

The September 17, 2008 regular meeting of the Olmsted Township Board of Appeals was called to order at 7:05 PM. Present were Chairman Brian McElroy, Larry Maser, Louise Veverka and Herbert McTaggart. Also, present was Secretary Tammy Tabor Building Commissioner Anthony Bumbalis and Building Department secretary Diane Miller.

Pledge of Allegiance

Minutes

Mr. Maser moved to approve the minutes of the July 16, 2008 meeting as submitted. Ms. Veverka seconded with the correction that her name had been misspelled. Roll call: all approved.

Variance Request

Holly & Mark Cook

Mark and Holly Cook, 27344 Sprague Rd., were sworn in. Mrs. Cook stated that they are requesting an accessory structure to be built on their property. Mr. McElroy asked what the proposed use of the building would be. Mr. Cook stated that he has collector cars that he would like to store in the building along with his lawn tractor and yard equipment.

Mrs. Cook stated that this project was previously approved at the time that the home was built in 2004. Mrs. Cook stated that the builder left town and filed for bankruptcy prior to completing the home and the accessory building.

Mr. McElroy asked if the Cook's are requesting a garage or an accessory structure. Mr. McElroy stated that the requirements for access to a garage require a paved driveway to the structure. Mrs. Cook stated that they do plan on a driveway to the structure. Mr. McElroy asked if there is currently an attached garage. Mrs. Cook stated that the attached garage is used for housing the family's handicapped accessible van. Mr. McElroy stated that the Board needs to consider the approval based on need rather than want of this structure. Mr. McElroy stated that the Olmsted Township Zoning Resolution has a list of criteria to be considered regarding the approval of variances.

Mr. McTaggart asked if the accessory building would be handicapped accessible. Mr. McTaggart stated that if this building is necessary to accommodate Mr. Cook's handicap, there is no question that it should be approved.

Mr. McElroy requested the previously approved file for the Cook property. The total area permitted for a garage on the property is 875 square feet and 1% of the total lot size for accessory structures. The Cook's property will permit 436.5 square feet for an accessory structure.

Mr. McElroy asked where the vehicles are currently stored. Mr. Cook stated that they are located on Osborne Rd. at a friend's place. Mr. McElroy asked if the cars are already restored. Mr. Cook stated yes. There will be no major work done to restore the vehicles at his home.

Mr. McElroy asked for any further questions. Phil Stryczny, Southwood Lane was sworn in. Mr. Stryczny asked why it would have been approved previously and denied now. Mr. McElroy stated that the Board members may have changed since the prior approval or the Zoning Resolution may have been changed since the previous approval. Mr. McElroy stated that Board members may interpret the codes differently and follow the requirements for approval more closely.

Mr. McTaggart asked Mr. Bumbalis what the alternative would be if this wasn't approved. Mr. Bumbalis stated that the applicant could try to construct a building that was not as large as what is proposed. The Board may want to approve something that they feel would accommodate the neighborhood better. The decision of the Board would determine what alternative construction could be considered.

Mr. McElroy asked for any further questions. Hearing none, Mr. Maser moved to approve application # 20080764 as submitted. Seconded by Ms. Veverka. Roll call: Mr. Maser – yes, Ms.

Veverka- yes; Mr. McTaggart-yes; Mr. McElroy-no. The applicants were notified to contact the Building Department for plan approval prior to construction.

Mirosovich Variance Request
26923 Oxford Park Dr.

Dennis Mirosovich was sworn in. Mr. Mirosovich stated that he would like to construct an accessory building that would house an eighteen foot utility trailer that he currently has in his yard. Mr. Mirosovich stated that the trailer is used for hauling his lawn tractor and four wheeler. Mr. Mirosovich stated that other properties in the neighborhood have large accessory buildings. Mr. Mirosovich stated that the current garage has a snow blower, lawn tractor, pressure washer and is very crowded.

Ms. Veverka asked how tall the building would be. Mr. Mirosovich stated that the building would not be taller than 15 feet.

Mr. Maser stated that the rear yard swale could not be blocked by construction of the shed. Mr. Mirosovich stated that he building would not block the swale. Mr. Maser stated the there should be at least 10 feet at the rear of the property for a swale.

Gary Popovich, 26525 Oxford Park, was sworn in. Mr. Popovich stated that he has no objection to the construction of the shed.

John House,26922 Oxford Park, was sworn in. Mr. House stated that he is for approval of the variance.

Phil Stryczny, Southwood Ln., was sworn in. Mr. Stryczny stated that he is also for the variance approval.

Mr. Maser stated that the permitted size is 150 square feet for Mr. Mirosovich's property. The requested building is 18 x 12 feet, 216 Square Feet. Mr. Maser asked if the size would accommodate the trailer. Mr. Mirosovich stated that the trailer could be modified to fit into the structure.

Mr. McElroy asked for any further questions. Hearing none, Ms. Veverka moved to approve application #20080806 as submitted. Seconded by Mr. Maser. Roll call: Mr. McTaggart-no, Ms. Veverka-yes, Mr. Maser-yes; Mr. McElroy- yes.

Mr. Mirosovich was instructed to see the Building Department for approval prior to beginning construction.

Floor Discussion

Olmsted Township Board of Appeals By- Laws
Mastantuono Case

Mr. McElroy moved to adjourn at 8:30 PM. Seconded by Ms. Veverka. Roll call: all approved.

Tammy Tabor, secretary

Brian McElroy, Chairman

Date