

# ***RAVENNA TOWNSHIP BOARD OF ZONING APPEALS***

***JEFF GAYNOR, CHAIRMAN, REMY ARNES,S  
DOROTHY GRIFFITHS, JIM ACKLIN, AND GARY LONG***

The Ravenna Township Board of Zoning Appeals met on October 19, 2011 at 7:00 P.M., in a regular session, at the Ravenna Township Trustee Meeting Room at 6115 S Spring St., Ravenna, Ohio 44266.

Jeff Gaynor brought the meeting to order at 7:00 p.m.

Roll call was taken: present were Dorothy Griffiths, Gary Long. Jeff Gaynor, Jim Acklin, and Remy Arness. Also present, Jim DiPaola, Zoning Inspector, Carolyn Chambers, Zoning secretary and Vince Coia, Trustee.

On the agenda was:

Old Business: Frank DeAngelis variance # 2011 BZA 09.

Jeff Gaynor: The request was permission to break up the approx. five acre lot on the corner of Summit and Lakewood Rd. into an approx. 2 acre lot with a house and barn on it is that correct?

Frank DeAngelis: The house and barn would be just less than 2 acres that is Summit Rd and the other is on Hodgson Dr.

Jeff: Breaking remaining approx. 3 acres into 3 separate lots. The request last month was turned down because zoning in that area now requires a minimum of 1 ½ acres lot. We are back looking into this again at this point because in the opinion of some of us, myself included, making that three approx. wouldn't do any harm to the neighborhood because everything else is smaller than that now.

Swears in Jim DiPaola, Zoning Inspector.

Jim: What allows you to take a new look at this is new evidence and one of the things I found when I was looking at it is that's a sub division, it's called Lakeview Gardens

Jeff: This five acre lot is part of the subdivision?

Jim: Yes, and part of the subdivision is keeping consistency with what is there already. Points to the map posted on the easel and explains it. Noted that he lives out there and his lot is 6/10 of a acre and 3/4 of an acre and that was done in 1986 the lots on the North side of the road was done by Wise Hill Estates in early 90's and Lakeview Gardens have been there for quite awhile. It pretty much keeps with the consistency with the neighborhood. There is sewer and water. That maybe something we will have to go back in with the Zoning Commission and add to is that if there is not sewer and water then that's the health departments issue but if there is sewer there then we should be able to drop the requirements.

Jeff: So allow the three lots of about an acre each would be more consistent with the exiting neighborhood, even though out zoning book calls for an acre and a half. Any other discussion?

Gary: What was that size, Jim, in the old resolution prior to 2009?

Jim: The old resolution was an acre and a half. If that's the case under the old resolution, when I built my stuff out there I don't have an acre and a half of land. When Ralph and Lois Wise plotted of the north side of the land in the 90's that was still in effect and I was never made to get a variance. I went in and put my application in and that was in and out. It met all setbacks requirements and when Wise Hill Estates went in that was something that they weren't plotted out until the 90's when they were all subdivided out it was Wise Hill's Estates for a long time. So even with the absence of subdivision we don't know exactly what was plotted out under the subdivision if it said that they could be less than required in zoning. All the other

subdivisions that have been done since I've been around it states right on them that and there are probably two other subdivisions that were done in that area and their all under an acre of ground. Going back to the 50's I can't find the subdivision regs. Maybe on the deed, but it is pretty much consistent as far subdivision.

Jeff: Does anyone else wish to speak on this matter?

Swears in Frank Cimino, I'm here with Frank this evening. I think the points that Mr. DiPaola brought out are very significant in relation in how this property was subdivided and I think also very important is the matter that there is sewer and water there, I think that plays real large part in the services that will be provided and can be provided without any additional burden and or concerns to the Township. I understand there was a neighbor that was here and really did not object to the subdivision as it was proposed and he did not have a concern about that and I guess all of the lots, the smallest that I've seen on there was about .42 acre and the one that was right adjacent to it was about .42 acres and this larger one is about .68 acres. Jim indicated farther down the road where he is there's about  $\frac{3}{4}$  of an acre but rather it's right around where Frank is and/or the balance of those lots there's nothing that seems to exceed  $\frac{3}{4}$  of a acre it's all something much less. We don't feel that we are burdening and/or putting any extra strain on the request that we present.

Jeff: Any other discussion from the board members? Chair will entertain a motion.

Dorothy Griffith made the motion and Remy Arness seconded the motion. R/C: Remy Arness-yes, Jim Acklin-yes, Jeff Gaynor-yes, Dorothy Griffiths-yes and Gary Long-yes.

Jeff: The decision has been reversed. There is an appeal time, 30 days where any interested parties could make an appeal in court over the decision any action you might take during that time would be at your own risk. We will journalize this entry this evening.

### New Business

Jeff: Next item on the agenda is variance request #2011 BZA 10, Wall Mart, 2600 St. Rt. 59, Ravenna, Ohio Swears in Alan Stanley representing Wal Mart, requesting to have some storage bins for the holiday season and total of five is all we are going to need. Since the fire department was out they stated we only have room for five trailers.

Jeff: Any questions from the board members.

Remy: Time frame?

Jeff: Yes, we want to put a specific ending date for this. As long as we make it temporary we are allowed to do this.

Gary: Your beginning date, November 1 or 15.

Alan: We are going to call tomorrow so it will be when they get there. It could be tomorrow it might be Monday before they get there

Jim: You usually use October 1 as your starting date?

Alan: Yes,

Gary: So that is what you are requesting, so we can put this in the variance.

Remy: We are looking at 40 foot long. Original you ask for 53.

Alan: 40 foot

Gary: 40 foot is what you need so there won't be any 53?

Alan: There will not be any 53. There are going to go across this line (points to the map) that's why we requested 10 originally.

Remy: These will be storage for non flammable or hazardous material

Alan: Yes

Jim: Chief Boso went out and looked and that's where he came up with the diagram.

Gary: I happened to see something that I wanted to make sure that we are all aware of. Page 95, 504.09, controlling the hours of a business, reads what it says.

Jim: That is not CR out there, it is GC.

Gary: I stand corrected. If I'm correct when we issue this variance it's permitted.

Jeff: Yes

Gary: I move that we accept the variance as written #2011 BZA 10 for Wal Mart with the stipulations that there are no more than (6) six forty foot trailers and is within the dates of October, 1 thru and including January 15<sup>th</sup>, and placement reference to the approval and recommendation of the Ravenna Township Fire Department. Dorothy seconds the motion. R/C: Gary Long-yes, Jeff Gaynor-yes, Dorothy Griffiths-yes, Remy Arness-yes, and Jim Acklin-yes

Jeff: Your request is passed and in the book it states there is an appeal period and any actions you take are at your own risk.

Gary: In the resolution about the acreage of about an acre and a half is there some formality that we have to address with the Zoning Board to put a stipulation in there that it is ok to do something other than an acre and a half?

Jim: The Zoning Commission can come up with that and I will tell them about the dilemma that you guys have had with that being in there. When it was updated in 2009 the gentleman that updated that looked at the health department requirements for sewer and said we need a acre and a half land for sewer and septic. At that time it just didn't take into account. It's something that they can take a look at and I will bring it up to their attention.

Gary: I think they should put a one liner in there somewhere.

Jim: I think there are other parts in there where it does have a stipulation on something similar to that.

Jeff: Chair will entertain a motion on our new finding on Frank DeAngelis request 2011 BZA 09 that we passed tonight. Remy made the motion to journalize and Jeff seconds the motion. R/C Jeff Gaynor-yes, Remy Arness-yes, Dorothy Griffiths-yes, Jim Acklin-yes, and Gary Long-yes. To journalize 2011 BZA 10, Wal Mart, make a motion as we passed it tonight. Jim Acklin makes the motion and Gary Long seconds the motion. R/C Gary Long-yes, Jim Acklin-yes, Dorothy Griffiths-yes, Remy Arness-yes, and Jeff Gaynor-yes. One more motion to accept the September 14 ,2011 minutes as presented to us. Gary Long make the motion to accept the minutes as written, Jim Acklin seconded. R/C Jim Acklin-yes, Gary Long-yes, Dorothy Griffiths-yes, Jeff Gaynor-yes and Remy Arness-yes. Minutes approved.

With no more business, Gary Long made a motion to adjourn.

Jeff Gaynor adjourned the meeting at 7:30 p.m.

Respectfully submitted

Carolyn Chambers, Zoning Secretary

Cc: Trustees (Coia, Artz, Gibson)  
Zoning Inspector ( DiPaola)  
Board Of Zoning Appeals Members (5)  
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