Olmsted Township Board of Zoning Appeals
April 19, 2017 called to order 7:03p.m.

Pledge of Allegiance

Roll Call:  Tom Cole, John Phillips, Cindy Kelly, David Gareau, and Stan Dobies
Alternate Kenneth Barbarino
Also present were Steve Vogel, Building Official and Heather Serrano, Secretary

Mr. Cole approved the minutes of November 16, 2016 noting that the date on the printed minutes is incorrect reading September 21, 2016 and not November 16, 2016. Mr. Cole motioned changed, Ms. Kelly second motion.

Mr. Cole asked to make a correction to the agenda to add the Election of Officers which has to be done every year, and since this is the first meeting of 2017 this needs completed. Mr. Cole asked if there are any motions for chair, Mr. Gareau motioned to appoint Mr. Cole as Chair stating he has done such a good job, Ms. Kelly second it. The board voted on motion and was approved by all members.

Mr. Cole made a motion to have Mr. Gareau be the co-chair, Mr. Philips second it. Board voted and all agreed to motion.

Old Business:  None

Hearings:  No. 17OLT-BZA002 Variance
William Leeson – 6621 Fitch Road to install chicken coop (210.11)(c)

No. 17OLT-BZA003 Variance
Geoffrey E. Moyse and Gary Moyse – 27005 Cook Road to display outdoor furniture outside

No. 17OLT-BZA004 Variance
Robert Bruner – 6676 Columbia Road to add an addition to existing garage (201.04)(B)

No. 17OLT-BZA002
•  Mr. Leeson stated his case of wanting to raise hens, not roosters, and wanted to have about 8 birds in back yard in a chicken coup that will be purchased and set up. States back yard is fenced in and backs up to golf course so he feels they wouldn’t be of a problem to surrounding neighbors. Mr. Leeson also stated that he has always raised chickens in surrounding cities so he has the experience.
•  Mr. Leeson stated the coup would be 5 feet off the property line on the south east corner of property lot.
•  Mr. Phillips asked Mr. Leeson if he had approval from neighbors. Mr. Leeson stated one neighbor was ok with it but hadn’t spoken to other neighbors.
Mr. Smith of 6637 Fitch, Mr. Leeson’s neighbor, stated he was opposed of the chicken coup being set up and that Mr. Leeson has not kept up with his property. He also stated he believes there will not be chickens in the coup and that he wants the coup for storage. Mr. Cole advised Mr. Smith that if in the future it is not used as Mr. Leeson is stating, then a complaint can be issued at that time.

Mrs. Donna Smith, Mr. Leeson’s neighbor, also stated concerns of flooding in Mr. Leeson’s yard and that is creating flooding in their own yard. Mr. Cole advised Mrs. Smith that the variance is regarding the chicken coup and not flooding and that would need to be addressed to the correct department at a different time.

Ms. Cantley of 6573 Fitch, a distant neighbor of Mr. Leeson, stated she is not opposed to Mr. Leeson having chickens as long as he is limited to a set number, such as 8, and no roosters.

Mr. Vogel stated that the ordinance allows such animals if owner has an acre of property and that Mr. Leeson is close to that acre mark but expresses he is only stating the facts of the ordinance and any other concerns would be of his surrounding neighbors.

Mr. Cole stated the ordinance allows chickens on a property that is an acre, and Mr. Leeson’s land is 0.95 acres. Concerns of water in the back yard were addressed.

Mr. Gareau asked Mr. Leeson if he would agree to a set number of chickens allowed, such as 8, and no roosters and stated that if Mr. Leeson violates the conditions of the variance that he would be subject himself to the violations and consequences and Mr. Leeson agreed.

Mr. Phillips made a motion to approve the variance stating there would be a set number of chickens allowed at 8 and there would be no roosters at any time, and motion was seconded by Mr. Gareau. A vote was taken by the board and approved by all board members that the variance of having a chicken coup with a limit of 8 chickens and no roosters was granted to Mr. Leeson.

No. 17OLT-BZA003

Six neighbors from the development behind the Mr. Moyse’s property were present to express concerns of safety, home values decreasing, and visual aspects of having furniture or “junk” in the back of the building. Concerns of lights or truck noise were also expressed as well.

Neighbors expressed feelings of how the property was used with prior business that was there and expressed concerns of dealing with the same issues they have had to in the past.

Neighbors stated they were unaware that the property was re-zoned as a business.

Mr. Moyse distributed a letter from another neighbor, who could not be present, stating they were not opposed to Mr. Moyse displaying and selling his furniture outside of his building.

Mr. Moyse explained that he has two other successful furniture stores and any furniture that is in excess would be sent to his warehouse for storage. He feels the improvements he has made would help to increase property values not decrease them.

The board asked Mr. Moyse if he would agree to a set number of pieces of furniture he could display out front and in the back. It was agreed upon that the number of pieces of furniture Mr. Moyse could display would be 15 total pieces in the front, with 4 closer to road 11 closer to structure and no more than 25 pieces could be displayed in the back with no outdoor storage of inventory.
Mr. Gareau motioned to amend and approve and Mr. Cole second, all board members voted in favor of the variance with limitations of numbers that were agreed upon.

**No. 17OLT-BZA004**

- Mr. Cole expressed concerns of the building variance stating Mr. Bruner is asking for a variance of 1.8% of property and not the 1% that is allowed, stating that generally they do not approve a variance that is almost double of the zoning limits allowed. Mr. Gareau agreed stating they have never seen a variance pass that is so much passed the zoning laws.
- Mr. Bruner wants to use structure as a garage and for storage. Mr. Vogel stated if used as a garage he would need to have a concrete floor in the building.
- Concerns from the board were allowing Mr. Bruner to have such a vast structure would lead to neighbors or other members of the community wanting to construct the same and would lead to too many issues with zoning. That the zoning laws are put into place for a reason.
- Mr. Cole advised Mr. Bruner to adjust the size of the building and re-apply for a permit.
- Mr. Cole motioned to approve variance, Mr. Gareau second it, all board members voted against the variance and the variance was not granted.