

BOARD OF ZONING APPEALS HEARING

SEPTEMBER 14, 2022 @ 7:00 PM

BZA #2022-012

- 1.MM: good evening I would like to call this meeting to order for Ravenna Township Board of Zoning Appeals, September 14, 2022, 7:00PM, the meeting agenda is going to be reversed, we are now starting with 2022-012 in the beginning I would like to call the roll call, Gary Long; yes, Remy; yes, Claire; yes, JoAnn; yes, and Jeff is absent
- 2.Gary: and did you call Jeff, did you name Jeff
- 3.MM: I did name Jeff, he is absent
- 4.Gary: let the record see that we have a quorum and a couple of things I want to talk about before we get started is, when it is your turn to present, please step forward and I will give you an oath and state your name and your address and then we will get started. The first case that we are going to hear tonight is BZA 2022-012 Robert Mathis and would you step forward please. The presentation and testimony that you give today is the whole truth
- 5.Robert: yes sir
- 6.Gary: okay, state your name and your address please
- 7.Robert: my name is Robert Mathis, address is 6459 Genevieve Ravenna
- 8.Gary: and what is your presentation tonight
- 9.Robert: I would like to; I want to purchase a 10x20 shed to put on our property and it's built by Old Hickory up on 14. The way the law reads now is I'm supposed to get a footer and a concrete pad. The way the shed is built, it has runners, so it could be picked up with a forklift and placed on a solid ground, so I don't need a footer, the county has said that I don't need a footer, I talked to those guys so I can't move the shed. It's going to be 15ft from the house, 3ft from the property line, I can't move it because of the septic system, if I move it downgrade it's in a swamp during the winter and there isn't any other place where I could put this thing
- 10.Remy: have you already purchased it
- 11.Robert: No, my neighbors know exactly where I want to put it, 2 of them are here to support
- 12.Claire: you already have one shed
- 13.Robert: I already have one shed; it was there when we bought the house \
- 14.Gary: and that's the existing
- 15.Robert: it's 10 x 15 or something like that (talking over Gary)
- 16.Gary: and the one that you are proposing is 10 x 20
- 17.Robert: Correct
- 18.Gary: and you don't indicate on your map, but what is the, you are 13ft, you are 13ft from the back of your house
- 19.Robert: no 15, the ordinance, the rule is 15ft from the house
- 20.Gary: and your existing is 13
- 21.Robert: the existing shed is 10 x 15
- 22.Gary: yes sir
- 23.Robert: and it's up against the house
- 24.Gary: yes sir, I'm talking about your proposed shed
- 25.Robert: okay, it will be 15ft from the house and 3ft off of the property line
- 26.Claire: you can't move that over any towards the center
- 27.Robert: I can't because of the septic system
- 28.Claire: I see where the septic system is but what about further back on the property and more to the center of the property

29.Robert: well, there is a grade, just past the septic there is a grade and if I go south, that would be west, if I go the other way, that destroys the use of our back yard. So, if I put it where I am proposing we get the use of our yard, in the springtime I want to plant black raspberries and the shed would interfere with that

30.Gary: once again why can't you move it to the west away from the house

31.Robert: it would interfere with the use of the property, if I move it too far then I can't get into it in the wintertime

32.Gary: is there a driveway in the back of your house

33.Robert: no, I just want to put my lawn mower and I have a couple chainsaws and a snow blower

34.Claire: I don't have a problem with the shed itself, I don't like the fact that it's only 3ft off the property line. If you could move it further from the property line.

35.Robert: okay how much further, if I move it more than a couple feet it will be over our septic system, and when the sewer goes through, how is the septic system going to get destroyed

36.Claire: well, I wouldn't want you to put it on top of your septic system, but I am saying further back on the property, I don't know, what do you guys think (asking the board)

37.Gary: so, since it's going to be mobile, you can pick it up and move it

38.JoAnn: I don't have a problem with it

39.Remy: how close is it to the septic system now

40.Robert: about 4ft

41.Remy: is that to the tanks or to the access

42.Robert: 6 of one half of a dozen of another

43.Remy: well, you know sometimes the tanks are wider than the access, do you plan to update this any, like run electricity to it or

44.Robert: no, at most I will run an extension cord from the house over, if I need a light in the shed

45.Gary: how do you service the septic tanks now

46.Robert: Fred's Septic is what it's called

47.Gary: how does he get in there

48.Robert: he comes around on the north side of the house, he parks on the road and brings his hose between the houses, he wouldn't have any trouble getting there

49.Gary: that's the way he does it now

50.Robert: that's the way he does it now and the shed placement wouldn't interfere with getting the septic pumped

51.Gary: again, why couldn't you move it west a number of feet, your lot is 277ft wide

52.Robert: well, I guess I have to

53.Remy: would you ever plan to have it on a permanent foundation

54.Robert: don't need it

55.Gary: (speaking to the board) that's to his advantage really

56.Remy: yeah

57.Gary: that way if he has to pull a tank or destroy a tank something, he can pick it up and move it

58.Robert: sometime or another that's going to happen, when the EPA and the county gets together

59.Brett: for the board, at over 192SF it would normally require a permanent foundation, we are anticipating a meeting with the zoning commission this fall, November/December as we frequently update the code to bring it in line with the county building standards, we would think we are moving to over 200SF would need a permanent foundation, in anticipation to that. At this time I still explained to Mr. Mathis that it would still be a variance on the foundation on this particular variance

60.Gary: pay me now or pay me later (speaking to Brett), did you understand what he was saying

61.Robert: no

62.Gary: the rule now is 192SF

63.Robert: correct

64.Gary: your building is at 200 SF

65.Robert: 8SF more

66.Gary: and if they change the resolution then you will need to put that on a permanent foundation
67.Brett: currently it would require a permanent foundation and moving forward I would like to update the zoning code this fall to make it more in line with the county building department's standards. At present he needs a variance because it's over 192SF
68.Remy: he actually has two variances, right?
69.Brett: correct
70.Remy: size which is the 8SF plus the property line, which he should be 10ft right? For the side yard off the property line
71.Gary: I think you are correct
72.Remy: well why don't we hear from, see if there is anybody in the audience wants to speak
73.Robert: pointing at a woman (she's my neighbor)
74.Remy: sure come up and introduce yourself
75.Chrystal: hi my name is Chrystal Tisone my husband behind me is Tracey Baughman
76.Brett: Ma'am you need to speak into the microphone and be sworn in as Gary is motioning to her that she needs to raise her right hand to be sworn in
77.Chrystal: oh I'm sorry, no let's do the oath
78. Gary: my mind just went blank
79.(Group laughing)
80.Gary: your presentation tonight is going to be the truth?
81.Chrystal: yes
82.Gary: please state your name and address please
83.Chrystal: my name is Chrystal Tisone, I am at 6469 Genevieve Road, right next door to Bob. So, I am the person that their property line is at with Bob and his proposed shed would be right next to us, I think he said 3ft off the property line. We are supportive of it as somebody who is right next door to him, I totally understand he has nowhere else to put the shed because the gradient is so steep, you know basically if he were even to move it down west, you can see okay yeah but he would be opening it into a gradient downhill into a swamp possibly. In the spring and the winter, sometimes that floods all the way up, honestly it can be pretty aggressive, so he really has nowhere else to put this shed except where he wants to propose it, you know and additionally I don't think he has even talked about this in terms of the concrete, the situation with the septic, he can't really move it over and it can't get a cement truck over there because of the gradient and because of the septic. So this is really the only place and we totally support that it looks fine to us, so I don't know if anybody has any questions? But.....Okay great
84.Claire: thank you
85.Remy: does anyone else want to speak on this matter
86.Gary: Brett, what's the ruling on two outbuildings
87.Brett: he's got 1200SF, and he does have any other accessory structures so he's at a third of the limits overall size wise
88.Gary: he has an existing shed that does not count?
89.Brett: it does but the size is 10 x 15 at 150SF and he's adding 200SF so that's 350 and he's a fourth of the maximum
90.Gary: okay, anyone else in the audience, anyone? Remy?
91.Remy: no I am good
92.Gary: Claire?
93.Claire: no
94.Gary: do we want any stipulations here about the building?
95.Remy: well now the stipulation that I would put in, is that it remains not on a permanent foundation, that it remains gravel and movable, you know for future purposes so that if it had to move further down or over for whatever reason
96.Robert: right

- 97.Remy: you know we can't say the neighbor today is okay with it, the neighbor tomorrow might not be and we always have to think of the future use of any property so I think that is one thing that I would want to put in there, is that it still remains moveable
- 98.Gary: okay hold that thought, on the north side of the property where the property line is, is there a neighbor?
- 99.Robert: (points to Chrystal in audience)
- 100.Gary: that's you, I thought you were to the west, and that is where you home is? (Directing questions to Chrystal) (Chrystal nodded yes)
101. Gary: okay I guess we are ready for a motion
102. Remy: I move that we accept BZA 2022-012 with the stipulation that it remains on the gravel bed that it remains moveable for any future considerations, or you know any updates or modifications, part of the property you know the septic system is one example or if there is any other issues that may arise, due to the property line. So, we are approving the 8 extra square feet and the current proposal that it remain moveable on the gravel bed and at least 3 feet off the property line, (Robert: right) if not more. I mean once its place you may find that you can move it over a little more, we would prefer it be more off the property line so it has to be at least 3ft or more off the property line.
103. Robert: okay
104. Remy: that's it for the stipulations
105. Gary: do I hear a second
106. JoAnn: second
107. Gary: can we take the roll call?
108. MM: yes, Gary; yes, Remy; yes, Claire; yes, JoAnn; yes. That motion has passed
109. Gary: the motion has passed, your variance is approved
110. Robert: okay
- 111.Gary: you have a 30-day grace period, so if there were any neighbors or yourself that would like to appeal you have that right
112. Robert: Okay
113. Gary: we will journalize, and you can have a copy of those, I think Melissa sends those in the mail.
114. MM: once they are approved yes.
115. Robert: okay thank you
- 116.Claire: Thank you have a good evening