

PARKMAN TOWNSHIP BOARD OF ZONING APPEALS
November 10, 2020

Members present: Rich Hill, Donna Newsome, Dennis Coz, Timothy Musson, and Jan Helt, Secretary

Meeting called to order by Co- Chairperson **Rich Hill** at 7:00pm.

Mr. Hill asked for a motion to waive the reading of the minutes until after the appeal. Mr. Coz motioned seconded by Ms. Newsome.

There is one appeal to be addressed by the Board at this meeting:

- 2020-19071

Mr. Hill administered Oath of Truthfulness to all present.

Appeal 2020-19071 was called.

This application submitted by Marvin and Nancy Miller Appellant, 16350 Doty Road, Parkman, Nelson Road, Garrettsville Ohio 44231, is requesting a variance from the Parkman Township Zoning Resolution for property located at, 19071 Parkman Nelson Road Parkman Township, Ohio which shall be in accordance with all of the applicable regulations for the District and the following regulations: ARTICLE 1V Section 403.0 and 403.1.

Applicant Explanation for requesting variance to Parkman Township Zoning Resolution:

Mr. Marvin Miller explained the request for variance as follows:

Mr. Miller stated he wants to downsize and build a ranch house on his property, a place to retire. He owned 20 acres and it is too much to take care of now. He purchased this property which happens to be 2 acres and tore the house that was on the property down. He contacted Mr. Spelich (zoning inspector) after the fact to get a permit to build a new home because he felt it would be grandfathered in. Mr. Spelich explained to him if he would have contacted him before he tore the house down that it would have been grandfathered in. But, since he didn't do that, he would have to go before the BZA to get a variance to build on his 2 acre lot. The requirement for Parkman Township to build a home is 2 ½ acres.

Mr. Hill asked if there was anything else. Mr. Hill closed that portion of the meeting and opened the meeting to the public.

Open Floor to Public:

Ms. Helt read a letter from about 16 neighbors stating the following:

We the adjourning Property owners have no objection of Marvin Miller being granted his variance to build their home. All 16 neighbors signed the letter.

Mr. Tom Koehale stated that he is a neighbor of Mr. Miller's and he has no objection to what Mr. Miller wants to do. The property was really trashed, the home was falling apart. He said he is thankful that Mr. Miller cleaned it up and is going to build a nice house on the property.

Mr. Kyle Wagamen stated that the property had old tires, transformers, and a bunch of other garbage on it. Mr. Miller cleaned all that up.

Mr. Hill asked if anyone else had anything to add. **Mr. Hill** closed that portion of the meeting.

Mr. Hill opened the meeting to the Board members for questions to the applicant/owner:

Ms. Newsome asked if the property had a septic system on it. Mr. Miller said he was not sure because he could not find one, he also could not find a well. **Ms. Newsome** asked if maybe there was an outhouse. Mr. Miller stated he didn't know there were a number of buildings that he tore down. He said he has not had the soil tested yet for a septic system.

Mr. Hill said if he doesn't pass the soil test for a septic system there could be problems to build his house.

Mr. Coz asked Mr. Miller how much frontage he had. Mr. Miller said he had 100 foot frontage that he felt could be used for the leach bed.

Mr. Hill stated that Mr. Miller's home placement on the property was in compliance with side lots, frontage etc. according to Parkman Township zoning.

Ms. Newsome stated that Mr. Miller has a lot of space up front maybe he could buy some land from other neighbors. Mr. Miller said he did not think so.

Mr. Koehale said I can almost guarantee that every house on Nelson Road is on 2 acre lot.

Mr. Miller stated that if he goes with a 2 bedroom house he only needs 75 feet for a leech bed

Mr. Hill stated that if Mr. Miller had not torn down the house first it would have been grandfathered in. Mr. Hill asked Mr. Miller if he had anything left of the old house. Mr. Miller said no there is nothing left.

Mr. Musson asked Mr. Miller if he could build on the footprint of the old house. Mr. Miller said yes he could.

Mr. Hill asked if there were any other questions or comments. There were not. Mr. Miller closed that portion of the meeting.

Mr. Hill asked for a motion to grant the variance. **Ms. Newsome** moved to grant and **Mr. Coz** seconded the motion.

Board Members, Deliberation:

Mr. Hill led the Board in considering the following issues:

- a. Whether there are conditions that are unique to this to this lot, and not ordinarily found in the same zone or district. No it is not unique
- b. Did the applicant create these conditions? No he did not
- c. Whether the variance would adversely affect the rights of adjacent owners? No, all the neighbors support Mr. Miller building his home.
- d. Whether the variance would adversely affect the public health, safety or general welfare? No it would not
- e. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance? How?
Yes it would, because Mr. Miller would be able to use the land to build his house.
- f. Whether the requested variance is the minimum action, which would afford relief to the applicant?
Yes, it would. There was a home on the property before and it would have been grandfathered in if he would not have torn it down before contacting zoning inspector.

Mr. Hill asked for any other questions or comments from the Board members, closed that portion of the meeting and asked for a roll call on the motion to grant the variance.

ROLL CALL:

Rich Hill	YES
Donna Newsome	YES
Dennis Coz	YES
Tim Musson	YES

Mr. Hill advised applicant Mr. Allen Miller that the variance has been grant. He will receive a letter in the mail within 10 days. The applicant is advised to wait 30 day because the variance can be appealed within 30 days.

The members completed the Decision Form and Fact Finding Sheet.
Roll call to accept the Fact Finding Sheet.

Rich Hill -	YES
Donna Newsome	YES
Dennis Coz	YES
Tim Musson	YES

