

Franklin Township, Portage County
Board of Zoning Appeals
June 14, 2021

Present: Chair David Hansford, Shawn Martin, Marilyn Sessions, Justin Moneyppenny, and alternate Sam Abell, Board Members; Joe Ciccozzi, Zoning Inspector; Jenny August, Secretary.

Mr. Hansford 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 Sara Brandner, 7620 West Lake Blvd. Kent, OH 44240 for the property located on Sylvan Drive (parcel number 12-067-20-00-037-001) was heard for a variance to section 310.04.B, the minimum rear yard depth in an R1 district. The code requires a 50-foot minimum rear yard depth. The applicant is requesting a 20-foot variance to allow for a rear yard depth of 30 feet.

Mr. Hansford asked who was here to speak to this tonight. Ms. Sara Brandner of 7620 West Lake Blvd. in Kent, Ohio was sworn in. She explained that the depth of the house is 53 feet. In order to keep the required front yard setback to 45 feet, she was going to need to ask for a variance for a rear yard setback.

Mr. Martin asked her what is a reason that she wanted to build this home on the north side. Ms. Brandner said there will be a walk out basement. Mr. Hansford asked if everything is all on one lot now. Ms. Brandner said yes. Mr. Abell asked if there is a physical or vegetative border along the back property line so the neighbors are not looking into each other's back yards. Ms. Brandner said there are woods.

There were no comments from the public.

Mr. Hansford reviewed the Standards for an Area Variance:

A- Yes, B- Yes, C- No, D- No, E- Yes, F- Yes, G- Yes.

Mr. Moneyppenny moved to grant a variance of 20 ft which would allow a rear yard depth of 30 feet in a zoning district where a 50 foot minimum rear yard depth is required. Mr. Martin seconded the motion. All Board members voted yes. The variance request was granted.

Mr. Hansford 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. Hansford moved to approve the minutes from the May 10, 2021 meeting. Mr. Martin seconded the motion. Mr. Abell abstained. All others voted yes. The meeting minutes were approved.

Next Meeting: The next meeting is scheduled for July 12, 2021 at 7:00 p.m.

7:15 Hearing:

At 7:15 p.m. an application by Warren and Maria Ellison, 1383 Greenwood Ave. Kent, OH 44240 for the property located at the same address (parcel number 12-067-20-00-217-001) was heard for a variance to section 405.06.A.2.a. The code allows for an aggregate gross floor area of 768 square feet for an accessory structure on lots less than 1.5 acres. The applicant is requesting a 72 square foot variance which would allow for a total aggregate floor area of 840 square feet.

Mr. Hansford asked who was here to speak to this tonight. Mr. Warren Ellison of 1383 Greenwood Ave. Kent was sworn in. He told the Board that he is a retired mechanic after more than 40 years. He has lots of tools. His intention is to teach his grandsons to work on cars. He wants to put in a lift, which requires a minimum of 15 square feet, so building an 18 foot bay would give him a little room to move around. He would like to add 10 feet onto his current 12 X 18 foot garage, and also add a 10 x 18 foot bay. This makes the footprint 840 square feet. He was preparing for the meeting tonight and read that you are allowed 768 square feet of gross floor area. When he calculated wall to wall, his gross floor area is actually 763 square feet. He thinks that he did not even need a variance.

Mrs. Sessions asked if he will be running a business in his garage. Mr. Ellison said no, just working on his own vehicles and teaching the grandkids. Mr. Abell said our code defines gross floor area as interior wall space, and if Mr. Ellison's calculations are correct, he would agree that a variance is not needed. Mr. Ciccozzi calculated that the current garage with a 10 ft addition is 297 square feet of floor space. The new bay will be 466.32 square feet of floor space. This totals 763.32 square feet of gross floor space.

Mr. Abell said the Zoning Commission may want to look into changing the "gross floor area" requirements to be "footprint" requirements. That would include the roof overhang and walls which sometimes come into play.

There were no comments from the public.

Mr. Hansford stated that the Board agrees that a variance was not needed for his project. No action was taken. Mrs. Sessions asked Zoning Inspector Ciccozzi if he would be refunded the \$200 variance fee. Mr. Ciccozzi said yes.

Adjournment:

Mrs. Sessions moved to adjourn the hearing. Mr. Money Penny seconded the motion. The meeting was adjourned at 7:29 pm

Respectfully submitted,

Jenny August
Secretary, Board of Zoning Appeals

Approved as submitted:

Chairperson, David Hansford

Approved as amended:

Chairperson, David Hansford