

Richfield Township Board of Zoning Appeals
June 21, 2021

To meet requirements of Ohio HB 197 and 404 to prevent the spread of COVID-19, the special meeting was held remotely via the MS Teams meeting software and was opened at 6:33 p.m. on June 21, 2021, with the following members in attendance:

Rob Kapitan
Geoffrey Graham
Christi Gable

Township Administrator, Mindy Remec
Zoning Inspector, Patricia Ryan
Summit County Assistant Prosecuting Attorney John Gablonski
Summit County Assistant Prosecuting Attorney Raymond Hartsough (joined at 7:05)
Court Reporter Lena Duncan
Mr. Ora Meadows, property owner
Mr. John Markwalder, applicant
Mr. Gary Cerasi, property owner and applicant
Mr. Dave Sable, architect

There were no contiguous resident attendees.

A motion was made by Mr. Kapitan to nominate Mr. Graham as acting Chair for this meeting due to both the Chair and Vice Chair being absent.

Case 650-21 is a request for a 20' side yard setback variance at a property located at 2950 Boston Mills Road, parcel # 48-01813 in an R-1 district.

Mr. John Markwalder and property owner Ora Meadows were present. They were given the oath by the Mr. Graham. Mr. Markwalder explained he lives with his son-in-law and daughter, Ora and Emily Meadows, who own the home. Mr. Markwalder explained they purchased the home 3 years ago and when they combined the 2 households they realized they needed storage space for a boat and a few collector cars. He further explained the location of the proposed building is the only place due to the geothermal system across the rear yard, his driveway and the topography.

Mr. Kapitan asked Mr. Markwalder to explain the geothermal system and its location. Mr. Markwalder responded that there are 6 lines that run east and west across the rear yard about 40' behind the house and up to within 20' of each side property line. The lines are 250' long and the proposed building will be about 9' away from the north line.

Mr. Graham questioned if the accessory building could be shifted west. Mr. Markwalder stated it could, but due to the topography and his driveway at the lower entrance of the home, they would need to excavate, relandscape and add a retaining wall. The grade drops about 10' from the front of the house and it is presently terraced. If the building is moved west the front terracing would also need to be redone. The building estimate was \$30,000 and to regrade and relandscape could

add another \$10,000 plus. This could increase the cost significantly enough and make it unaffordable.

Mr. Graham asked about the well and electrical line in his written statement. Mr. Markwalder said there is a well on the SW corner about 50' behind the house so the building could not be placed on the west side. There is also an electric transformer about 20' north of where the proposed building is positioned. From there the main line runs underground to the house. The line comes in by his sliding door.

Mr. Graham stated the Board must consider the precedent this 50% variance would set and he understands the geothermal system making that area impossible but it may be possible to move it to the west to at least minimize the variance even though it may mean relandscaping and moving the drive. He stated given that there is a possibility to relocate the building there is no need for the variance and that the Board can't approve a request just because it is easier.

Mr. Markwalder stated relandscaping could add another \$10,000 plus to the project. This could increase the cost significantly and make it unaffordable. He could build it but it would be a financial hardship.

Mr. Graham responded the regulations were not written with finances in mind. They are just trying to see what is possible.

Ms. Gable stated the electrical line could be moved too.

Mr. Graham asked if the building could be built without a variance 10' from the house and slid to the west and south 5'?

Mr. Markwalder responded they were not sure exactly where the lines are. Mr. Graham asked if they could locate the lines and possibly change the width/depth of the building.

(Attorney Ray Hartsough joined the meeting).

Mr. Markwalder commented considerable amount of residents have unattached buildings in the front yard and he has many options in the front but the proposed location is the only one in the required rear or side yard. Their house sits back over 400' from the road and at the time they purchased they did not anticipate building anything.

Mr. Meadows said they would look into locating the geothermal lines, utilities and other obstructions.

Mr. Graham said solutions may not be ideal, but they are possibilities. Check these out and reconfigure a way to eliminate or lessen the variance.

The applicants agreed to continue the hearing until the July 19th meeting.

Mr. Graham made a motion to continue. Ms. Christi seconded the motion. The roll was called, 3 ayes, motion passed.

Mr. Graham opened case 651-21. This request is to allow a detached accessory building 13.5' from the side property line and 25' from the rear property line and for a barn to be located in a front yard at the property located at 3205 W. Streetsboro Rd., PPN# 4802155 and asked Ms. Ryan to introduce the case.

Ms. Ryan summarized the application and reminded the Board the applicant requested the variance for the front barn be continued until the July meeting due to not having a response from the Summit County Health Department.

The applicant, Mr. Cerasi and his architect, Mr. Sable were present.

Mr. Sable presented the application stating the property is unique being it is 650' deep and the house faces a common drive to the east. There are 2 flag lots to the rear and Mr. Cerasi's house is about 70' from the rear property line and this is the only place to locate the detached garage. He then opened the drawings and explained the location as being 6.5' from the existing structure.

Mr. Graham asked if the buildings could be connected and/or moved to the south to lessen the variance.

Mr. Sable said that was an option, but he did not check if the township had a limit on the number of garage bays. They discussed the 20' reduction in the side setback if the building was attached.

Mr. Sable stated there is a water well 23'+/- from the north corner of the existing garage. They could get a little closer.

Mr. Kapitan mentioned there is value in attaching it so the side variance is eliminated. The rear could not be avoided.

The Board discussed the attachment options and suggested continuing the hearing so the applicant and his architect could explore any of the options. The applicant agreed.

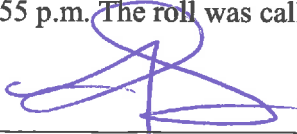
Ms. Gable made a motion to continue the hearing until July 19th, 2021 at 6:30 p.m. at the Richfield Town Hall. Seconded by Mr. Kapitan, 3 ayes, motion passed.

A motion was made by Ms. Gable, seconded by Mr. Kapitan to continue approval of the minutes of the February 15, 2021, and March 15, 2021, meetings until the July meeting, 3 ayes, motion passed.

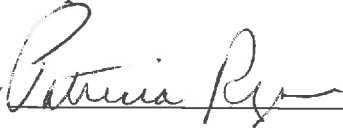
It was noted that all meetings beginning July 1, 2021, will be in person at the Town Hall.

Having no further business, a motion was made to adjourn by Mr. Graham and seconded by Mr. Kapitan at 7:55 p.m. The roll was called, 3 ayes, motion passed.

Chairperson



Secretary



Date

