

**CITY OF TALLMADGE
BOARD OF ZONING APPEALS**

MINUTES OF MEETING HELD August 11, 2020 7:00 p.m. Virtual-Teams
Date Time Place

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

MEMBERS ABSENT: Melanie Bushey

CHAired BY: Richean Kuzior

SECRETARY: Kelli Funk

REGULAR MEETING

SPECIAL MEETING

PRESENT: Dave Kline, Mayor
Helene Hussing, Planning and Zoning Manager

ITEMS TO BE DISCUSSED

Item #1 Case No. 1042 7:01 PM

**Chandra Parajuli, applicant/owner
153 Northwood Ln**

- Variance requested from Subsection TCO 1157.08 (c) minimum rear yard setback is 25 feet.
- **Request variance of 15 ½ feet to allow a 9 ½ foot rear setback**
- For review and determination

The August 11, 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 with the exception of Mrs. Bushey.

Mrs. Kuzior: **I'd like to move that we excuse Mrs. Bushey from this meeting.**

Mr. Victor: **Second.**

All members present voted in favor. (4-0)

Mrs. Kuzior: The next item of business is the approval of minutes for July 14, 2020.

Mr. Victor: **So moved.**

Mrs. Kuzior: **Second.**

All members present voted in favor. (4-0)

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

Mrs. Hussing: We do not have any agenda additions.

Mrs. Kuzior: Thank you. Ok, the first item:

Case No. 1042

**Chandra Parajuli, applicant/owner
153 Northwood Ln**

- Variance requested from Subsection TCO 1157.08 (c) minimum rear yard setback is 25 feet.
- **Request variance of 15 ½ feet to allow a 9 ½ foot rear setback**
- For review and determination

Mr. Parajuli was sworn in.

Mr. Parajuli: I am actually applying for the deck on my existing concrete patio. The reason I am applying to have the deck here is poorly kitchen space and then the second reason is inadequate living room for entertaining, dining, and for my own privacy. So, those are the main reasons why I am applying for the deck.

Mrs. Kuzior: Ok, thank you. Since no one is registered to speak in the public hearing, we'll close the public hearing.

Public Hearing closed at 7:06.

Mrs. Kuzior: Are there any questions from the Board for Mr. Parajuli?

Mr. Gregg: I don't have any questions, but I certainly understand your hardship in this case. We've had several in this same development. I can certainly see your hardship and I think you've submitted a good plan here.

Mrs. Kuzior: I agree with Mr. Gregg. I believe that it will enhance your property to have a deck, because you don't have much of a yard, so that will be nice for you to have that. It will look nice back there too. Anyone else?

Mr. Schunk: I was out there this afternoon and I agree that this is one of those undersized, weird-shaped lots that required the property owner to come to our Board for a variance. I think a little work needs done on the Zoning Code to take care of situations such as this. It certainly is a hardship that needs to be corrected through a variance.

Mr. Victor: I would agree with the opinions of my colleagues. I think this request is certainly constant with other decks that have been added within this allotment and I would support this request.

Mrs. Hussing: We did receive one communication. Do you want Kelli to read that into the record?

Mrs. Kuzior: Kelli, do you mind reading that into that record?

Ms. Funk: Sure.

Ms. Hussing:

The Eastwood Glen HOA Board is in full support of Mr. Chandra Parajuli's request for a variance for 153 Northwood Lane.

Mr. Parajuli's plans to build a deck over the existing concrete patio (attached) were approved by the HOA Board in May.

I am sorry I am unable to attend the public hearing on August 11. 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.

Thanks for your consideration of Mr. Parajuli's variance.

Cathy Bongiovi

President, Eastwood Glen Homeowners Association

Mrs. Kuzior: Thank you.

Mr. Victor: **I move to approve the variance request for Applicant Chandra Parajuli for the property located at 153 Northwood Ln for the variance requested from Subsection 1157.08 (c) 25 foot [rear] yard setback seeking 9½ foot based on the plans and application submitted dated July 16, 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. Kuzior: **Second.** I certainly can see the hardship of Mr. Parajuli because of the size of the lot and the setback we require for the back yard so I think this will enhance the property and it's the same that we've had in that development many times because so I will be agreeing with his variance.

All members present voted in favor. (4-0)

Mrs. Kuzior: Your variance has been approved. **I'll make a motion that we adjourn.**

Mrs. Victor: **Second.**

All members present voted in favor. (4-0)

Meeting adjourned at 7:11pm.

Respectfully submitted,


Kelli Funk, Secretary


Richean Kuzior, Chairwoman