

BOARD OF ZONING APPEALS

October 21, 2010

The Board of Zoning Appeals met in Courtroom No. 1 for their regularly scheduled meeting. Mr. Behrens, the Co-Chairman, called the meeting to order at 7:30 p.m. and asked the Secretary to call the roll. Members in attendance were Mr. DeLeone, Mr. Horacek, and Ms. Waytes. Also in attendance were the Law Director, James Lyons; the Assistant City Manager, Doug Lewis; City Planner, Russ Schaedlich and the Secretary, Tina B. Pomfrey.

MINUTES: The minutes of July 15, 2010 were approved as submitted. The minutes of September 16, 2010 were approved as submitted.

Mr. Behrens explained the procedures for this meeting and swore in those who planned on speaking for or against the variance requests.

REFUSAL NO. 2191

APPLICANT: Betty J. Washington-King

DISTRICT: R- 1 Single Family Residential

LOCATION: 507 Chardon Street

VARIANCE: Section 1135.01(a) 1 (B)

An application has been submitted by Mrs. Betty J. Washington - King, 507 Chardon Street, requesting a variance to Section 1135.01 (a) 1 (B) of the Painesville Codified Ordinances. Section 1135.01 (a) (1) B states fences within the front setback line of record or existing main building line, whichever is less, shall not exceed three feet in height. The applicant is proposing to install a fence that is 6 feet in height within the front setback line. The lot is a double-frontage lot. A variance of 3 feet (fence height) is being requested.

Ms. Betty J. Washington-King, 507 Chardon Street, was present for the meeting. Ms. Washington-King stated she would like to install the fence for privacy and security. She commented that her shed has been broken into on several occasions. Additionally she has dogs and a handicapped son. She would like the fence to keep them protected as well.

Mr. Behrens asked the secretary if there was any correspondence from the neighborhood. The secretary replied no. Mr. Behrens asked for the recommendation from the City.

Mr. Schaedlich commented that the if the Board would view picture number 4 from the City, he indicated that one of the properties on the street that can seen in the picture was granted a variance for a fence about a year or so ago. The City recommends approval of the variance as requested.

Mr. Horacek asked if there were any stipulations regarding easements. Mr. Schaedlich replied that the right-of-way ends at the sidewalk, and the fence is on the other side of the sidewalk. No easements are involved.

Ms. Waytes moved the grant the variance as requested. Mr. Horacek seconded the motion. On roll call, Ms. Waytes, Mr. DeLeone, Mr. Horacek and Mr. Behrens answered yes. Motion carried, 4-0.

There being no further discussion, the meeting was adjourned at 7:40 pm.

Jim Behrens, Co Chairman

Tina B. Pomfrey, Secretary