

**CITY OF TALLMADGE  
BOARD OF ZONING APPEALS**

MINUTES OF MEETING HELD June 9, 2020 7:00 p.m. Virtual-Teams  
Date Time Place

MEMBERS PRESENT: Richean Kuzior, Richard Schunk, Melanie Bushey, Tim Gregg, Chuck Victor

MEMBERS ABSENT:

CHAired BY: Richean Kuzior

SECRETARY: Kelli Funk

REGULAR MEETING

SPECIAL MEETING

PRESENT: Dave Kline, Mayor  
Megan Raber, Law Director  
Helene Hussing, Planning and Zoning Manager

**ITEMS TO BE DISCUSSED**

**Item #1 Case No. 1037 7:01 PM**

**Jon Coles, applicant/owner  
77 Washburn Road**

- Variance requested from Subsection TCO 1154.09 (c) minimum side yard setback is 10 feet
- **Request variance of 7' to allow 3'**
- For review and determination

**Item #2 Case No. 1038 7:05 PM**

**Alex Sava, applicant/owner  
473 Regency Park Drive**

- Variance requested from Subsection TCO 1181.04 fences or walls erected within the minimum front yard setback to not exceed 3.5' in height
- **Request variance of 2.5' to allow 6' in height.**
- For review and determination

**Item #3 Case No. 1039 7:10 PM**

**Brenda A Zimmerman, applicant/owner  
86 Maca Drive**

- Variance requested from Subsection TCO 1154.03 (c) accumulative area for all accessory buildings not to exceed 900 sq. ft.
- **Request variance of 665.2' to allow 1,565.2 sq ft of which 915.2 sq ft is existing**
- For review and determination

**Item #4 Case No. 1040 7:15 PM**

**Alyssa Urbansky, applicant/owner  
106 Glenwood Circle**

- Variance requested from Subsection TCO 1157.08 minimum rear yard setback is 7.5' as platted.
- **Request variance of 4.5' to allow 3'**
- For review and determination

The June 9, 2020 meeting of the Board of Zoning Appeals was called to order at 7:00 p.m. by Chairwoman, Richean Kuzior.

The meeting was opened with the Pledge of Allegiance.

Roll called. All members were present.

Mrs. Kuzior: The next item of business is the approval of minutes for February 11, 2020.

Mr. Schunk: **So moved.**

Mr. Victor: **Second.**

All members voted in favor. (5-0)

Mrs. Kuzior: The next item of business are the agenda additions. Do we have any additions to the agenda?

Mrs. Hussing: There are no additions.

Mrs. Kuzior: Do we have any correspondence and communication?

Mrs. Hussing: We currently have correspondence for some of the cases. They are before you and you can refer to them when we go through the cases.

Mrs. Kuzior: Ok, the first item:

**Case No. 1037**

**Jon Coles, applicant/owner  
77 Washburn Road**

- Variance requested from Subsection TCO 1154.09 (c) minimum side yard setback is 10 feet
- **Request variance of 7' to allow 3'**

Jon Coles was sworn in.

Mr. Coles: (inaudible) 3 foot off the property line. You want me to explain my hardship?

Mrs. Kuzior: Well, we have the information before us so... You can tell us why you'd like to seek the variance.

Mr. Coles: As far as moving the shed 10 feet off the property line, it would... in a position where it's at, it would actually go over a French drain that I had put in in 2004 so it would interfere with the French drain and in order for me to move it 10 feet off the property line on that south side, I would have to go much closer towards the house. This evening, I did actually sketch on that drawing that you're showing right there, where the French drain comes across the yard. I don't know if it would help if I put it up to the camera? You guys can see the drawing and I highlighted where the French drain is and the reasoning why I can't move the shed over to the north anymore unless I move it towards the house.

Mrs. Kuzior: I can see it, but I was also there today and saw the French drain. I understand. The others can chime in.

Mr. Coles: Do you want me to explain anything else?

Mrs. Kuzior: No, does anybody have any questions?

Mrs. Bushey: I have the dimensions of the shed, but what's it going to be made of? Aluminum?

Mr. Coles: No, it's actually, Alpine Structures from Holmes County, they're going to actually be building it and it's going to be a wooden structure. It will have a metal roof that matches our shutters. (inaudible-recording cuts in and out). There's an overhang off to the side so, it will be a wooden structure. I actually upgraded to an actual pine siding (inaudible-recording cuts out) with a metal roof. It's going to look like a shed. It's not going to have a garage door on it. It's going to have shed doors and there is a set of windows.

Mrs. Kuzior: Mr. Coles, you are tearing down the current shed, correct?

Mr. Coles: Yes, as far as the time frame on that, I don't know what you guys give me, but my full intention is by the end of the summer, early fall.

Mrs. Kuzior: Ok.

Mr. Victor: Do we have correspondence regarding this property?

Mr. Coles: Yes, the neighbor to the south and the neighbor to the north. They understand my situation with the water. So, they both sent you guys an email.

Mr. Victor: I see neither one of those have any objection.

Ms. Funk: Would you like me to read those?

Mrs. Kuzior: Yes Kelli, can you do that please?

Ms. Funk: I sure can.

*Good morning Helene and Kelli,*

*I am contacting you in regard to Jon Coles shed. I live next door to Jon at 89 Washburn rd. I wanted to let you know that I do not have a problem with where he wants to build his shed. Our back yards have wet conditions and placing his shed at that part of his property makes sense because it is a dyer part of his property.*

*Best Regards*

*Mark A. Cline*

*My name is Lynn Evans and I live at 65 Washburn Rd. My neighbor John Coles is putting a shed behind his house. (77 Washburn Road)*

*I would like to let you know I do not have a problem with where he wants to put it. I know that his back yard is usually very wet, and I also understand the limitations of the shed's location.*

*Thank you,*

*Lynn Evans*

*65 Washburn Rd*

Mrs. Kuzior: Thank you.

Public Hearing closed at 7:09pm.

Mrs. Kuzior: Do I have any comments or questions from the Board?

Mrs. Bushey: I was out there yesterday, met your dog and I did walk your property and you do have a very wet backyard so I have no problem in voting for your variance myself because I think you totally have a need to have this located at a different location.

Mr. Gregg: I also know the area. I've been to the property and can certainly understand your concerns for the wet yard and the moving of the shed.

Mrs. Raber: I just wanted to point out for the record that there were no other participants that requested to be included in the Public Hearing portion of this case tonight.

Mr. Victor: Are you ready for a motion?

Mrs. Kuzior: Yes, if there are no more questions.

**Mr. Victor: I move to approve the variance request for Applicant Jon Coles for the property located at 77 Washburn Rd for the variance requested from subsection 1154.09 (c) minimum 10 foot side yard setback seeking 3' based on the plans and application submitted and dated April 24, 2020 and evidence presented that:**

- (1) The strict application of the provisions of this Zoning Code would result in practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of this Zoning Code.**
- (2) There are exceptional or extraordinary circumstances or conditions applying to the property involved or to the intended use or development of the property that do not apply generally to other properties or uses in the same zoning district or neighborhood.**
- (3) The granting of such variance will not be of substantial detriment to the public interest or to property or improvements in such district in which the variance is sought, and will not materially impair the purpose of this Zoning Code.**

Mrs. Bushey: **Second.**

Mrs. Kuzior: I understand the hardship with this property because the back currently is very wet and the current barn is water damaged from the bottom up to about a foot up the side so, I understand and I understand why they would like to tear it down.

All members voted in favor. (5-0)

Mrs. Kuzior: Your variance has passed. Ok, next item of business:

<p style="text-align: center;"><b><u>Case No. 1038</u></b></p> <p style="text-align: center;"><b>Alex Sava, applicant/owner</b> <b>473 Regency Park Drive</b></p> <ul style="list-style-type: none"><li>• Variance requested from Subsection TCO 1181.04 fences or walls erected within the minimum front yard setback to not exceed 3.5' in height</li><li>• <b>Request variance of 2.5' to allow 6' in height.</b></li></ul>
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Mr. Sava was sworn in.

Mr. Sava: I live on the corner of Regency Park and N Munroe and N Munroe is pretty busy and I have a small child who I would like to be able to play freely in the back yard. That's the main reason for that along with an additional set of privacy in the back yard. We've also had some roadkill get dragged up onto our property multiple times which I was kind of shocked with, but I think the turkey vulture just likes his spot. So, we would just like to enclose our back yard and be able to let him run freely. We're hoping to

have another child here soon so we would like them to be able to run freely through the back yard and not have to worry about them on a busy road.

Public Hearing opened at 7:15.

Mrs. Kuzior: I understand your hardship because when you have a corner lot as you do, both sides of your property that face the street are considered front yard setback so that is why you're asking a variance so that the 3 foot fence would not be enough on that side yard. It's actually your side yard.

Mr. Sava: Yes, it's not the front. We're looking for the side yard and the side actually has a variance for the house to be built, so it's not 50', it's 32' feet I believe, so, it's a little bit of leeway but not much.

Mr. Victor: I have a question, for clarification. If the fence was put on the line where the 32' variance is, how big would your backyard be from the west property line over to the fence?

Mr. Sava: From the west fence?

Mr. Victor: Right, over to the variance.

Mr. Sava: I believe that's around 70, 80 feet.

Mr. Victor: Ok, and what it looks like there then from that variance to your proposed fence is only another 14', is that correct?

Mr. Sava: Yes.

Mr. Victor: So, you could still put a fence on the variance line, I would imagine, and your fenced in area would be 14' shorter but the problem that we have is, although that's your side yard, it's sight line and distances with the front sticking out in the right-of-way there. We have disapproved some of those before, one on S Munroe, I believe, so that's my concern there. I understand your hardship in wanting a backyard big enough so your children can play and to keep the turkey vultures and what have you out, but we're only talking about 14' and you would still have a substantial backyard if you moved it to the 32' variance.

Mr. Sava: Yea, but we currently have a landscape island that's got overgrown weeds and stuff that we would like to clean up and include into the backyard as much as we possibly can. So, trying to just maximize the backyard for us while still being within the rules of the City Ordinance.

Mr. Victor: I understand your request and I have driven by there, I understand the trees are kind of overgrown there a little bit and it could be cleaned up but I think the dilemma as far as I'm concerned is where this fence does come out. If you are looking up and down Munroe, may not seem like much but once you start allowing fences to come out, somebody else is going to want a 6' fence out along that area and that then goes contrary to what the zoning was established for.

Mr. Sava: It's 75' feet off of Regency Park Dr, off that frontage there and I'm willing to move it back to the back line of my house so that way that side is still there and it would give more space from Regency Park to Munroe so you would have more space to see that intersection.

Mr. Victor: I understand. My concern is more on the right-of-way on Munroe and that extra 14' feet there. Just being honest, that's my concern and being consistent with how we allow fences within rights-of-way. I'm not sure what everybody else wants to chime in on but that's my concern.

Mr. Gregg: So, the red line is where you would like the fence to go, towards N Munroe? I see a black dashed line, what is that line there?

Mr. Sava: Which one?

Mr. Gregg: I see a red line for the proposed fence, and I see a line back from that, towards the house, a black dashed line.

Mr. Sava: That's the current frontage that there was a variance granted to build the house.

Mr. Gregg: And Chuck, that's where you're saying you'd like to see the fence go? Is down that line?

Mr. Victor: I'm saying, the house was built without a 50' variance, which would be typical, and I understand that, but I would like to see it back on the 32' line. It cuts the back yard or side yard down by 14' but it's still... then it falls within our covenants I believe.

Mr. Gregg: Ok, thank you.

Mrs. Bushey: I need to clarify; did you say that you were planning to get rid of some of the trees or you were planning to work within your fence area?

Mr. Sava: Yes, there's a couple of dead trees in there. There are recently some overgrown weeds that I've been trying to remove but there's poison ivy in there so I have a large allergy to it so I'm trying to get to that as best I can. So, there's some dead trees and overgrown trees that need to be cleaned in there and I'd like to include as much of that area as possible so, in the future, I can clean that up and include that in my backyard and maybe make some grass or make that a play area with a swing set so that way there is as much yard as possible.

Mr. Schunk: The question I had... the picture of the type of fence that you've included, is that totally opaque fence? You can't see through it or anything?

Mr. Sava: That is the intention. I would be willing to do an offset one that you can see through if that's what's needed to get the variance to pass. I was trying to find the nicest fence I can to put on there since I know it's going to be on a busy road.

Mr. Schunk: Do you foresee that there would be any problem with site distance as far as cars going up and down the road? Can they see the corner with this new fence?

Mr. Sava: They can. They would be able to see the corner, but it would not affect the site distance, in my professional opinion. I am a professional civil engineer, and it does have the proper site distance well before the 75' that I have shown there.

Mr. Schunk: Ok, thank you.

Mr. Sava: You're welcome.

Mrs. Kuzior: Mr. Kline, can you tell us, as far as the City is concerned, is there a problem with where the fence is proposed to the corner of Munroe and Regency Park?

Mayor Kline: The site distance, we did go out and look at that corner to see the site triangle for the ODOT spec. It does meet... so there is not a site distance at the current location so, I would have to say, I concur with the applicant. The engineering side of it meets the ODOT spec.

Mrs. Kuzior: Thank you.

Mr. Victor: For clarification, I realize that there's no issue with the site at the intersection, I just bring up that, trying for consistency... I know there was a house down the other end of Munroe that we disapproved of a 6' fence and we made the person take the fence down so, if no one else has the same concerns, I'm just going for consistency there and offering the compromise, if you could move back to the 32, which would still would be a big backyard. But, it's not an issue of the site line at the intersection, it's just the fencing encroaching out at 6 foot.

Mrs. Kuzior: Do we have any other questions from the Board members?

Mrs. Bushey: I have the same concerns that Chuck has. I don't know that 14 feet will be that big of difference to move it. The fence will be very obvious in that location because of the type that he's looking at. I kind of agree with Chuck in that, just moving it back would be more of a favorable alternative for me because it would make less of that white, large fence.

Mrs. Kuzior: Do we have anybody in the meeting who would like to speak on this? Any neighbors or other meeting attendees?

Mayor Kline: Did we have any correspondence?

Mrs. Kuzior: Not for this one, we did not.

Mrs. Hussing: We had no correspondence and we had no people register to speak for this case.

Mr. Sava: I have talked to the neighbor to the south of me and I showed him where I wanted to put it and he approved of it and I showed him how it would not block his driveway, if that makes any difference.

Public Hearing closed at 7:27 pm.

**Mr. Gregg: I would like to make a motion. I move to approve the variance request for Applicant Alex Sava for the property located at 473 Regency Park Drive for a [2.5'] variance requested from subsection 1181.04 (a) fences or walls erected within the minimum front yard setback to not exceed 3.5' in height (c) corner lots where both sides of a lot face the street shall be treated as front yard as relates to this ordinance [requesting to allow a 6' high fence] upon the showing based on the plans and application submitted dated May 11, 2020 and evidence presented that:**

- (1) The strict application of the provisions of this Zoning Code would result in practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of this Zoning Code.**
- (2) There are exceptional or extraordinary circumstances or conditions applying to the property involved or to the intended use or development of the property that do not apply generally to other properties or uses in the same zoning district or neighborhood.**
- (3) The granting of such variance will not be of substantial detriment to the public interest or to property or improvements in such district in which the variance is sought, and will not materially impair the purpose of this Zoning Code.**

Mrs. Bushey: **Second.**

Mr. Gregg: I can certainly see your need for a fence on your side yard. It is a very busy street. There are other fences in the neighborhood. I saw the fence that is on the other side of your property. I think it's a

nice plan. It's unfortunate that your side yard is also considered a front yard because I do believe it would be a good fit in the area.

Mrs. Kuzior: I think since we're doing these cases case by case, that I don't see a problem with this. I think that at least the sight line for Regency Park and the corner of Munroe over there is fine. I see your hardship because of the fact that you'd like to get the most out of your yard as you can. So, I'm in favor of this variance.

Mrs. Bushey: I think the Mayor saying that they've gone out and they approved where your fence is going to be put and his recommendation, that he felt it was with the guidelines of ODOT, I think that you have my vote to go ahead with this.

Mr. Victor: To explain my rationale, and I think it's probably going to go your way, however, I think the hardship could be mitigated by putting the fence where I had suggested because you would still have a backyard. And for the consistency sake, that's why I will have to vote no against this because we're moving it and if it was a hardship and you couldn't put a fence there at all, that's one thing. There's still ample backyard. I wish you luck and the fence is good looking but I just have to go with what the consistency of our Zoning Code says. So, I will be voting no, but I think you'll be fine anyways.

Mr. Schunk: I tend to agree with Mr. Victor. That Regency Park area is truly one of the prestige neighborhoods in Tallmadge, and I don't find that that long, expansive fence improves the appearance of the neighborhood. So, for that reason, I will vote against it.

Roll called. The motion was passed (3-2) with Mrs. Kuzior, Mrs. Bushey and Mr. Gregg voting in favor and Mr. Schunk and Mr. Victor voting against.

Mrs. Kuzior: Your variance has been approved. Next item of business:

**Case No. 1039**

**Brenda A Zimmerman, applicant/owner  
86 Maca Drive**

- Variance requested from Subsection TCO 1154.03 (c) accumulative area for all accessory buildings not to exceed 900 sq. ft.
- **Request variance of 665.2' to allow 1,565.2 sq ft of which 915.2 sq ft is existing**

Mrs. Zimmerman was sworn.

Mrs. Zimmerman: My husband and I need more storage in our garage. Right now we currently have 2 cars and we have been struggling for many years because my husband has a commercial mower and it won't fit in the garage with both cars in there together. He would like to have a snow blower in there. There's lots of other things that we would like to have in there. He would like to put his boat in there. He would like to be able to just store everyday things that you need to have. What we are actually doing right now is we are using our neighbor's garage and paying them to store our stuff in her garage during the winter months. Once the winter is over, and this is also including our tables, our chairs, you know, lawn furniture, and the thing is with this, after the winter is over and we bring the things back into our garage, we can't put our cars in the garage in the summertime because we have all this equipment in there. The hardship is, we currently do not have an attached garage to our house. If our double car garage was attached to our house like everybody else on the street, we would not have to get this variance. We would be able to build a 2-car garage. The other thing is, I did want to state, that if people are driving by our house, they would not see this new addition to our garage. They would just see the front of our garage because we want to build on to the back of our garage. We also have a granddaughter and there's even more toys and things like that that we would want to be able to store in a garage. So, this is all noted on



that application. I did want to state, whenever we had our driveway concrete poured, we had a slab of concrete poured on the side of the garage and I guess the roofing that my husband added to that patio is considered as part of garage size as well. So, basically the hardship is that our garage size is not big enough to house everything that we need.

The Public Hearing was opened at 7:37.

Mrs. Kuzior: I was out there today, and I can see your hardship with all the items your husband showed me in the garage and then he told me about the boat too so, I understand. He also told me that in the back of that addition, in the back of the current garage, you will be installing a regular garage door so that there will be a garage door in the front of your garage as well as in the back to get back to that new section, correct.

Mrs. Zimmerman: There's going to be a garage door that opens up, it's a garage door that opens up.

Mr. Zimmerman was sworn in.

Mr. Zimmerman: There won't be a garage door on the back, it will just be an opening.

Mrs. Kuzior: Oh, ok the size of a garage door.

Mr. Zimmerman: Yes, the size of a garage door.

Mrs. Kuzior: Ok, I misunderstood. Thank you for clarifying that.

Mr. Victor: I think your plan is well taken about the location being in line with your current garage because the depth of your lot, it's not going to be seen, it's not going to be an eyesore so I appreciate your proposed location.

Mrs. Bushey: When we started building on to... to make buildings larger, I would just want to confirm that this is not going to be a business?

Mrs. Zimmerman: Correct, he's retired.

Mr. Schunk: I was out there also this afternoon and I'm impressed that you built, what I would call a stealth addition, to your garage and I think it does no harm to the appearance of the neighborhood. I would be voting in favor of it.

Mr. Gregg: I would say, I concur with the other members of the Board, that it's a good plan and it matches the neighborhood and I would be in favor of it.

Ms. Funk: We do have one correspondence on this, would you like me to read it?

Mrs. Kuzior: Yes, please.

Ms. Funk: *Helene,*  
*I do not have an objection to Brenda Zimmerman's request for a variance to allow 1,565.2 total sq feet on the detached garage.*

*Mike Szabo*  
*898 East Ave*

Mrs. Kuzior: Thank you.

Public Hearing closed at 7:41.

**Mr. Gregg: I move to approve the variance request for Applicant Brenda A Zimmerman owner for the property located at 86 Maca Dr for the variance requested from Subsection 1154.03 (c) accumulative area for all accessory buildings shall not to exceed 900 sq. ft. requesting a variance for 650 [665.2] sq ft to allow 1,565.2 total sq ft of which 915.2 sq ft is existing on PN 6003195 on the showing based on the plans and application submitted dated May 13, 2020 and evidence presented that:**

- (1) The strict application of the provisions of this Zoning Code would result in practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of this Zoning Code.**
- (2) There are exceptional or extraordinary circumstances or conditions applying to the property involved or to the intended use or development of the property that do not apply generally to other properties or uses in the same zoning district or neighborhood.**
- (3) The granting of such variance will not be of substantial detriment to the public interest or to property or improvements in such district in which the variance is sought, and will not materially impair the purpose of this Zoning Code.**

Mrs. Bushey: **Second.**

Mrs. Hussing: **I believe the variance request was for 665.2 feet.** I just wanted to clarify that.

Mrs. Bushey: **Second.**

Mrs. Bushey: I don't feel that this is a detriment to the public. Her yard is very private, it's secluded and the perimeter when I was out there has brush and it's very nicely laid out, so I don't think that this is a detriment and that's following the Code.

Mrs. Kuzior: I also feel that it will be an asset to your property and we have this a lot where we have a detached garage, because if your garage was attached to your house, you would not need a variance for this extra square footage on your garage. So, we understand that and the place where you've decided to put this addition, you won't be able to see it from the road so, I'm in favor of this variance as well.

All members voted in favor. (5-0)

Mrs. Kuzior: Your variance has been approved. Next item of business:

**Case No. 1040**

**Alyssa Urbansky, applicant/owner  
106 Glenwood Circle**

- Variance requested from Subsection TCO 1157.08 minimum rear yard setback is 7.5' as platted.
- **Request variance of 4.5' to allow 3'**

Alyssa Urbansky was sworn in.

Ms. Urbansky: So, we're requesting a variance to change the setback of our property line since, we are on a corner lot, in order to be able to build a deck leading out from our sliding door. My husband, Alex Durdella, can expand on that a little bit more.

Alex Durdella was sworn in.

Mr. Durdella: So, being that we are on a corner lot and the shape of our lot is almost like a triangle, our original 7.5' setback pretty much cuts across where if we were to build anything coming off of our sliding door. So, we were just looking to push the original setback to 3' instead of 7.5' feet.

Mrs. Kuzior: I was out there today, and I see your hardship because your yard is an odd shape. IF you put anything square there, you're going to have a problem.

Public Hearing opened at 7:47.

Mrs. Kuzior: Do we have any other questions from the Board?

Mr. Victor: I've been by your property also and concur with the other opinions that it's hard to have a set of sliding glass doors that you can't use and build a deck off of so I can concur with that so this is definitely a hardship.

Mr. Schunk: I agree with Mr. Victor: This must be about the 5<sup>th</sup> or 6<sup>th</sup> case we've had from this particular allotment. It's, in my opinion, rather poorly laid out. I would concur that there is a hardship there because the layout of these lots. I would vote to approve this variance request.

Mrs. Bushey: We have been in that allotment before and I can see your hardship due to the parameters of your lot. I went down the hill and I would not want to go down there again.

Ms. Urbansky: I think a couple neighbors said that wrote letters as well.

Mrs. Kuzior: I was just about to ask Kelli to read those into the record. There's four of them I think.

Ms. Funk: I think there is just 2 for this one.

*Hello-*

*We are neighbors of Alyssa Urbansky at 106 Glenwood circle. We just wanted to send a note in that we are 100% good with her having a deck built. With a lot of our neighbors having decks, it will be a nice addition and be put to good use for years to come.*

*Thank you,*

*Julie & Jason Ball 94 Glenwood circle*

*Ms. Hussing:*

*I am in full support of Ms. Alyssa Urbansky's request for a variance for 106 Glenwood Circle.*

*Ms. Urbansky's house is directly across the street from mine. While it is an oddly-shaped corner lot, it also has a water drain in the back yard.*

*Ms. Urbansky's plans work within her lot's limitation to achieve a deck from the second-floor slider and remain within the property's footprint.*

*I am sorry I am unable to attend the public hearing on June 9. If you or the Zoning Board need additional information, please feel free to call me. I've spoken to the Board at prior variance hearings for other Eastwood Glen neighbors.*

*I am aware the Google Maps has outdated photos of our neighborhood (before construction). Attached are three photos showing the area in question.*

*Thanks for your consideration of Ms. Urbansky's variance.*

*Cathy Bongiovi*  
*President, Eastwood Glen Homeowners Association*

Mrs. Kuzior: Thank you, and I apologize, I was feeling the thickness of the packet and there were several pages of pictures. So, I apologize, I misspoke. Do we have anybody that's here on the meeting?

Mrs. Hussing: There were no neighbors that registered to speak.

Mrs. Kuzior: Thank you.

Public Hearing closed at 7:51.

Mr. Victor: **I move to approve the variance request for Applicant Alyssa Urbansky for the property located at 106 Glenwood Circle for the variance requested from Subsection 1157.08, 7.5' rear yard setback (as platted) seeking 3' based on the plans and application submitted dated May 14, 2020 and evidence presented that:**

- (1) The strict application of the provisions of this Zoning Code would result in practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of this Zoning Code.**
- (2) There are exceptional or extraordinary circumstances or conditions applying to the property involved or to the intended use or development of the property that do not apply generally to other properties or uses in the same zoning district or neighborhood.**
- (3) The granting of such variance will not be of substantial detriment to the public interest or to property or improvements in such district in which the variance is sought, and will not materially impair the purpose of this Zoning Code.**

Mrs. Bushey: **Second.**

Mrs. Kuzior: All I would like to say is the same thing, we see the hardship that the property is located on an odd shaped lot. There was no other thing that they can do coming out a second-floor door but to put a deck and ask for a variance, so I will be voting for this.

All members voted in favor. (5-0)

Mrs. Kuzior: Your variance has been approved. **I'd like to make a motion to adjourn.**

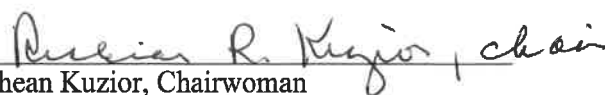
Mrs. Bushey: **Second.**

All members voted in favor. (5-0)

Meeting adjourned at 7:54pm.

Respectfully submitted,

  
\_\_\_\_\_  
Kelli Funk, Secretary

  
\_\_\_\_\_  
Richean Kuzior, Chairwoman