

Building and Zoning Appeals Minutes

Stow City Hall Boards and Commissions, Monday, December 11, 2017, at 6:00 p.m.

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

Members Absent: Robert Knight and Jaime Syx

Also Present: Tom Bahr, Tony Catalano, and Mary Botts

Meeting called to order by Edward Franks at 6:01 p.m.

Approval of Minutes: Motion to approve the minutes of the August 14, 2017, meeting by Mike Svasta, seconded by Jill Smith with no changes, all yeas, no nays, motion passed 3-0.

Case #17-005

This is a request by Mr. Thomas Bahr, property owner, for the approval of a variance to locate an accessory structure in the front yard of his property located at 1760 Hibbard Drive. Since the property is located on Hibbard Drive between Darrow Road and Cresswood Drive, according to the zoning code, the property has three front yards.

The applicant is proposing to construct a wood sided accessory structure approximately 31 feet from the Darrow Road right-of-way. The proposed structure will be 12 feet by 16 feet and approximately 10'9" in height. According to C.O.S. Section 1143.07(a), the accessory structures must be located in the side or rear yard.

Mr. Bahr said the house is right on the corner of Darrow Road intersection and there is an existing fence that has been constructed around there, a rather unsightly fence that is going to go away. I recently purchased the home and I am using it as my residence. I have some plans to improve the property. Unfortunately, one of them was to add on to the garage but when I got a cost estimate to increase the size of the garage from one to two cars, it was rather expensive so I elected to pursue the possibility of installing the storage building so I will be able to store the lawn mowers. I am going to be getting a riding lawn mower because that is a rather large lawn and I am older. I also have some shop tools, a table saw, different things and the garage is somewhat limited to the amount of storage that is available there. I plan on doing some landscaping along S.R. 91 also with the addition of some sort of fir trees to make the corner look a lot nicer. I am going to put in a concrete drive in the spring and I will be reroofing the home. I am

limited to the amount of the rear lot that I have. There is only approximately 12' from the back of my house to the next lot line. If I want to have any outdoor deck or anything I will have to deal with that and that is why I came up with putting the shed in line with the rear of the house, keeping off the house 12' and off the property line 12' which I think is required by your shed standards. This would cause it to be extended in the setback line around 5' from Darrow Road. I have enclosed some pictures of the type of shed I intend to put up. It looks like a small house from the street with two windows and a man door and the service door for the lawn mower would be on the side facing the house so you would not even see this from Darrow Road.

Mike Svasta said the zoning code states no accessory buildings in the front yard and Mr. Bahr has three front yards. Mr. Svasta said we don't see cases with property having three front yards and I think this is the reason for the appeals board for situations like this. This is a way to address it.

There were no calls from the neighbors.

Mr. Catalano said I would like Mr. Bahr to know that in case he doesn't know already, there is a storm sewer easement on your property, 20 feet from the right of way line. These trees you show here will be planted in the easement, which you can do, but if they have to get to that sewer, they may take them out. Mr. Bahr said I can plant them closer to Darrow Road and Mr. Catalano said then you are in the city right of way and you can't do that. Mr. Catalano said if you plant those trees, make sure you don't puncture the storm sewer, it is a 48" storm sewer. Mr. Bahr said I am planning on having the lot surveyed and it should show up then. Mr. Catalano said we can have the storm water engineer show you where it is. Mr. Bahr asked how far down the storm sewer is and Mr. Catalano was not sure. Mr. Bahr will call the Engineering Department.

Motion to approve Case #17-005 by Mike Svasta, seconded by Edward Franks, motion passed 3-0

Adjournment: With no further business to be discussed, motion to adjourn by Edward Franks, seconded by Mike Svasta, meeting was adjourned at 6:12 p.m.

Edward Franks, Vice Chairman

Mary Botts, Secretary