Meeting Minutes – Olmsted Township Board of Zoning Appeals
Date: June 15, 2016
Attendance: Cindy Kelly, Ken Barbarino and Gregory Paradis
Steve Vogel, Building Official
Tammy Tabor, Acting Secretary
Jeanene Kress, Olmsted Township Trustee

Meeting was called to order at 7:00 PM

Pledge of Allegiance and Roll call
Roll call, all approved.
Ms. Kelly moved to approve the minutes of April 20, 2016. Seconded by Mr. Paradis. Roll call: all approved.

Ms. Kelly moved to approve the minutes of May 18, 2016. Seconded by Mr. Paradis. Roll call: all approved.

Application No. 20160408 Lydia Lister, 9700 Evan Miller Tr., Patio roof
Lydia Lister and Karl Patay, contractor for the applicant was sworn in.
Mr. Patay: Ms. Lister is requesting a covered patio in the rear yard of her house. The proposed patio is 12 feet x 15 feet and located approximately 5 feet from the house. The patio roof will need to be detached from the house due to the existing roof line, creating an accessory structure that is larger than what the Township allows.
Mr. Barbarino: It is free standing.
Mr. Patay: Yes
Mr. Paradis: Is it already built?
Mr. Patay: No
Mr. Paradis: Can it be built smaller?
Mr. Patay: The patio has already been scaled back, the patio is 12 feet wide by 15 feet. When patio furniture or a picnic table is added, it really isn’t all that large.
Mr. Barbarino: Is there already an accessory structure in the yard?
Mr. Patay: Yes, an 8 x 10 foot shed.
Ms. Kelly: Mr. Vogel, are codes different for attached structures?
Mr. Vogel: Yes, as part of the house, it considered part of the main structure. The height of the roofline would make attaching the porch roof very difficult.
Ms. Kelly: It can’t be attached to the house?
Mr. Patay: The height of the house roof does not make it possible to attach the porch roof.
Ms. Kelly: How have you done this type of roof in the past?
Mr. Patay: I have not run into this issue in the past, the 1% maximum for accessory structures is pretty restrictive.
Mr. Paradis: When was the house built?
Ms. Lister: November 2014
Mr. Paradis: Are there other homes in the subdivision that would have a similar issue? Could a header be built above the door and attach the roof?
Mr. Patay: The roof pitch would not be adequate for the structure.
Mr. Patay: A single story house would not have the same roofline and may not have the same issue.
Ms. Kelly: will the patio affect the grade of the property?
Mr. Patay: the grade is sloped to the rear of the yard, but the patio will not affect the grade.
Mr. Paradis: Any further questions?
Ms. Kelly: is the patio roof the style that is proposed?
Mr. Patay: The phot you have is smaller that what was submitted.
The Board reviewed full size photos.
Mr. Paradis: What is the height of the proposed roof?
Mr. Patay: fifteen feet.
Mr. Paradis: Any further questions?
Ms. Kelly: Move to a approve application no. 20160408. To allow a 15 x 12 roof over a patio.
Mr. Barbarino: Second. Roll call: all approved.

Application no. 20160422 Angelo Russo, 27240 Sprague Rd., Electric fence
Michael Rieke and Kelly Blenda were sworn in representing Mr. Russo.
Mr. Rieke stated that he was representing the applicant for the proposed electric fence at 27240 Sprague Road.
There will be three rubber panels and one electrified wire on the inside of the top rubber panel. Sample is available if the Board would like to see the product.
The amperage and voltage is safe for people including 2 year old children. The electric fence is used to scare a horse and keep it in the pasture. Once a horse is shocked they know to stay away.

Kelly Blenda: I have visited the homes that connect to the property to introduce myself and explain what we plan to do with the property. The fence will be three rubber panels and an electrified wire on the inside of the top panel at the five foot height. The wire does not transmit a continuous electric flow, it pulses. The fence will be placed a couple feet into the property. Horses cannot eat fertilized grass. The existing fence is an eyesore, is rusting and needs to be replaced.
Mr. Barbarino: This would be an all new fence? The rubber is on the outside and the wire would be on the inside.
Kelly Blenda: Yes, it is a common style fence for horses.
Mr. Paradis: the property had horses on it when you purchased it?
Kelly Blenda: Yes, I moved in in February 2016. It has been a horse farm since the 50’s.
How many horses.
Kelly Blenda: Currently there are 5 horses on the property with an 18 stall barn.
Ms. Kelly: has there been a problem with horses escaping?
Kelly: No, I have 3 horses that are aware of the fencing, one horse does not go out.
Wood and vinyl fences are not good for horses. The horses can knock down an entire fence panel and cause injury to the horses. The fence would not be on at all times, only when the horses are out.
Mr. Barbarino:

Kelly Blenda:
Children could grab the wire
Mr. Paradis: How often is the system inspected?
Kelly Blenda: Every six months, it is solar powered.
Mr. Barbarino: There is no electric panel?
Kelly Blenda: No
Mr. Barbarino: Have you contacted your insurance company?
Mr. Rieke: The insurance company had no issues with the fence.
Mr. Paradis: Will you have signs?
Kelly Blenda: Signs are available. They could be posted on each side of the fence.
Mr. Paradis: Has the fence been original to the property?
Kelly Blenda: Yes
Mr. Paradis: If the current fence is original and has been there for 60 years, why make the switch to electric?
Kelly Blenda: I don’t think it was the original fence, I think it was installed in 2003 by the Hope Rescue. The panels were donated.
Mr. Paradis: Concerned for the safety of the children. Do you have an alternative plan? Have you heard any objections from the development?
Kelly Blenda: There are wood or vinyl panel alternatives, both do not work well for horses and are constantly in need of repair.
Mr. Paradis: How often does the electricity pulse?
Kelly Blenda: you can set the frequency of the electrical pulse.
Mr. Paradis: Without a hard surface, what keeps a horse from jumping through?
Kelly Blenda: The horses feel a jolt and hear the pulse, they tend to stay 6-8 inches away from the fence.
Ms. Kelly: Would an invisible fence work for horses?
Kelly Blenda: I have not seen anything like that. I don’t keep the halters on the horses when they are in the pasture for safety reasons.

Mr. Vogel: I would guess approximately 6 horses maximum on the property.
Alarm panel monitoring

Kelly Blenda: There is a panel in the barn that shows the pulse going out. That is where you can set the time and frequency of the pulses.
Mr. Barbarino: Where are the solar panels?
Kelly Blenda: On the fence posts.
Mr. Paradis: Where are the batteries stored?
Kelly Blenda: We have not decided if they will be inside or outside of the barn.
Mr. Barbarino: There are other properties on Sprague Road that have electric fences.
Mr. Vogel: If they are on residential properties, they were installed without permits.
Mr. Paradis: Any questions?
Mr. Vogel: In my capacity as building official I work to protect the Township from liability. If injury occurs from something that we approve, somewhere the Township may be part of the case.
Tim Radigan, 9803 Tuttle Road was sworn in. I want the fence to be safe, safe for not only my children but for children who visit my property. How loud is the sound that is made?
Kelly Blenda: It is not a loud noise. You only hear it a few feet from the fence.
Greg Caso, 9791 Burts Way was sworn in. I have concerns that my insurance may go up. Kelly and her crew have been great neighbors since they moved in. I’m sure that the property owners are looking at the most cost effective fencing for the investment property.
Jeff Lauderdale, 9739 Maurer was sworn in.
Mr. Rieke: The owners have advised the insurance company of the fence and there was no additional liability.
Mr. Lauderdale stated that they built on the lot because of the horses. The owners seem to be very responsible. The gully along the east side can be crossed. What is the amperage, what happens when a child grabs it?
Kelly Blenda: The pulse will cause a shock. I have been shocked and it has never left a red mark, never fallen to the ground. It is not strong enough to kill pets or children. It is similar to a hand zapper. I can get the amperage information for you.

Mr. Barbarino: If the fence is installed, with the Township inspect it?
Mr. Vogel: It will be inspected when the fence is installed. If a variance is granted, it is granted forever. If the next owner may not monitor or care for the fence properly.

Kelly Blenda: The riding arena is not electrified.
Jeanene Kress, Olmsted Township Trustee was sworn in.
Mrs. Kress: The Trustees have submitted a letter to the Board with safety concerns regarding the request for an electrical fence to be installed on this property.

Mr. Barbarino moved to approve application no, 20160422. Seconded by Mr. Paradis. Roll call: Paradis-no, Ms. Kelly-no, Mr.Barbarino-no.

Mr. Paradis moved to adjourn at 8:11 PM. Seconded by Ms. Kelly. Roll call: all approved.