

Board of Zoning Appeals Meeting Minutes
October 22, 2008

Vice-Chairman Dave Robinson convened the Board of Zoning Appeals meeting at 6:00 p.m. Present were Paul Wilkerson, Robert Juve (arrived late), Neal Call, Dave Robinson, Bill Daniel and Russell Hose. Chairman Joe Weinstein was absent. Assistant Zoning Inspectors Sue Schultz and Matt Springer were present.

Mr. Robinson moved to approve the minutes from September 24, 2008 as submitted and postpone the approval of the minutes from July 23, 2008 until the next Board of Zoning Appeals meeting, Mr. Wilkerson, second. Mr. Robinson called for the vote. Mr. Hose, aye, Mr. Wilkerson, aye, Mr. Call, aye, Mr. Daniel, aye. The motion carried.

NEW BUSINESS:

PUBLIC HEARING

APPLICANT: **MITCHELL VOLK**

LANDOWNER: **MITCHELL VOLK**

LOCATION: **2026 COON RD.**

ZONING DISTRICT: **R-1**

VARIANCE: **ARTICLE III, SECTION CC WHICH STATES THE MAXIMUM SIZE OF A DETACHED GARAGE CAN BE 900 SQUARE FEET. APPLICANT PROPOSES 1,008 SQUARE FEET.**

Vice-Chairman Robinson opened the public hearing.

Vice-Chairman Robinson swore in all persons that wished to speak.

Vice-Chairman Robinson swore in Sue Schultz and Matt Springer.

Mr. Mitchell Volk stated that his property is approximately 2 acres and is heavily wooded with large rocks, cliffs and has a steep sloping yard.

Mr. Call asked if there was a reason why the garage needed to be 1,008 square feet as opposed to the allowable 900 square feet.

Mr. Volk said, "yes, I have six automobiles, a motorcycle, a riding mower with a grass catcher and numerous other pieces of equipment that I currently cannot fit inside my attached garage."

Mr. Wilkerson asked how Mr. Volk plans to gain driveway access to the proposed detached garage.

Mr. Volk said there is a path that curves around the south side of the house and goes into the existing detached garage. This path would remain the same.

Mr. Wilkerson asked Mr. Volk if the newly constructed detached garage would be the only building on the lot other than the house.

Mr. Volk said "yes, I will tear down both the detached garage and the small accessory building to make room for the new detached garage."

Vice-Chairman Robinson asked for additional comments from the floor. None were offered.

Mr. Hose moved to close the public hearing, Mr. Daniel, second. Mr. Robinson called for the vote. Mr. Call, aye, Mr. Daniel, aye, Mr. Wilkerson, aye, Mr. Hose, aye. The motion carried.

Mr. Wilkerson moved for the approval of the Variance as submitted, Mr. Daniel, second. Mr. Robinson called for the vote. Mr. Call, aye, Mr. Daniel, aye, Mr. Wilkerson, aye, Mr. Hose, aye. The motion carried.

PUBLIC HEARING

APPLICANT: **OSCAR FRALEY**

LANDOWNER: **OSCAR FRALEY**

LOCATION: **924 SUGAR RD.**

ZONING DISTRICT: **R-3**

VARIANCE: **ARTICLE III, SECTION CC WHICH STATES ONE (1) DETACHED GARAGE IS PERMITTED ON A SINGLE PARCEL.**

Vice-Chairman Robinson opened the public hearing.

Vice-Chairman Robinson stated the request is for a Variance from Section CC which states that only one (1) detached garage is permitted on a single lot.

Vice-Chairman Robinson swore in all persons that wished to speak.

Mr. Oscar Fraley stated he built this rental house in 1979 with a 20 square foot by 20 square foot two-car detached garage along with a 750 square foot storage building for mowing equipment. Mr. Fraley said, "The existing dwelling is a duplex but only one side of the duplex has a detached garage for usage."

Mr. Wilkerson asked if there was a ditch or stream on the west side of the property.

Mr. Fraley said "yes, there is a small drainage ditch which flows through my property and drains into Pigeon Creek."

Mr. Wilkerson asked if the ditch is near the proposed detached garage.

Mr. Fraley said "no."

Mr. Fraley asked if he could change the requested amount from 20' by 20' to 22' by 22'.

Ms. Schultz stated that she didn't have a problem with that so long as the Summit County Health Department approved the changes.

Vice-Chairman Robinson asked for additional comments from the floor. None were offered.

Mr. Call moved to close the public hearing, Mr. Daniel, second. Mr. Robinson called for the vote. Mr. Call, aye, Mr. Daniel, aye, Mr. Wilkerson, aye, Mr. Hose, aye. The motion carried.

Mr. Wilkerson moved for the approval of the Variance with the condition that the maximum size of the detached garage would be no larger than 22' by 22', Mr. Hose, second. Mr. Robinson called for the vote. Mr. Call, aye, Mr. Daniel, aye, Mr. Wilkerson, aye, Mr. Hose, aye. The motion carried.

With no further business to come before the Board, the meeting was adjourned at 6:37 p.m.

FUTURE MEETING DATE: Wednesday, November 19, 2008.

Approved By:

Submitted By:

Dave Robinson, Vice-Chairman

Matt Springer, Assistant Z.I.