

The regular meeting of the Olmsted Township Board of Zoning Appeals was called to order October 21, 2009 at 7:00 PM. Present was Chairman Brian McElroy, Larry Maser, Louise Veverka and James Prosek. Also, present was secretary Tammy Tabor.

Mr. Maser moved to approve the minutes of September 16, 2009 as submitted. Seconded by Mr. Prosek. Roll call: all approved.

Mr. Maser moved to recess to executive session seconded by Ms. Veverka. Roll call: all approved.

Mr. Maser moved to reopen the regular meeting at 7:26 PM. Seconded by Ms. Veverka. Roll call: all approved.

West Side Irish American Club

John O'Brien was sworn in representing the West Side Irish American Club, (WSIA). Mr. McElroy stated that if this property is considered a non conforming use, expansion is not permitted according to the Olmsted Township Zoning Resolution. Mr. McElroy stated that the Board has the authority to grant the expansion of a conditional use.

Mr. Maser stated that the Township may have caused the hardship. If the property was zoned for a business or commercial use at the time it was built, it is a lawful non-conforming use. According to records, it appears that the zoning on the property was changed when the zoning code and map were updated in 2000.

Mr. Prosek asked when the building was constructed. Mr. O'Brien stated 1990. Mr. Maser asked when the development plan was approved. Mr. O'Brien stated that the rezoning and development plan was begun in 1987 and construction began in 1989.

Mr. McElroy stated that the Board does not have the information as to the conditional use or non conforming use of the property.

Mr. Prosek stated that the property should be viewed as a conditional use, assuming that it was approved. Mr. Prosek stated that the best use of the property could be to permit the expansion of the club.

~~Mr. McElroy stated because the Board does not have prior information the Board does not feel that the approve to expand should not be granted.~~

Mr. McElroy asked if any Board members have any questions. Mr. McElroy asked if plan review would be done through the Building Department. Ms. Tabor stated that the Olmsted Township Zoning Commission will be holding a hearing on the development plan in the next week and any variances that may be required should be considered at this meeting.

Mr. McElroy stated that section 270.02 refers to conditional uses.

Mr. Prosek stated that this is not a new use. Allowing for expansion is not unreasonable. Ms. Veverka stated that the existing use is not changing. If the use is lawfully existing it should be permitted to continue.

Mr. McElroy asked what the size of the addition is. Mr. O'Brien stated 3500 square feet.

Mr. McElroy asked if the plan provides for adequate parking.

Mr. O'Brien stated that the parking lot will be marked tomorrow and will provide for a total of 328 parking spaces.

Mr. Prosek moved to approve application # 20090538, conditional use as submitted and discussed with the applicant. Seconded by Mr. Maser. Roll call: all approved.

Board of Education – High School Parking & Walkway

Tim Atkinson and Tom Dipert were present representing the Olmsted Falls Board of Education.

Mr. Atkinson stated that the Board of Education decided that additional parking was needed at the High school. Mr. Atkinson stated that the Board decided to cancel all bussing for students at the High School. The plan allows for a paved walkway from the existing sidewalk at the front of the school east to Glenbrook Drive. Mr. Atkinson stated that two additional modular classroom buildings were brought from the middle school and eliminated approximately 30 parking spaces. A total of 340 parking spaces are available at the high school. The Board of Education has constructed additional parking constructed of chip and seal asphalt. Additional parking was also created along the tennis courts. Mr. Atkinson stated that a four foot high chain link fence was constructed to separate the parking from the walkway. Mr. Atkinson referred to aerial photos and maps.

Mr. McElroy stated that approval should be applied for and granted prior to construction beginning. Mr. Atkinson stated that he is aware of that and apologized. Mr. Atkinson stated that the Board of Education wanted the parking and walkway installed prior to the beginning of the school year.

Ms. Veverks stated tha the school board should follow the procedures.

Mr. McElroy asked for any further comments or questions.

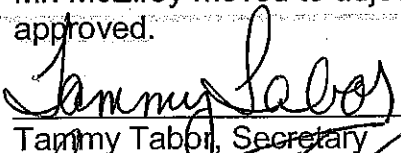
Hearing none, Mr. Maser moved to approve application # 20090629, the expansion of the conditional use and the number of parking spaces constructed at the Olmsted Falls High School as presented. Seconded by Mr. Prosek. Roll call: all approved.

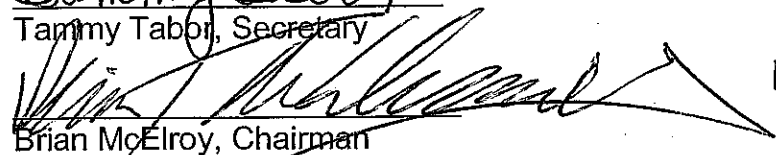
Board Re-organization

Mr. Maser moved to appoint Brian McElroy as Chairman of the Board of Appeals. Seconded by Ms. Veverka. Roll call: all approved.

Mr. Maser moved to appoint Ms. Veverka as Vice Chair. Seconded by Mr. McElroy. Roll call: all approved.

Mr. McElroy moved to adjourn at 8:20 PM. Seconded by Mr. Prosek. Roll call: all approved.

 12-16-09
Tammy Tabor, Secretary

 12-16-09
Brian McElroy, Chairman