



Board of Zoning & Building Appeals Memorandum

To: Karla Richards, Clerk of Council
From: Pat Ryan, Interim Boards & Commissions Secretary *PR*
Date: 8-4-10
Re: Approved/Signed Board of Zoning & Building Appeals Minutes:
Tuesday, June 15, 2010

Attached you will find a copy of the approved/signed minutes from the Board of Zoning & Building Appeals meeting held on Tuesday June 15, 2010. Please note that the original approved/signed minutes have been forwarded to, and will be on file with, the Clerk of Council.

E-mail: Mayor (per Admin. Asst.)
Administrative Officer
Finance Director
Law Director
Fire Chief
President of Council/Council
Board of Zoning & Building Appeals
Capital One Realty
Ryan Homes
Builder's Exchange
Building and Zoning Inspector
Municipal Engineer
Director of Planning & Community Development
Superintendent of Building and Zoning

cc: BZA File/Posting

City of Norton
BOARD OF ZONING & BUILDING APPEALS
Tuesday, June 15, 2010

The Board of Zoning & Building Appeals convened in Council Chambers at the Safety Administration Building. Chairman Nick Genis called the meeting to order at 6:00 p.m.

I. ATTENDANCE:

PRESENT: Nick Genis, Dan Grether, Bill Helmick, Don Welch and Tom Ocepek
EXCUSED: Angie Wells
STAFF: Pat Ryan, Zoning Inspector/Interim Secretary

II. SWEARING IN: Chairman Genis reviewed the procedural requirements for this hearing. Chairman Genis stated that this is a quasi-judicial Board and asked that anyone wanting to speak needs to sign the attendance sheet and stand to be sworn in. Chairman Genis administered the oath to those intending to speak at the hearing.

III. PUBLIC HEARINGS:

A.) Application A2-2010
To consider the Application filed by
Jason T. and Angela D. Wells, owners
Regarding the property known as:
3340 Hemphill Rd./PPN#4600537 and 4600538
Requesting a 34' Variance from
Section 1260.04(e)(2)-Side Yard Setback

Chairman Genis announced the application and asked the Applicant to come forward and explain his or her request. Ms. Angela Wells of 2868 Fair Oaks Dr. in Norton, Ohio came to the podium. Ms. Wells explained she and her husband have lived in Norton for 12 years, have purchased 2 lots on Hemphill Rd. and would like to build their home there. Ms. Wells stated the lot is within the RU-1 zoning district and is non-conforming in width at 133 feet and the code requires 220'. Ms. Wells stated they are proposing to put the house 31' from the west property line and 15' from the east property line so they would need a 34' variance to meet the required 80' total side yard setback. Ms. Wells stated the reasons for placing the house at this location are to preserve most of the large trees, allows them to have a walkout basement and maximize the north/south sun through the windows.

Chairman Genis asked about the lot configurations. Ms. Wells explained the east lot has the creek and pond and they requested Summit County to review this parcel for tax purposes. Ms. Wells said the County lowered the valuation down to approximately \$5700 due to fact that the pond, stream and riparian setback make the parcel unbuildable. Ms. Wells explained they placed the home where they did to salvage as many trees as possible and to still have a walk out basement. Chairman Genis stated the applicant is staying out of the riparian area and they meet the minimum side setback of 25' on the west side. Chairman Genis asked if the cabin would be removed and the garage kept. Ms. Wells stated the cabin will be removed and that it is in the riparian setback. Ms. Wells said the garage was relocated this past spring to the rear of the property.

Chairman Genis asked if the Board had any more questions. There were none. Chairman Genis asked if anyone from the audience wanted to speak for or against the application. Ms. Frances Blonar of 3364 Hemphill, neighbor to the west of the Wells property, came to the podium and stated she has been watching the progress and if they continue doing what they are doing it will be fabulous. Ms. Blonar said she has no objections.

Chairman Genis asked if there were any other questions or comments. Being none Chairman Genis stated they would recess to discuss the issue.

Chairman brought the meeting back to order and asked if there was a motion.

Mr. Grether made a motion approve BZA Application A2-2010 requesting a 34' variance from Section 1260.04(e)(2)-Side Yard Setback for the property known as 3340 Hemphill Road/PPN's 4600537 and 4600538, Jason T. and Angela D. Wells, owners based on the following findings: 1) The topographical layout of site dictates where the house could be built, 2) all riparian setbacks have been met. 3) existing foliage and mature trees are being conserved, and 4) Mrs. Blonar, neighbor to the west, has expressed support of the construction. Chairman Genis seconded the motion. ROLL CALL: Mr. Ocepek-Yes, Mr. Helmick-Yes, Mr. Grether-Yes, Mr. Genis-Yes and Mr. Welch-Yes. Motion passed 5-0.

IV. OLD BUSINESS:

Chairman Genis asked if there was any Old Business. There was none.

V. NEW BUSINESS:

Chairman Genis asked if there was any New Business. There was none.

VI. CONSIDERATION OF MINUTES:

Chairman Genis asked if there were any corrections to the minutes of May 11, 2010. There were none. **Mr. Helmick made a motion to approve the minutes as written. Mr. Ocepek seconded. ROLL CALL: Mr. Ocepek-Yes, Mr. Helmick-Yes, Mr. Grether-Yes, Mr. Welch-Yes, Mr. Genis-Yes. Motion to approve passed 5-0.**

Chairman Genis asked if there were any corrections to the minutes of May 18, 2010. There were none. **Mr. Welch made a motion to approve the minutes as written. Mr. Helmick seconded. ROLL CALL: Mr. Ocepek-Yes, Mr. Helmick-Yes, Mr. Grether-Yes, Mr. Welch-Yes, Mr. Genis-Yes. Motion to approve passed 5-0.**

VII. ADJOURNMENT:

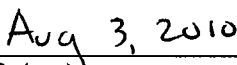
There being no further business before the Board the meeting was adjourned at 6:44pm.




Board of Zoning & Building Appeals
Chair/Vice-Chair



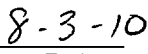
Board of Zoning & Building Appeals
Vice-Chair/Member



Date



Secretary


8-3-10
Date

VALUE CHANGE NOTICE

John A. Donofrio
Fiscal Officer, County of Summit

Dear Property Owner:

Please be advised of a change in the market value of your property. The reason for this change is listed under "Description of Value Change". If you require additional information, please contact the Summit County Fiscal Office, Auditor Division at 330 643-2710.

PARCEL NO.
4600537

PRIOR MARKET VALUE			
CLASS	LAND	BUILDING	TOTAL
R	28140	0	28140

NEW MARKET VALUE			
CLASS	LAND	BUILDING	TOTAL
R	5710	0	5710

LEGAL DESCRIPTION
LOT 4 S OF RD 1.560A
PROPERTY LOCATION
HEMPHILL RD
DESCRIPTION OF CHANGE
LAND VALUE CHANGE

THIS IS NOT A TAX BILL

NEW VALUES WILL APPEAR ON YOUR 2011 REAL ESTATE TAX BILL.

TO VIEW YOUR PROPERTY RECORD, VISIT THE FISCAL OFFICE WEBSITE AT:

www.co.summit.oh.us/fiscaloffice

* IF THIS NOTICE PERTAINS TO RESIDENTIAL NEW HOME CONSTRUCTION, YOU MAY QUALIFY FOR THE FOLLOWING REDUCTIONS ON YOUR REAL ESTATE TAXES.

2.5% REDUCTION CREDIT

PROPERTY MUST BE OWNER OCCUPIED

\$25,000 HOMESTEAD CREDIT

PROPERTY MUST BE OWNER OCCUPIED AND OWNER MUST BE AGE 65 OR OLDER OR TOTALLY DISABLED UNDER AGE 65.

Call 330-643.2710 for inquiries regarding **Value Change Notice**.
Call 330-643.2661 for inquiries regarding **2.5%** and **Homestead**.