

**CITY OF TALLMADGE
BOARD OF ZONING APPEALS**

MINUTES OF MEETING HELD July 14, 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

<u>Item #1</u>	<u>Case No. 1041</u>	<u>7:01 PM</u>
	Anthony Skidmore, applicant/owner 589 Perry Rd <ul style="list-style-type: none">• TCO 1154.03 (c) Accumulative area for all accessory buildings shall not exceed 900 sq. ft.• Request variance of 240 sq. ft. to allow 1230 sq ft of which 990 sq ft is existing• For review and determination	

The July 14th, 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 from June 9, 2020.

Mr. Bushey: **So moved.**

Mrs. Kuzior: **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: At this time, there are no agenda additions.

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

Mrs. Hussing: We received no correspondences or communications and just for the record, we did not receive any registrations for any people wanting to speak during this meeting.

Mrs. Kuzior: Ok, it is now 7:02.

Case No. 1041

**Anthony Skidmore, applicant/owner
589 Perry Rd**

- TCO 1154.03 (c) Accumulative area for all accessory buildings shall not exceed 900 sq. ft.
- **Request variance of 240 sq. ft. to allow 1230 sq ft of which 990 sq ft is existing**
- For review and determination

Anthony Skidmore was sworn in.

Mr. Skidmore: I had received 2 inheritance. One from 629 Perry Rd, his name was Albert Woody. I accumulated his belongings and I sold most of them and then my father in law just passed away on Father's Day and I am getting an inheritance from him. My wife's health is bad because of diabetes and I can't be in another state delivering glass in PA when she can't walk very good and I've accumulated so much stuff for the garage that our cars have to stay outside of the garage. So, I'm asking for the variance to put 2 riding lawn mowers into the barn that I'm trying to get and all the tools that I inherited from Albert Woody, who lived in Tallmadge for over 40 years. I sold most of the stuff but there is some stuff that he did want me to keep like a boat, which is out in the weather right now also.

The public hearing was opened at 7:05pm.

Mrs. Kuzior: There are no requests for anyone to speak on this so I guess we will close the public hearing (7:05pm). Are there any Board members that would like to ask the applicant any questions?

Mrs. Bushey: I would like to ask, just for the record, is he planning to run a business out of this barn?

Mr. Skidmore: No business will be run out of the barn. It's storage only.

Mrs. Kuzior: Ok, thank you.

Mr. Victor: How are you going to access the barn? Your letter that you submitted talks about going on your neighbors' side of this small island. Does that mean you're going to be on your neighbor's property to access where the barn is at?

Mr. Skidmore: No, actually the barn will be at least 10-12 feet away from their property and I own the island except for 2 feet. 2 feet of the island they own. They own 1 lawn mower cut and that's it. So, I actually own almost $\frac{3}{4}$ of that island.

Mr. Victor: Thank you.

Mrs. Kuzior: Mr. Skidmore, I see your hardship in that you have a detached garage so in order to add this barn, you have to add the square footage to your garage, which puts you over the limit of 900 sq ft. So, I understand your hardship with adding the barn and going over the square footage requirement.

Mr. Skidmore: Thank you. I didn't mean to accumulate so much stuff, but the passing of 2 people and my wife's health, I really got to watch what I do as far as storage because if she

goes out there to feed the horse or anything, if she falls and I'm in the other state of Pennsylvania delivering glass, then I'm in hot water there because her legs do not work that well with her diabetes.

Mrs. Kuzior: Do we have any questions for Mr. Skidmore?

Mr. Victor: One further one. Mr. Skidmore, have you approached your neighbors on either side and ask what they feel about this? Do they have an opinion?

Mr. Skidmore: No one said anything to me. They said just go ahead and put the barn up if I get the ok on it. I have not did any construction at all yet.

Mr. Victor: Thank you.

Mrs. Kuzior: I was out there today, and I saw that you've done nothing to get ready for it. You've done things in the right order. Any more questions or comments from the Board?

Mr. Schunk: My only question, the side yard setbacks are no problem, at least in (inaudible)

Mrs. Hussing: Yes, the side yard setback will not cause a problem. That is within the right. So, we're asking for the size of the accessory structure.

Mr. Schuck: Ok, that answers my questions. And you have about 3 acres, do you not?

Mr. Skidmore: That is correct, sir.

Mrs. Kuzior: Ok. If no one else has any questions for Mr. Skidmore, **I'll make a motion to approve the variance request for Owner Anthony Skidmore for the property located at 589 Perry Rd 589 Perry Rd for a 240 sf variance requested from Subsection TCO 1154.03 (c) accumulative area for all accessory buildings not to exceed 900 sq. ft. to allow 1,230 sf of which 990 sf is existing upon the showing based on the plans and application submitted dated June 17, 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: Any other discussion?

Mrs. Bushey: I think with this addition of a barn, I think his yard will have less items such as the boat, the car, and I think it will be better fit for his house and the neighborhood.

Mrs. Kuzior: I agree.

Mr. Gregg: I think the setup of the lot and the neighborhood, the accessory building will have no detriment to any of the neighbors or the neighborhood. I think it's a good plan.

All members voted in favor. (5-0)

Mrs. Kuzior: Your variance has been approved.

Mrs. Bushey: **I move to adjourn.**

Mrs. Kuzior: **Second.**

All members in favor. (5-0)

Meeting adjourned at 7:12pm.

Respectfully submitted,



Kelli Funk, Secretary



Richean Kuzior, Chairwoman