

**PLAIN TOWNSHIP BOARD OF ZONING APPEALS
PLAIN TOWNSHIP HALL
2600 EASTON STREET NE, CANTON, OHIO 44721
MINUTES OF REGULAR MEETING
AUGUST 6, 2008**

The meeting was called to order by Vice Chairman Dimitrios Pousoulides, with Bob Soles, Tim Reichel, Bob Stewart, Jeff Sutton, Steve Peroz and Stephanie Metzger present.

Motion was made by Mr. Soles to approve the minutes of July 2, 2008. Mr. Stewart seconded the motion. All members were in favor, Mr. Reichel and Mr. Pousoulides abstained.

Mr. Pousoulides read the statement of duties and expressed the fire department comments into the record.

The following Appeal was heard:

APPEAL #1197-08-A

Applicant & Owner/ James Brosnahan, 2001 Clarendon Avenue NW, Canton, Ohio 44708; requests the following to split the property located on Broad Avenue NW, Parcel #52-06582:

Lot Fronting on Broad Avenue NW:

- 6,720 sq. ft. lot size variance (15,000 sq. ft. required – 8,280 sq. ft. requested)
- 20 ft. lot width variance (80 ft. required – 60 ft. requested)
- 3 ft. north side yard setback variance (10 ft. required – 7 ft. requested)
- 3 ft. south side yard setback variance (10 ft. required – 7 ft. requested)

Lot Fronting on Demington Avenue NW:

- 6,780 sq. ft. lot size variance (15,000 sq. ft. required – 8,220 sq. ft. requested)
- 20 ft. lot width variance (80 ft. required – 60 ft. requested)
- 3 ft. north side yard setback variance (10 ft. required – 7 ft. requested)
- 3 ft. south side yard setback variance (10 ft. required – 7 ft. requested)

Article VII, Section 702.3, Minimum Lot & Yard Requirements.

The property is zoned R-1, Single Family Residential District and is located in the Northwest Quarter of Section 32.

There was one attendee for and none against the appeal.

Mr. Pousoulides administered the oath.

Mr. James Brosnahan, 2001 Clarendon Avenue NW, stated that would like to build houses that are comparable to what's in the neighborhood. He wants to build a 3 bedroom ranch with a width of 42-44 foot wide, but with the requirements now he needs a variance. He would like to make it a useful value of the property and in order to do that he wants to separate it and build a house facing Demington and one where the existing house was on Broad.

Mr. Pousoulides asked if this was one parcel.

Mr. Brosnahan said right now it is one parcel that runs from Broad to Demington, and the houses right next door are already separated lots.

Mr. Pousoulides asked when he purchased the lot.

Mr. Brosnahan said a little over 2 years ago.

Mr. Pousoulides asked right now if it is an empty lot.

Mr. Brosnahan said yes. He said he would build something to conform to the neighborhood right there, they are all bungalows. In order to work out a house design to fit on there he needs a variance on the sides then build a house about 42-44 foot wide including a garage and about a 1400 sq. ft. house.

Mr. Pousoulides administered the oath.

Mr. Richard Abel, 1831 Broad Avenue NW, stated that he owns the property right next to Mr. Brosnahan. He said as long as he builds like he says, he sees nothing wrong with that because that is the way the neighborhood was laid out years ago. It's not fair to punish someone because the rules have changed. No problem with the neighborhood now the way it is so he sees nothing wrong with this. He knows there has been a water problem running down through the back of his property which would be the back of his property on Broad between the two and as long as he keeps that so the water drains down through there, that is all he asks. It comes from the parking lot next to him that does not have a catch basin. This would be an improvement from what was there.

Mr. Pousoulides asked how it came about that this one strip has been there and nobody built on it.

Mr. Brosnahan said that there was a house there but it caught on fire and burnt down and then they tore it down and the land went up for auction.

Mr. Stewart asked if that was on Broad or Demington.

Mr. Brosnahan said it was on Broad.

Mr. Stewart said that house is no longer there. Was there a house ever on Demington?

Mr. Brosnahan said no.

Mr. Pousoulides asked if the person that owned the house on Broad also owned the property on Demington.

Mr. Brosnahan said yes it is one property, about 60 ft. x 275 ft. deep. It goes from Broad to Demington.

Mr. Reichel said that from looking at this map that provides a very good bird's eye view of the area, we have gone back years and discussed substandard lots and what they used to be years ago as opposed to what they are now today. He sees houses on Wertz that look like they are basically 7 feet from the property line or even 5 feet. He was just out there this weekend for the Pro Football Hall of Fame festivities on one of the committees out there so he is well familiar with this area Demington, Broad, Clarendon, Blake – and those houses are pretty tight, close together. He doesn't see a problem being as how they were laid out years ago, we have voted on these in the past in other subdivisions and he just doesn't have a problem with this.

Mr. Stewart asked if these two houses will be one story or two story houses.

Mr. Brosnahan said that he was going to put a ranch on there depending upon what the outcome is it will be a story and a half.

Mr. Stewart said if we approve this and he splits the lot will it be a story and a half.

Mr. Brosnahan said it will be a story and a half or a ranch one or the other.

Mr. Reichel asked what type of construction, vinyl sided houses or brick

Mr. Brosnahan said a block foundation, 12 or 13 course basement, vinyl sided with a little bit of brick or stone out front depending on what they come up with. Depending on the width he can either set the garage out front like you may have seen, or a ranch straight back, that type of thing.

Mr. Stewart asked if it was his intention to build 2 houses, split the property and sell them separately.

Mr. Brosnahan said yes.

Mr. Peroz said that he received a phone call from Paul Lair who lives at 2541 just directly adjacent south and he is all for this. And then the Reed's who live which is the other lot south, Paul told him that they were also for it, but they couldn't be here, so he wanted to put that on the record. These two lots directly adjacent south are for it.

Mr. Reichel said that everyone around him is in support of this. If you take care of this gentleman's concern regarding the drainage problems or what have you, he has no further questions.

Motion by Mr. Stewart,

WHEREAS, Applicant & Owner/ James Brosnahan, 2001 Clarendon Avenue NW, Canton, Ohio 44708; requests the following to split the property located on Broad Avenue NW, Parcel #52-06582:

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WHEREAS, the applicant or a representative has appeared in person before this Board at an adjudication hearing on said application and the Plain Township Board of Zoning Appeals has duly considered this application pursuant to Ohio Revised Code 519.14; and

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Plain Township Board of Zoning Appeals to:

 X grant the following:

Lot Fronting on Broad Avenue NW:

- 6,720 sq. ft. lot size variance (15,000 sq. ft. required – 8,280 sq. ft. requested)
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Seconded by Mr. Sutton,

DISCUSSION:

Mr. Stewart said that this would be a good move.

Vote: Mr. Sutton, **YES**; Mr. Stewart, **YES** ; Mr. Reichel, **YES** ; Mr. Soles, **YES** ; Mr. Pousoulides, **YES** .

Appeal #1197-08-A is therefore APPROVED.

No further business pending the meeting adjourned at 7:20 pm.

PLAIN TOWNSHIP BOARD OF ZONING APPEALS

STEPHANIE A. METZGER, SECRETARY