

RECORD OF PROCEEDINGS

Minutes of

MADISON TOWNSHIP BOARD OF ZONING APPEALS

Meeting

MEETING

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held _____ Thursday, December 12, 2019 _____ 20_____
7:00 p.m.

Chairman B. Dubiel opened the Meeting of the Madison Township Board of Zoning Appeals at 7:03 p.m., with the following people present: Mr. T. Sill, Mr. E. Francis, Ms. L. Diak, Mr. R. Glover, and Chairman B. Dubiel. Mr. F. Walland was present as Zoning Inspector and Mrs. M. Howell.

Mr. Walland requested a motion to approve the minutes from the November 14, 2019 Meeting.

A motion to approve the minutes from the November 14, 2019 Meeting was presented by Mr. Francis, seconded by Ms. Diak.

Roll call: Chairman Dubiel: Yes Mr. Francis: Yes
Ms. Diak: Yes Mr. Sill: Yes

Mr. Glover abstained due to the fact that he was absent from the November 14, 2019 Meeting.

Chairman Dubiel administered the Oath of Accuracy to any member in attendance who wished to speak during the hearing.

Mr. Walland stated for the record that the Public Hearing this evening is for Variance Request #19-004 for Clarence Drain, owner of 1534 Easton Ave., Permanent Parcel # 01-B-115-G-00-062-0, and the parcel is zoned R-2, Single Family Residential. Mr. Walland informed those in attendance that the applicant is requesting a variance to construct a **covered** front porch on Easton Avenue. He also stated that the house has an existing 6.5 foot wide by 5.3 foot deep front porch. He informed those in attendance that per Section 125.6 of the Zoning Resolution, an uncovered porch may extend up to 10 feet into the front yard setback. Mr. Walland also informed those in attendance that the initial application included a covered porch on Haywood as well, but that that covered porch could not be considered due to the fact that it would extend into the road right-of-way (Ohio Revised Code 5571.14).

Mr. Walland stated for the record that the neighbor and owner letters were mailed on November 27, 2019 and the Public Hearing was advertised in The News-Herald Legal Section on November 29, 2019.

He informed those in attendance that one neighbor letter in support of the variance was hand delivered today.

Mr. Walland informed the Board that when Mr. Drain had first contacted him regarding the variance he had a sketch from the contractor which showed that the house was going to be very close to the property line, judging from the center line of the street, and that is where they measured from. Mr. Walland added that because of the close proximity he requested the property owner obtain a survey of the property, which Mr. Drain did acquire. Mr. Walland advised the Board to take a look at the survey that was submitted and note the front yard on the Haywood side is only 5.78 feet to the right-of-way.

Mr. Sill asked if the covered porch request is for the Easton Avenue side of the house. Mrs. Howell confirmed that is correct. Mr. Walland stated that the other covered porch on Haywood was a request of 8 feet deep, and the front yard on that side is only 5.78 feet, which would mean the covered porch would extend into the road right-of-way and that is why that specific covered porch cannot be considered in the variance. Mr. Francis asked if it is the one depicted on the drawings as the side deck measuring 8' by 6'. Mr. Walland stated that is correct. Mr. Walland stated that the only way the Haywood covered porch could be considered is if Mr. Drain would reduce the depth to 5.78 feet.

Mr. Clarence Drain, 1534 Easton Avenue, Madison, OH.

Mr. Drain thanked the Board for taking the time to hear his variance request. He stated that the main reason for the covered porches is for his wife, who has health issues. He informed the Board that he spends many hours away from home during the winter months because he works for Painesville Township Service Department. He stated that the covered porches would

RECORD OF PROCEEDINGS

MEETING

BEAR GRAPHICS 800-325-8094 FORM NO 10148

Held Thursday, December 12, 2019 20
7:00 p.m.

provide some protection when his wife needs to let the dogs out. Mr. Drain stated that his wife is home alone during those times and he worries about her. He added that the covered porch would help prevent ice and snow build up. He informed the Board that he has been in the house for thirty-two (32) years. Mr. Walland reiterated that a covered front porch on the Haywood side cannot exceed 5.78 feet deep, due to the road right-of-way. The Board discussed and agreed the only way to consider a variance for a covered porch on the Haywood side would be to reduce the depth of the covered porch. Mr. Drain agreed to reduce the depth of the Haywood covered porch to a maximum of 5.78 feet deep in order to be considered for the variance request. Mr. Francis suggested that Mr. Drain move the pavers closer to the house so that it would be more in line with the covered porch if approved at the reduced depth. Mr. Sill agreed that it would be best to move the pavers closer to the house.

Mrs. Howell confirmed that Mr. Drain wanted the Board to consider a covered porch on both sides of his house. Mr. Walland stated that the depth on Haywood can be a maximum of 5.78 feet by six (6) feet wide. Mr. Drain asked for a maximum depth of eight (8) feet by eight (8) feet wide on the Easton side. Mr. Sill stated that the current variance request needs to be amended to read the Haywood Avenue maximum depth of 5.78 feet by six (6) feet wide and the Easton Avenue maximum depth of eight (8) feet by eight (8) feet wide. Mrs. Howell stated that Mr. Drain will need to obtain a permit if the variance request is approved. Mr. Drain asked how much the permit will cost. Mr. Walland informed Mr. Drain that the permit cost is twenty-five dollars (\$25.00).

Mr. Francis asked Mrs. Howell if she would document the dimensions discussed for the two covered porches. Mrs. Howell stated that the details for the variance request are as follows; covered porch on Haywood with a maximum depth of 5.78 feet by six (6) feet wide and a covered porch on Easton eight (8) feet by eight (8) feet. The Board agreed that those are the correct dimensions to be considered.

Mr. Walland asked if the Board had any questions for him. The Board did not.

Mr. Walland asked the Board members to vote on Variance Request #19-004.

Mr. Sill: Yes Chairman Dubiel: Yes Ms. Diak: Yes
Mr. Francis: Yes Mr. Glover: Yes


The Board members voted and unanimously approved Variance #19-004, for a covered front porch on Haywood with a maximum depth of 5.78 feet by six (6) feet wide and a covered front porch on Easton with a maximum depth of eight (8) feet by eight (8) feet wide for Mr. Clarence Drain. Mr. Sill asked that the modified dimensions be circled on the survey drawing and a copy be provided to Mr. Drain. Mrs. Howell ran a copy and provided it to Mr. Drain. Ms. Diak asked Mr. Walland if one permit can cover both covered porches. Mr. Walland replied, yes.


Chairman Dubiel asked if there was any other business to discuss. Mr. Walland informed the Board that the addition on Chapel that was denied a variance and ordered to be removed, has in fact been removed and the owners are constructing the addition on the back side of the dwelling. Mrs. Howell commented that the dimensions for the addition were modified.

There being no further matters before the Board, a motion was presented by Mr. Sill to adjourn the meeting, seconded by Mr. Francis.

Roll call: All "Ayes."

The meeting was adjourned at 7:45p.m.


Bill Dubiel, Chairman


Lora Diak, Secretary