

RAVENNA TOWNSHIP

BOARD OF ZONING APPEALS

*JEFF GAYNOR, CHAIRMAN, REMY ARNESS
GARY LONG, JOANN McEWEN, AND CLAIRE MOORE*

Jeff Gaynor called the meeting of June 12, 2019 to order at 7:00 p.m.

R/C: Jeff Gaynor – here, Remy Arness - here, Gary Long, - here, Joann McEwen - here, and Claire Moore – here, Carolyn Chambers, Zoning Secretary and Jim DiPaola, Zoning Inspector.

Jeff: Any old business? None

Jeff: New business Variance request to build an accessory building in the front yard of 5151 Hayes Road, Ravenna is Mr. Presley here? Backing up, Jeff explained the rules of talking in the microphone to be recorded. Swears in Mark A. Presley 5151 Hayes Road, Ravenna, Ohio 44266

Jeff: Thank you, what is the nature of your request?

Mark: We have in our subdivision our lots are divided out 150 foot wide and they are really long. On our property there is a real deep ravine that runs about 1/3 of the way back and the builder didn't build this particular house in line with the other houses, they set them back a little further and the actual back of the deck is starting to go over the ravine so there is no back yard to the property. The house is situated a little bit, this is the road (points to the map) there is only a real option that I have is this area right here (points to the map) I am requesting two variance based upon that opportunity.

Jeff: That still puts the garage relatively close to your existing driveway, the 30 feet.

Mark: See how it is a tear drop? This is all dry, this is all driveway here, so I have this all filled in and if I come off five feet off the property line and I give myself if the garage is here, this is all hidden here by trees, so I'm able to have the secondary building.

Jeff: This is the property line here right? Is this the neighbor's house? (pointing to the map)

Mark? Yes

Jeff: So it is a couple hundred feet ahead of your house?

Mark: All the houses are lined up. There is another view of the whole street where you can see all the different houses. My house is back here (map) this is the ravine, I kind of marked it out in blue.

Jeff: Ok

Mark: It even wraps around. The blue on the page is the ravine that wraps around and even in this guy's yard you cannot get to it. With the ravine being in this area here the only real spot I have is flat and it will support any kind of structure is right in that area.

Jeff: Is that what this little red dot is? (map)

Mark: There is some trees on the property line comes down and the trees might hide it and make it look... so from the road, we have a very nice house and we want to make it look nice obviously

Jeff: That was a major concern as we discussed this earlier that the garage match, at least compliment the house.

Mark: It will 100% match the house.

Jeff: How big is the garage?

Mark: 36 X 25

Jeff: Ok, 20, 000 feet is that right?

Mark: 900 sq. feet

Jeff: Any questions?

Gary: What is your plan B?

Mark: I really don't have one, because I may try to add on to the house, the problem is I may I think I would mess up the ascetics of the house, because one of the things that I like about it is that the garage is on the side of the house you pull into the garage that way and then I would have

to bring the garage out this way and the doors would be facing the road and I still wouldn't have a turnaround area, because the ravine is right here and when I pull out of the garage I would fall off into the ravine. There is just no opportunity for anything.

Claire: Do any of the other homes have an accessory building out front?

Mark: No, but they are all set up in front of me though. The other homes are exactly in front of my house.

Jeff and Mark looking at the map for all the houses in front of his house.

Gary: The finish on the garage is going to.....

Mark: I was going to do steel

Gary: It's going to be steel?

Mark: Yes, steel sided building

Jeff: How are you going to get that to or at least compliment the appearance of the house?

Mark: I can get it in any color I want, it will come in any color I want. I just feel a steel garage is going to look really nice.

Jeff: Planning on building it yourself?

Mark: No, I'm just going for the variance first, if I get that then I will hand it off to whoever is going to do it for me.

Jeff: We are starting to get paranoid about owner built projects.

Mark: Well, this owner doesn't have time

Jeff: I understand that.

Gary: What is your home, the outside?

Mark: It's a vinyl sided home, like beige color with a brown trim and white. I was going to make the garage match the house, brown with the two colors of the house with the white trim. We haven't gone into that part of the project yet because we wanted to see if this was going to go through first before we go any further.

Gary: Have you considered vinyl siding?

Mark: Yes, I have, if there was a contingency you put on this then we would go that route. I have seen a lot of real pretty metal structures I kind of like them I think they look nice, but if I had to do that I would.

Jeff: That picture shows a very clean structure, you make pictures so it doesn't look necessarily depict what it's exactly what it's going to look like finished?

Mark: The dimensions and where the doors are, are accurate, but the outside finish is going to be built like a house. It will have a 10 or 12 foot pitch roof.

Jeff: Anyone else? We have not yet addressed the significant set back from the property line. The requirement is 15 feet in this area, and you would like it to be five feet, five and a half feet from the property line?

Mark: I put in the variance five and put in five and half feet.

Jeff: You are pretty far behind, you say the neighbor's house is here (map) and the ravine is here.

Mark: Yes, the ravine is here (map) his probably

Jeff: The neighbor is not here this evening?

Mark: No, we talked about it, basically all the plans that I gave you guys, we talked about and he and his wife are both ok with it.

Jeff: Anyone else have any questions? Being in the country like that will not terribly create a problem. I've been on the board 10 years and I can't remember the last time we gave permission to someone to have their garage in front of their house. You do have circumstances here that we can understand there is no place else to do this. It is not in front of or in the line in front of the house. You're not blocking the view of the house at all.

Claire: If you want the setback to be 5 feet? How much further can you get?

Mark: If you go back to where the garage is and five feet over the property line. There is a peninsula that sticks out over the other guy's property line that he doesn't have access to. There is just clear land there, I can take it all the way to the line if that's what you guys want that would be no problem for me. I don't have to get behind for anything. There is nothing there.

Claire: What I'm saying is, I have this situation there until 25 years later where a neighbor built right on the property line. You are asking for five feet, can you put it any further away from the line?

Mark: No, I can't, I won't ruin the ascetics of the house.

Jeff: In one of your pictures it looks like the neighbor's house is quite close to the property line.

Mark: Which one are you referring to? He's got a barn right here on the property line and then his driveway comes down and they are all built about right in the center.

Jeff: The barn is on the line or very close to the line?

Mark: I can't see it, because the property line has 15 or 20 foot of fence under brush and that takes it all the way down to the neighbor's house and you can't see each other. Even in the winter time when the trees are down you can't see each other. We are way back in there.

Jeff: Anything else? Anything our Zoning Inspector would like to comment on?

Jim: I sat down with Mark and we looked at a number of ways and talked about it and we figured this would be the best avenue to go to put it there and that way he gets it where it can be functional and it's not changing the ascetics at this time.

Mark: That's very important to me.

Jeff: Well, it is a nice looking house and you wouldn't want to do anything to upset it.

Mark: I just wish it was in line with the other houses and I then wouldn't have any trouble at all.

Gary: I would like to see the siding and the roof on this structure to match your home, you have a very beautiful home and I think if you did that you would enhance your resale value and 30, 40 years from now if you decide to sell it, it would be more saleable and more acceptable to the neighborhood. As far as the setback is concerned, I don't have a problem with that.

Mark: Do you guys recommend that you put it all the way to the property line?

Gary: No, if we recommend anything we would go the other way. I think the 5 and ½ would be alright out there.

Jeff: We will put it in the motion about the siding and the roof, it needed to be the same or... how old is your home?

Mark: It's a 94

Jeff: You might not be able to match it per say.

Mark: If that's a restriction, I was going to match it anyway.

Gary: I would rather see that than a steel building

Mark: Ok, you guys think the resale value will be better in the end anyway, I have no problem with that.

Jeff: Anyone in the audience want to speak? Swears in Roy Walker 5235 Hayes.

Roy: I have a building, I built myself. I built the beige and everything else to match my house, like you said. The main reason I'm here today is we own two homes on Hayes Road and we are worried about the value of our homes, because the people are not taking care of their homes on Hayes Road. I will agree for him to have what he is wanting as long as he's convincing us that he is going to take care of his place.

Jeff: Well, it looks pretty good now

Roy: There are several of them on Hayes Road that is really bad and I'd like to know who I can talk to some other time, this letter that we got has brought me up to this.

Jeff: This gentleman here, he is at the Township Zoning office in the mornings.

Jim: My business card is in one of those racks up there.

Roy: Is there anything that we can do about these place that don't take care of them?

Jeff: This is a conversation that needs to take place at another time. These folks are waiting for their business this evening.

Roy: I will agree with what you said about your building in front of his house.

Jeff: Ok, let's go on here. Anybody else want to speak or have a question?

Gary: I make a motion that we grant the variance for BZA 05 2019 with the stipulation that the accessory building will match as close as possible to the finish outside on their home which is a vinyl siding and a shingled roof.

Remy: I would like to add drainage away from the other structure. He doesn't have to worry about gutter and facing. Something that the ravine won't be pouring into their homes

Joann: I second it

R/C: Claire Moore – yes, Joann McEwen – yes, Gary Long – yes, Remy Arness – yes, and Jeff Gaynor – yes. Motion passed

Jeff: Your request has been granted, explains the appeal period to them. That is about it for you folks this evening you can stick around or leave whatever suits you.

Jeff: The next item before the Board is Variance request 2019 BZA 06 for Theodore G. Manfrass, is Mr. Manfrass here: Sean Thompson is here for Mr. Manfrass. Would you step forward and be sworn in please. Swears in Sean Thompson, President of TMA Architects, we are the Architects, for the King Kennedy Meeting Center, our address is 101 Parkway North, Ravenna, 44266.

Jeff: Your request is to construct the gymnasium at the King Kennedy Center that oversteps the setbacks line a wee bit.

Sean: Because of the corner lot requirement, in talking with Mr. DiPaola it's a 35 foot required setback and a 25 foot, about 10 feet with the side yard.

Jeff: You have 13 feet right now with between the gymnasium and the basketball court and there is no place to move the basketball court either way. This is not your property?

Sean: That is correct. We could look at moving this over, but in doing so we give up the basketball court and the idea was to not give up one play area to build another.

Jeff: Where it is now you connect the existing structure here?

Sean: On the site plan, (pointing to the site plan) the new is going to be an entrance lobby, a new classroom and some storage for the gym and the gymnasium itself. We looked at making it smaller, but we are trying to get it high school size competition which is 24 X 50.

Jeff: What about parking spots? Is this the parking lot here? (points to map)

Sean: There is some parking on the gravel lot in back here in back of the pavilion in that area.

Jeff: Accessible from here? (points to map)

Sean: Yes

Remy: So the pavilion is here and you are going to add parking in this area? (points to map)

Sean: We could add additional parking in this area. (points to map)

Remy: How many existing handicap spaces do you have?

Sean: If varies, one existing, we need to add additional handicap spot we'll address that.

Jeff: What type of structure is this going to be?

Sean: For the gym its self it will be a metal building and will have masonry up to 7' 4" and will be metal siding above that and then we are going to match the addition and it will have vinyl siding around here to match the kitchen addition and on the front side we are going to redo the siding in a more playable colors and part of the existing building and the new entrance.

Remy: So this will be new as well?

Sean: Correct

Remy: Where is the playground going to be relocated too?

Sean: We are going to move it over somewhere in that area. (points to map)

Jeff: What else goes on at this center?

Sean: I'm probably not the best person to answer that question.

Jim: Did you find the section you were looking for Gary?

Gary: Is it 9.1?

Jim: Yes, it should be around there. There should be a table

Jeff: You have about 30 spots parking area here.

Sean: Right now that is a driveway out.

Remy: Is there fire hydrants on the property? You are adding quite a bit of structure there.

Jim: There is fire hydrants out there.

(Inaudible, several people talking at a time)

Jeff: This is a through road and this is a through road (points to map) so fire department access shouldn't be a problem.

Gary: How many square feet is the whole facility
Sean: That's a good question. The new gym is about 5,000 so with what's there now getting close to 9,000 feet total. That is my educated guess.
Jim: There should be a calculation there for gymnasiums.
Gary: The parking for the floor area is 5,000, so if he's got 9,000 he needs 45 parking spots
Jeff: I count 27 so we are going to need this extra parking back here that you noted. Another 20 spot would be nice.
Remy: Then on 9.4 another handicap spots
Gary: 1 for every 8. So he would need 6.
Remy: That acceptable?
Jeff: You need to make those handicap spots there acceptable.
Remy: 1 spot for a van.
Sean: Yes, we would probably make one for that spot
Jeff: About 48 spots, you are going to have significantly there and that is fairly important, because that is a fairly congested area you don't want people parking on the road. Is that accessible by roadway?
Sean: Yeah, the road actually..... (map)
Joann: Reads about seating capacity
Sean: There is no seating capacity, there is no bleachers, just activity area
Joann: So if we go by this.....
Jim: It says we have to go by so many spaces per sq. ft.
Gary: Not counting the gym?
Jim: Yeah, we have to count the gym.
Gary: That's what I thought.
Jeff: Who else would like to speak on this matter? You are under oath still. Swears in Eric Fink, 1506 Whitewood Drive, Kent, Ohio
Jeff: Thank you and your connection to the matter this evening.
Eric: I'm thrilled with the project that FSS is trying to do here. I have had a chance to review the project and have a local attorney and have many clients that live in that neighborhood and have all spoken about having a need for this type of facility in Ravenna especially in that neighborhood. If the Variance wouldn't be granted all that would happen is the kids would be getting a smaller facility, smaller building and this might save Mr. Frisone some money we don't think it would come off with the people of the neighborhood as well and we are hoping that this variance will be granted.
Jeff: I feel that anything that we can do for the kids, that gives them something to do and so forth is a good idea.
Eric: I am hoping that as well.
Jeff: Thanks you for your time.
Gary: Are we covered on the parking spots
Jeff: We need another 20 spots or so
Remy: More handicapped and paved
Jeff: Well, this is paved. It doesn't necessarily have to be paved, but it has to be dust free.
Swears in Mark Frisone 705 Oakwood Street, Ravenna, Ohio
Jeff: Your interest this evening?
Mark: We understand we need more parking places. We understand we have plenty of land in which to do it. We expected to obviously add parking for a facility like that. Not a problem for us whatsoever. We anticipated it, we have to figure out where it might go and so we are fine with whatever the requirements are for us to meet.
Jeff: Thank you. Any other questions from the Board or concerns?
Gary: We need a print to draw
Sean: With the final placement drain run off and all that. Covering that much with water.
Remy: Will there be exterior lighting on this gym addition?

Sean: There is lights, There will be lights and for an emergency exit. Our intent though is not to glare up this area. We will place lights for an outdoor court and towards the parking. We will put maybe a light for safety purposes.

Gary: Just so you are following, we are going to require a redraw. Remy mentioned you are going to need to show those lights positions or type of light that you are going to utilize and your drainage, I would assume you've got storm sewers out there to where you are going to make the tie in to make the surface water.

Jeff: Will there be any signage involved with this project?

Sean: I think there is already signage on the side of the building.

Gary: It is existing already?

Sean: No, that would be on the new structure.

Remy: What would you have on the existing building?

Sean: A small detached sign. A small pylon sign

Jeff: Signs on the building need to be permitted too don't they?

Jim: Yes

Gary: Also, show the parking spaces and the handicaps

Jeff: Do you have a time table for this yet?

Sean: We are working on have table documents in probably a month time, because there is money from the State.

Jeff: We would like to see how you're going to drain the parking and all that sort of thing and how the water is going to go from the roof of the new structure.

Remy: Covering a lot of surface area between the building a parking lot and that much water, we have to make sure it gets out safely.

Gary: We should have Mark take a look at this layout too to make sure he is accessible all the way around, to his satisfaction.

Jim: He will get the drawings from the building department. It will all go to him. All I need to see is the site plan that has everything that you required.

Jeff: What is going on with these three lots over here? (points to map) Are there structures?

Jeff: Anyone else wish to speak on this matter? Swears in Myra Sanders, 161 E. Harris Ave, Ravenna, Program manager

Myra: I just want to say we are really looking forward to this project and would be greatly appreciated. We now have a program that is called the Great escape program and we have programs for senior and mentoring program for the youth as well. It would be very helpful for us to have more space to move about.

Jeff: Thank you

Claire: How many kids do you have coming through there?

Myra: Right now, because of summer we have 30 to 35 kids that come every day. It would be nice to have a bigger building and have more space and do more activities with them

Remy: Would you think of adding winter programs?

Myra: We do that now, but it would be helpful to have more space. It is really tight right now and it would be greatly appreciated.

Jeff: Thank you, anything else?

Claire: How many more parking spaces are we saying they have to have now, more than what is there now?

Jeff: 20 more than there are now.

Claire: That includes the handicap?

Jeff: Yes,

Gary: It calculated out to 47 and so they need to add 20 more. 1 per 8 on handicap.

Jeff: What is this (map)

Sean: A concrete pad for the shelter.

Jeff: Does our Zoning Inspector have anything to add to this?

Jim: No, whatever you guys decide to do as far as a redraw, I'll make sure those are on it when they come into the office.

Gary: We can grant this variance, if we so desire, without the redraw?

Jim: Yes

Jeff: With the stipulations

Gary: Are you planning on doing any other additions to this facility like five years from now?

The reason I brought this up is if you can go beyond the 47 parking places to cover that.

Jeff: Are we ready for a motion? Chair will entertain a motion for this request.

Remy: I move we grant the provisional variance based on the redraw, the revision based on the current code book adding a minimum of 48 parking spaces, a minimum of 2 handicap spaces or if more are required by the book. If the description on all the parking line, the ingress, the egress, the indicated drainage, lighting on the building all by the book be presented to our Zoning Inspector by the signage,

Jeff: They have to have dimensions on the sign.

Jim: Once they turn that in that has to be on the application.

Remy: Anybody have anything else to add to the motion?

Gary: We are going to ok this....

Jeff: The encroachment on the right of way.

Remy: Along with the other stipulations.

Jeff: And a second

Joann: I second

R/C: Joann McEwen – yes, Claire Moore – yes, Remy Arness – yes, Gary Long – yes, and Jeff Gaynor –yes. Motion passed

Jeff: Your request has been granted as you probably heard me say to the other folks there is an appeal period. Explains the appeal period. That is pretty much the end of the public part here, you are welcome to stay or leave as you wish. We need to recess for a minute or so. We are back in session. We need to vote on and journalize our results tonight and also an acceptance for the minutes of the last meeting. Do I hear a motion to accept and journalize our results on BZA 2019 05?

Gary: So move

Remy: Second

R/C: Remy Arness –yes, Jeff Gaynor – yes, Claire Moore – yes, Gary Long – yes, and Joann McEwen – yes

Jeff: And request 2019 BZA 06, do I hear a motion to journalize that request?

Joanne: I so move

Gary: I second

R/ C: Jeff Gaynor – yes, Joann McEwen – yes, Claire Moore –yes, Gary Long – yes and Remy Arness- yes

Jeff: I would like a motion pertaining to the minutes from the last meeting as received by us.

Claire: I move we accept the minutes for the May 8, 2019

Gary: I second it

R/C: Claire Moore – yes, Gary Long – yes, Joanne, McEwen – yes, Jeff Gaynor – yes, and Remy Arness – yes, Minutes passed

Jeff: Anything else anyone wants to bring up while we are on record?

Gary: Yes, I'd like to bring up the results of or meeting that we had on November 17, 2018 that Forest Ridge Company LTD and this pertains to 2018 BZA 04 for Quail Hollow that they were supposed to do some things to get their project moving. The first thing was to report to our Zoning Inspector. I think we gave them six months to report to Jim about what they have done to promote the sale of the property, clean up the properties and we have not heard anything as of the last meeting we had, but it was reported to the Zoning Board of Appeal that May 14 was their deadline and that is when the report was due. Jim have we heard anything?

Jim: We have not, they were sent their certification, they signed for it, they have until June 14 to answer their citation, if not, Monday morning, I walk up to the Prosecutors office and hand them their stuff, the Prosecutors has already been made aware of it and he ask me for all the information from the November meeting and I will deliver that tomorrow and come Friday if we

don't hear from them, it will go to court. I told them in the citation letter that they risk having their conditional use revoked.

Gary: That is what you passed on to the Prosecutor?

Jim: That's what I wanted to see if the Prosecutor has some legal means

Gary: The Board of Zoning Appeals will bring this back up again after June 14.

Jim: The thing I have to find out from the Prosecutor is once you grant something and they don't follow it, what's the legal ramifications? Because there is nothing in the book, beyond the Prosecutors office, what happens? So they have to find something in the Ohio Revised Code or Case Law that backs up that you guys hear it again and get it revoked, fined, whatever. There has to be something in Ohio Revised Code that they can sink their teeth in in front of the Judge. This time I got ahold of the Prosecutor within a day and request this information.

Claire: That might be something we think about in the future.

Jim: We have to figure out what legal means we have to do that and if something needs to be put in the Zoning book then we will put it in there. I couldn't find anything in the Ohio Revised Code that says what the Legal remedy is that I'm sure we are not the first Board of Zoning Appeals that has had this happen. So somewhere there has got to be case law and that's where there are going to have to do some research. So by Brad asking me for all the information that he's already got ahold of somebody to do some research.

Gary: What kind of explanations do we have available for the neighbors?

Jim: They have already been told, go to the Prosecutors office and see where it goes. They have to understand that if the Conditional Use is taken away, that property is going to sit there as is forever long. That is the down side of pushing this ahead or taking away the Conditional Use.

Claire: Either way they have the same problem.

Jim: Yes, either way they have the same problem, or the other way could be until somebody buys the property. My guess is that Quall Hollow doesn't want anything to do with Forest Ridge. They see a more lucrative business over in Brimfield Township and my goal is to make sure that if they decide that, that they sting them a little bit.

Gary: I'm surprised that they haven't at least called you or something.

Jim: They did at least signed for the certified letter. The conversation that the property owners in Forest Ridge had with them had been interesting, because the passed them off to somebody who knew very little about the property. So they are just trying to find a scapegoat.

Jeff: The chair will entertain a motion to adjourn.

Remy: I so move

Meeting adjourned at 8:00 p.m.

Respectfully Submitted

Carolyn Chambers
Ravenna Township
Zoning Secretary

Copies to: File
Trustees (Coia, Artz, Gibson)
Zoning Inspector (DiPaola)
Board of Zoning Appeals (5)
Applicant(s)