

Minutes

Nimishillen Township Board of Zoning Appeals

4422 Maplegrove NE, Louisville, OH 44641

Wednesday, October 7, 2015 – 7:00 PM

Board Members Present: Pan Aslanides, Chairman
Anthony ‘Tony’ Mucci, Vice Chairman
Bill Ehlers, Member

Board Members Absent: David Foss, Secretary
Gary Brahler, Member
Thomas Davis, Alternate

Zoning Inspector: Dale Riggerbach

Township Secretary: Shelby Dieffenbaugher

Purpose: (One Case)

Appeal #615 – John & Brittany Dostal of 10819 Beech St NE Alliance, Ohio 44601, zoned R-R Rural Residential, Parcel #33-09480, is requesting a variance for an accessory building (storage of miscellaneous equipment) to be 2,700 square feet instead of the allowed 1,280 square feet, and to be 30 feet in height instead of the allowed 17 feet in height, as permitted in Section 602.4 of the Nimishillen Township Zoning Resolution.

CALL HEARING TO ORDER:

Chairman Aslanides opened tonight’s hearing at 7:00 PM and introduced all board members, zoning inspector, township secretary. Chairman Aslanides swore in everyone in attendance by asking them to swear that the information they were about to present, either in oral or written form, is true and accurate to the best of their knowledge. The people responded by stating, “I do”.

John Dostal of 10819 Beech St. stepped to the podium and explained to the Board that he was looking to build a pool barn on his property. The barn would hold 2 mowers, a bobcat, and other equipment that currently sits outside. Mr. Dostal is unsure of the size he wants to build. He was considering 40 by 60 with a porch/lean to for storage of firewood. As for the height, Mr. Dostal was thinking of 30 feet because he wants to get an RV.

Chairman Pan Aslanides asked Mr. Dostal if he had any plans to build this building. Mr. Dostal stated that yes they did have an idea, a picture, of what they wanted to build. He wants it to flow with the house. However, he is unsure of the height. He wants to make sure 30 feet would be okay. If he was approved, he would not exceed 30 feet, since he was unsure of the actual height he wants to build.

Chairman Pan Aslanides asked Mr. Dostal if his trucks for his roofing business and the bobcat would be stored in the building, and does he run his business out of his home. Mr. Dostal stated that he does not run his business out of his home. He is not registered in the Alliance area. The contractors who sell/use his business are in the Parma and Richfield.

Chairman Pan Aslanides asked Mr. Dostal if this was his business or just a company truck. Mr. Dostal stated that the roofing business is his business. All of his business is in the Cleveland area. He just doesn't like to live in a city.

Chairman Pan Aslanides asked Mr. Dostal if the bobcat was used for his business. Mr. Dostal stated that the bobcat is currently at his parents' home. They used it for their addition on their home. He just bought the bobcat for home use, not for his business.

Chairman Pan Aslanides asked Mr. Dostal if the trailer is used for his business. Mr. Dostal stated that he has 3 dump trailers, which are normally at Hartville. However, the trailer on his property currently has carpet from their rental properties.

Chairman Pan Aslanides asked Zoning Inspector Dale Rigggenbach if having a vehicle for work stored in this building would affect zoning. Mr. Rigggenbach stated that it would not affect zoning. It is no different that when Dale worked for Diebold. Mr. Rigggenbach has no issues with Mr. Dostal having 2 business trucks parked and stored at the property. One of the trucks is used for estimates and the other is the work truck. If Mr. Dostal stores roofing material in the building, than that would be an issue.

Mr. Ehlers asked Mr. Dostal if he was from Cleveland. Mr. Dostal stated that he has lived in Alliance for around 12 years. He did live in Garfield Heights when he was younger. Mr. Dostal knows people in the Cleveland area, that's why he works in the area.

Mr. Ehlers complimented Mr. Dostal on one of the pictures he provided. Mr. Ehlers asked Mr. Dostal if he plans to have a contractor build the building or if he would build it himself. Mr. Dostal stated that he plans to have someone work on the foundation and framing work. Mr. Dostal would sheet, side, and roof the building himself.

The Board and Mr. Dostal held a discussion about the location of the building.

The Board held a discussion about their concerns about Mr. Dostal having no plans for the building. The Board held a discussion about the purpose of this hearing with Mr. Dostal.

Mr. Ehlers asked Mr. Dostal how many acres he has. Mr. Dostal stated that the house sits on 7 acres and he also owns the parcel next door, which is 6 acres.

The Board held a discussion about the lean to and the storing of firewood under the lean to.

Mr. Ehlers asked Mr. Rigggenbach about possibly tabling this until Mr. Dostal has a better set of working plans for the building. Mr. Rigggenbach stated that they have never tabled anything, but it can be done. It is usually done by the next hearing date.

Chairman Pan Aslanides asked Mr. Dostal when he plans to start construction. Mr. Dostal wanted to start this year but he may wait until next spring.

Discussion regarding no working plans of the building, square footage, and the location of the septic system. Mr. Rigggenbach notified the Board that Mr. Dostal has been approved by the Stark

County Health Department and if they decide to table this until the next hearing, Mr. Dostal would have to pay for the advertisement and postage for the next hearing.

Chairman Pan Aslanides asked the Board if they would like to table this decision until the December hearing.

Motion for a Ballot Vote: With no other questions and/or discussion, Chairman Aslanides asked for a motion to table Appeal #615 to the next hearing.

BILL EHLERS MOTIONED TO TABLE APPEAL #615 JOHN & BRITTANY DOSTAL TO A FUTURE HEARING SECONDED BY TONY MUCCI. MOTION CARRIED.

Roll call voting: Bill Ehlers -- Yes
 Anthony Mucci -- Yes
 Pan Aslanides -- Yes

Chairman Aslanides said **the request for Appeal #615** was **TABLED TO THE NEXT HEARING** and advised Mr. Dostal to contact Dale during regular office hours (11:30 a.m. to 3:30 p.m. Monday thru Friday) if he had any questions regarding preparing plans for his building for the next hearing.

Old Business: There was no old business to discuss.

New Business:

Mr. Aslanides asked if there would be anything coming up. Mr. Riggerbach says there is nothing at this time.

Approval of Minutes:

TONY MUCCI MOTIONED TO APPROVE THE MINUTES FOR SEPTEMBER 2, 2015 AS WRITTEN SECONDED BY BILL EHLERS. MOTION CARRIED.

Roll call voting: Pan Aslanides -- Approve
 Anthony Mucci -- Approve
 Bill Ehlers -- Approve

Adjournment:

BILL EHLERS MOTIONED TO ADJOURN AT 7:38 PM SECONDED BY TONY MUCCI. MOTION CARRIED.

Roll call voting: Pan Aslanides -- Approve
 Anthony Mucci -- Approve
 Bill Ehlers -- Approve

Pan Aslanides, Chairman
Nimishillen Township Board of Appeals

Tony Mucci, Vice Chairman
Nimishillen Township Board of Appeals

/sd

Zoning Board of Appeals Minutes: 2015, October 7 – BZA Minutes- Accessory Bldg @ 10819 Beech St. Parcel #33-09480