

Franklin Township, Portage County
Board of Zoning Appeals
April 10, 2023

Present: Chair Justin Money Penny, David Hansford, Marilyn Sessions, and Sam Abell, Board Members; Joe Ciccozzi, Zoning Inspector; Jenny August, Secretary.

Mr. Money Penny called the Board of Zoning Appeals meeting to order at 7:00 p.m. He introduced the Board members and explained the procedures for the meeting.

7:00 Hearing:

At 7:00 p.m. an application by Gary Weisend at 2158 Wunderlich Ave. Kent, OH 44240 representing the property at 2144 Brady Lake Rd. Kent, OH (parcel number 12-038-40-00-006-000) was heard for variances to sections 313.06, 313.04 and 313.03 of the Franklin Township Zoning code. The code requires in an R-2 district a minimum of 1000 square feet on the ground floor, a minimum lot size of 11,000 square ft and a 10-foot side yard setback for a single-family home in an R-2 district. The applicant was requesting a variance to allow 850 sq feet on the second floor, none on the first. He also requested a side yard setback variance of 4.5 feet allowing the house to be 5.5 feet from the side lot line, and a lot variance of 7400 square feet allowing a home to be built on a lot of 3600 square feet.

Mr. Money Penny asked who was here to speak to this tonight. Mr. Gary Weisend of 2158 Wunderlich Ave. in Kent was sworn in. He acquired the property last December and it came with an old cottage built in 1915 that is beyond repair. His options are to remove the cottage and have a vacant lot, remove the cottage and just have a garage, or to tear down the old house and start fresh. The home he wants to build is a carriage style home with a two-car garage underneath and 850 square feet of living space above it. Some benefits are that we are getting rid of some lead base paint, and gaining two parking spots without enlarging the foot print. Utilities are already there. The design will increase front yard footage. He chose a flat roof to keep the same height as the neighbors.

Mrs. Sessions asked how many bedrooms he would have. Mr. Weisend said there are two. Mr. Abell asked how close is the existing structure to the side lot line. Mr. Weisend said about 8 feet. Currently there is a 20-foot-wide structure on a 36-foot-wide lot.

Mr. Money Penny noted that there was nobody there for public comment.

Regarding code section 313.03, Mr. Money Penny moved to grant a 7400 square foot variance which would allow the applicant to build a home on a 3600 square foot lot instead of the required 11,000 square foot minimum. Mrs. Sessions seconded the motion. All board members voted yes. The variance request is approved.

Regarding code section 313.04, Mr. Abell moved to grant a side yard setback variance of 4.5 feet allowing the house to be built 5.5 feet from the side lot line instead of the required 10 feet. Mr. Hansford seconded the motion. All board members voted yes. The variance request is approved.

Regarding code section 313.06, Mr. Hansford moved to grant a variance of the minimum

Living Floor Area of 1000 square feet on the ground floor with no living space because it is the garage area, and allowing for 850 square feet of living space on the second floor. Mrs. Sessions seconded the motion. All board members voted yes. The variance request is approved.

Mr. Moneypenny noted that there was a 30-day appeal period that would begin after the minutes of this meeting were journalized. The journalizing will occur at the next meeting of the Board of Zoning Appeals.

Approval of Minutes:

Mr. Abell referred back to the discussion in last month's minutes about something that is not listed as a permitted use in our zoning code. If it is not listed as a permitted use, it is considered prohibited and a variance would be needed. There was a complaint recently about someone flying a helicopter around and it is not listed as a permitted use, so Mr. Abell said it would be not be permitted. Mr. Abell moved to accept the minutes from the March 13, 2023 meeting. Mr. Moneypenny seconded the motion. All board members voted yes. The meeting minutes were approved.

Next Meeting: The next meeting is scheduled for May 8, 2023 at 7:00 pm to consider any applications that may come in.

Any Other Discussion:

Adjournment:

The hearing was adjourned at 7:19 pm.

Respectfully submitted,

Jenny August
Secretary, Board of Zoning Appeals

Approved as submitted:

Chairperson, Justin Moneypenny

Approved as amended:

Chairperson, Justin Moneypenny