

RAVENNA TOWNSHIP BOARD OF ZONING APPEALS

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The Ravenna Township Board of Zoning Appeals met November 9, 2011 at 7:00p.m. in the Ravenna Township Trustee Meeting Room at 6115 S. Spring St., Ravenna, Ohio 44266.

Jeff Gaynor brought the meeting to order at 7:00 p.m.

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

On the agenda for the evening was a variance request for Resolution #2011 BZA 11, Josh Tisher 6575 Red Brush Rd. Ravenna, Ohio 44266

There was no Old Business:

New Business:

Jeff, swears in Josh Tisher, 6575 Red Brush Road, Ravenna, Ohio 44266

Jeff: What is the nature of your request?

Josh: Basically adding or connecting to an existing pole building on the property and looking to add an accessory building to include storing vehicles, as an access for lawn mowers, working area, work shop, and on top of that we are going to be using it for recreation for the family basketball, ping pong, misc., family function, corn hole. There is a lot of stuff that can be done. When it is raining outside or cold. I coach baseball and my boys are very into sports and looking forward to having a little bit more room inside and pretty much my dream and the family dream to get the building put up.

Jeff: The building you have now is (points to map)

Josh: Points to map where the building is and explains it is a pole construction and this is going to be a plot construction.

Jeff: It looks sort of like two buildings in a L shape two 32x40

Josh: Yes, as far as they will be connected, the other drawings will be easier to see. The Ariel view is a little bit closer. This is the current building and I am going to come out here and space off a retaining wall, this is actually a grate, this is the top of the hill and this actually grates down and is going to be blocked inside of the hill. Relatively 7 to 8 feet down in the ground and it is going to connect to the existing roofs here and also connect so it looks nicer and will be sided to match the whole building.

Jeff: This is going to be at one level?

Josh: Yes,

Jeff: 16 feet and this building will have a maximum height of around 20 feet, is that accurate? 16 to the wall and then the pitch. Jim is there any problem connecting a block building to a pole building. Jim shakes his head no.

Jim Acklin: What's the existing building right now?

Josh: It's a pole and obviously going down into the ground I have to work with the block as far as the walls, I'm going to leave a gap connection to put the retaining wall in so I don't want to dig under the existing garage and put a retaining wall underneath so I'm going to space it out and pull out and then back fill. Basically the side view would be the best view with the grate with the ground that comes down and the flatter area of the property down below and this is pretty close as what you see there. (Looking at the map) Jeff asks which building he is connecting to.

Josh points to the map and Jeff ask what is this structure here on the map.

Josh: A small block building.

Jeff: How big?

Josh: 19x17.

Jeff: Zoning district is RL?

Jim Acklin: What's the total acreage?

Josh: 1.5 acres

Gary: 1.56

Josh: Yes.

Jeff: Anyone else on the Board have any questions at this point?

Jim Acklin: How close is this going to be to the building?

Josh: The new construct is going to be close; I'm looking at approximately 40 to 50 feet from the corner of the building. I've revised and might be trying to pull it into the hill possibility a little bit more and then I should be farther away from the property line and more of it will be on the grate. The way this hill is laid out it runs from . . . basically I would be getting into more level ground when I talked to my contactor he said that there wouldn't be a problem if I wanted to cut back in a little bit to tuck it into the hill a little bit more.

Jim Acklin: Concrete floor?

Josh: Yes

Jeff: Swears in Jim DiPaola, Zoning Inspector. Are we ok building this two feet away from the other building with the intention that it be connected and become one building because normally we couldn't put it two feet away.

Jim DiPaola: Normally it has to be fifteen feet away that is what part of the variance is for.

Jeff: Ok, so we can stipulate that it be attached and become one building at that point?

Jim DiPaola: If you so wish.

Jeff: Any other questions?

Gary: It is almost double. Points to page 112 in the Zoning Code.

Jeff: Yes, it is a lot of building on that size property.

Remy: It comes out to over 3400 sq. feet covered with a max of 1200 of that size lot.

Jim Acklin: You are not going to make a coaching business out of this are you?

Josh: No, my kids and I are active and in the winter they like to get around. This is going to be a great activity, my parents come up and play ping pong, corn hole and it is a good family time we spent together instead of sitting in front of a box. I don't watch a lot of TV but my kids they love sports and with the one section I plan on having a half court so they can continue to practice and play and have friends over. There is no intention of turning this into commercial type of deal.

Jeff: Is there anyone else that wishes to speak on this matter? Swears in Bill Milcetic, 6569 Red Brush Road, Ravenna, Ohio 44266

Jeff: You are here? Points to map

Bill: Points to map shows where his house sits.

Jeff: Your interest in this proceeding?

Bill: I'm against having this big of structure put in front of the house. It took us a long time to buy this piece of property. We bought it in the residential low density place so we would have a sense of space. I have other issues with the property, when Warren Tisher owned this property we did a land swap to work this deal out. Originally there was an easement on his property which encumbered most of this part of the property. I released him from that easement and at the time I gave him a easement because he wanted to get to the shed. The problem is I've had with Josh, I had to put up a fence because I had a hard time stopping him from accessing this building using my whole driveway, rather than coming in the apron which is the intended easement. Furthermore, there was times when he would have his guest drive up and park up here on my property. So I had to put a fence in here to stop that process. I'm really concerned that if you put a huge building here it maybe alright for temporary future but then this easement and God knows how many people are going to be using this building in the future, it's a big building and if his property ever changes hands God knows what the next person would want to do. There are huge problems and I learned this by giving this easement this last time. Who you think you are dealing with now really changes in the future. So I'm really, really concerned about them being allowed to put three times the amount of accessory building on this small of lot.

Jeff: Understood

Jim Acklin: So there is an easement there?

Bill: Yes, there is an easement that their allowed because there is an old driveway that used to go back to the garage. When I did the land swap and I did a land swap over here with Ed Kibler when I bought this property twelve years ago. Warren then wanted to be able to access and he had this driveway here so I allowed them to come in. But then Josh started using this part.

Jim Acklin: So where is the allowed easement?

Bill: There used to be a driveway here, points to map. So it was only this portion and that is what's in effect now. On my apron off of Red Brush.

Jim Acklin: Is it part of you deed or anything?

Bill: I gave him an easement; it's not just a verbal form. So that becomes a real problem for the future of how much the driveway can be used if that building ever becomes something different than what they are saying now. Things do change; I've learned that with the intent that I gave originally.

Jeff: Ok, is there anything else?

Bill: I think it's too much of a building considering there is also a shed back here. There's an attached garage there's just a lot on one property.

Jeff: Anyone else wish to speak: Swears in Ed Kibler, 6601 Red Brush Rd. Ravenna, Ohio.

Ed: Points to the map where his house is located. I want to say as far as the number of buildings on the property, I think he has as many now as zoning allows and I question sometimes why we have zoning if they can change it easily.

Jeff: Any other specific comments?

Ed: Actually, from my house you probably wouldn't be seeing the building but it is a pretty large building to be putting on an acre and a half over and above what is already there. I've got buildings on my place but I have over five acres.

Jeff: Ok, that is it I guess, Mr. Tisher the building in the back here did you say 17 by 19?

Remy: It's marked here.

Jeff: The total for the new construction, the existing building, and the existing garage comes out to 3443. Any other questions or comments from the board? Does the Zoning Inspector wish to make a comment?

Jim DiPaola: Under the code he is allowed, he is allowed a maximum of 2400 sq. feet in accessory building, which would be two 1200 sq. ft. buildings. Plus an attached or detached garage so the building he wants to attach this one building to in my calculations was the detached garage. So he has a detached garage, a 17x19 shed and he wants to put up a 2400 sq. ft. Under the code he is allowed up to 2400 sq. ft. plus whatever the detached garage is and the code says that the detached garage has to be 50% or less of what the square footage of the house is and he meets that requirement. So by code he is allowed up to 3277 sq. ft. His request brings the total accessory building up to 3443 that's what we used in our calculating.

Jeff: On page 112 in the book here Jim, under regulations of accessory buildings it says accessory of all buildings up to two acres not exceeding 1200 ft.

Ed: Does that count the little building down there.

Jeff: Yes

Jim DiPaola: So all told it is 1200 sq. ft. plus whatever the detached garage is. Is what the calculation should read sq. ft.

Jeff: Swears in Patsy Artz, Trustee, 6638 Peck Rd. Ravenna, Ohio

Patsy: I'm a little concerned because I help write this book and that's almost 50% over what is allowed. It is 2400 feet and its 3400 feet. I'm real concerned about that that's an awful lot of buildings, it's almost more than a variance it is almost a change in the code and I'm very concerned about that. We put this book together trying to consider everything and I'm afraid that's an awful lot of extra covered space there as we wrote it. That's almost 50% over and as a Trustee and co-writer of the book I would be very concerned with that big of variance difference.

Remy: Does the house have an attached garage?

Josh: Yes, a single one

Jeff: How big is the house?

Gary: Jim the out building that is 17x19 and the existing out building is 24x30. Am I correct in thinking that those two buildings plus 1200 feet is allowable? Is that what you are telling me?

Jim DiPaola: Take the existing 24x30 and the 17x19 he would be allowed 1920 total.

Remy: He is actually doing more than one variance because shall be located in the rear lot too for accessory building. If we view that as a detached garage then we are attaching an accessory building to a detached garage then that would no longer be a detached garage then right?

Gary: That's right it would be one unit.

Remy: We have a lot to think about here.

Jeff: Board will recess for five minutes please. The meeting is back in session and the chair will entertain a motion pertaining to the variance request before it.

Dorothy: Moved that they deny the variance and Remy Arness second it.

R/C: Remy Arness-yes, Jeff Gaynor-yes, Jim Acklin-yes, Dorothy Griffiths-yes, and Gary Long-yes.

Jeff: The board has denied your request for this variance. There is other small business before the board this evening you folks can stay as you wish.

Josh: What is there as far as availability for what would fit within the guidelines?

Jeff: You are allowed a garage and an accessory building not counting the garage.

Excluding attached and detached garages you are allowed 1200 sq. ft. If the two buildings are going to be attached we wouldn't have a problem with that because they become one building at that point even though they have separate foundations.

Remy: If they attached it then it becomes a detached garage?

Jim DiPaola: As long as it's not connected to the house it's still detached.

Jim Acklin: So instead of being an accessory building now it becomes part of the detached garage. What is the size of the detached garage?

Jim DiPaola: It has to be 50% or less of the sq. footage of the house.

Remy: So if he puts something together it will be 1900 that's bigger than his house so it can't be a detached garage. It would have to be an accessory building. It's a catch 22.

Jim Acklin: So tear down your shed 19x17 then you could build your 1200 sq. ft. building. That's what it basically says or subtract your 19x17 building. It's one or the other.

Jeff: If you attach it to your garage then your garage becomes too big.

Jim DiPaola: You can either add on to the shed to make it 1200 sq. ft. or tear it down or put up a 1200 sq. ft. building.

Jim Acklin: Total accessory building is 1200 sq. ft. however you want to figure that out it's up to you.

Bill: So he has an attached garage and a detached garage so you are allowed to have both and an accessory building?

Jim Acklin: Well those are already there.

Bill: The attached garage, but I thought it's an attached garage and detached garage and accessory building, that's where I'm confused.

Remy: Well, his attached garage isn't up to code so to speak, so we are viewing that more as storage, we are considering the 24x30 up front as the garage, it's Grandfathered in it should be in the back yard not the front yard.

Jeff: The chair will entertain a motion to journalize the decision we made this evening.

Remy made the motion and Gary seconded it. R/C Jeff Gaynor-yes, Gary Long-yes, Jim Acklin-yes, Dorothy Griffith-yes, and Remy Arness-yes Motion passed.

Minutes from last month's October 19, 2011 meeting were to be approved. Gary Long made the motion to accept the minutes as presented. Dorothy Griffiths seconded it, R/C: Gary Long-yes, Remy Arness-yes, , Jim Acklin-yes Dorothy Griffiths-yes, and Jeff Gaynor-yes. Minutes approved.

Remy Arness made the motion to adjourn. Jeff adjourned the meeting at 7:55.

Respectfully submitted by

Carolyn Chambers

Zoning Secretary

Cc: Trustees (Coia, Artz, Gibson)
Zoning Inspector (DiPaola)
Board of Zoning Appeals Member (5)
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