

Board of Zoning Appeals Meeting
January 27, 2022
ZA-01-22, ZA-02-22
(Reorganization)

Members/Attendance: X Michael Johnston
 X Ricky Morrison
 X Albert Sciulli
 X Robert Durick
 X John Grahovac

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 November 4, 2021. Bob Durick made a motion to approve the minutes from the November 4, 2021 meeting. Ricky Morrison seconded the motion.

Voting:

Yes Bob Durick
Yes Ricky Morrison
Yes John Grahovac
Yes Al Sciulli
Yes Mike Johnston

Motion carried.

Mike Johnston stated that per the Trustee’s meeting on January 12, 2022, Bob Durick was reappointed to the Board until 2026 and John Savarise was also reappointed to the Board until 2026.

2nd Order of Business:

Mike Johnston stated the next order of business is to discuss the Poland Touch Free Car Wash/Dustin Bach case #ZA-07-21. Mike read a memo to the Board from Patty Magazzino. The appellant has installed the dampers on the car wash. The Board Members are encouraged to visit the location to listen to the sound of the dryers in order to make an informed decision in this matter. After some discussion, the Board agreed to table the issue until spring when a better decision can be made, when the weather is warmer and people are outside, and also more people will be using the car wash.

3rd Order of Business:

Reorganization of the Board.

Ricky Morrison made a motion to retain Mike Johnston as Chair of the Committee. Bob Durick seconded the motion. Mike Johnston accepted the nomination.

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Voting:

Yes	Ricky Morrison
Yes	Bob Durick
Yes	John Grahovac
Yes	Al Sciulli
Abstain	Mike Johnston

Motion carried.

Mike Johnston made a motion to nominate Ricky Morrison as Vice Chair of the Committee. Bob Durick seconded the motion. Ricky Morrison accepted the nomination.

Voting:

Yes	Mike Johnston
Yes	Bob Durick
Yes	John Grahovac
Yes	Al Sciulli
Abstain	Ricky Morrison

Motion carried.

4th Order of Business:

Case #ZA-01-22 – This is a request by Sameera Rahman and Tariq Aftab to obtain relief from minimum building setback from the property line, to construct an addition to their home located at 7924 Eastbrooke Trail. The request is to reduce the minimum building setback from the required forty (40) feet to twenty-four (24) feet. The property is located in a Residential-1 (R-1) zoning district and is known as number 86, parcel number 35-053-0-143.00-0 and is located in Poland Township, Poland, Ohio.

Items included in packet submitted:

1. Zoning Permit Denial Form
2. Application for Variance
3. Letter of Intent
4. Property Description (Auditor)
5. Iworks Office info property sheet
6. Zoning District Map
7. GIS Map showing proposed building setbacks to property line
8. Site Plan
9. Warranty Deed

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Sameera Rahman and Tariq Aftab
7924 Eastbrooke Trail

Sameera Rahman stated that she had her architect, Richard Yankel, draw up a plan for the addition. This addition is not meant to be intrusive and will not disrupt the existing roof line on her home. The addition will have a crawl space and not a basement.

Bob Durick asked if there was any resistance or negative comment from the neighbors. Sameera Rahman stated that one neighbor was concerned about water and drainage issues at the property line. Tariq Aftab stated he is not a civil engineer or architect, but in his opinion, with building this addition and having gutters all around, it may be better than worse for the drainage, but the architect will address this.

Al Sciulli asked the appellants if they have considered a French drain. Tariq Aftab stated there is a French drain on the property line. Sciulli asked what size the drain is. Tariq stated it was constructed before they purchased the property. Sciulli stated that it sounds like their property is at the low point and the water is coming to them. Aftab stated that is not correct. Their property is actually higher and they are not getting water.

Sameera Rahman stated she has not ever seen any water or flooding on the property. Some low lying areas can be moist, but there are not any puddles of water on the property.

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

Sam Barillaire
3604 Timberbrook Trail

Barillaire stated they live behind the appellant and are the original owners of the house. He stated he does get a lot of water in the backyard. There is a drain, but it does not work very well. Sometimes he cannot cut the grass for two or three weeks. He stated he has no objection to the appellant building an addition, but not in the way they planned. The addition sticks too far back and will be looming over their house. There is supposed to be a forty (40) foot setback per the deed restrictions of Timberbrook. There is no architectural plan for what they want to do. Barillaire stated that he consulted with an architect about this addition and the architect advised him to object to it. He showed the board members a photo on his phone of the appellant's property.

Janet Barillaire
3604 Timberbrook Trail

Janet Barillaire stated she has no objections to an addition being built, but she feels it will be too large. It seems like it will be another house in front of a house, and they will be sharing the backyard. There is no fence either. They have two maple trees on their property and that is the only thing that saves them from the water. Their yard is damp for several days after a rain.

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Bill Fazzone
7917 Southbrook Trail

Fazzone stated he is concerned if the variance is approved, how it affects the rest of the development. If you allow for one, and then how do you allow for another. This affects the whole development, not one individual property.

Mike Johnston asked if anyone else would like to speak against the request.

Sam Barillaire
3604 Timberbrook Trail

Barillaire stated he would like to make a recommendation to the appellants. He suggested putting a garage where the driveway ends, and then converting the garage into living quarters. Tariq Aftab stated he will take that advice.

The Board proceeded to discuss the case. Bob Durick stated with the deed restrictions he cannot vote in favor of this request. Mike Johnston stated when he first looked at the site, he thought it was a good idea and he understands their needs, but feels he cannot grant that much of a variance. He suggested that maybe the architect can come up with another plan for the addition. Ricky Morrison stated he agrees with both Bob and Mike, but especially when neighbors feel it will hurt their property values. He recommended that the Board table the issue so the appellant can speak to their architect to come up with another plan for the addition. Mike Johnston explained there would be no fees to continue the case.

Sameera Rahman stated she is in agreement to table the case to allow her architect to come up with another plan.

The following motion was made:

Motion

Bob Durick made a motion in Case ZA-01-22 to table the case to allow the appellant additional time for architect to redesign the proposed addition. John Grahovac seconded the motion.

Voting:

- Yes Bob Durick
- Yes John Grahovac
- Yes Al Sciulli
- Yes Ricky Morrison
- Yes Mike Johnston

Motion carried.

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5th Order of Business:

Case #ZA-02-22 – This is a request by Cory and Lindsey Jones to obtain relief from maximum square feet, height requirements, and allowable limit of structures, to construct a six thousand (6,000) square foot accessory building with dimensions of one hundred twenty feet long by fifty feet deep (120' L x 50' D). The proposed structure will also have an attached porch which will be an additional one thousand four hundred forty (1,440) square feet, with dimensions of one hundred twenty feet wide by twelve feet deep (120' W x 12' D). The overall square footage of the building will be seven thousand four hundred forty (7,440) square feet. Appellant is also seeking relief for the height of the structure, which will be twenty-eight feet, nine and one half inches high (28' 9 1/2"), and wishes to retain an existing five hundred seventy-six (576) square foot shed. This property is located at 3080 Dobbins Road, Poland Township, Poland, Ohio, known as GL 18, parcel number 35-047-0-005.00-0 and is located in a Residential-1 (R-1) zoning district.

Items included in packet submitted:

1. Zoning Permit Denial Form
2. Application for Variance
3. Letter of Intent
4. Property Description (Auditor)
5. 2017 Aerial view with previous home on property
6. Zoning Department property info
7. Zoning District Map
8. Plot Plan/Site Plan
9. Elevation Plans
10. Memo from Patty Magazzino regarding aerials
11. Warranty Deed

Cory Jones
3080 Dobbins Road

Jones stated he needs more storage. He is a 10 year Army Veteran and likes everything clean with nothing sitting out. He stated it will match the house. He is asking for the addition on the height so it matches the roof line of the house.

Bob Durick asked if there were any complaints from neighbors. Jones stated the Board of Education is on three sides and one neighbor on the back side is on Clingan Road and there have been no complaints.

Bob Monus stated he has had numerous conversations with the appellant as far as what he wants to do. He has some items on his property that he wants to be under shelter.

Ricky Morrison stated the house is beautiful and he is sure that the garage will be just as nice as the house. Mike Johnston agreed and stated what they have done so far is impressive.

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

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Mike Johnston stated his first thought was that the building was too big, until he drove by and looked at it closer. He is favor of the request. Ricky Morrison stated as long as the neighbors do not complain, he also has no issue with it.

The following motion was made:

Motion

Ricky Morrison made a motion in Case ZA-02-22 to grant the variance to allow roof height not to exceed twenty-eight feet nine and one half inches (28' 9 ½") to the peak, as well as to allow for the construction of a six thousand (6,000) square foot accessory structure, as per the plans submitted. Also, to allow the existing five hundred eighty-eight (588) square foot shed to remain on the property. John Grahovac seconded the motion.

Voting:

Yes Ricky Morrison
Yes John Grahovac
Yes Al Sciulli
Yes Mike Johnston
Yes Bob Durick

Motion carried.

Mike Johnston stated the next meeting will be held on February 24, 2022.

Ricky Morrison asked all Board Members verify their information on the new Zoning Board Directory that was distributed.

Meeting adjourned at 8:00 p.m.

Submitted by:

Michele Richards/Recording Secretary

cc: Trustees (3)
 Board of Zoning Appeals (6)
 Zoning Commission (6)
 Paul. Canter, Fiscal Officer (1)
 File (1)