

The regular meeting of the May 18, 2005 Olmsted Township Board of Zoning Appeals was called to order at 7:30 p.m. Present were Chairman James Bolander, Gregory Engelking, Genevieve Silveroli and Larry Maser. Also present were Building Inspector Robert Hayes and secretary Nicole Rosiu. Mr. Bolander asked the audience to stand for the Pledge of Allegiance.

Mr. Maser moved to approve the minutes of the April 20, 2005 Board of Zoning Appeals meeting. Seconded by Mr. Engelking. Roll call, all approved.

Mr. Engelking moved to table the Board of Zoning Appeals meeting and open the Board of Building Code Appeals meeting. Seconded by Mr. Bolander. Roll call, all approved.

Mr. Bolander moved to approve the minutes of the April 20, 2005 Board of Building Code Appeals meeting with a correction on the second page, third paragraph, sixth sentence down, it says, "is was", it should just say, "was". Seconded by Ms. Silveroli. Roll call, all approved.

Aaron Evenchik from Galway Residential Ltd. stated that he wanted clarification of the minutes. Mr. Evenchik said that he sent a letter about what was approved at the meeting for the Galway Bay subdivision and wants to know if a decision has been made. Mr. Bolander stated that that application was approved last month. Mr. Evenchik said there were three items on that application, having a man door in the garage and having one window, rather than two in the garage, and no firewall within 7 feet of the property line. Mr. Bolander stated that what was discussed was that there would still be a firewall at the adjoining wall. Mr. Evenchik said that there was some confusion with the Building Commissioner, since he did not attend the hearing and without clarification, Galway Residential, Ltd. has not been able to pull any permits in the last 30 days. Mr. Palumbo stated that they wanted to waive the exterior firewall, not the interior. Mr. Palumbo said that he just wants to make sure the Building Commissioner is on the same page as the board. Mr. Bolander stated that the one-hour firewall has to remain on the adjoining walls, but is waived in other places.

Mr. Bolander moved to un-table Application #20055051, submitted by Timberview Homes. Nobody was present to represent Timberview Homes. Mr. Maser moved to re-table Application #20055051. Seconded by Mr. Bolander. Roll call, all approved.

Mr. Engelking moved to adjourn the Board of Building Code Appeals meeting and un-table the Board of Zoning Appeals meeting. Seconded by Mr. Maser. Roll call, all approved.

The secretary read the public notice for Application #20055168.

Raymon Bogater and Adam DesErnia were sworn in. Mr. DesErnia stated that the lot line of 24446 and 24450 goes right through the house located at 24450 Barrett Rd. Mr. Engelking asked how wide the property is at the front. Mr. DesErnia said 100 feet. Mr. Bolander said that everything looks to be conforming except the common drive. Mr. DesErnia stated that they may possibly change the location of the driveway and asked if it would require a variance. Mr. Engelking asked if the driveway would still be on both lots. Mr. DesErnia said yes. Mr. Engelking stated that a variance would not be required. Mr. Engelking told Mr. DesErnia and Mr. Bogater that the driveway must be paved. Mr. DesErnia asked when it had to be paved by. Mr. Engelking said one year. Ms. Rosiu stated that the Building Department could also grant an extension for that.

Ms. Silveroli moved to approve Application #20055168 as submitted. Seconded by Mr. Bolander. Roll call, all approved.

The secretary read the public notice for Application #20055264.

Dean Elenniss, Kelly Elenniss and Jim Kile were sworn in. Mr. Bolander confirmed that Mr. Elenniss would like to construct a 100' x 50' riding arena. Mr. Elenniss said it is just a cover. Mr. Bolander stated that it would exceed the square footage allowed, and the existing barn on the property already exceeds the square footage. Mr. Elenniss said the barn was already there when they bought the house. Mr. Bolander asked what the height of the arena would be. Mr. Elenniss said about 30 feet. Mr. Bolander stated that that is twice as high as the code allows. Mr. Elenniss stated that it would need to be high enough for a horse to get out a side door. Mr. Bolander said the door could be 8-foot minimum.

Mr. Bolander asked if the arena would be attached to the existing barn. Mr. Elenniss said the arena would be about 18 feet from the barn. Mr. Bolander asked if the walls of the arena would be wooden. Mr. Elenniss said there would be wooden telephone poles, then steel beams on top of them, there will be curtains covering the poles and it will be open at the bottom. Mr. Engelking asked why they are putting this type of arena up if the sides are going to be left open. Mr. Elenniss said it would keep the rain and snow out. If it is windy, some elements will get in, but the majority will be kept out. Mr. Engelking confirmed that they are planning on putting up curtains. Mr. Elenniss said yes, they would singe to the ground and attach to the top of the arena. Mr. Kile said it is the same material as a covered wagon, which sits outside for twenty years and still remains in good shape.

Mr. Bolander asked Mr. Hayes if the Building Code allows that type of material to be used. Mr. Hayes said the Building Department would ask for the manufacturer to have engineering on the strength of the material. Mr. Engelking asked if this arena would be used strictly for private use. Mr. Elenniss said yes. Mr. Maser asked if they board horses. Mr. Elenniss stated that his wife has two horses and they have 2 other horses on the property that belong to friends. Ms. Silveroli asked how much capacity they have for horses. Mr. Elenniss said there are 16 stalls and three-quarters of them are empty.

Mr. Bolander asked if there were any comments from the neighbors. Al Guenther was sworn in. Mr. Guenther said that he lives to the South of the Elenniss' and his wife has lived there since 1943. Mr. Guenther stated that he is a builder and an engineer and he likes the structure and he loves his neighbors. Mr. Guenther stated that the arena would be a good asset and he has no objections to it. Bill Trowbridge was sworn in. Mr. Trowbridge said that he lives on the North side and the Elenniss' have done a great job cleaning up the property since they have purchased it and that he has no objections to the arena.

Mr. Engelking asked if there are any power lines in the area. Mr. Elenniss said on the South side of Guenther's property there are. Mr. Bolander asked how far from the property line the arena would be. Mr. Elenniss said close to 10 feet, maybe 9 feet. Mr. Bolander measured and said it would be about 15 feet. Mr. Engelking asked about when the wind blows, if it would make a drumming sound. Mrs. Elenniss said they went down South where they have a lot of these arenas and asked about them. The manufacturers said they are very quiet and the only thing to watch out for is flying metal, because it will pierce the material. Mr. Bolander said it is going to be 50 feet wide, and asked what the height will be. Mr. Elenniss said no greater than 26 feet. Mr. Bolander asked what the height of the existing barn is. Mr. Hayes said the barn is pushing 18 feet. Mr. Elenniss said the side of the arena that will be facing the barn would have an overhang, so it will look nice toward the street and help the wind come off of the arena. Mr. Kile said it would block the wind velocity.

Mr. Bolander asked what the hardship is. Mrs. Elenniss said that horses need exercise and currently they cannot be exercised in the rain and snow. Mr. Bolander asked why the horses don't get moved to an available arena. Mr. Elenniss said that would not be in the family budget. Mr. Engelking asked what is going to be done about the runoff. Mr. Kile said there is a pond on the property that drains across the road. Mr. Guenther said it would not affect his property. Mr. Kile said he could put in a gutter if needed. Mr. Elenniss said he wants to do everything right. Mr. Bolander asked if the arena they want to build is standard size. Mrs. Elenniss said it is the minimum standard size. Mr. Engelking confirmed that the pond runs to the street. Mr. Elenniss said yes.

Mr. Engelking stated that his biggest concern is the height. Mr. Kile said it looks like it is based on a 6-foot wall. Mr. Guenther stated that it looks like it might be the same height as the existing barn, or just over, maybe 22 feet high. Mr. Engelking suggested tabling the application until the board gets more information, like exact dimensions of the existing barn and proposed arena, height of the existing barn and proposed arena, elevations of the property, where the runoff will go and distances from the property lines. Mr. Elenniss asked if he could answer all those questions and the board could approve it stating that he will comply. Mr. Bolander stated that the application does not address any of the issues mentioned and the board needs as much information as possible. Mr. Guenther asked if they drain it to the pond, if that is acceptable. Mr. Engelking said that would be fine, but there would be an additional fee for them for the pipe, if there is a swale, that is also acceptable.

Mr. Engelking moved to table Application #20055264 until more information is submitted, including, Exact dimensions of the existing barn and proposed arena, height of the existing barn and proposed arena, elevations of the property, where the runoff will go and distances from the property lines. Seconded by Ms. Silveroli. Roll call, all approved.

Floor Discussion

Mr. Maser moved to adjourn at 8:35 p.m. Seconded by Ms. Silveroli. Roll call, all approved.

Respectfully submitted,

Nicole L. Rosiu, secretary

James Bolander, Chairman

Date