

**Board of Zoning Appeals Meeting
February 16, 2012
ZA-01-12 & ZA-02-12**

Members/Attendance:	X	Hank Grover
	X	Jim Burgham
	X	Al Franceschelli
	X	Bill Custer
	X	Holly Grant
	N/A	Michael Johnston
Also in attendance:	X	Bob Monus, Zoning Inspector
	X	Michele Richards, Recording Secretary

Hank Grover called the meeting to order at 7:00 p.m.

1st Order of Business:

Reorganization of the Board.

Jim Burgham made a motion to nominate Hank Grover as Chair of the Committee. Al Franceschelli seconded the motion.

Al Franceschelli made a motion to nominate Jim Burgham as Vice Chair of the Committee. Bill Custer seconded the motion. All members were in favor.

Motion carried.

Hank Grover stated that Bill Hegarty has elected not to be an alternate on the committee this year. Grover went on record to thank Bill Hegarty for his assistance last year on the committee. Grover also thanked Mike Johnston for his assistance as an alternate.

2nd Order of Business:

Hank Grover stated that the second order of business is to approve the minutes from the meeting held on August 18, 2011. Jim Burgham made a motion to accept the minutes from the August 18, 2011 meeting. Al Franceschelli seconded the motion. All members were in favor. Minutes approved.

3rd Order of Business:

Case #ZA-01-12 – A variance request by Robert and Theresa Boano to obtain relief from accessory building regulations for square footage and height, to build a forty by forty (40 x 40) foot accessory building. Appellant also requests to retain an existing accessory building. Property is located at 8101 Struthers Road, known as parcel number 35-061-0-003.01-0, Lot 7. Parcel is located in Poland Township, Lowellville, Ohio, in an (AG) Agricultural District.

Items included in packet submitted:

1. Application for Variance
2. Zoning Permit Denial Form
3. Letter of Intent
4. Warranty Deed
5. County Map
6. Property Description
7. Site Plan

**Board of Zoning Appeals Meeting
February 16, 2012
ZA-01-12 & ZA-02-12**

**Robert Boano
8101 Struthers Road
Lowellville, Ohio**

Hank asked Boano if he had any further comments or information to add.

Boano replied that his letter of intent states everything that he is requesting. He stated that the two (2) buildings were there when he purchased the property and he was not aware that two (2) buildings are not permitted. The smaller building is in good condition but the larger one is not.

Grover asked if there were any questions from the Board members.

Jim Burgham asked what the height is of the existing building. Boano replied twenty (20) feet.

Holly Grant asked Boano if he would be using the proposed building for business purposes. Boano replied no, it would be used strictly for storage.

Jim Burgham stated that the area is rural and the current building does need replaced. Boano is basically just replacing the old building with a new building.

Holly Grant stated there are larger buildings in that area.

Jim Burgham stated that the smaller building is a nice quality structure with a block foundation.

Hank Grover asked if there were any other questions or discussion. There being none, the following motion was made.

Motion

Jim Burgham made a motion in Case ZA-01-12 to grant the variances necessary to allow for a one thousand six hundred (1600) square foot second accessory building with the additional height of twenty (20) feet to replace the existing structure, as per the drawing submitted. Al Franceschelli seconded the motion.

Voting:

Yes Jim Burgham
Yes Al Franceschelli
Yes Bill Custer
Yes Holly Grant
Yes Hank Grover

Motion carried.

**Board of Zoning Appeals Meeting
February 16, 2012
ZA-01-12 & ZA-02-12**

4th Order of Business:

Case #ZA-02-12 – A variance request by Robert Getsy to obtain relief from accessory building regulations for square footage and height to build a thirty by fifty-four (30 x 54) foot accessory building on an adjoining lot to his home. Home is located at 479 Queisner Avenue and is known as parcel number 41-096-0-043.00-0, and the adjoining parcel number is 41-096-0-042.00-0. Both lots are known as GL 81. Parcels are located in Poland Township, Lowellville, Ohio, in a (R-1) Residential-One District.

Items included in packet submitted:

1. Application for Variance
2. Zoning Permit Denial Form
3. Letter of Intent
4. Warranty Deed
5. County Map
6. Property Description
7. Site Plan

**Robert Getsy
479 Queisner Avenue
Lowellville, Ohio**

Hank asked Getsy if he had any further information or comments to add.

Getsy stated that tearing down the greenhouse will improve the look of the property, plus he needs storage for his classic cars.

Grover asked if there were any questions from the Board members.

Holly Grant asked Getsy to explain the lay out of the new building. Getsy stated the new building will be even with the back of the existing building; the building will be fifty-four (54) feet deep. Grant asked how close it will be to the pool. Getsy replied within twenty (20) feet of the pool.

Grover asked Getsy if the pool will remain. Getsy replied yes, the pool will remain.

Jim Burgham asked Monus what the Board needs to consider with the two pieces of property. Monus stated that it should be a consideration of the Board that the property be replatted into one piece of property. Monus stated that any improvements on stand alone property are not permitted by code and any accessory structure has to be secondary to a principle structure. In this situation, there are two defining lots and there is not a principle structure on the second lot.

Hank Grover stated that this property is located in the Lowellville community. Hank stated he spoke to the zoning inspector in Lowellville and also sent him the paperwork for this case for his review since the property is located in the Lowellville community. The Lowellville zoning inspector stated to Grover that he currently has two situations in the Village of Lowellville that have large buildings about twenty (20) feet high and both properties have turned into car repair shops. The Lowellville zoning inspector also told Grover that in a building with a twenty (20) foot height, there is usually a lift in the building.

**Board of Zoning Appeals Meeting
February 16, 2012
ZA-01-12 & ZA-02-12**

Holly Grant asked Getsy why he is requesting a building so large and also asked where the historical vehicles are currently being stored. Getsy stated they are stored at a friend's building in Coitsville and this building is getting too full to hold Getsy's vehicles. Holly stated for variances such as this there needs to be a practical difficulty and asked if the size can be reduced. Getsy stated he has several vehicles and with a building the requested size he will be able to house all of his historical vehicles in that building and use the regular garage for his everyday vehicles. Holly asked about the height. Getsy stated he drag races so in order for him to put the car on the car hauler, he needs the door to be at least nine (9) feet high. Holly asked Getsy if he would be putting in a lift. Getsy replied no.

Bill Custer asked Monus that since the property is located in Lowellville is it still under his jurisdiction. Monus replied yes, he would be doing enforcement on it if necessary. Monus stated that any type of commercial activity within this structure is prohibited and the property owner would be found in violation and prosecuted.

NOTE: The property is located in Poland Township, it just has a Lowellville mailing address.

Grover asked Getsy the reasoning for not having to replat the two lots into one. Getsy replied that when he spoke to the Assistant Zoning Inspector (Patty Magazzino) he was advised that he might have to make the two lots into one. Grover stated that zoning regulations require that when you have an accessory building; it must be on the same lot as the residence.

Jim Burgham stated he feels removing the greenhouse will improve the property. He is not concerned with the height of the building because of the hill and how steep it is. He is concerned about the fifty-four (54) feet deep because he feels it may stick out further than the other building. Getsy stated the other building is twenty-four (24) feet deep and the previous property owner added on ten (10) feet to the back of it, which makes it thirty-four (34) feet deep. That would make it a twenty (20) foot difference in the front. Getsy stated the proposed building will be even in the back with the existing garage.

Jim Burgham asked Getsy if he has any problems in making the property into one lot. Getsy replied no, but he did not know what he should apply for. Burgham stated the concern is that if the lots are left as two, then one lot can be sold and the other lot would be there with just a garage on it. Getsy stated he did not know that you could do that. Grover reiterated that it can happen and would be a problem for the community in the future.

Hank Grover explained to Getsy the process in which to go through to replat the property.

Hank Grover reiterated to Getsy that the building will be used for personal use only and not for commercial business. Getsy agreed.

Hank Grover asked if there were any other questions or discussion. There being none, the following motion was made.

Motion

Holly Grant made a motion in Case ZA-02-12 to grant the requested variance for the accessory building for one thousand six hundred twenty (1620) square feet, with a height not to exceed twenty (20) feet. This variance is contingent upon the property owner combining the two (2) parcels into one (1) property. Jim Burgham seconded the motion.

**Board of Zoning Appeals Meeting
February 16, 2012
ZA-01-12 & ZA-02-12**

Voting:

Yes Holly Grant
Yes Jim Burgham
Yes Al Franceschelli
Yes Bill Custer
Yes Hank Grover

Motion carried.

Meeting adjourned at 7:56 p.m.

Submitted by:

Michele Richards/Recording Secretary

cc: Trustees (3)
Board of Zoning Appeals (7)
Zoning Commission (6)
J. Granitto (1)
File (1)