



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

**July 13, 2022 - 7:00 p.m.**

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

**Other Officials:** Bridey Matheney, Solicitor; Mayor Bill Koons, Dave Hocevar, Building Official, Leslie Galicki, Acting Board Secretary

**Visitors:** Lindsey Self, 1433 Bell Road; Wendy & Mark Pace, 807 Bell Road, Gerry Byrne, 99 Laurel Road

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

**Mr. Hitchcock asked the board members if they had any questions or comments after reviewing the minutes from April 20, 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 #22-05:** Wendy and Mark Pace, applicants and owners of the property located at 807 Bell Road, South Russell Ohio 44022, are seeking the following: (a) an area variance to allow a new house to be 50.40' from the front setback; pursuant to Section 4.02 of the South Russell Zoning Code, the front yard setback must be 75', requiring an area variance of 24.60' for the front setback and (b) an area variance to allow a new house to be 14.75' from both side yard setbacks; pursuant to Section 4.02 of the South Russell Zoning Code, side yard setbacks must be 25', requiring an area variance of 10.25' for the left and right side yard setbacks.

Mr. Hitchcock asked the solicitor to swear in anyone who may speak. Ms. Matheney swore in Mark and Wendy Pace, Ginny Byrne, and Dave Hocevar.

Mr. Hitchcock asked the applicants to begin their presentation. Mr. Pace said they had purchased the property after looking for about a year, and they wanted to be in this area to be closer to family. He said they had originally thought of constructing an addition to the house and met with at least four different builders. Three of the four had advised them to consider a complete demolition and construction of a new house. He said Alair Homes was the only builder who said they would do an addition for them, but after eight months of working with the builder, the proposed addition proved to be very cost prohibitive. He went on to say they are now working with Schumacker Homes to demolish the existing house and construct a new house.

Mr. Hitchcock asked board members for questions and comments, beginning with Mr. Buda. Mr. Buda said he had no questions at this time.

Mr. O'Toole said to be clear, even though they are requesting variances, it is essentially the same footprint of the existing home. Mr. Pace said it is very close to what is there, but the existing home currently sits a little more to the east side of the property, and the new home will be centered on the property. Mr. O'Toole noted that the setback from the street replicates what is already there.

Mr. Mulloy and Ms. Matejcik had no questions at the time.

Mr. Hitchcock asked the applicants if the two parcels have been officially joined as of yet. Mr. Pace said it is still in process. Mr. Hocevar said he has spoken to the surveyor, Mr. Gutoskey, and verified it is in the process. Mr. Hitchcock asked if they anticipated any issues with the consolidation. Mr. Pace said they own both parcels and they do not anticipate any issues.

Mr. Hitchcock asked the neighbor in attendance to introduce herself and share her thoughts on the requested variances. Gerry Byrne introduced herself, and said they have lived at 99 Laurel Road, which is the parcel next door to 807 Bell Road, since 1984. She said their only concerns are that the applicants do not encroach onto their property, and that none of their landscaping is affected. Mr. Hitchcock recalled Ms. Byrne expressed similar concerns at the applicant's previous appearance, when they obtained variances for side yard setbacks for the planned addition. Ms. Byrne said yes, that is correct.

Mr. Hitchcock said he believes that all board members have visited the property. He asked the applicants what their plans are for the existing trees and landscaping. Mr. Pace said there are trees and plantings they would like to preserve, and they want the builders to be respectful of the neighbors and their properties. He said there are some trees in the rear of the lot that have been identified as being potentially problematic that will have to come down. He said the tree on the east side of the property that is very close to the existing house will also have to come down, but they hope to preserve the beautiful magnolia tree in the front area of the lot. Ms. Pace said there are two holly trees they hope to preserve as well.

Mr. Hitchcock said, in reaching a decision, the board must consider many factors, and the one that jumped out at him is the variance relating to the property being closer to the street and needing a variance of approximately 25'. He asked the applicants why they couldn't push the house back to eliminate the need for a front setback variance. Ms. Pace said the main house will actually be 60' back and the garage will be 50' from the street. Mr. Pace said they chose that location on the lot after viewing how the other homes in the neighborhood are lined up and wanting to be consistent

with that. He said if the board would like them to move the house back, they would do that, and there may be some benefit to them in being further back from the traffic noise of the road. Mr. O'Toole said he thought it would be less costly to construct on the same footprint and asked if the applicants if that factored into their thinking. Mr. Pace said it wasn't a factor in their decision.

Mr. Hitchcock said if the variance were to be approved, the board would indicate it should be no closer than the 50.4' to the street, but if the applicants chose to move it back, that would be acceptable. He said their desire to be consistent with other frontage on the street certainly makes sense.

Mr. Buda said that is a very thoughtful consideration to the neighbors on the applicants' part. He said he recalls in the February meeting, they had a concern about preserving the amount of space in the back yard for family gatherings, and he assumed that the current variance request was for that reason. Mr. Pace said the backyard is big enough and it wouldn't be an issue if they lost 10'.

Ms. Matejcik asked the applicants if they intend to construct a fence on the property at any point in time. Mr. Pace said the current fence is an eyesore and will be removed, and they would like to put up some kind of fence in the rear yard for privacy.

Mr. Hitchcock asked board members, applicants, and visitors for any other comments There were none.

**Mr. Hitchcock made a motion to approve an area variance at 807 Bell Road, for a front yard setback to be no closer than 50.4 feet from the street, subject to the two parcels being successfully joined together. Mr. Buda seconded. Mr. Hitchcock added that the variances that were previously granted for the property will no longer apply. He asked for any discussion or questions on the motion. There was none. On roll call vote, the motion passed unanimously.**

**Mr. Hitchcock made a motion to approve an area variance at 807 Bell Road of no more than 10.25' from each side yard, subject to the two parcels being successfully joined together. Ms. Matejcik seconded. Mr. Hitchcock asked for any discussion or questions on the motion. Mr. Pace asked for clarification on the distance of the side yard variances Mr. Buda said the variance is for 10.25', so they cannot be any closer than 14.75' from the side yards. On roll call vote, the motion passed unanimously.**

Mr. Hitchcock congratulated the applicants and Mr. and Mrs. Pace thanked the board.

### **Old Business**

Mr. Hitchcock asked if there was any old business. There was none.

### **New Business**

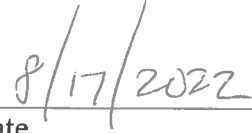
Under new business, Mayor Koons asked the board members to complete their contact information for the new directory on the form provided.

Mr. Hitchcock said he would like to welcome Lindsey Self as an alternate to the Board of Zoning Appeals. He said in the event of an absence, Lindsey can step in and act as a member of the board, allowing the ability to better support Village residents. Ms. Self thanked him.

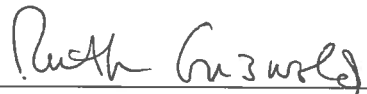
There being no further business, Mr. Hitchcock adjourned the meeting at 7:22pm.



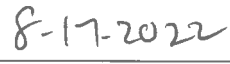
\_\_\_\_\_  
Andy Hitchcock, Chairman



\_\_\_\_\_  
Date



\_\_\_\_\_  
Ruth Griswold, Board Secretary



\_\_\_\_\_  
Date