make this mute.

Mr. Welch – Read the variance and it was as Mr. Bennett stated. So there could very well be a second variance for one foot, but he is saying that would be corrected by the grade.

Ms. Chrisant – Why are you building it there, rather than behind it?

Mr. Bennett – There really is no location behind there based on the profile of how the swale flows behind our house. It would cause us to put the garage way back at the end of the property so it wouldn't be cost beneficial to run all that concrete back there.

Mr. Welch – What do you plan to use above that, it looks like an apartment?

Mr. Bennett – It's going to be a man shed instead of a she shed. Part of the upstairs is in flux; it's going to be an office for me out there instead of in the house.

Mr. Welch – Do you operate your business from out of your house?

Mr. Bennett – Yes.

Mr. Welch – What line of work are you in?

Mr. Bennett – Engineering, a consultant.

Mr. Welch – So you really don't have a lot of traffic; it's just an office.

Mr. Bennett – Correct.

Mr. Welch – A three car garage, plus you already have a three car garage.

Mr. Bennett – Yes, my driveway is like a car lot.

Mr. Mullins – The slope is preventing you from putting it elsewhere?

Mr. Bennett – Yes, the swale runs through with the pool back there and it would be right on top of the pool and we have a playground back there as well. Plus there are the tree lines and I don't want them falling on the garage.

Mr. Welch – What about right where you have your extra parking space, the cement area? What if you pulled that around to that side?

Mr. Bennett – We thought about that, but the swale goes through and into the neighbor's property on that side.

Ms. Chrisant – Is there an HOA out there?

Mr. Bennett – No.

Ms. Chrisant asked if anyone else on the Board had any more questions and there were none.

Ms. Chrisant stated that having heard the testimony of the applicant is there anyone present wishing to speak for or against the application? Ms. Chrisant asked the question two more times and no one came forward.

Ms. Chrisant declared the fact finding portion of the hearing closed and now the Board would discuss the application, with the option of asking additional questions and make a decision.



Mr. Welch made a motion to approve BZA Application A15-2019 as presented tonight for a variance to have a detached garage to go parallel with the existing garage. Mr. Mullins seconded. Mr. Welch explained the setbacks were well within the defined areas and they are on a cul-de-sac; he sees no problem.

Chairman Helmick called for a vote on the motion:

For:

X	Donald Welch	Bill Helmick	X	Sandy Chrisant
X	Andrew Mullins	Nick Genis		

Against:

	Donald Welch	Bill Helmick	Sandy Chrisant
	Andrew Mullins	Nick Genis	

Motion Passed 3-0 The variance application has been approved.

Mr. Welch warned the applicant to keep the height down or a second variance would be needed.

Ms. Chrisant closed the hearing on Application A15-2019.

VI. APPROVAL OF MINUTES:

There were no minutes

ADJOURN:

Meeting adjourned at 6:13 PM.


BZA Chair/Vice Chair


BZA Vice Chair/ Member

11-11-19
Date

Minutes recorded by Shannon Szittai