

***RAVENNA TOWNSHIP  
BOARD OF ZONING APPEALS***

*JEFF GAYNOR, CHAIRMAN, REMY ARNESS  
GARY LONG, DOROTHY GRIFFITHS, AND CLAIRE MOORE*

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The Ravenna Township Board of Zoning Appeals met May 13, 2015 at 7:00p.m. at the Ravenna Township Trustee Meeting Room at 6115 S. Spring St., Ravenna, Ohio 44266.

In the absence of Chairman, Jeff Gaynor, Co-Chairman, Gary Long brought the meeting to order at 7:00 p.m.

Roll call was made with board members present: Remy Arness, Dorothy Griffiths, Gary Long, Claire Moore, Jim DiPaola, Zoning Inspector, and Carolyn Chambers, Zoning Secretary. Jeff Gaynor was absent.

Gary: New business to be addressed tonight is application 2015 BZA 03. Do we have a representative here this evening? If you want to step forward and we will swear you in. Dan Plaso, 1249 Kennedy Road, Streetsboro

Gary: What is the nature of your request?

Dan: I am here for Dave Thomas, they need a variance for a building.

Gary: Any questions from the Board? I guess my first question is what is the reasoning for having it in front of your home?

Dan: We have a hardship in a few different ways. In the front of the house, there is a pond and there is no way to get a driveway up and around that way and on the left side of the house are the septic tanks so we can't put a driveway to go across there to put a building in the back. This here, points to the back and shows where the septic tanks are and the pond.

Gary: How big is the building again?

Dan: The overall footage will be 32x40

Remy: How much land do you have out there?

Beth: 2.75 acres

Dan: The house sets very far back from the road and again because of how the grade is there is why the house is put there I imagine.

Beth: In the very back is trees.

Dan: Then it drops off quite steeply.

Claire: is there already a garage on the property?

Dan: There is an attached garage.

Gary: To the home?

Dan: Yes, but with the lawn mowers and things like that in there you can't park inside.

Gary: This is going to be on skids?

Dan: No, this a post spring construction building.

Dorothy: 4 inch concrete floor?

Dan: Yes

Dorothy: It is going to be used, how?

Dan: As a garage.

Gary: You are not going to have a drive to it?

Dan: The drive is to it already where we would like to put it. The drive comes up and there is actually a turn around right there and that's where the building will set. The building will match the house as far as siding and shingles and there is also going to be a porch with it so it's a nice looking building. It's not just a square box.

Gary: Utilities?

Dan: I'm sure he will run electric to it.

Gary: Only?

Dan: That's my understanding, yes.

Gary: We just don't want another dwelling there.

Dan: Right.

Gary: Any questions for the rest of the Board?

Dorothy: I'm assuming you've got all the building permits?

Dan: Well, we can't get a building until after Zoning, then once I get the zoning then I take everything to Portage County with the drawing and with the actual building permit and everything is effected in that manner.

Claire: So, looking at this, where is the house?

Dan: Points to map showing where the house is setting and where the building will be.

Remy: Is this residential medium?

Jim: Yes, it is RM

Dan: Still pointing to map and showing how there is no way to get back to any building. Because it sits back so far we are already behind everybody else so we are not too close to the encroachment of the road or anything that way.

Jim: With their size lot they are allowed to build up to a 2,000 sq. ft. accessory building, up to two acres it's 1100 and anything over two acres is 2,000 sq. ft.

Gary: Any other questions from the Board or comments? How about the audience, any questions or concerns? Swears in Carl Sweigert 3334 Hommon Rd. I am the property immediately east of Beth and Dave Thomas and of course my property would be the only one that would be directly affected and I have absolutely no problems putting the building where they want to put it and added to the record they are pretty darn good neighbors too.

Gary: Any others? Any other input Jim?

Jim, No, other than in that area it is a unique situation and they are very limited as far as where they can put it and they are far back the road enough that there are other similar places in the township that have the same layout where the building is up front like that too.

Claire: I was just going to ask that, are there any other buildings like that on the street?

Jim: Not on the street.

Gary: I will entertain a motion pertaining to this request.

Remy: I move that we accept the application 03 as written

Dorothy: I'll second that.

Gary: All in favor. R/C: Claire Moore – yes, Gary Long – yes, Dorothy Griffiths – yes, and Remy Arness – yes. Motion passed

Gary: Your request has been approved there is a 30 day appeal if anyone has a problem with that against the decision that the Board has approve. We will journalize that tonight and then you are free to proceed. There is a 30 day waiting appeal period though.

Jim: If you want to get started with it, I don't think you'll have any bolts of lightning coming down or anything like that.

Gary: You folks are welcome to stay, we have other business to take care of. Thank you we need some old business. We forgot to journalize the Happy Trails request so we need to do that tonight. The chair needs a motion to journalize 2015 BZA 02 from Happy Trails of last meeting.

Dorothy: So Move

Claire: I'll second it

R/C: Dorothy Griffiths – yes, Remy Arness – yes, Gary Long – yes, and Claire Moore – yes

Remy: Now we need a motion to journalize BZA 03. I make that motion

Dorothy: I'll second it R/C: Gary Long – yes, Claire Moore – yes, Dorothy Griffiths – yes, Remy Arness – yes.

Gary: We need to approve the minutes from the last meeting.

Claire: I move to approve them

Dorothy: I'll second.

R/C: Claire Moore – yes, Dorothy Griffiths – yes, Remy Arness – yes, and Gary Long – yes.

Gary: Then we have another piece of old business that Jim's going to enlighten us on here.

Jim: We have the decision on Circle K at Cotton Corners has been appealed by the property owner. An appeal has been filed in Common Pleas Court. This needs to be filled out by the Board, what the Prosecutor has requested as a conclusion of fact, which basically is this form which says Pursued to Revised Code 2506.0385 the Board of Zoning Appeals of Ravenna Township, Portage County Ohio hereby sets forth its conclusions of fact supporting its decision made whenever that date was, that was approved and journalized on the same date. Granting denying that application for a variance. It's just basically your facts that lead you to that conclusion and that has to be stated on this form then the Board has to sign it. They need that so that they can proceed with the court case. So that the Prosecutor can file on the townships behalf and the boards behalf.

Dorothy: How long do we have to put this together?

Jim: Tonight

Gary: It should not be that complicated because if we have the minutes and the journalization and if I remember right we denied it based on the resolution portion that covers that there cannot be any signs within the right of way. I think that is short simple and sweet and that is the answer.

Jim: I can just stick that section of the code in there?

Gary: That's what we denied it on

Jim: March 11, 2015 it was journalized the same day, I have all the stuff here, so we just have to fill in that section and you guys sign it and in fact you can sign it tonight and I will fill it in Monday.

Claire: Should I sign it because I was not here to vote on it that night.

Jim: No, were you here either meeting?

Claire: I was here for the first meeting

Jim: But, you didn't come to the second meeting to vote on it?

Claire: I was sick

Remy: Just put abstained

Gary: When we had to vote, Claire was here but she was not at one of the meetings so she abstained and that is not a problem.

Remy: I have March 11, 2015 minutes here and it does show the section 100. On the signage

Jim: It shows that a sign shall not be located in the right of way.

Remy: We were uncomfortable on that. There is a reason why the zoning had decided that signs had to be place at that distance and it wasn't for us to question that and then the response the letter we got all it said was, it stated they didn't care about the sign. It was a very noncommittal, yes they can keep their sign.

Gary: It came from a Real Estate agent

Jim: Part of the problem, and I told the Prosecutor that. The State of Ohio did not supply the request in question. They were ask specifically by you and me. Do you have any problem with the sign remaining in the right of way and all they said was it did not affect construction? It didn't say anything else.

Gary: I think you should put that in there also. That one plus the violation of the regulation.

Dorothy: If they ask. I don't think we should volunteer any extra.

Jim: No, I'm not going to put a lot of extra. It just says conclusion of fact. We denied it because the code says that it is not supposed to be located in the right of way. That is short and simple and there shouldn't be a lawyer that would have problem with the signage.

Gary: Do we need Jeff to sign that?

Jim: We will, I will wait until he comes back to sign it and I'll let the Prosecutor know.

Gary: I don't know when he will be back.

Jim: They'll just have to wait. They make us wait for everything.

Gary: We can sign it tonight and that will be done.

Jim: Leave the first line blank for Jeff and sign the next line. The health dept. is proceeding with that problem behind you and Mrs. Meduri is not picking up her certified mail.

Claire: I'm shocked. Have you driven by and looked at the hole and the latter from nowhere?

Jim: Yes, I have driven by and took pictures and I sent them to the health dept. said this is the problem in the backyard. The guy said no problem.

Claire: So, what do they do?

Jim: They go out and investigate, like I do then he decides if it is a violation and then he has to take it to his health board before he can file against the property owner. She is back playing her games. I have to make an appointment to get the thing in court now. I

ask Chris, what do we do if she doesn't response? I think he is going to say we just go to the judge and as for a declaratory judgement and go after her.

Gary: Ok, there is no meeting scheduled for next month?

Jim: Yes, you will. If the application gets here by Friday, which they said it will be, then you will have a meeting for next month.

Gary: That is going to be on June 10, 2015. That would be the second Wednesday. Is there anything else that needs to be brought up before the Board tonight? Chair will entertain a motion for adjournment.

Remy: I so move

Meeting adjourned at 7:30 p.m.

Respectfully submitted by

Carolyn Chambers  
Zoning Secretary

CC: Trustees (3)  
BZA (5)  
Zoning Inspector  
File