

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

4 POLAND TOWNSHIP BOARD OF ZONING APPEALS

5 PUBLIC HEARING

6 JULY 2, 2024 - 7:00 P.M.

7 CASE #ZA-05-24

8
9 RE: Case #ZA-05-24 - Mark Rosa

10 Variance Request - Modification

11
12 Case # ZA-05-24: This case is a second hearing to modify a
13 previously approved variance which was presented on May 30,
14 2024, to the Board of Appeals, and approved as submitted.
15 However, since the time of that approval, the appellant,
16 Mark Rosa, was not able to obtain the accessory building
17 structure in the square footage that was granted.
18 Therefore, he is returning to the Board to request
19 modification to the original plan to construct a 60' x 40'
20 (sixty by forty) building, which will be 2,400
21 (two-thousand, four hundred) square feet. In addition, he
22 will no longer need relief to construct a second building
23 which was also approved, as he is increasing the new
24 building to a larger size. The appellant's lot is located
25 at 2100 Steward Rd., Poland Township, Lowellville, Ohio, and
is known as lot 3, parcel number 41-094-0-003.03-0 and is in
a Residential-1 (R-1) 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 **David Long, Member of the Board**

7 **Patty Magazzine, Zoning Inspector**

8 **ON BEHALF OF THE APPELLANT:**

9 **Mark Rosa, Appellant**

10
11 **PLACE: Poland Township Government Center**
12 **3339 Dobbins Road**
13 **Youngstown, Ohio 44514**

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

P R O C E E D I N G S**PUBLIC HEARING**

(WHEREAS, THE PUBLIC HEARING OF
THE POLAND TOWNSHIP BOARD OF
ZONING APPEALS COMMENCED ON
TUESDAY, JULY 2, 2024, AT 7:00
P.M., IN CASE #ZA-05-24. THE
APPELLANT, MARK ROSA, PRESENTED
THE CASE TO THE BOARD. THE
APPELLANT MODIFIED THE ORIGINAL
VARIANCE REQUEST AND IS
REQUESTING A 60' X 40' ACCESSORY
BUILDING, 2400 SQUARE FEET --
AND WILL NO LONGER NEED RELIEF
FOR A SECOND BUILDING. THE
BOARD INQUIRED. EVERYONE WAS
GIVEN AMPLE OPPORTUNITY TO
SPEAK. MR. MORRISON READ HIS
PREVIOUS MOTION INTO THE RECORD
FROM THE MAY 30TH, 2024, PUBLIC
HEARING, AND THE POLAND TOWNSHIP
BOARD OF ZONING APPEALS MADE THE
FOLLOWING MOTION IN CASE
#ZA-05-24:)

MR. JOHNSTON: Anyone like to

1 make a motion in this case?

2 MR. MORRISON: Yeah, in that
3 case, I would like to make a motion in Case
4 ZA-05-24, to modify the previous --
5 previously-approved variance request -- a
6 60' x 40' accessory building, 2400 square
7 feet -- as per the plans submitted.

8 MR. JOHNSTON: If you
9 wouldn't mind -- if you could read that back.

10 (WHEREAS, THE COURT REPORTER
11 READ BACK THE MOTION ON PAGE 4,
12 LINE 2, VERBATIM -- AND
13 PROCEEDINGS WERE AS FOLLOWS:)

14 MR. MORRISON: Perfect.

15 MR. JOHNSTON: Do we have
16 a second for that?

17 MR. LONG: Second.

18 MR. JOHNSTON: We have a
19 motion on the floor from Ricky Morrison, and a
20 second from Dave Long.

21 MS. MAGAZZINE: Okay.

22 MR. JOHNSTON: Would you poll
23 the Board, please.

24 MS. MAGAZZINE: Ricky
25 Morrison?

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MR. MORRISON: Yes.

MS. MAGAZZINE: David Long?

MR. LONG: Yes.

MS. MAGAZZINE: Robert

Durick?

MR. DURICK: Yes.

MS. MAGAZZINE: Michael

Johnston?

MR. JOHNSTON: Yes.

(ROLL CALL VOTE: 4, AYE;

0, NAY; 0, ABSTAINED.)

MR. JOHNSTON: You're free to
construct, sir. Catch up with Patty, here,
next week, get your paperwork in order -- and
enjoy your building.

MR. ROSA: Okay, thank you.

MR. JOHNSTON: Thanks for
coming.

MR. ROSA: Thank you -- have
a good night.

(WHEREUPON, THE PUBLIC HEARING
BEFORE THE POLAND TOWNSHIP BOARD
OF ZONING APPEALS, IN APPEAL
CASE #ZA-05-24, MODIFIED,
CONCLUDED AT 7:09 P.M. ALL

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ORIGINAL EXHIBITS AND
DOCUMENTATION WERE RETAINED BY
THE POLAND TOWNSHIP ZONING
OFFICE AND FILED/INCORPORATED
INTO THE CASE 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 stenotype notes written by me, 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 2-08-2029



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

4 POLAND TOWNSHIP BOARD OF ZONING APPEALS

5 PUBLIC HEARING

6 JULY 2, 2024 - 7:00 P.M.

7 CASE #ZA-06-24

8
9 RE: Case #ZA-06-24 - Michael Mike, III

10 Variance Request

11
12 Case # ZA-06-24: This case is a request of Michael Mike,
13 III, who is seeking relief for reduction of the required
14 minimum lot size and minimum rear yard setback for a
15 property located at 3465 Hummingbird Hill Dr. He makes this
16 request as he wishes to purchase the rear portion of this
17 lot, known as parcel # 35-058-0-125.00-0 (Lot 125) located
18 in a Residential-1 (R-1) zoning district, and add this
19 acreage to parcel # 35-058-0-073.01-0 (GL 29) located in an
20 Office (OF) zoning district. Both parcels are located in
21 Poland Township, Poland, Ohio.
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APPEARANCES:

POLAND TOWNSHIP BOARD OF ZONING APPEALS

**Michael Johnston, Chairman and Member of the Board
Ricky Morrison, Vice-Chairman/Member of the Board
Robert Durick, Member of the Board
David Long, Member of the Board**

Patty Magazzine, Zoning Inspector

**David Comstock, Fire Chief,
Western Reserve Joint Fire District, Poland,
and Property Owner**

ON BEHALF OF THE APPELLANT:

Michael A. Mike, III, Appellant

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

**REPORTER: Dena K. Crissman, M.S., R.P.R., C.R.I.
Registered Professional Reporter
3656 Tippecanoe Place
Canfield, Ohio 44406
E-mail: dkcrissman@ysu.edu
Office: 330-502-8862**

P R O C E E D I N G S

PUBLIC HEARING

(WHEREAS, THE PUBLIC HEARING OF
THE POLAND TOWNSHIP BOARD OF
ZONING APPEALS COMMENCED ON
TUESDAY, JULY 2, 2024, AT 7:10
P.M., IN CASE #ZA-06-24. THE
APPELLANT, MICHAEL A. MIKE, III,
PRESENTED THE CASE TO THE BOARD.
THE BOARD INQUIRED. EVERYONE
PRESENT WAS GIVEN AMPLE
OPPORTUNITY TO SPEAK. THE
POLAND TOWNSHIP BOARD OF ZONING
APPEALS MADE THE FOLLOWING
MOTION IN CASE #ZA-06-24:)

MR. MORRISON: Mr. Comstock,
would you mind coming back up and putting your
input in, again, while we write this
variance -- so we can get this exactly how
you -- how you wrote that?

CHIEF COMSTOCK: If I can
read my writing. And by the way, I don't know
that I gave my address. I know I was supposed
to. So the Fire Department is 111 South Main
Street, Poland -- and my address is 3479

1 Hummingbird Hill Drive.

2 So I thought that, in terms of the
3 variances, the conditions that I had were that
4 the owner -- purchaser -- would erect no
5 structures or place manmade objects on the
6 land.

7 That they would maintain the spillway area
8 to be free of debris.

9 I understand that some of those terms
10 might be difficult to define -- but, again,
11 it's the best I can -- we can do.

12 And that -- last, that the owner provide
13 -- that the new owner provide to the seller --
14 the purchaser provide to the seller -- a
15 temporary, recreational easement -- an
16 easement to use the land for a temporary,
17 recreational purpose; again, not place
18 something down there and say -- you know,
19 placing a hunting stand, and that's my
20 recreational -- to me, that's permanent.

21 So that's why I use the term -- again, an
22 easement for temporary, recreational purposes.

23 MR. MORRISON: Temporary --

24 CHIEF COMSTOCK: --

25 recreational purposes.

1 MR. MORRISON: Mr. Mike --

2 I'm sorry, Mr. Mike?

3 MR. MIKE: Yes.

4 MR. MORRISON: Do you agree
5 to what Mr. Comstock presented?

6 MR. MIKE: I do. I do.

7 MR. MORRISON: So with that
8 being said, I guess --

9 MR. JOHNSTON: Do you want to
10 take a swing at this?

11 MR. MORRISON: Yes, this is
12 going to be three (3) parts. So if you guys
13 need to add anything, feel free; and I hope I
14 can read my handwriting because as Chip was
15 talking, I was writing very fast.

16 MR. JOHNSTON: And I'll just
17 mention, before you get started, if you can
18 just make sure we cover the reduction of lot
19 size and the reduction of the minimum yard
20 setback as well as the contingent items.

21 MR. MORRISON: So I, Ricky
22 Morrison, would like to make a motion in Case
23 ZA-06-24, to allow the reduction of the -- all
24 right, we'll start over.

25 MS. MAGAZZINE: What if you

1 guys write it down first?

2 MR. MORRISON: I did. I
3 can't read my handwriting. So here is what
4 we'll do, okay -- to allow the reduction of
5 square footage from the required 17,000 square
6 feet -- to 11,980 square feet --

7 MR. JOHNSTON: I think it's
8 908.

9 MR. MORRISON: -- oh, 908 --
10 11,908 square feet; as well as -- let's see --
11 reduce the minimum, rear-yard setback from
12 40' to 23' feet.

13 In addition, Mr. Mike has agreed to add
14 condition -- add a condition that the owner
15 would not place any structures, would keep the
16 land clear of all debris, and the owner would
17 provide the new seller an easement for
18 temporary, recreational use.

19 (WHEREAS, IT WAS LATER
20 DETERMINED TO STRIKE "MR. MIKE"
21 FROM THIS MOTION -- AND TO
22 CORRECT IT AS STATING -- "FOR
23 THE CURRENT OWNER AND ANY FUTURE
24 OWNERS." PROCEEDINGS WERE AS
25 FOLLOWS:)

1 MR. DURICK: What about this
2 part here (INDICATING) -- the last part about
3 the -- in the bold. He says he wants this
4 right here, too -- this last --

5 MR. JOHNSTON: So he got that
6 at the beginning.

7 MR. MORRISON: Would you read
8 that back, please.

9 COURT REPORTER: Uh-huh.
10 (WHEREAS, THE COURT REPORTER,
11 READ BACK THE MOTION ON PAGE 5,
12 LINE 21 -- AND PROCEEDINGS WERE
13 AS FOLLOWS:)

14 MR. LONG: Maybe we should
15 strike the language regarding Mr. Mike from
16 that -- and just say, the current owner -- the
17 current owner agrees to this condition as a --
18 and, um -- I guess to be carried forth to, as a
19 condition of the variance, for any future
20 owners who -- I mean, like, I'm just thinking,
21 maybe, we should decouple it from Mr. Mike, you
22 know -- and then this is a condition we're
23 putting on the variance for anyone who owns
24 this property in the future.

25 MR. JOHNSTON: I understand

1 what you're saying.

2 MR. LONG: How do I say it?

3 I don't know.

4 MR. MORRISON: You say the
5 owner -- we can say "the current and future
6 owners of the property."

7 COURT REPORTER: So you want
8 me to change that part?

9 MR. MORRISON: Yes, please.

10 MR. JOHNSTON: Do you want to
11 revise the motion with that in mind?

12 MR. MORRISON: Sure.

13 MR. JOHNSTON: Should we
14 start from scratch? Would that be better for
15 you?

16 COURT REPORTER: I can -- I
17 can put his -- put his notation in the motion.

18 MR. MORRISON: Oh, okay.

19 COURT REPORTER: I will.

20 MR. MORRISON: Thank you.

21 Mr. Comstock, did we cover everything in your
22 request?

23 CHIEF COMSTOCK: Yes.

24 MR. MORRISON: Okay, thank
25 you.

1 MS. MAGAZZINE: What was the
2 easement about -- provide the easement for
3 recreational --

4 MR. MORRISON: Yes, for
5 recreational -- temporary --

6 MR. JOHNSTON: -- temporary,
7 recreational use.

8 MS. MAGAZZINE: Okay, thank
9 you.

10 MR. JOHNSTON: Okay, Ricky --
11 are you okay with that?

12 MR. MORRISON: Yes,
13 everything sounds good -- and I agree with the
14 additional wording for the future.

15 MR. JOHNSTON: Okay, do we
16 have a second?

17 MR. DURICK: I will second.

18 MS. MAGAZZINE: Who made the
19 -- who made the motion?

20 MR. JOHNSTON: Ricky Morrison
21 made the motion -- seconded by Mr. Durick.

22 MS. MAGAZZINE: Okay -- Ricky
23 Morrison?

24 MR. MORRISON: Yes.

25 MS. MAGAZZINE: Robert

1 Durick?

2 MR. DURICK: Yes.

3 MS. MAGAZZINE: Michael

4 Johnston?

5 MR. JOHNSTON: Yes.

6 MR. MORRISON: David Long?

7 MR. LONG: Yes.

8 (ROLL CALL VOTE: 4, AYE;

9 0, NAY; 0, ABSTAINED.)

10 MR. JOHNSTON: All right,
11 guys, you're good to go.

12 MR. MIKE: Thank you.

13 MR. JOHNSTON: Thanks for
14 bringing this case to us.

15 MR. MORRISON: Thank you --
16 good luck.

17 MR. JOHNSTON: Honestly, this
18 is pretty interesting, and we appreciate your
19 service and help on this.

20 CHIEF COMSTOCK: Thank you
21 very much.

22 MR. MORRISON: Thank you for
23 your patience in allowing us to put this
24 together.

25 (WHEREUPON, THE PUBLIC HEARING

1 BEFORE THE POLAND TOWNSHIP BOARD
2 OF ZONING APPEALS, IN APPEAL
3 CASE #ZA-06-24, MODIFIED,
4 CONCLUDED AT 7:42 P.M. ALL
5 ORIGINAL EXHIBITS AND
6 DOCUMENTATION WERE RETAINED BY
7 THE POLAND TOWNSHIP ZONING
8 OFFICE AND FILED/INCORPORATED
9 INTO THE CASE RECORD.)

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STATE OF OHIO)
) ss.
COUNTY OF MAHONING)

REPORTER'S CERTIFICATE

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 stenotype notes written by me, 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 2-08-2029



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

3
 4 **POLAND TOWNSHIP BOARD OF ZONING APPEALS**

5 **PUBLIC HEARING**

6 **JULY 2, 2024 - 7:00 P.M.**

7 **CASE #ZA-07-24**

8
 9 **RE: Case #ZA-07-24 - Dean and Kim Marantis**

10 **Variance Request**

11
 12 **Case # ZA-07-24: This case is a request of Dean & Kim**
 13 **Marantis who is pursuing relief from maximum height**
 14 **allowance of accessory buildings. He requests a height of**
 15 **(21'- 6") twenty-one feet, six inches for his proposed**
 16 **structure. The property is located at 4398 Olde Charted**
 17 **Trail, Poland Township, Poland, Ohio known as Lot 23, parcel**
 18 **number 35-044-0-008.10-0 and is in an Estate (E) zoning**
 19 **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 **David Long, Member of the Board**

7 **Patty Magazzine, Zoning Inspector**

8 **ON BEHALF OF THE APPELLANT:**

9 **Kim Marantis, Appellant**

10

11

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

14

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

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P R O C E E D I N G S

PUBLIC HEARING

(WHEREAS, THE PUBLIC HEARING OF
THE POLAND TOWNSHIP BOARD OF
ZONING APPEALS COMMENCED ON
TUESDAY, JULY 2, 2024, AT 7:43
P.M., IN CASE #ZA-07-24. THE
APPELLANT, KIM MARANTIS,
PRESENTED THE CASE TO THE BOARD.
THE BOARD INQUIRED. EVERYONE
WAS GIVEN AMPLE OPPORTUNITY TO
SPEAK. THE POLAND TOWNSHIP
BOARD OF ZONING APPEALS MADE THE
FOLLOWING MOTION IN CASE
#ZA-07-24:)

MR. JOHNSTON: Guys, anybody
like to make a motion in this case?

MR. LONG: I'll make a
motion.

MR. JOHNSTON: Bring it.

MR. LONG: I, David Long,
would like to make a motion to grant a -- in
the Case of ZA-07-24, to grant a variance to
allow for the construction of an accessory
building that would be 21 feet and 6 inches in

1 height -- per the plans submitted.

2 MR. JOHNSTON: Is that
3 good -- you good with that?

4 MR. LONG: I'm good with
5 that.

6 MR. JOHNSTON: If you could
7 read it back?

8 (WHEREAS, THE COURT REPORTER
9 READ BACK THE MOTION ON PAGE 3,
10 LINE 21, AND PROCEEDINGS WERE AS
11 FOLLOWS:)

12 MR. MORRISON: I'll second
13 that motion.

14 MR. JOHNSTON: Second by
15 Ricky Morrison -- if you could poll the Board,
16 please.

17 MS. MAGAZZINE: David Long?

18 MR. LONG: Yes.

19 MS. MAGAZZINE: Ricky
20 Morrison?

21 MR. MORRISON: Yes.

22 MS. MAGAZZINE: Michael
23 Johnston?

24 MR. JOHNSTON: Yes.

25 MS. MAGAZZINE: Robert

1 Durick?

2 MR. DURICK: Yes.

3 (ROLL CALL VOTE: 4, AYE;

4 0, NAY; 0, ABSTAINED.)

5 MR. JOHNSTON: Mrs. Marantis,

6 thank you for coming in. You're free to

7 construct. You can get your paperwork from

8 Patty next week, and (INAUDIBLE) your garage.

9 MRS. MARANTIS: Thank you

10 very much.

11 MR. JOHNSTON: Thank you.

12 MRS. MARANTIS: Thank you for

13 hearing this.

14 MR. JOHNSTON: Any other

15 business, tonight, for this Board?

16 MR. MORRISON: Is there

17 anything else coming up? I know it's been a

18 busy summer so far.

19 MS. MAGAZZINE: It's been.

20 You can call me tomorrow.

21 MRS. MARANTIS: Okay, thank

22 you very much -- have a good night.

23 MS. MAGAZZINE: The --

24 COURT REPORTER: Are we off

25 the record -- are we off?

1 MS. MAGAZZINE: Yes.

2 MR. JOHNSTON: Motion to
3 adjourn?

4 MR. MORRISON: Yes,
5 adjourn -- aye.

6 MR. LONG: Aye.

7 MR. DURICK: Aye.

8 MR. JOHNSTON: Aye.

9 (VOICE VOTE: 4, AYE; 0, NAY;
10 0, ABSTAINED.)

11 (WHEREUPON, THE PUBLIC HEARING
12 BEFORE THE POLAND TOWNSHIP BOARD
13 OF ZONING APPEALS, IN APPEAL
14 CASE ZA-07-24, CONCLUDED AT 7:52
15 P.M. ALL ORIGINAL EXHIBITS AND
16 DOCUMENTATION WERE RETAINED BY
17 THE POLAND TOWNSHIP ZONING
18 OFFICE AND FILED/INCORPORATED
19 INTO THE RECORD.)

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STATE OF OHIO)
) ss.
COUNTY OF MAHONING)

REPORTER'S CERTIFICATE

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 stenotype notes written by me, in the presence of the witnesses at the time of the Public Hearing.

Dena K. Crissman, M.S., R.P.R., C.R.A.

Dena Kay Crissman, Notary Public
My Commission Expires 2-08-2029

