

Board of Zoning Appeals
Schillero Public Hearing (AP0193)
May 27, 2015
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Ch. Calabro called the meeting to order at 7:36 p.m.

Ch. Calabro stated that this meeting is being taped for transcription purposes only and the written minutes and attachments, if any, will serve as the official record of this meeting. Any Board Member who has a monetary interest ^{or} of has a conflict including exparte communication were asked to disclose at this time.

Roll call taken previously at work session. In the audience found Zoning Inspector Schaefer, Trustee Catherwood and Sam Schillero, Cheryl Cole, James and Susan Larson and Paula Alex.

Recording Secretary Mrs. Laugesen read the legal notice.

Ch. Calabro stated that the Hinckley Township Board of Zoning Appeals acts within the regulation of Section 519 of the Ohio Revised Code and exercises its power as provided under Section 7 & 13 of the Hinckley Township Zoning Regulations, that all hearings are open to the public, that all persons wishing to testify must do so from the podium, be sworn in, and must identify themselves giving their address. Evidence and testimony must be pertinent to the hearing at hand ^{and} an that it is within her discretion to limit personal comments. She stated she will not permit personal attacks and opinions. Disruptive persons will lose their right to remain at the hearing.

Ch. Calabro stated the hearing is for a variance to construct a principle dwelling at the stated address in a location that does not meet the minimum front yard setback of ninety (90) feet from the street right of way required by Hinckley Zoning Regulations. Hinckley Township, Ohio (Permanent Parcel Number 01603D24026)

Ch. Calabro asked if everyone received the packet of paperwork regarding this Public Hearing and completed the site inspection.

Response: Calabro - yes, Hoop - yes, Zeleznak - yes, Mainzer - yes, Budd - yes.

Recording Secretary Mrs. Laugesen stated that there were four (4) phone calls and one letter from Cleveland Metro Parks via email and one resident reviewed information and materials.

Mr. Schillero was sworn in accordingly.

Ch. Calabro asked Mr. Schillero if he had any additional information beyond what was submitted. Mr. Schillero stated he felt overwhelmed by the neighbors support. He stated he plans on building in the same location as the previous house.

Ch. Calabro asked about the barn in the blue prints. Mr. Schillero stated it will be constructed at the same time as the house.

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Mr. Zeleznak asked Mr. Schillero about the letter he submitted, regarding a pre-evaluation of the property and how he was led to believe that he had proper setback. Mr. Schillero stated that Mr. Schaefer came out to the property and the two of them measured from the house to the center of the street. Mr. Schillero might have miss understood Mr. Schaefer, but he felt he had enough setback from the road with the existing building. In which is allowed the fire department to use the structure as a fire exercise for training purposes. In doing so the structure is no longer repairable.

Mr. Schaefer was sworn in accordingly.

Mr. Schaefer stated that he did measuring with Mr. Schillero and doesn't recall the exact conversations. This past April while on vacation in West Virginia, Mr. Schillero did call and the calls were being dropped. Information was given regarding if a wall is kept up that the structure could be built. When Mr. Schaefer returned from vacation he stated he informed Mr. Schillero that it wouldn't be possible to keep a wall up. If the foundation is left, it would identify where the house was located. The structure was used for a fire drill and there isn't anything to salvage. Mr. Schaefer is willing to accept the Board of Zoning Appeals decision regarding this matter.

Mr. Hoop asked Mr. Schaefer about the measurements taken. The surveyor took the measurements with sixty-eight (68) feet. Mr. Schaefer stated he has to go with what the surveyor stated.

Mr. Schaefer clarified the definition of Grandfathered, stating if the structure was hit by lightning it would be Grandfathered in. The existing building, leaving a wall up doesn't classify as being Grandfathered in.

Mr. James Larson was sworn in accordingly.

Mr. Larson wanted the board to acknowledge his support to build a new home on the dwellings (footprint) of the previous house. Mr. Larson shared his concerns about the water level on the property and his thoughts of the property not selling. As a neighbor, he is relieved that the property sold and a new home is being built.

Mr. Budd made a motion for the Variance (AP0193) submitted by Sam Schillero, property owner of 78 Carr Road, Hinckley Township, Ohio (Permanent Parcel Number 01603D24026) for a variance of twenty-two (22) feet from the front road right away Zoning Reference: 6R2.4.E. Mr. Zeleznak second.

Ch. Calabro asked for a vote and polled the Board.

Vote: – Calabro - yes, Hoop – yes, Zeleznak – yes, Mainzer – yes, – Budd - yes.

Ch. Calabro asked for the meeting to be adjourned. Mr. Zeleznak moved and Mrs. Mainzer second.

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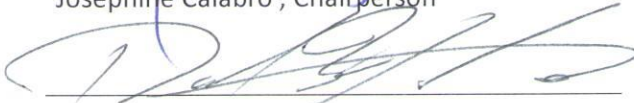
Public Hearing was adjourned at 8:00 p.m

Kathryn Laugesen, Recording Secretary

Minutes Approved: June 10, 2015



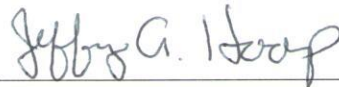
Josephine Calabro, Chairperson



David Zeleznak, Member



William Budd, Member



Jeff Hoop, Vice-Chairman



Julie Mainzer, Member
