



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

September 20, 2023 - 7:00 p.m.

Members Present: Mike Mulloy, Acting Chairman, John Buda, Lindsey Self, Martin O'Toole, Cindy Matejcik

Member Absent: Andy Hitchcock

Other Officials: Bridey Matheney, Solicitor; Mayor Bill Koons; Ruth Griswold, Board Secretary

Visitors: Bill Werman, 5081 Chillicothe Road

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

Mr. Mulloy asked the board members if they had any questions or comments after reviewing the minutes from August 16, 2023. There were none. Ms. Self made a motion to approve the minutes. Mr. Buda seconded. On roll call vote, the motion passed unanimously.

Mr. Mulloy asked the solicitor to swear in anyone who may speak. Ms. Matheney swore in the applicant, Bill Werman.

AGENDA ITEM 1: BZA CASE #23-07: William Werman, owner and applicant for the property located at 5081 Chillicothe Road, is seeking an area variance to allow an accessory structure to be 1500 square feet and Section 4.02 of the South Russell Zoning Code limits the size of accessory structures to 500 square feet per acre; property acreage would allow 1125 square feet, requiring an area variance of 375 square feet.

Mr. Mulloy welcomed the applicant and asked him to begin his presentation. Mr. Werman said he has a two-car garage at his residence, as well as an 8x12 shed. He has been a mechanic his whole life and he also collects antique cars. He would like to build a structure to store and maintain his vehicles.

Mr. Mulloy asked if the 50x30 measurement of the structure included the lean-to portion. Mr. Werman said it does not. Discussion followed regarding the fact that the lean-to portion should be included in the square footage and subsequent variance request. Ms. Matheney said the request for the variance could be amended by the applicant at the meeting.

Mr. Mulloy asked the applicant how he arrived at the design, and how the cars would be parked inside. Mr. Werman said the cars would pull straight in. Mr. Mulloy referred to the site plan and asked if the setback distances took the lean-to into account. Ms. Griswold said no. He asked what the distance is from the side of the structure to the end point of the overhang. Mr. Werman said the overhang is another 8', and it will be on the 30' side of the structure. Mr. Buda said that would add another 240 square feet. Mr. Werman explained that he presented the photo to give the board an idea of what the building would look like, although the overhang is on the 30' side and the garage door will be on the 50' side instead of the end. Mr. Mulloy asked which side would be facing Chillicothe. Mr. Werman said the side with the overhang would face Chillicothe and the garage door would face south.

Ms. Self asked if Mr. Werman plans to extend his current driveway. Mr. Werman said eventually he would add to the driveway, but the cars in the garage will not be moving in and out very often. She referred to an aerial view and noted an existing turnaround, and asked the applicant if he would have to extend the driveway closer to the neighbor on the right-hand side. Mr. Werman said yes, that is correct, and the new portion of the driveway would be about 10' from the neighbor's property.

Mr. Buda said due to the traffic on Chillicothe, he made many trips past in order to view the site, and having not seen a driveway, he was curious about that as well. He told the applicant a permit is required for a new driveway, and there may be criteria regarding how far a driveway can be from a neighboring property line. Mr. Werman said his understanding is that driveways can be right on the property line.

Ms. Self told the applicant the board cannot approve a driveway today, and asked Mr. Werman if he still wanted to go forward obtaining approval for the building. Mr. Werman said yes, he did, and asked if he would have to attend another meeting for the driveway. Ms. Self said if the proposed driveway meets zoning code criteria, then he would not have to appear before the board again.

Mr. Mulloy said the original proposal was 50 x30', but the lean-to portion on the front of the building adds to the overall depth of the building, making the depth 38'. Discussion followed regarding the orientation of the structure on the property. It was confirmed that the porch front would be facing Chillicothe, which is 30' wide, and the 50' side of the building would be facing the wooded area.

Mr. O'Toole said when visiting the property, he noticed an oversized shed to the north of this lot. He said this will be a garage with an added driveway, which changes the character of the property.

He asked Ms. Matheney if changing the character of the property is a consideration of the board. Ms. Matheney said whether the essential character of the neighborhood would be substantially altered is a factor to be considered, as well as if the adjoining properties would suffer significant detriment as result of the variance.

Ms. Self said all the neighbors seem to have no objection to the structure. Mr. Buda asked Mr. Werman if he showed the neighbors the drawings and photo. Mr. Werman said yes, and three of his neighbors' submitted letters of support. Mr. Buda said it is important to note that the picture is not the structure that is going to be built. Mr. Werman said he did explain that to his neighbors.

Mr. Mulloy said, to clarify, looking out the back window of the house, they would see the 30' wide structure with an 8' lean-to, the structure would be 50' deep, for an overall size of 30'x58', totaling 1,740 square feet, which would require an area variance of 615 square feet.

Ms. Self asked how many vehicles would be parked in the garage, and how many would fit. Mr. Werman said he has four cars right now, and it would probably hold six. Ms. Self asked if he ever intended to have six vehicles. Mr. Werman said no, he would utilize the remaining areas for yard equipment. She asked if a smaller structure would meet his needs. Mr. Werman said it would be very cramped.

Ms. Matejcik asked if he would be working on cars in the structure. Mr. Werman said yes.

Mr. Buda said he appreciates the desire for the square footage under roof, and asked the applicant how important the porch was to him. Mr. Werman said he thought the porch would be a nice aesthetic feature. He may place a picnic table there and entertain the grandkids. Mr. Buda asked if it would be fair to say that the porch would be nice to have, but it is not a must-have. Mr. Werman said it is not a must-have, but he thought it would make the building look a lot nicer.

Mr. Mulloy said he appreciates that, and just for context, a building that is 30'x 37.5' would be what the code allows. Mr. Buda said the fact that it extends deeper and away from 306 is something that would give him reason to vote in the affirmative, but at the same time, the total square footage is 55% more than what code allows.

Ms. Self said the code allows for additional square footage based on acreage of the lot, and this lot backs into an unbuildable area. This is not in the middle of a neighborhood with other homes, so this will not be backing into somebody else's property.

Mr. O'Toole said this would be a 50' garage that will swing the driveway around, and it may not be appropriate for a different neighborhood, but given the character of this setting, it should be inconsequential. He feels the porch idea is nice, as it makes the structure look more friendly and less commercial.

Mr. Mulloy asked for any other comments or questions.

Mr. Werman said he wanted to add that another reason he wants to build this structure is because he currently has cars all over the place. He would rather invest in the structure than pay for storing the

cars for years to come. Ms. Self asked how long he has lived at the residence. Mr. Werman said they have been there almost ten years.

Mr. O'Toole confirmed with Ms. Matheny that the use of the structure is not a consideration of the board. Ms. Matheny said that is correct.

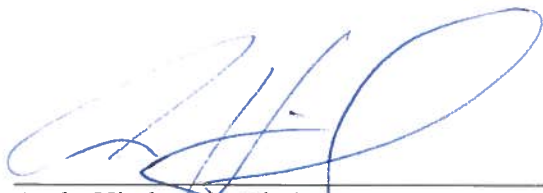
Mr. Mulloy said in reference to BZA Case #23-07 for 5081 Chillicothe Road, he is making a motion to approve an area variance of 615 square feet to allow for an accessory structure to be built up to 1,740 square feet. Mr. Buda seconded. On roll call vote, the motion passed unanimously.

Mr. Werman thanked the board for their consideration.

Old Business: None

New Business: None

There being no further business, Mr. Mulloy adjourned the meeting at 7:23pm.



Andy Hitchcock, Chairman

10/18/2023

Date



Ruth Griswold, Board Secretary

10-18-2023

Date