

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

March 29, 2017

6:30pm

Present:

Terry Tomaszewski

Don Anderson

Al Berezney

Bob Valenti

Excused:

John Jeffreys

Other City Officials:

Frank Carlson

Mr. Tomaszewski opened the meeting at 7:00pm

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

1. Mr. Randy Schafer from Janotta & Herner. Mr. Schafer is representing Buckeye Investments. Mr. Schafer stated they have 4 variance requests for signs that will be located on a new Car Wash that the Planning Commission just approved. Mr. Schafer stated this new car wash will be located on the same property as Friendship Mart located on Cooper Foster Park Road. Mr. Schafer stated the new signs will be similar to the ones on the Friendship building except the awning and coloring will be changing. Mr. Schafer stated the lights will be back lit so it looks like the signs are floating. Mr. Macartney went over each variance request and explained why certain signs were not part of the variance request.

Based on deliberations the Board decided to reverse the decision of the Building Inspector and grant all 4 variance sign request as submitted. Approved 4-0

- The variance request is not substantial to the property given the new signs will match the existing signs on the Friendship Mart Store located on the same parcel.
- The signs will face Cooper Foster Park Road and St. Rt. 2.
- The spirit and intent behind the zoning requirement would be observed and substantial injustice done by granting the variance.
- The variance request will not alter the character of the neighborhood therefore not causing any substantial detriment as a result of the variance.
- The sign would not affect the delivery of governmental service.

2. Ms. Sharon Cyrek located at 1050 Cleveland Avenue. Ms. Cyrek is seeing approval for a home occupation to run a beauty salon out of her garage. Ms. Cyrek stated she has a two car garage and would like to renovate that to have a small beauty salon. Ms. Cyrek stated she currently has a salon located on Tenney Avenue but has no lease. Ms. Cyrek stated that she is fearful that the owner has

plans on selling the business and she will be left nowhere to go since there is no additional space down town Amherst. Ms. Cyrek stated this approval would give her something to fall back on in the event that would happen. Mr. Berezney asked how many stylist she currently employs. Ms. Cyrek stated she had a lot at the current store but would only have herself and one other stylist at her residence. Ms. Cyrek stated she would need to add additional parking which she had already planned on having done but her contractor became ill. Ms. Cyrek stated she would like to have enough parking for 4 cars. Ms. Cyrek stated if approved the State would also need to come in and give their approval before she could open up for business. Attorney Carlson asked how many chairs she would have. Ms. Cyrek stated two. Ms. Patricia Kelly located at 1032 Cleveland Avenue handed out letters to the Zoning Board Members prior to the meeting objecting to this variance. Ms. Kelly stated she did not want commercial around her and she is opposed to rezoning the property. Mr. Macartney stated he needed to clarify that this is not a rezoning of a property but a home occupation request. Ms. Kelly stated she has a nice back patio that is very peaceful and spent time and money to have and she does not want to deal with a commercial business next door.

Based on deliberations, the Board decided to uphold the Building Inspectors decision and deny the variance request based on the following. Denied 4-0

- Your intention was to install two chairs in the existing garage for the purpose of cutting and styling hair and that no more than one other employee would be present at any one time for that purpose.
- You would have to improve the garage in certain respects to comply with licensing requirements. Such improvements would include the installation of water and sewer lines.
- You projected that up to four vehicles would be present at the garage at one time and for that reason you intent to, or have considered, installing a concrete pad for parking purposes.

3. Mr. Nick Laudate located at 915 Park Avenue. Mr. Laudate stated he is asking for a 114 sq. ft. variance to add to his existing shed that is located at the back of his property. Mr. Laudate stated that he has a young son and does not like him playing close to Park Avenue. Mr. Laudate stated he has some neighbors that like to drink heavily and would like to keep that away from him son. Mr. Laudate stated this would give him and his family a place to enjoy more peaceful surroundings. Mr. Laudate stated the shed backs up to the wooded area of the city park.

Based on deliberations, the Board decided to reverse the decision of the Building Inspector and approve the additional square footage as submitted based on the following. Approved 4-0

- The variance request is not substantial to the property given the uniqueness of your parcel and that it abuts up to the wooded area of the city park.
- The spirit and intent behind the zoning requirement would be observed and substantial injustice done by granting the variance.
- The variance request will not alter the character of the neighborhood therefore not causing any substantial detriment as a result of the variance.
- The variance would not affect the delivery of governmental services.

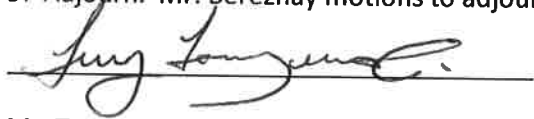
Mr. Berezny motions to move into deliberative session, seconded by Mr. Valenti. Approved 4-0

Mr. Berezny motions to move back into regular session, seconded by Mr. Valenti. Approved 4-0

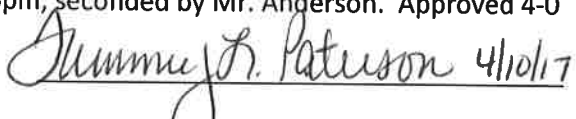
4. Approval of Minutes from February 22, 2017. Mr. Anderson motions to approves minutes, seconded by Mr. Berezny. Approved 4-0

3. Next schedule meeting: April 26, 2017. Mr. Berezny motions to approved, seconded by Mr. Anderson. Approved 4-0

9. Adjourn. Mr. Berezny motions to adjourn at 7:45pm, seconded by Mr. Anderson. Approved 4-0



Mr. Terry Tomaszewski , Chairman Date



Tammy Paterson, Secretary Date