

Amherst Zoning Board of Appeals  
206 South Main Street  
Amherst, Ohio 44001

April 25, 2018

6:30pm

Present:

Terry Tomaszewski

Don Anderson

Al Bereznay

Bob Valenti

John Jeffreys

Excused:

Other City Officials:

Frank Carlson

David Macartney

Mr. Tomaszewski opened the meeting at 6:30pm.

Mr. Tomaszewski swears in everyone that will be speaking before the board.

Mr. Jeffreys motions to re-appoint Mr. Tomaszewski as chairman for the Zoning Board of Appeals, seconded by Mr. Valenti. Approved 5-0

Mr. Jeffreys motions to re-appoint Mr. Bereznay as vice chairman for the Zoning Board of Appeals, seconded by Mr. Anderson. Approved 5-0

Mr. Tomaszewski motions to keep the Zoning Board of Appeals meeting the last Wednesday of each month starting at 6:30pm unless time and date needs to be moved with the Chairman approval, seconded by Mr. Jeffreys. Approved 5-0

1. Mr. Tyler Clotz residing at 900 S. Main Street is requesting a Home Occupation approval. Mr. Clotz stated he would like to start a vehicle detailing business at his home. Mr. Clotz stated his hours would be Monday through Friday from 4pm to 9pm and on the weekends 9am to 8pm. Mr. Clotz stated this would only be about 3-4 cars per week and all of this would be completed in his garage. Mr. Clotz was asked to give more detail on the equipment he would be using. Mr. Clotz stated all his equipment is low sound and would not interfere with the neighbors. Mr. Clotz stated he gets along well with his neighbors and would not want to interfere or be a nuisance with noise. Mr. Clotz stated this was just a way to add extra income since he will be getting married. Mr. Tomaszewski stated the traffic study was signed off from the Safety Service Director.

After deliberations, the Board made the following findings:

- The applicant stated he would only have 3-4 cars per week.
- Applicant would be the only person engaging in the activity.
- The appearance of the existing structures on the property would not be altered for the activity.
- The applicant stated all detailing work would be performed inside his garage.
- The applicant stated all detailing machinery was low volume and would not disrupt the neighborhood.
- The activity would be performed by appointment only and the customers would not park on the premises.
- The traffic study was signed off by the Safety Service Director.

Based on deliberations the Board decided to reverse the decision of the Building Inspector and grant your variance request.

2. Mr. Ryan Coughlin residing at 105 Keswick Ct. Mr. Coughlin is requesting approval to build an accessory structure larger than allowed. The Zoning Board of Appeal members reviewed the application and were given the history of the property from Mr. Macartney, the Building Inspector. Mr. Coughlin or representative for Mr. Coughlin was not in attendance to answer any questions.

After deliberations, the Board made the following findings:

- There was no representative at the scheduled meeting to add any additional information regarding the request.
- While this may not be sufficient cause in itself to deny the application, the Zoning Board members felt that the application did not contain sufficient information to address the criteria set forth in *Duncan v. Middlefield* (1986), 23 Ohio St.3d 83 and Chapter 1125 of the Amherst Codified Ordinances.

Based on deliberations the Board decided to uphold the decision of the Building Inspector and deny your variance request.

3. Mr. Joseph Striker residing at 94 Hickory Hollow Drive is requesting approval to build an 8ft high fence with the good side facing into his property. Mr. Striker stated he is only asking a variance for the rear yard that abuts up to a wooded area which decline toward his residence. Mr. Striker also stated that his rear yard abuts a high residential area which is somewhat buffered by a strip of wooded area.

After deliberations, the Board made the following findings:

- The variance request is not substantial for this property. While this determination is not sufficient in itself to justify the variance, it is important especially in the context of other factors.
- The variance request will not alter the character of the neighborhood therefore not causing any substantial detriment as a result of the variance.
- The rear property line abuts a wooded area to the rear which declines toward applicants' residence. When viewed from beyond the fence down toward the fence from the adjoining property the fence would not appear to have a height of 8ft.
- The rear property line near which the fence would be located abuts a high residential area which is somewhat buffered by a strip of land containing trees and other vegetation. The appearance of the fence from the adjoining property is therefore of little consequence.
- The spirit and intent behind the zoning requirement would be observed and substantial injustice done by granting the variance.

Based on deliberations the Board decided to reverse the decision of the Building Inspector and grant your 8ft high fence with the good side facing into the property.

4. Mr. Jeffreys motions to move into deliberative session, seconded by Mr. Anderson.  
Approved 5-0

4. Mr. Anderson motions to move back into regular session, seconded by Mr. Jeffreys.  
Approved 5-0

5. Approval of minutes from December 20, 2017: Mr. Berezney motions to approve the minutes, seconded by Mr. Jeffreys. Approved 5-0

6. Next scheduled meeting will be May 30, 2018 at 6:30pm.

7. Adjourn: Motion made to adjourn at 7:50pm by Mr. Jeffreys, seconded by Mr. Berezney.  
Approved 5-0

Terry Tomaszewski 5/7/18  
Terry Tomaszewski, Chairman      Date

Tammy Paterson 5/7/18  
Tammy Paterson, Secretary      Date