Olmsted Township Board of Zoning Appeals
October 18, 2017 called to order 7:02 p.m.

Pledge of Allegiance

Roll Call:  Tom Cole, John Phillips, Jeremy Dobos, Cindy Kelly, David Gareau
          Stan Dobies (Alternate) Ken Barbarino (Alternate)
          Dave Faciana, Building Official and Heather Serrano, Secretary

Mr. Cole motioned to approve the meeting minutes of the September 20, 2017, Mr. Phillips second, all in favor, minutes approved.

Mr. Cole motioned to table the minutes of the June 21, 2017 meeting until those Board members present from that meeting are sitting on the board.

Old Business:  No old business.

Hearings:

No. 17OLMT-ZBA009 Variance
Chris Moscarino – 27059 Sanctuary Lane – Peak of accessory building exceeds 15’, Additional structure is over 1% of lot area (210.08)(2)

No. 17OLT-BZA009 Variance
Chris and Shannon Anagnostopoulos – 8458 Glenbrook Dr. – Keep/Have chickens on property that is less than one (1) acre (210.11) (c)

No. 17OLT-BZA009

- Homeowner, Joe Little, and Contractor, Charles Moscarino, present to propose pavilion for back yard.
- Mr. Dobos asked if the Villages of Lakeside Home Owners Association had given approval for the pavilion. Mr. Little explained they deferred to BZA to make decision; the request was submitted to the HOA before the application was turned into the Building Department for the BZA meeting.
- Mr. Cole asked why the variance is needed - if there is a hardship involved. Mr. Moscarino the variance in request would beautify the outdoor space for family, have an outdoor fireplace, and a place for their kids to play. Mr. Little stated he has lived here for 10 years and does not plan on leaving because of the school system and wants to invest in his house and development area. He also stated his son is autistic and wants to put so much into his back yard to create a place for other kids, people, friends, and family can come over to enjoy as well; that it would be better for his son.
- Ms. Kelly asked about attaching the structure. Mr. Little stated it is more expensive to do and Mr. Moscarino agreed stating building a standalone structure would be much more cost effective.
- Mr. Philips asked what was in the back yard now and Mr. Little stated trees, a concrete patio and a shed.
- Mr. Dobos asked if they meet requirements of CCR. He also stated it would have a non-uniform appearance in the community and would add value to neighborhood and homes?
  Mr. Moscarino stated you would not be able to see the pavilion from the road. Mr. Little had an appraisal done and stated having the pavilion and plans of backyard renovation will increase the property value when it is completed.
  Mr. Little explained having the pavilion is part of enhancing his backyard as he was planning.
Mr. Cole motioned to approve the variance. Mr. Gareau seconded motion. Mr. Gareau = no, Mr. Cole= no, Mr. Dobos=yes, Mr. Phillips=no, Ms. Kelly=no. Variance not granted.

- Mr. Moscarino asked the Board if the decision would have made a difference if the shed wasn’t there. Mr. Cole explained that he cannot guarantee it would or would not, but stated it may help.

No. 17OLT-BZA010

- Chris Anagnostopoulos, homeowner, was present to speak his case. He stated he has had the chickens on his property since 2011. When asked in 2011 if he could have the chickens he was told it was not a problem, then realized it was when a letter from the Building Department was received stating they are non-compliant with our Building Codes in the Township. Mr. Anagnostopoulos went on to state he has put forth a lot of time, effort, and money into having these chickens, he has had no complaints from neighbors, and uses the chickens to educate his kids. He also brought in a petition signed by neighbors stating they do not have an issue with him having the chickens. He also went on to state that if House Bill 175 were to pass, he would be able to have them in the Township.

- Mr. Cole asked how many chickens were on the property at the present time. Mr. Anagnostopoulos stated he had 6 chickens and no roosters.

- Mr. Cole asked how far the chickens were away from the property lines. Mr. Anagnostopoulos stated there is a 24’ x 24’ coup that is 5 to 6 feet off the rear property line.

- Mr. Gareau stated the lot dimensions were not on the application. Mrs. Anagnostopoulos replied dimensions were on the attached documents and show that the property is 0.334 acres and they have a 4 foot fence around their back yard.

- Diane Battle, a neighbor to the Anagnostopoulos’, was present to express that she has absolutely no problem with the chickens.

- Mr. Phillips asked how big the coup was and Mr. Anagnostopoulos stated the coup was 6’x8’x4’ (or 24’x24’).

- Ms. Kelly questioned how many chickens were on property at one time. Mr. Anagnostopoulos stated there are roughly 7 to 8 chickens, at most, at one time. The chickens produce one egg per day per chicken. Keep the chickens for the eggs.

- Mr. Cole motioned to approve the variance with the conditions of only having 6 chickens at one time and no roosters. Mr. Phillips seconded motion. Mr. Cole=yes, Mr. Gareau=no, Mr. Dobos=yes, Mr. Phillips=yes, Ms. Kelly=yes. Variance was granted with conditions of having 6 chickens at one time, no roosters, and that Mr. and Mrs. Anagnostopoulos must apply for a permit for the chicken coup structure (per Dave Faciana).

Meeting adjourned at 7:26 p.m.