



**Village of South Russell
5205 Chillicothe Road
South Russell, Ohio 44022
440-338-6700
BOARD OF ZONING APPEALS
MEETING MINUTES**

April 20, 2022 - 7:00 p.m.

Members Present: Andy Hitchcock, Chairman, Mike Mulloy, John Buda, Martin O'Toole

Other Officials: Bridey Matheney, Solicitor; Mayor Bill Koons, Dave Hocevar, Building Official, Ruth Griswold, Board Secretary

Visitors: Jordan Canter, 36 Sugar Bush Lane; Patrick Holtz, 31 Garden Park Drive

Mr. Hitchcock called the meeting to order at 7:00pm. Ruth Griswold conducted roll call.

Mr. Hitchcock asked the board members if they had any questions or comments after reviewing the minutes from March 16, 2022. Hearing none, he made a motion to approve the minutes. Mr. Mulloy seconded. On roll call vote, the motion carried.

AGENDA ITEM 1- BZA CASE #22-04: Ms. Jordan Canter, owner and applicant for the property located at 36 Sugar Bush Lane, is seeking an area variance to allow a shed 5' from the left side lot line. Section 4.02 of the South Russell Village Zoning Code requires accessory structures to be 20' from any property line. Applicant shows shed located 5' from left side lot line, requiring an area variance of 15'.

Mr. Hitchcock asked the solicitor to swear in anyone who may speak. Ms. Matheney swore in the applicant and Mr. Hocevar.

Mr. Hitchcock addressed the applicant and said the board has received photos and background information pertaining to the request and asked her in her own words to describe what the goal is. Ms. Canter said their current shed is in very bad condition, and it is too small to accommodate outdoor furniture and other items. She said they would like to replace the existing shed with a

larger, more aesthetically appealing shed in the same location. She said the larger shed would project further into their yard and would not extend any closer to the property line than the current one. She said she has renderings if the board would like to see them and is happy to answer any questions they may have.

Mr. Hitchcock said he had visited the property earlier and asked the applicant if the new shed would be any higher than the current one. Ms. Canter said it is a bit higher, and the details should be indicated on the paperwork her husband filled out. Mr. Mulloy referred to the zoning application completed by Mr. Canter which noted the existing shed is 10', and the proposed shed would be 12'10". Mr. Hitchcock asked for confirmation from Ms. Canter that the shed has been there since before they purchased the property. Ms. Canter said yes, that is correct. Mr. Hitchcock asked if they have received approval from their Homeowners Association, if required. Ms. Canter said HOA approval is required and they have communicated with all the members and provided them with renderings. Mr. Hitchcock asked the applicant how far the split rail fence is from the property line. Ms. Canter said she believes it is 5'.

Mr. Buda thanked the applicant for providing the rendering of the new shed and asked her for a more detailed description of what the shed would look like compared to what is there now. Ms. Canter referred to the Pine Craft booklet and said they will be constructing the Ultimate Gable, but without the bump-out and cupola. Mr. Buda asked if they would have vertical siding as shown in the photo. Ms. Canter said she believes it would be horizontal to match the house, but that she would check with her husband. Mr. Buda asked if there has been any feedback from the neighbors. Ms. Canter said their next-door neighbor did contact them after receiving the letter from the Village, and they sat down with them and explained the project. After gaining a better understanding, the neighbors said they would come to the meeting if they had an issue. They were not in attendance.

Ms. Canter heard back from her husband, who said everything will match the house, and the shutters will be custom made to match their house as well.

Mr. O'Toole wanted to confirm that the change in height does not require a variance, just the distance to the lot line. Mr. Hitchcock said that is correct. Mr. O'Toole asked if the outbound wall of the shed would be closer to the property line than the current outbound wall of the shed. Ms. Canter said it will be no closer than the existing shed. Mr. O'Toole thanked her and said he had no further questions.

Mr. Hitchcock asked Mr. Mulloy if he had any questions. Mr. Mulloy said was familiar with the shed and that he had no questions.

Mr. Hitchcock asked Mr. Hocevar if there was any concern because the shed goes over a utility easement. Mr. Hocevar said in the past, that has never been a problem unless it was a permanent structure. Mr. Hitchcock asked the applicant to confirm that the shed would not be permanently affixed to the ground. Ms. Canter said that is correct.

Mr. Hitchcock asked board members for any further questions or comments. There were none.

Mr. Hitchcock said, in reaching a decision, the board must consider the Duncan factors: whether the variance is substantial; whether it is out of character with the neighborhood, and would it impede government services, etc. He asked the board if they had any concerns with those factors as they relate to the potential structure. There were no concerns from the board.

Mr. Hitchcock made a motion to approve an area variance of 15' for a shed at 36 Sugar Bush Lane, so that the shed is no closer to the property line than the current structure. Mr. Mulloy seconded. On roll call vote, the motion passed unanimously.

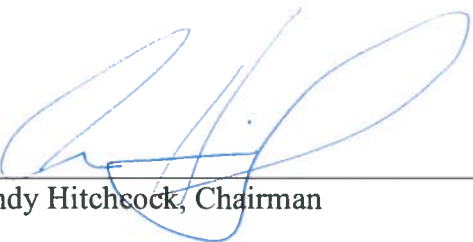
Ms. Canter thanked the board.

Old Business: None

New Business: None

Mr. Hitchcock asked if there has been any traction on obtaining a fifth member to serve on the board. Mayor Koons said he has been in touch with five prospects, and he hopes to have the position filled soon.

There being no further business, Mr. Hitchcock adjourned the meeting at 7:14pm.



Andy Hitchcock, Chairman

July 13, 2022

Date



Ruth Griswold, Board Secretary

7-19-2022

Date