

The regular meeting of the ROOTSTOWN ZONING BOARD OF APPEALS was held on Tuesday, April 16, 2013 at 7:00 P.M. at the Rootstown Town Hall.

Those present:

Troy Cutright  
James Manion  
Jennifer Milnes

Those absent:

Patricia Saillant  
Derek Ball  
Tom Giovagnoli

Also in attendance:

Zoning Inspector, Jim Mahood  
Assistant Zoning Inspector, Van Black  
ZBA Secretary, Mary Ann Greer

Ms. Milnes called the meeting order. Ms. Milnes introduced the Board members and explained the evenings' procedures. Mr. & Mrs. Galloway had the option to be heard by the three members Board or come back when there was a full Board (5 members). They opted to be heard by the present Board.

On the agenda was an application for a variance from Section 310.09 B, 1, C to construct a storage shed on the north side of the lot for property located at 4225 Sabin Drive in an R-2 District submitted by:

Katherine Pruchenski-Galloway/Anthony Galloway  
4225 Sabin Drive  
Rootstown, OH 44272

Ms. Milnes swore in Anthony Galloway, 4225 Sabin Drive. Mr. Galloway said they would like to build a storage shed on their property. They currently have a 15 x 16 storage unit. They have a lot of things stored in the yard and would like to clean it up.

Mr. Cutright asked if there was any other outdoor storage or buildings on the property. Mr. Galloway said they did but the building was dilapidated and would be torn down. Mr. Cutright asked if he was given all the measurements that he needed to be off the property line with the storage shed. There were no measurements on the prints. Mr. Cutright inquired about the distance from the property line to the shed. Mr. Galloway said the shed would be 3 feet off the property line on each side. The side that was adjoined to the football field, they would like the shed to be right on the property line. Mr. Cutright stated that they would be right on the property line on the back side (west side) and 3 foot from the north. Mr. Galloway said that was right. Mr. Cutright questioned if the shed would be fixed to the ground or not fixed to the ground. Mr. Galloway said it would be fixed to the ground.

Mr. Manion inquired about the fence around the football field and if that was the property line. Mr. Galloway said it was the property line. Mr. Galloway said he maintains some of the school property. Mr. Galloway showed the Board the property line. Mr. Galloway said it was 150 feet from the front to the back property line.

Ms. Milnes stated that the variance he was asking for was for the side. Mr. Galloway said it was for the side and back corner. He said if he put the shed between the trees, there would be no place for the kids to play.

Mr. Mahood stated the shed would be 12 x 24. Mr. Mahood said it should be 10 feet. He was still 7 feet short of the requirement.

Ms. Milnes asked if there was any other place to put the shed. Mr. Galloway said no.

Mr. Manion asked how many properties had this same situation. Mr. Galloway said his neighbor to the north has the same situation. The neighbor to the south, he was not sure if he even got a permit. Most of the sheds are close to the property lines. Mr. Manion asked if there were any up to the school fence. Mr. Galloway said there was only one.

Resolution ZBA 2013-002. Mr. Manion made a motion to grant the variance from as presented. Mr. Cutright seconded it. A vote was taken as follows: Cutright – No Manion – Yes Milnes – No. The motion failed by a vote of 2/1.

Ms. Milnes asked if he could make some changes so they could come to a compromise that works for both parties. Mr. Galloway said that would be fine. Ms. Milnes suggested that he come in 5 feet or so from his neighbor. Mr. Mahood said the shed needs to be 20 feet from the house. Ms. Milnes asked how close the shed would be to the house.

Mr. Mahood said he is now at the 20 feet from the home which is required: that is why he wants a variance.

Mr. Manion asked if he was building it himself or buying it. Mr. Galloway said he was buying it from Lowe's.

Ms. Milnes asked about turning the shed. Mr. Galloway said it would face the swall and he would have to do major work. The swill was created to have water runoff the football field.

Resolution ZBA 2013-003. Mr. Cutright made a motion to grant the variance from Section 310.09 B, 1, C for the property at 4225 to have a minimum distance from the back property line of 2 feet, side yard (north side) 5 feet and no greater towards the house at any point from the shed/garage no closer than 17 feet. Ms. Milnes seconded it. A vote was taken as follows: Milnes – Yes Manion – Yes Cutright – Yes. The motion carried unanimously (3/0).

Resolution ZBA 2013-004. Mr. Manion made a motion to accept the minutes of the January 15, 2013 meeting. Mr. Cutright seconded it. The motion carried unanimously (3/0).

Mr. Cutright made a motion to adjourn the meeting. Mr. Manion seconded.  
Ms. Milnes adjourned the meeting.

Jennifer Milnes, Vice Chair Person  
ROOTSTOWN ZONING BOARD OF

APPEALS  
Mary Ann Greer, Secretary BZA  
ROOTSTOWN ZONING BOARD OF APPEALS  
ROOTSTOWN ZONING BOARD OF APPEALS

April 16, 2013

Page 3