

BOARD OF ZONING APPEALS

November 18, 2010

The Board of Zoning Appeals met in Courtroom No. 1 for their regularly scheduled meeting. Ms. Bacho, the Chairperson, asked Mr. Behrens to conduct the meeting. Mr. Behrens, the Co-Chairperson, 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. Bacho. Also in attendance were the Law Director, James Lyons; the Assistant City Manager, Doug Lewis; the City Planner, Russ Schaedlich and the Secretary, Tina B. Pomfrey.

MINUTES: The minutes of October 21, 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. 2194

APPLICANT: William R. Martin for Western Reserve
Community Development Corporation

DISTRICT: R- 2 Multi-Family Residential

LOCATION: 128 Gates Street

VARIANCE: Section 1135.01(a) 1 (B)

An application has been submitted by Mr. William R. Martin on behalf of the Western Reserve Community Development Corp., 89 Chester Street, requesting a variance to Section 1129.01 of the Painesville Codified Ordinances. Section 1129.01 sets forth the rear yard setback at 25 feet in an R-2 District. The applicant would like to construct a new dwelling that is 23 feet from the rear property line. A variance of 2 feet is being requested.

Mr. Thomas Podwoski, 524 Greenside Drive, Painesville Township, was present for the meeting. Mr. Podwoski stated he is a volunteer sales consultant with Western Reserve Community Development Corporation (WRCDC) and educated as an engineer and real estate broker by profession. Mr. Podwoski explained that subplot 4 (128 Gates) is a diagonal piece of property. The site plan places the east corner of the house 23 feet to the rear property line. The lot that abuts it on East Prospect to that is also owned by WRCDC abutting the fronts on East Prospect Street is also owned by WRCDC. The house that will be constructed is a ranch style, universal design. WRCDC is using funding from the state of Ohio for down payments for development of the subdivision. The State of Ohio funding mandates that at least two houses in the subdivision must be universal in design and adaptable to wheel chair access. The house is the same as 300 Warner Street and fulfills the state requirement.

Ms. Bacho asked if the property adjacent to subplot 4 is vacant. Mr. Podwoski replied yes, but it is not part of this subdivision and does not offer payment assistance to potential buyers.

Co-Chairperson Behrens asked for questions or comments from the City. Mr. Schaedlich commented that the request is reducing the setback requirement by 2 feet only at the extreme south east corner of the property. The opposing property is angled as well and will offer plenty of space to the back yard. The City recommends approval of the variance.

Mr. Podwoski showed the Board the subdivision plan, illustrating the layout of the neighborhood. Some discussion ensued regarding reconfiguring the properties in the proposed subdivision to meet setback requirements.

Ms. Bacho moved to approve the variance request as written. Mr. Horacek seconded the motion. On roll call, Ms. Bacho, Mr. DeLeone, Mr. Horacek and Mr. Behrens answered yes. Motion carried, 4-0.

There being no further business, the meeting was adjourned at 7:42 p.m.

Jim Behrens, Co-Chairperson

Tina B. Pomfrey, Secretary