

City of Norton
BOARD OF ZONING & BUILDING APPEALS
Tuesday, August 19, 2014

The Board of Zoning & Building Appeals convened in Council Chambers at the Safety Administration Building. Chairman Don Welch called the meeting to order at 6:00 p.m.

I. ATTENDANCE:

PRESENT: Don Welch, Angie Wells, Marty West, Nick Genis, Bill Helmick

EXCUSED: Russ Arters, Supt. of Building and Zoning

ALSO PRESENT: Miriam Norris, Alternate

II. SWEARING IN:

Chairman Welch reviewed the procedural requirements for that night's hearing. Chairman Welch proceeded by stating that this was a quasi-judicial Board and asked that anyone wanting to speak needs to sign the attendance sheet and stand to be sworn in. Chairman Welch administered the oath to those intending to speak at the hearing.

III. PUBLIC HEARINGS:

- A. BZA - Application A3-2014**
Terry Bracken - Owner
3125 Orchard Drive
PPN # 4604031
[A Variance to Build within 10 Feet of a Property Line]
[Section: 1262.04 (2)]

Chairman Welch announced anyone wishing to speak at tonight's meeting should please sign in at the front podium.

Chairman Welch announced the application and stated the application was filed Monday, June 30, 2014 and letters of notification were sent via first class mail, as required, per section 6.03 of the City Charter. Chairman Welch asked the applicant/agent to come forward and be sworn in, state his name and address for the stenographer, and present pertinent information regarding the application.

Mr. Dan Cozad of 3464 Wadsworth Road, Norton, Ohio, 44203; Agent; approached the podium. Mr. Cozad stated he recently bought a new vehicle and would like to be able to park it in a garage. He stated he would like to build a garage, but would have to build closer to the property line. Mr. Genis asked if Mr. Cozad was the contractor. Mr. Cozad stated he was not. He said he was a neighbor and a friend of the Applicant. Mr. Genis stated he had driven past the property. He stated on the north side of the residence, there is a wire fence. He asked if the property lot line was defined at that wire fence. Mr. Cozad stated that the fence line should be correct for the lot line. Mr. Genis stated there was also another privacy fence at the lot line. He asked who put up this privacy fence. Mr. Cozad stated the privacy fence belonged to 3525 Orchard Drive.

Mr. Genis stated if stakes were being used to define the property line, the fence should be inside the neighbor's property line. Mr. Cozad stated he could use the neighbor's property line stakes. He stated he is a Civil Engineer and could do his property dimensions from them. Mr. Genis stated someone would need to determine where the actual line of the property is. Mr. Arters stated that it is up to the homeowner to get the property surveyed. Mr. Helmick asked if the Board had reviewed the handout that Ms. Norris passed out. Mr. Arters stated he had seen the handout. He stated that this handout would be part of the record. He stated this document showed a building on the property currently being used as a chicken coup. Ms. Wells asked if the gutters currently work on the garage and if Mr. Cozad would be disconnecting then reconnecting them. Mr. Cozad stated currently the gutters go east off the back of the building to the northeast corner of the garage. Mr. West asked of the current garage was an add-on addition and not original to the house. Mr. Cozad stated he thought it was original to the house. Mr. Arters stated the tax records show it was built with the house.

Chairman Welch asked any Board members if they had any other questions; hearing none he thanked the Applicant.

Chairman Welch asked if anyone wanted to speak for or against the application; no one spoke.

Chairman Welch asked for the second time if anyone wanted to speak for or against the application; no one spoke.

Chairman Welch asked for a third and final time if anyone wanted to speak for or against the application; no one spoke

Chairman Welch closed the public portion of the meeting. **Hearing no other questions or discussion from the Board, Chairman Welch asked for a motion. Mr. Genis moved to approve the Application with conditions: (see Resolution attached) Mr. Helmick seconded the Motion. ROLL CALL: Mr. Genis-Yes, Mr. Helmick-Yes, Mr. West-Yes, Mr. Welch-Yes, Ms. Wells-Yes. Motion was approved 5-0.**

**B. BZA –Application A4-2014
Kevin Ross – Owner
Affirm Decking
3132 Wadsworth Road
PPN – 4604570
[A Variance for an Additional 544 sq.ft.]
[Section: 1296.03(2)]**

Chairman Welch asked the applicant/agent to come forward, state his name and address for the stenographer, and present pertinent information regarding the application.

Mr. Kevin Ross of 3132 Wadsworth Road, Norton, Ohio, 44203; Owner; approached the podium. Mr. Ross stated he would like to expand the back of his property and work shop area. Mr. Welch asked what was being stored in the building now. Mr. Ross stated he has all his tools in the building. He stated he needs to run large equipment like saws, etc. and needs more room in which to run them safely. He stated he would also like to have an office away from this equipment. He stated he would like designated office space for the public to enter. Mr. Genis asked if any of his neighbors objected to his Application. Mr. Ross stated a few of his neighbors were at the meeting tonight. He said there were no objections by them. Mr. Genis asked if any hazardous waste would be stored on the property. Mr. Ross stated there would be none stored there. He stated he is also going to try to match the stone on the house and make the addition match as best as possible. Mr. Welch asked how the addition would be heated. Mr. Ross stated he would use a space heater. Mr. West asked if the second floor would be the office. Mr. Ross stated it would be. Mr.

Ross stated the office would have displays of hand rails, etc for customers to see. Chairman Welch asked how far the addition would sit from the back lot line. Mr. Ross stated it would be 15 to 20 feet off the lot line. Mr. West asked if the addition would have a bathroom or kitchenette. Mr. Ross stated it would not have either one. He stated it would be a seasonal office. He said the business is much slower in the winter. Mr. Helmick stated he would like to compliment Mr. Ross on his business. He stated it is maintained very well. Ms. Wells asked if there would be any changes to the already poured concrete. Mr. Ross stated no changes were planned. He stated he is trying to direct the public away from his residential front door and to a new office area. Mr. Arters stated there was also a shed in the rear yard. He stated the square footage being requested for this Application should be 664 square feet instead of 544 square feet. Chairman Welch thanked the Applicant. Ms. Linda Redoswill of 3111 Wadsworth Road, Norton, Ohio, 44203; approached the podium. She stated she was a neighbor and approves of the changes Mr. Ross was doing with his property. She stated the Loyal Oak area is becoming a very nice area. She stated his property is making all the property values go up in the area. Mr. Shane Moore, Owner of Wolf Creek Tavern, 3044 Wadsworth Road, Norton, OH, 44203; approached the podium. He stated his business is in Loyal Oak. He stated the deck on his business was built by Mr. Ross and that he did a great job on the deck. He asked the Board to approve Mr. Ross' Application. He stated he supports Mr. Ross and the local businesses in the area. Ms. Diane Neiswinter, Owner of Diane's Thrift Shop, 3021 Wadsworth Road, Norton, OH, 44203; approached the podium. She stated she approves of Mr. Ross' business and supports it completely. She asked the Board to consider approving Mr. Ross' Application.

Chairman Welch asked any Board members if they had any other questions; hearing none he thanked the Applicant.

Chairman Welch asked if anyone wanted to speak for or against the application; no one spoke.

Chairman Welch asked for the second time if anyone wanted to speak for or against the application; no one spoke.

Chairman Welch asked for a third and final time if anyone wanted to speak for or against the application; no one spoke

Chairman Welch closed the public portion of the meeting. **Hearing no other questions or discussion from the Board, Chairman Welch asked for a motion. Mr. West moved to approve the Application: Ms. Wells seconded the Motion. ROLL CALL: Mr. West-Yes, Ms. Wells-Yes, Mr. Helmick-Yes, Mr. Welch-Yes, Mr. Genis-Yes. Motion was approved 5-0.**

IV. OLD BUSINESS:

Chairman Welch asked if there was any old business. Mr. Arters stated there would be a few applications for the September meeting. He stated it would be imperative that all Board members are at the next scheduled meeting.

V. NEW BUSINESS:

Chairman Welch asked if there was any new business. There was none.

VI. CONSIDERATION OF MINUTES;

Chairman Welch asked if there were any additions or corrections to the minutes of Tuesday, July 15, 2014. **Hearing none, the Chairman called for a motion. Mr. West moved to approve the minutes as written, seconded by Ms. Wells. ROLL CALL: Mr. West-Yes, Ms. Wells-Yes, Mr. Welch-Yes, Mr. Genis-Yes, Mr. Helmick-Abstain. Motion carried 4-1 to accept the minutes as written.**

VII. ADJOURNMENT:

There being no other business before the Board, the Chairman adjourned the meeting. The Board's next scheduled meeting will be Tuesday, September 16, 2014.

Board of Zoning & Building Appeals
Chair/Vice-Chair

Board of Zoning & Building Appeals
Vice-Chair/Member

Date

*** ORIGINAL SIGNED DOCUMENTS ON FILE WITH THE CLERK OF COUNCIL ***