

**Board of Zoning Appeals Meeting
December 3, 2020
ZA-09-20**

Members/Attendance: X Jim Burgham
 X Michael Johnston
 X Ricky Morrison
 X Albert Sciulli
 X Robert Durick

Also in attendance: X Bob Monus, Zoning Inspector
 X Patty Magazzine, Assistant Zoning Inspector

Mike Johnston called the meeting to order at 7:04 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 August 27, 2020. Jim Burgham made a motion to approve the minutes from the August 27, 2020 meeting. Al Sciulli seconded the motion.

Voting:

Yes Jim Burgham
Yes Al Sciulli
Yes Bob Durick
Yes Mike Johnston
Yes Ricky Morrison

Motion carried.

2nd Order of Business:

Case #ZA-06-20 – This is a variance request by John and Krystal Zoumis to obtain relief from swimming pool regulations, which requires a fence height of at least six (6) feet. The appellant wishes to retain a fence that is five (5) feet in height. Their property is located at 3354 Ridgely Park, and is known as parcel number 35-023-0-004.29-0, lot number 8, and is situated in Poland Township, Poland, Ohio, in a Residential-2 (R-2) zoning district.

Items included in packet submitted:

1. Zoning Permit Denial Form
2. Application for Variance
3. Letter of Intent
4. Property Description (Zoning)
5. Property Description (Auditor)
6. Zoning District Map
7. 2017 Aerial Map
8. Site Plan
9. Proposal from Customized Vinyl Sales Fence & Decks
10. Future Pool Design
11. Warranty Deed

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Krystal Zoumis
3354 Ridgely Park

Krystal Zoumis makes a statement that her claim is very well stated in her letter of intent and then proceeds to expand on her request.

Jim Burgham asks the appellant to clarify what was stated in her letter as far as some areas being six (6) inches short of the required six (6) foot guidelines. Burgham asks if it varies somewhere between five (5) feet and five (5) feet six (6) inches. Krystal affirms that statement.

Bob Durick asks what structures are currently in the fence. Krystal stated a trampoline and a swing set. Durick asks if the fence is a similar fence to what the other neighbors have. Krystal stated yes, wrought iron is required for the development. Durick asks if other people in the development have pools. Krystal stated yes.

Al Sciulli stated he feels it is an unnecessary hardship to ask the appellants to add six (6) to twelve (12) inches to an existing fence and feels very strongly that we should not force these residents to do anything with their fence, except to put their pool behind it.

Jim Burgham stated that variances cannot be granted for financial reasons as stated clearly in the zoning rules. He is also concerned that we are starting something here that five (5) feet becomes the norm. He stated that six (6) feet was placed in the zoning regulations. He stated that this would set precedence that five (5) feet has now become the norm with this Board. He feels that people will be asking the Board for one (1) foot relief to save money and that is his concern.

Krystal stated she respects his opinion and rules and that she accidentally called the Village and their regulations are only five (5) to seven (7) feet.

Mike Johnston stated that they did some research and found it is different in other areas. He also stated that he did a couple of Google searches on this type of fence and suggested that they check around because there are extensions that go on top of the fence and he feels it is possible to raise it.

John Zoumis
3354 Ridgely Park

John Zoumis stated that he looked into what Mike Johnston suggested as far as an extension, but because their fence is aluminum you cannot weld anything on it without messing it up. It would also not look right and structurally it would not hold it.

Jim Burgham stated that Zoumis is correct that you cannot weld onto aluminum. He said he has seen it done where they built a ladder structure and bolted it to the top rail. He also suggested raising the fence from the ground. Zoumis explained why this would not work and that it would be very costly.

More discussion ensued between the Board and the appellants.

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

The following motion was made:

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Motion

Al Sciulli made a motion in Case ZA-09-20 to grant the variance to retain the existing five (5) foot fence. Bob Durick seconded the motion.

Voting:

Yes Al Sciulli
Yes Bob Durick
No Mike Johnston
No Jim Burgham
No Ricky Morrison

Motion denied.

A neighbor asks to speak. Mike Johnston stated that a motion has already been made and apologizes. More discussion ensues between the Board and the appellants.

Meeting adjourned at 7:28 p.m.

Submitted by:

Michele Richards/Recording Secretary

cc: Trustees (3)
Board of Zoning Appeals (5)
Zoning Commission (6)
Paul. Canter, Fiscal Officer (1)
File (1)