

## **Building and Zoning Appeals Minutes**

Stow City Hall Boards and Commissions, Monday, November 14, 2016, at 6:00 p.m.

Members Present: Debbie Cochrane, Edward Franks, Mike Svasta, and Jill Smith

Members Absent: Robert Knight

Also Present: Kenny Johnson, Rob Kline, Tony Catalano, and Mary Botts.

Meeting called to order by Mike Svasta at 6:00 p.m.

Approval of Minutes: Motion to approve the minutes of the October 10, 2016, meeting by Jill Smith, seconded by Debbie Cochrane with no changes, all yeas, no nays, motion passed 4-0.

### **Case #16-015**

This is a request by Mr. Kenneth Johnson, property owner, for approval of a variance to construct an accessory building on his property located at 3646 Kent Road. The property is located on the corner of Kent Road and Hiwood Avenue and is zoned R-3 Residential.

The applicant is proposing to construct an accessory building 1,200 square feet in area (30 feet by 40 feet). The proposed garage will be constructed with metal siding and a metal roof and will contain 3 bays. It will be located behind (south) the house 80 feet from the Hiwood Avenue right of way, 25 feet from the east property line and 25 feet from the south property line.

The applicant is requesting a variance of 400 square feet (the maximum area permitted is 800 square feet according to Section 1143.07[b]).

This case was tabled from the October 10, 2016 meeting.

Mr. Johnson stated he was going to change to a wood siding and vinyl siding over this. Mr. Svasta said it still shows metal siding on the variance so nothing has changed from your submittal last month. Mr. Svasta stated please come up and tell us what has changed from your submittal last month. Mr. Johnson said it was the only thing you asked me last month was to change wood onto that and vinyl siding to match the house which I called the builder the next day and he said he would do it. We are going to put vinyl siding on the garage instead of metal. Ms. Botts stated he was not changing the variance footprint he was asking for and the case was tabled last month due to the Board asking for siding instead of metal as the Board felt metal gave it too much of an industrial feeling. Mr. Johnson said the metal siding is now going to have the vinyl siding.

Mr. Svasta asked if we had heard from any of the neighbors and Ms. Botts stated no. Mr. Svasta asked if Mr. Johnson had gotten together with Mr. Catalano about the construction method. Mr. Johnson said yes and that Mr. Catalano showed him

some plans and the only difference he (the builder) is going to do on the garage is it is going to be a pole barn garage with poles instead of just wrapping it with metal. We are going to use 4 x 8 sheaths of plywood and then vinyl siding. That is the only difference instead of steel siding. Mr. Svasta said there was a question of the height of your garage. I came out a couple of times and looked through the minutes and I didn't see what the height was. Mr. Johnson said we were going to have 8' doors so it will be a 9' ceiling height inside. It is below the 15' height restriction.

There were no further questions.

Motion to Approve Case #16-015 provided metal siding is changed to wood with vinyl siding by Mike Svasta, seconded by Edward Franks, Motion passed 4-0.

### **Case #16-017**

This is a request by Ms. Sara Kline, property owner, property located at 3586 Adaline Drive, for approval of a variance in order to replace the front porch of her house. There was an existing concrete porch and steps that extended approximately 5 feet from the front of the house. Adjacent to the steps was a sidewalk approximately 3 feet in width.

The applicant is proposing to replace this with a deck 8 feet by 8 feet in area. This will be located 33 feet from the Adaline Drive right-of-way. The new steps will be located to the side of the proposed deck.

The property is zoned R-3 and the minimum front setback is 40 feet and the applicant is requesting a variance of 7 feet from the front setback requirement according to C.O.S. Section 1143.04.

Mr. Kline stated we originally had a 5' cement pad coming out of the house that was deteriorating over time so we decided to do a deck. We were doing it more for safety purposes because the cement was falling apart and falling in. We have a side door and a back door. We started the process in September but we missed the October meeting so we had to wait until November but we are doing an 8' x 8' composite deck, just a standard deck. It will be attached to the house on one end, two posts at the other end. The steps, the sidewalk came from the driveway and then up to the steps, the three little steps coming down will come right into the driveway. We were just too close to where we needed to be. If we were in the old confines, we would not have needed anything, as well as it is under 30" so we just need a Zoning Permit. Mr. Svasta asked if they had verified the measurements. Mr. Catalano said yes. Mr. Svasta said so you are still asking for a 7' variance. Ms. Smith said so this is not taking up any more space than the old cement porch and the steps. Mr. Kline said it is actually closer because of the steps and the sidewalk came out into the front and then the sidewalk, and it was actually one piece and we actually had a guy come out and take it all out because the sidewalk was attached to the steps. It only counts to the bottom of the steps, not the sidewalk part where you are within your range of building. We have the confines of the sidewalk. Mr.

Edwards said so the new deck will stick out basically where the old steps were? Mr. Kline said actually less because it came out probably close to 8-1/2 feet out with the sidewalk, and the patio and the steps and this is an 8' x 8' deck and it is actually around a 1/2" under.

Motion to Table Case #16-017 by Debbie Cochrane, seconded by Edward Franks, Motion passed 4-0.

Adjournment: With no further business to be discussed, motion to adjourn by Mike Svasta, seconded by Edward Franks, meeting was adjourned at 6:15 p.m.

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Mike Svasta, Vice Chairman

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Mary Botts, Secretary