

City of Norton
BOARD OF ZONING & BUILDING APPEALS
Tuesday, August 18, 2015

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, Bill Helmick, Angie Wells, Nick Genis
Miriam Norris (Alternate)

EXCUSED: Marty West

ALSO PRESENT:

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 A6-2015**
Thomas R. Tomcik - Owner
3657 S. Medina Line Road
PPN – 4608704
[To Construct a Larger Garage]
[Section 1254.04]

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 July 22, 2015 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. Thomas Tomcik, 3657 S. Medina Line Road, Owner, approached the podium. He stated he was asking the Board for a variance on the size of a garage. He stated his home had no attached garage when it was built. He stated he would like to build a large garage in order to store his family's vehicles, boat, motorcycle and various woodworking tools. He stated the house and barn were both built in 1902 and the barn has since been compromised. He stated his barn is one of the oldest barns in the City of Norton. He stated he

would like to work on the barn gradually to preserve it, but needed a structurally sound garage to store his vehicles, tools, etc. in. Mr. Welch asked why he wanted to preserve the barn. Mr. Tomcik stated he felt the 1902 barn was a City landmark that added value to his property. Mr. Welch asked if he had looked into any Historical assistance in preserving the barn. Mr. Tomcik stated he had not asked for any assistance yet. Mr. Welch asked what size the proposed garage would be. Mr. Tomcik stated he was asking for a 35 x 60 building. Mr. Welch asked how tall the building would be. Mr. Tomcik stated the building would peak at 21 foot or less. Mr. Genis stated this proposed garage was quite large, and asked if there would be any agricultural equipment stored in the garage. Mr. Tomcik stated no agricultural equipment would be stored in the garage. He stated he would have various woodworking equipment, vehicles, tools, mowers, etc. in the garage. He stated if he had any of these items stored inside the barn now, they would not be safe. He stated the roof is in need of repair and mice would chew on tools and wires. Mr. Genis asked if any of the neighbors had been contacted on the garage construction. Mr. Tomcik stated one neighbor is his brother-in-law, and has no problem with the construction. He stated he had spoken with the other neighbor, and that neighbor had no issues with the construction either. Mr. Welch stated his concern was, the Board has to consider the square footage of all outside buildings on the property. He stated this would also have to include the square footage of the additional new garage. He stated if all square footage was included on this property, the Applicant would be over the allowable limit on his property. Ms. Norris asked the size of the acreage of this property. Mr. Tomcik stated it was approximately 1.78 or close to two acres. Mr. Genis asked if he had considered building a slightly smaller garage. Mr. Tomcik stated he had, but he felt the storage would be very tight with vehicles and other items stored inside. Mr. Tomcik stated he had Geothermal on one side of the house and also a septic area to work around. Ms. Wells asked what direction the storm water drainage ran on the property. Mr. Tomcik stated there would be no directional change with the storm water drainage. He stated he would be adding a retaining wall, but the water drainage would continue the same direction as it flows now. He stated there were currently no issues with water on the property. Ms. Norris asked if there would be any heat in the garage. Mr. Tomcik stated he had no plans to add heat. Ms. Wells asked the square footage of his residence. He stated his home was approximately 2352 square feet. Mr. Genis asked if there was any other location on the property to construct this garage. Mr. Tomcik stated the terrain had limited him to where he could place the garage. Mr. Helmick asked if Mr. Tomcik had a contact name for the Historical Society. Mr. Helmick stated Roger Ramstalter would be a good contact person to guide him in the preservation of the historical barn. There was general discussion on how to make the building smaller and still be able to store all items in the garage.

Chairman Welch asked any Board members if they had any other questions.

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 listed on BZA Resolution 6-2015: Mr. Helmick seconded the Motion. ROLL CALL: Mr. Genis-Yes, Mr. Helmick-Yes, Mr. Welch-Yes, Ms. Wells-Yes, Ms. Norris-Yes. Motion passed to Approve 5-0.**

IV. OLD BUSINESS:

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

V. NEW BUSINESS:

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

VI. CONSIDERATION OF MINUTES:

Chairman Welch asked if there were any additions or corrections to the minutes of Wednesday, June 16, 2015. **Hearing none, the Chairman called for a motion. Mr. Helmick moved to approve the minutes as written, seconded by Ms. Wells. ROLL CALL: Mr Helmick-Yes, Ms. Wells-Yes, Mr. Welch-Yes, Mr. Genis-Yes, Ms. Norris-Yes. Motion carried 5-0 to accept the minutes as written.**

Chairman Welch asked if there were any additions or corrections to the minutes of Wednesday, July 21, 2015. **Hearing none, the Chairman called for a motion. Ms. Wells moved to approve the minutes as written, seconded by Ms. Norris. ROLL CALL: Ms. Wells-Yes, Ms. Norris-Yes, Mr. Helmick-Yes, Mr. Welch-Yes, Mr. Genis-Yes. Motion carried 5-0 to accept the minutes as written.**

VII. ADJOURNMENT:

There being no other business before the Board, the Chairman adjourned the meeting at 7:09pm. The Board's next scheduled meeting will be Tuesday, September 15, 2015.

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 ***