

The regular meeting of the ROOTSTOWN ZONING BOARD OF APPEALS was held on Tuesday, August 18, 2015 at 7:00 P.M. at the Rootstown Town Hall.

Those present:

Troy Cutright
Patricia Saillant
Derek Ball
Jennifer Milnes
Gary Slocum
Robert Stefanik

Those absent:

Shaun White

Also in attendance:

Zoning Assistant, Jordan Michael

Mr. Cutright called the meeting to order. Mr. Cutright introduced the Board members and explained the evenings' procedures.

Mr. Cutright swore in the following people:

Carl Drennen, 5220 New Milford Rd., Ravenna, Ohio
David Drennen, 4899 Industry Rd., Ravenna, Ohio
Gary Vair, 5225 New Milford Rd., Ravenna, Ohio

The first item on the agenda was an application from Section 450.03A to expand a non-conforming business greater than the 20% permitted increase, located at 5220 New Milford Road in an R-1 District, submitted by:

Carl Drennen
5220 New Milford Road
Ravenna, Ohio 44266

Mr. Drennen said he is asking to build a building 40 foot wide by 60 foot long. It's adjacent but not attached to an existing building, not visible from the road. The building will be used for storage of parts as he divests himself of cars he has collected and stored outside.

Mr. Slocum asked Mr. Drennen how he came up with the number of square feet. Mr. Drennen said his property is non-conforming commercial and residential. He measured everything on the property and the proposed building is 12 percent greater than allowed by zoning.

Mr. Slocum also asked how he arrived at the need for a 40-by-60-foot addition. Mr. Drennen said he and his son have acquired some building material, and it is a standard size for a building. The shop he has now is 40 by 56, and his other building is 60 by 62.

Mr. Slocum asked what would happen to his plans if he took 15 feet off and made it a 25 by 60 addition. Mr. Drennen said he would lose space. He doesn't have much life left and would like to put his house in order.

Mr. Slocum said the variance must not be solely for economic gain, and he sees nothing but economic gain. Mr. Drennen said he is not going to run the business out of this building. He

will not recoup any money as a result of this building.

Ms. Milnes asked Mr. Drennen if the whole property belongs to him. Mr. Drennen said yes. Ms. Milnes asked if the whole property is nonconforming. Mr. Drennen said yes, it existed prior to zoning. Ms. Milnes asked about Mr. Drennen's neighbor to the north, whose property the building would be up against. Mr. Drennen said his neighbor is Shirley Tymcio; he spoke with her and she has no objections. Ms. Milnes asked if his fence is along the property line. Mr. Drennen said yes.

Mr. Ball asked if the building will be detached from the existing buildings. Mr. Drennen said that's correct.

Mrs. Saillant asked if he plans on adding anything to the exterior such as lighting. Mr. Drennen said no. Mrs. Saillant also asked if the driveway will continue around or stop at the side. Mr. Drennen said there's already a driveway.

Mr. Cutright asked if the fence is just along the north and east side. Mr. Drennen said yes, along with vegetation to the south. Mr. Cutright asked about a sign. David Drennen said they have always used word of mouth. Carl Drennen said unless things have changed, he can only have a 12-by-12-inch sign.

Mr. Cutright asked the audience if there were any questions, comments, or concerns.

Mr. Stefanik asked if he will be coming back to ask for another variance ever again. Mr. Drennen said no. David Drennen said he understands this is a one-time variance and no one can come back after that.

Mr. Vair said he is concerned about Mr. Drennen's property. If there was an increase in business he would be strongly opposed. If it's not going to be seen from the road and will be used for storage to clean the place up, he would appreciate that. Mrs. Saillant asked Mr. Vair where he lives. Mr. Vair said he lives across the street from Mr. Drennen.

Resolution ZBA 2015-010. Mr. Slocum made a motion to grant the request from Sections 450.03A to expand the business 12 percent over the allowed 20 percent for additional storage and workspace. Ms. Milnes seconded it. A vote was taken as follows: Slocum – Yes Milnes - Yes Ball - Yes Saillant - No Cutright - Yes. The motion carried by a vote of 4/1.

Next on the agenda was an application for a variance from Section 450.03A to add a roof over a rear deck and walkway on an existing house, located at 5220 New Milford Road in an R-1 District, submitted by:

Carl Drennen
5220 New Milford Road
Ravenna, Ohio 44266

Mr. Drennen said he applied for this addition before. The variance was granted in 2006 but since expired. He made adjustments to the previous drawings. The roof will cover the walkway and an existing deck.

Mr. Cutright asked if he would only add one outside wall. David Drennen said they may leave it open. Carl Drennen said it's more to prevent snow and ice from getting on the deck and walkway.

Mrs. Saillant had no questions.

Mr. Ball had no questions.

Ms. Milnes asked if there is any precedence for an expired variance, and if the applicant can come back. Mr. Michael said yes. Mr. Cutright said it is not a precedent but a technicality.

Mr. Slocum brought up Mr. Drennen's statement that the addition would add cubic feet, and asked where that came from. Mr. Drennen said he doesn't know. He is not adding, just covering over the existing. Mr. Cutright said he will change that from cubic feet to square feet.

Resolution ZBA 2015-011. Ms. Milnes made a motion to grant the variance from Section 450.03A with Mr. Cutright's changes. Mr. Slocum seconded it. A vote was taken as follows: Slocum – Yes Milnes - Yes Ball - Yes Saillant - No Cutright - Yes. The motion was granted by a vote of 4/1.

The minutes for the June 16, 2015 meeting were journalized.

Mr. Cutright said the Zoning Commission and the trustees are working on a lake district. Ms. Milnes asked if the board could be sued if they grant a variance on a house that burns down. Mr. Cutright said he will bring copies of the paperwork for everyone at the next meeting. Mr. Michael said he will send everyone the minutes from the special zoning meeting. Mr. Stefanik asked how they can change it to make it fair. Mr. Cutright said they have to go through the Zoning Commission, then the trustees, then the county has to put their stamp on it, to make a unique lake district.

Mrs. Saillant made a motion to adjourn. It was seconded by Mr. Slocum.

Mr. Cutright adjourned the meeting.

Troy Cutright, Chairman
ROOTSTOWN ZONING BOARD OF

APPEALS

Jordan Michael, Interim Secretary
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