

**Board of Zoning Appeals Meeting**  
**May 14, 2015**  
**ZA-02-15, ZA-03-15, ZA-04-15**

Members/Attendance:       X     Hank Grover  
                                  N/A    Jim Burgham  
                                  X     Holly Grant  
                                  X     Michael Johnston  
                                  X     Ricky Morrison  
                                  X     Frank Prusak

Also in attendance:        X     Bob Monus, Zoning Inspector  
                                  X     Michele Richards, Recording Secretary

Mike Johnston called the meeting to order at 7:00 p.m.

**1st Order of Business:**

Mike Johnston stated that the first order of business is to approve the minutes from the meeting held on March 19, 2015. Hank Grover made a motion to approve the minutes from the March 19, 2015 meeting. Mike Johnston seconded the motion.

Voting:

Yes            Hank Grover  
Yes            Mike Johnston  
Yes            Holly Grant  
Yes            Ricky Morrison  
Yes            Frank Prusak

Motion carried.

**2<sup>nd</sup> Order of Business:**

*Case #ZA-02-15 – Is a variance request by Michael Ezzo to obtain relief to construct a fence which would be located outside of the allowable building area, and also relief for the fence height. The property is located at 7188 Youngstown Pittsburgh Road, and is known as parcel #35-052-0-079.00-0, lot number 1. Parcel is located in Poland Township, Poland, Ohio, in a (R-1) Residential-1 zoned 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

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**Michael Ezzo**  
**7188 Youngstown Pittsburgh Road**

Ezzo stated as the drawing shows he would like to use as much of his property as possible. He has two large German shepherd dogs that might jump over a three (3) foot fence. A four (4) foot fence would be better. The fence will be a black aluminum fence that will run along Christopher Drive and a black vinyl chain link fence that will run along the back of the property. Ezzo stated he spoke to his neighbors and they have no issue with the fence. One of his neighbors is afraid of large dogs but he spoke to him and the neighbor is comfortable with the four (4) foot fence.

Holly Grant asked Ezzo if he was placing the fence fifteen (15) feet off of Christopher Drive. Ezzo stated it will be a minimum of fifteen (15) feet off the road, which will be twenty-five (25) feet from the center of the road.

Hank Grover stated that he is a professional surveyor and based on what Ezzo is requesting, the fence will be on the public right-of-way. Grover stated that the Board could grant a variance of seventeen (17) feet from the edge of the roadway. Ezzo stated that he does plan on having his property surveyed and seventeen (17) feet would work for him.

Mike Johnston asked if anyone would like to speak in favor of this request. No one responds. Mike Johnston asked if anyone would like to speak against this request.

Mike Johnston read a letter dated May 6, 2015, addressed to Poland Township Zoning from Richard and Deborah Basinger, residing at 7250 Bishop Road. The Basingers stated in this letter they are strongly opposed to the fence. They feel the dogs would jump over the four (4) foot fence and would like to see an invisible fence installed.

Ezzo stated that as far as the invisible fence, the breeder that he got his dogs from does not recommend an invisible fence. Some dogs will go through this type of fence. Ezzo feels his dogs will not be able to jump the four (4) foot fence and the dogs will only be outside when they are home.

***Motion***

*Hank Grover made a motion in Case ZA-02-15 to grant the variance as follows: Section 7.14 Fences and Walls, item 3, as requested to construct a four (4) foot high fence, and item 4, to amend the request to grant the variance of a minimum of seventeen (17) feet from the edge of the roadway. Holly Grant seconded the motion.*

Voting:

- Yes Hank Grover
- Yes Holly Grant
- Yes Ricky Morrison
- Yes Frank Prusak
- Yes Mike Johnston

Motion carried.

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**3rd Order of Business:**

*Case #ZA-03-15 – Is a variance request by Mitch Zolla to obtain relief to construct a forty wide by eighty deep by twenty high (40W x 80D x 20H) accessory building, which square footage and height exceeds the allowable size. The parcel is located at 5295 Miller Road, Lowellville, Ohio, Poland Township which is in an (AG) agricultural zoned district. The home at this address is currently in the process of being constructed.*

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

**Mitch Zolla**  
**5295 Miller Road**

Zolla states this building will be used for hobby use and storage.

Mike Johnston asked Zolla if he plans to use this building for personal business. Zolla replied no.

Hank Grover stated that on the drawing submitted his name is listed as the surveyor. However, he was not the surveyor for Zolla; he was the surveyor for Erwin Bowmaster. He states he has no conflict with this base.

Holly Grant asked Zolla why he is requesting a building of this particular size. Zolla stated he has five cars and heavy equipment to store in this building.

Mike Johnston asked if anyone would like to speak in favor of this request.

**Albert Sciulli**  
**5027 Miller Road**

Sciulli stated that Zolla lives ¼ mile from his residence. He stated he is for the variance. Zolla is requesting a building twenty (20) feet in height. He stated ½ mile east of Zolla's property is the BFI Landfill building, which the landfill cell is approximately seventy-five (75) feet in height. About two years ago, the Trustees granted a variance to Allied Waste to double the height of that landfill cell. To the west of Zolla's property is the Bowmaster farm which consists of a large barn and stables for horses. Sciulli stated he is for the variance and would like to see the Board grant the request.

Mike Johnston asked if anyone would like to speak against this request. No one responds.

Mike Johnston stated based on the zoning of the appellant's property, he does not have an issue with the variance request.

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***Motion***

*Holly Grant made a motion in Case ZA-03-15 to grant the variance as requested permitting the building of an accessory building twenty (20) feet in height with a maximum square footage of thirty-two hundred (3,200) square feet, as per the plans submitted. Hank Grover seconded the motion.*

Voting:

Yes Holly Grant  
Yes Hank Grover  
Yes Ricky Morrison  
Yes Frank Prusak  
Yes Mike Johnston

Motion carried.

**4th Order of Business:**

*Case #ZA-04-15 – Is a request by Cosmo Iamurri to obtain a conditional use permit for the placement and operation of an outdoor furnace for property located at 5770 Clingan Road, Poland, Ohio, Poland Township. Parcel is located in an (E) estate zoned district. The home at this address is currently in the process of being constructed.*

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

**Cosmo Iamurri**  
**5770 Clingan Road**

Iamurri states he is asking for the variance for the boiler system to save money on heating his home. He stated he spoke to his only neighbor, Perry Chickonoski, and presented a letter to the Board from this neighbor. Mike Johnston read the letter from Chickonoski which states he is in favor of the variance request.

Holly Grant asked if the furnace would be placed behind the garage. Iamurri replied yes.

Hank Grover stated he was unable to determine where the property lines are located when he visited the site. Iamurri stated if you are walking down the driveway to the right of Chickonoski residence in the middle of the ditch is where the side property line is located. The rear property line is located behind the shed.

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A discussion followed about having permits from Aqua Ohio.

Hank Grover stated he is concerned about the odor. Iamurri stated the odor will be no different than if you burn logs in your house. There will no odor of smoke with this particular system.

Mike Johnston asked if anyone would like to speak in favor of this request. No one responds. Mike Johnston asked if anyone would like to speak against this request. No one responds.

***Motion***

*Holly Grant made a motion in Case ZA-04-15 to grant the conditional use permit allowing the placement and operation of an outdoor burning furnace, as per the plans submitted. Ricky Morrison seconded the motion.*

Voting:

Yes Holly Grant  
Yes Ricky Morrison  
Yes Hank Grover  
Yes Frank Prusak  
Yes Mike Johnston

Motion carried.

Meeting adjourned at 8:10 p.m.

Submitted by:

Michele Richards/Recording Secretary

cc: Trustees (3)  
Board of Zoning Appeals (7)  
Zoning Commission (7)  
P. Canter, Fiscal Officer (1)  
File (1)