

1 STATE OF OHIO )  
2 COUNTY OF MAHONING ) SS:  
3 TOWNSHIP OF POLAND )

4 POLAND TOWNSHIP BOARD OF ZONING APPEALS

5 PUBLIC HEARING

6 FEBRUARY 1, 2024 - 7:00 P.M.

7 CASE #ZA-01-24

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9  
10 RE: Case #ZA-01-24 - Andrew & M. Kate Bushey

11 Variance Request

12  
13 Case # ZA-01-24 This is a request of Andrew & M. Kate Bushey  
14 who seek a variance to obtain relief from Accessory Building  
15 regulations. The appellant wishes to construct a second  
16 accessory structure which will be 48'w by 60'd by 28'h  
17 (forty-eight feet wide by sixty feet deep by twenty-eight  
18 feet high). The total square feet of the building will be  
19 2,880 (two thousand, eight hundred, eighty). They are also  
20 requesting to retain an existing accessory structure which  
21 has an open porch area, and request relief for height of the  
22 proposed structure of 28' (twenty-eight feet). The property  
23 is located 4060 Dobbins Rd., Poland Township, Poland, Ohio,  
24 known as GL 37, parcel number 35-054-0-020.02-0 and is in an  
25 Agricultural (AG) zoning district.

1 **APPEARANCES:**

2 **POLAND TOWNSHIP BOARD OF ZONING APPEALS**

3 Michael Johnston, Chairman and Member of the Board  
4 Ricky Morrison, Vice-Chairman/Member of the Board  
5 Robert Durick, Member of the Board  
6 John Grahovac, Member of the Board  
7 David Long, Member of the Board

8 Patty Magazzine, Zoning Inspector

9 **ON BEHALF OF THE APPELLANTS:**

10 Attorney Martha Bushey,  
11 on Behalf of the Appellants  
12 Andrew and M. Kate Bushey, Appellants

13 **PLACE:** Poland Township Government Center  
14 3339 Dobbins Road  
15 Youngstown, Ohio 44514

16  
17 **REPORTER:** Dena K. Crissman, M.S., R.P.R., C.R.I.  
18 Registered Professional Reporter  
19 3656 Tippecanoe Place  
20 Canfield, Ohio 44406  
21 E-mail: dkcrissman@ysu.edu  
22 Office: 330-502-8862  
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**P R O C E E D I N G S**

**PUBLIC HEARING**

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3 (WHEREAS, THE POLAND TOWNSHIP  
4 BOARD OF ZONING APPEALS MET ON  
5 THURSDAY, FEBRUARY 1ST, 2024, AT  
6 7:00 P.M. THERE WAS NOT A COURT  
7 REPORTER PRESENT TO TAKE DOWN  
8 AND TRANSCRIBE THE RECORD. THE  
9 FOLLOWING PROCEEDINGS AND  
10 MOTIONS WERE TRANSCRIBED BY  
11 PATTY MAGAZZINE, THE TOWNSHIP  
12 ZONING INSPECTOR, FROM AUDIO --  
13 AND PER THE REQUEST OF POLAND  
14 TOWNSHIP, WILL BE CERTIFIED BY  
15 DENA CRISSMAN, REGISTERED  
16 PROFESSIONAL COURT REPORTER AND  
17 NOTARY PUBLIC. WHEREAS, THE  
18 BOARD COMMENCED THE HEARING WITH  
19 THE RE-ORGANIZATIONAL MEETING OF  
20 THE BOARD FOR 2024. THERE WAS A  
21 MOTION BY MR. DURICK AND A  
22 SECOND BY MR. GRAHOVAC -- FOR  
23 MICHAEL JOHNSTON TO REMAIN  
24 CHAIRMAN, AND RICKY MORRISON TO  
25 REMAIN VICE-CHAIRMAN OF THE

1 BOARD FOR THE YEAR 2024. THE  
2 BOARD VOTED UNANIMOUSLY IN  
3 FAVOR. THE BOARD NEXT HEARD  
4 CASE ZA-01-24. MR. DURICK  
5 RECUSED HIMSELF FROM THE BOARD  
6 -- TO NOT COMMENT NOR VOTE ON  
7 THE ABOVE-CAPTIONED CASE. THE  
8 APPELLANT'S REPRESENTATIVE,  
9 ATTORNEY MARTHA BUSHEY, THEN  
10 PRESENTED CASE ZA-01-24 TO THE  
11 BOARD ON BEHALF OF THE  
12 APPELLANTS, ANDREW AND M. KATE  
13 BUSHEY. THE BOARD INQUIRED.  
14 THE APPELLANTS ADDRESSED ALL  
15 QUESTIONS AND CONCERNS RAISED.  
16 PAUL SEBEST, A NEIGHBOR LIVING  
17 ON 4000 DOBBINS ROAD, SPOKE ON  
18 BEHALF OF THE CASE. THERE WAS  
19 NO OPPOSITION PRESENTED.  
20 EVERYONE WAS GIVEN AMPLE  
21 OPPORTUNITY TO SPEAK, AND THE  
22 FOLLOWING MOTION WAS MADE BY THE  
23 POLAND TOWNSHIP BOARD OF ZONING  
24 APPEALS IN CASE ZA-01-24:)  
25 MR. MORRISON: I'd like to

1 make a motion in Case ZA-01-24 -- to allow the  
2 construction of a detached accessory building  
3 48 feet wide by 60 feet long (48' x 60') --  
4 2,880 square feet -- and to allow the peak not  
5 to exceed 28 feet.

6 Finally, I would grant the variance to  
7 allow for the second accessory building -- and  
8 for the first accessory building to remain on  
9 the property.

10 MR. JOHNSTON: We have a  
11 motion on the floor by Ricky Morrison. Do we  
12 have a second?

13 MR. GRAHOVAC: Second.

14 MR. JOHNSTON: John Grahovac  
15 is our second.

16 MS. MAGAZZINE: Okay, so Rick  
17 was first -- John Grahovac, second.

18 (WHEREAS, RICKY MORRISON AND  
19 JOHN GRAHOVAC WERE IN FAVOR OF  
20 THE MOTION, AND THE REMAINDER OF  
21 THE ROLL CALL WAS AS FOLLOWS:)

22 MS. MAGAZZINE: David Long?

23 MR. LONG: Yes.

24 MS. MAGAZZINE: Michael  
25 Johnston?

1 MR. JOHNSTON: Yes.

2 MS. MAGAZZINE: Robert

3 Durick?

4 MR. DURICK: Abstain.

5 (ROLL CALL VOTE: 4, AYE;

6 1, ABSTAIN; 0, NAY:)

7 MS. MAGAZZINE: Okay.

8 MR. JOHNSTON: Did we get

9 everybody?

10 MS. MAGAZZINE: So -- so,

11 yeah, there's four (4) of you.

12 MR. JOHNSTON: Okay, true --

13 yeah.

14 MS. MAGAZZINE: So the motion

15 is approved.

16 MR. JOHNSTON: Yeah, so

17 motion is approved. You guys can go ahead and

18 move forward, and come in next week and get

19 with Patty -- get your paperwork in order, and

20 you can move forward as such.

21 (WHEREAS, THERE WAS

22 OFF-THE-RECORD DISCUSSION

23 BETWEEN THE BOARD OF THE

24 APPELLANTS, AND THE HEARING WAS

25 ADJOURNED AT 7:20 P.M.

1 WHEREUPON, THE PUBLIC HEARING  
2 BEFORE THE POLAND TOWNSHIP BOARD  
3 OF ZONING APPEALS, IN CASE  
4 ZA-01-24, CONCLUDED AT 7:20 P.M.  
5 ALL ORIGINAL EXHIBITS AND  
6 DOCUMENTATION WERE RETAINED BY  
7 THE POLAND TOWNSHIP ZONING  
8 OFFICE AND WERE  
9 FILED/INCORPORATED INTO THE CASE  
10 RECORD.)

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STATE OF OHIO            )  
                                  ) ss.            REPORTER'S CERTIFICATE  
COUNTY OF MAHONING)

I certify that the above and foregoing is a true and partial transcript of the minutes and motions made during the Public Hearing, as shown by notes transcribed from audio, by the Poland Township Zoning Inspector, in the presence of the witnesses at the time of the Public Hearing.

*Dena K. Crissman, M.S., R.P.R., C.R.I.*  
\_\_\_\_\_  
Dena Kay Crissman, Notary Public  
My Commission Expires 2-09-2024





<p>MR. DURICK: [1] 6/4  MR. GRAHOVAC: [1] 5/13  MR. JOHNSTON: [6] 5/10 5/14 6/1 6/8 6/12 6/16  MR. LONG: [1] 5/23  MR. MORRISON: [1] 4/25  MS. MAGAZZINE: [7] 5/16 5/22 5/24 6/2 6/7 6/10 6/14</p>	<p>APPELLANT'S [1] 4/8  APPELLANTS [6] 2/7 2/9 2/9 4/12 4/14 6/24  approved [2] 6/15 6/17  are [1] 1/16  area [1] 1/17  as [4] 1/18 5/21 6/20 8/10  Attorney [2] 2/8 4/9  audio [2] 3/12 8/11  AYE [1] 6/5</p>	<p>F  FAVOR [2] 4/3 5/19  FEBRUARY [2] 1/6 3/5  feet [9]  FILED [1] 7/9  FILED/INCORPORATED [1] 7/9  Finally [1] 5/6  first [2] 5/8 5/17  floor [1] 5/11  FOLLOWING [2] 3/9 4/22  FOLLOWS [1] 5/21  foregoing [1] 8/8  forty [1] 1/15  forty-eight [1] 1/15  forward [2] 6/18 6/20  four [1] 6/11</p>
<p>1  1ST [1] 3/5</p>	<p>B  be [3] 1/14 1/15 3/14  BEFORE [1] 7/2  BEHALF [4] 2/7 2/9 4/11 4/18  BETWEEN [1] 6/23  BOARD [19]  building [5] 1/13 1/15 5/2 5/7 5/8  Bushey [6] 1/10 1/13 2/8 2/9 4/9 4/13</p>	<p>G  get [3] 6/8 6/18 6/19  GIVEN [1] 4/20  GL [1] 1/18  go [1] 6/17  Government [1] 2/13  Grahovac [5] 2/4 3/22 5/14 5/17 5/19  grant [1] 5/6  guys [1] 6/17</p>
<p>2  2,880 [2] 1/16 5/4  2-09-2024 [1] 8/15  2024 [5] 1/6 3/5 3/20 4/1 8/15  24 [8] 1/7 1/10 1/13 4/4 4/10 4/24 5/1 7/4  28 [1] 5/5  28' [1] 1/17  28'h [1] 1/14</p>	<p>C  C.R.I [1] 2/17  CALL [2] 5/21 6/5  can [2] 6/17 6/20  Canfield [1] 2/18  CAPTIONED [1] 4/7  CASE [11]  Center [1] 2/13  CERTIFICATE [1] 8/1  CERTIFIED [1] 3/14  certify [1] 8/8  Chairman [4] 2/3 2/3 3/24 3/25  come [1] 6/18  COMMENCED [1] 3/18  COMMENT [1] 4/6  Commission [1] 8/15  CONCERNS [1] 4/15  CONCLUDED [1] 7/4  construct [1] 1/14  construction [1] 5/2  COUNTY [2] 1/1 8/2  COURT [2] 3/6 3/16  Crissman [3] 2/17 3/15 8/14</p>	<p>H  has [1] 1/17  have [2] 5/10 5/12  HEARD [1] 4/3  HEARING [7] 1/5 3/2 3/18 6/24 7/1 8/10 8/12  height [1] 1/17  high [1] 1/15  HIMSELF [1] 4/5  hundred [1] 1/16</p>
<p>3  330-502-8862 [1] 2/19  3339 [1] 2/13  35-054-0-020.02-0 [1] 1/18  3656 [1] 2/18  37 [1] 1/18</p>	<p>D  David [2] 2/5 5/22  deep [1] 1/15  Dena [3] 2/17 3/15 8/14  detached [1] 5/2  Did [1] 6/8  DISCUSSION [1] 6/22  district [1] 1/19  dkcrissman [1] 2/19  Do [1] 5/11  Dobbins [3] 1/18 2/13 4/17  DOCUMENTATION [1] 7/6  DOWN [1] 3/7  Durick [4] 2/4 3/21 4/4 6/3  during [1] 8/10</p>	<p>I  I'd [1] 4/25  INCORPORATED [1] 7/9  INQUIRED [1] 4/13  Inspector [3] 2/6 3/12 8/11  is [7] 1/13 1/18 1/18 5/15 6/15 6/17 8/8</p>
<p>4  4000 [1] 4/17  4060 [1] 1/18  44406 [1] 2/18  44514 [1] 2/14  48 feet [1] 5/3  48' [1] 5/3  48'w [1] 1/14</p>	<p>E  E-mail [1] 2/19  eight [4] 1/15 1/15 1/16 1/17  eighty [1] 1/16  everybody [1] 6/9  EVERYONE [1] 4/20  exceed [1] 5/5  EXHIBITS [1] 7/5  existing [1] 1/16  Expires [1] 8/15</p>	<p>J  John [4] 2/4 5/14 5/17 5/19  Johnston [3] 2/3 3/23 5/25</p>
<p>6  60 [1] 5/3  60' [1] 5/3  60'd [1] 1/14</p>	<p>K  Kate [4] 1/10 1/13 2/9 4/12  Kay [1] 8/14  known [1] 1/18</p>	<p>L  like [1] 4/25  LIVING [1] 4/16  located [1] 1/18  long [3] 2/5 5/3 5/22</p>
<p>7  7:00 [2] 1/6 3/6  7:20 [2] 6/25 7/4</p>	<p>M  M.S [1] 2/17  made [2] 4/22 8/9  Magazine [2] 2/6 3/11  MAHONING [2] 1/1 8/2  mail [1] 2/19  make [1] 5/1  Martha [2] 2/8 4/9  MEETING [1] 3/19  Member [5] 2/3 2/3 2/4 2/4 2/5</p>	<p></p>
<p>8  8862 [1] 2/19</p>	<p></p>	<p></p>
<p>A  above [2] 4/7 8/8  ABOVE-CAPTIONED [1] 4/7  Abstain [2] 6/4 6/6  accessory [6] 1/13 1/14 1/16 5/2 5/7 5/8  ADDRESSED [1] 4/14  ADJOURNED [1] 6/25  AG [1] 1/19  Agricultural [1] 1/19  ahead [1] 6/17  ALL [2] 4/14 7/5  allow [3] 5/1 5/4 5/7  also [1] 1/16  AMPLE [1] 4/20  Andrew [4] 1/10 1/13 2/9 4/12  APPEALS [5] 1/4 2/2 3/4 4/24 7/3  APPEARANCES [1] 2/1  appellant [1] 1/14</p>	<p></p>	<p></p>

<p><b>M</b></p> <p>MET [1] 3/4  Michael [3] 2/3 3/23 5/24  minutes [1] 8/9  Morrison [4] 2/3 3/24 5/11 5/18  motion [7] 3/21 4/22 5/1 5/11 5/20 6/14 6/17  motions [2] 3/10 8/9  move [2] 6/18 6/20  MR [3] 3/21 3/22 4/4  My [1] 8/15</p>	<p>regulations [1] 1/14  relief [2] 1/13 1/17  remain [3] 3/23 3/25 5/8  REMAINDER [1] 5/20  REPORTER [4] 2/17 2/17 3/7 3/16  REPORTER'S [1] 8/1  REPRESENTATIVE [1] 4/8  request [4] 1/11 1/13 1/17 3/13  requesting [1] 1/16  retain [1] 1/16  RETAINED [1] 7/6  Rick [1] 5/16  Ricky [4] 2/3 3/24 5/11 5/18  Road [2] 2/13 4/17  Robert [2] 2/4 6/2  ROLL [2] 5/21 6/5</p>	<p>WERE [4] 3/10 5/19 7/6 7/8  WHEREAS [4] 3/3 3/17 5/18 6/21  WHEREUPON [1] 7/1  which [2] 1/14 1/16  who [1] 1/13  wide [2] 1/15 5/3  will [3] 1/14 1/15 3/14  wishes [1] 1/14  witnesses [1] 8/12  would [1] 5/6</p>
<p><b>N</b></p> <p>NAY [1] 6/6  NEIGHBOR [1] 4/16  next [2] 4/3 6/18  NO [1] 4/19  not [3] 3/6 4/6 5/4  NOTARY [2] 3/17 8/14  notes [1] 8/10  number [1] 1/18</p>	<p><b>S</b></p> <p>SEBEST [1] 4/16  second [7] 1/14 3/22 5/7 5/12 5/13 5/15 5/17  seek [1] 1/13  shown [1] 8/10  sixty [1] 1/15  so [5] 5/16 6/10 6/10 6/14 6/16  SPEAK [1] 4/21  SPOKE [1] 4/17  square [2] 1/15 5/4  ss [2] 1/1 8/1  STATE [2] 1/1 8/1  structure [3] 1/14 1/16 1/17  such [1] 6/20</p>	<p><b>Y</b></p> <p>yeah [3] 6/11 6/13 6/16  YEAR [1] 4/1  Yes [2] 5/23 6/1  you [3] 6/11 6/17 6/20  Youngstown [1] 2/14  your [1] 6/19  ysu.edu [1] 2/19</p>
<p><b>O</b></p> <p>obtain [1] 1/13  OFF [1] 6/22  Office [2] 2/19 7/8  OHIO [5] 1/1 1/18 2/14 2/18 8/1  Okay [3] 5/16 6/7 6/12  open [1] 1/17  OPPORTUNITY [1] 4/21  OPPOSITION [1] 4/19  order [1] 6/19  ORGANIZATIONAL [1] 3/19  ORIGINAL [1] 7/5  our [1] 5/15</p>	<p><b>T</b></p> <p>TAKE [1] 3/7  that [1] 8/8  THEN [1] 4/9  THERE [4] 3/6 3/20 4/18 6/21  there's [1] 6/11  They [1] 1/16  This [1] 1/13  thousand [1] 1/16  THURSDAY [1] 3/5  time [1] 8/12  Tippecanoe [1] 2/18  total [1] 1/15  TOWNSHIP [12]  TRANSCRIBE [1] 3/8  transcribed [2] 3/10 8/10  transcript [1] 8/9  true [2] 6/12 8/8  twenty [2] 1/15 1/17  twenty-eight [2] 1/15 1/17  two [1] 1/16</p>	<p><b>Z</b></p> <p>ZA [8] 1/7 1/10 1/13 4/4 4/10 4/24 5/1 7/4  ZA-01-24 [8] 1/7 1/10 1/13 4/4 4/10 4/24 5/1 7/4  zoning [10]</p>
<p><b>P</b></p> <p>P.M [4] 1/6 3/6 6/25 7/4  paperwork [1] 6/19  parcel [1] 1/18  partial [1] 8/9  Patty [3] 2/6 3/11 6/19  PAUL [1] 4/16  peak [1] 5/4  PER [1] 3/13  PLACE [2] 2/13 2/18  POLAND [12]  porch [1] 1/17  presence [1] 8/12  PRESENT [1] 3/7  PRESENTED [2] 4/10 4/19  PROCEEDINGS [1] 3/9  Professional [2] 2/17 3/16  property [2] 1/17 5/9  proposed [1] 1/17  PUBLIC [7] 1/5 3/2 3/17 7/1 8/10 8/12 8/14</p>	<p><b>U</b></p> <p>UNANIMOUSLY [1] 4/2</p> <p><b>V</b></p> <p>variance [3] 1/11 1/13 5/6  Vice [2] 2/3 3/25  VICE-CHAIRMAN [1] 3/25  Vice-Chairman/Member [1] 2/3  VOTE [2] 4/6 6/5  VOTED [1] 4/2</p>	<p><b>W</b></p> <p>was [9]  we [3] 5/10 5/11 6/8  week [1] 6/18</p>
<p><b>Q</b></p> <p>QUESTIONS [1] 4/15</p>	<p><b>W</b></p> <p>was [9]  we [3] 5/10 5/11 6/8  week [1] 6/18</p>	
<p><b>R</b></p> <p>R.P.R [1] 2/17  RAISED [1] 4/15  Rd [1] 1/18  RE [2] 1/10 3/19  RE-ORGANIZATIONAL [1] 3/19  RECORD [3] 3/8 6/22 7/10  RECUSED [1] 4/5  Registered [2] 2/17 3/15</p>		