

Franklin Township, Portage County  
Board of Zoning Appeals  
July 10, 2017

Present: Chair David Hansford, Glenn Russell, Ann Hanna, John Zeit, and alternate Jim Henry, Board Members; Sam Abell, Zoning Inspector; Jenny August, Administrative Assistant.

Mr. Hansford called the Board of Zoning Appeals meeting to order at 7:00 p.m. He introduced the Board Members and explained the procedures for the meeting.

**7:00 Hearing:**

At 7:00 p.m. an application by Amanda Smeltzer, 27540 Detroit Rd. Suite 204 Westlake, OH 44145 representing Pebblebrook Associates I, 27540 Detroit Rd. Suite 204 Westlake, OH 44145 for the property located at 6115 Pebblebrook Lane, Kent OH (parcel number 12-019-00-00-001-003) was heard for variances to Section 700.04.B.1.B which requires a twenty (20) feet setback from the right-of-way and Section 700.04.B.1.C which limits ground signs to one per street frontage. The applicant wishes to erect 4 additional ground signs five (5) feet from the right-of-way.

Mr. Hansford asked if anyone in the audience would like to speak to this. Nobody was there to represent Pebblebrook Associates. Several Board members indicated that they are not really in favor of this. Mr. Abell informed the Board that if they choose to do so, they can make a ruling on this regardless of whether or not an applicant is in attendance.

Mr. Zeit moved to grant a fifteen (15) foot variance from the twenty (20) foot setback requirement for ground signs on PPN 12-019-00-00-001-003. Mr. Russell seconded the motion. All Board members voted no. The variance was denied.

Mr. Zeit moved to grant four (4) additional ground signs from the one per street frontage permitted on PPN 12-019-00-00-001-003. Mr. Russell seconded the motion. All Board members voted no. The variance was denied.

**7:15 Hearing:**

At 7:15 p.m. an application by Timothy H & Carol A Reder, 296 Spell Rd. Kent for the property located immediately west of 296 Spell Rd. Kent (parcel number 13-064-00-00-013-003) will be heard for a conditional use permitted by Section 302.02.B.4.a which is a non-commercial land filling to change grade and/or elevation of property: subject to the provisions of Section 601.01.B Subsection 54.

Mr. Hansford asked who is here to speak to this tonight.

Mr. Tim Reder of 296 Spell Road was sworn in. He told the Board that he has lived at this address for 45 years, and has always wanted a lake in the back. He spoke with his neighbor about the creek being polluted with garbage and debris. Mr. Reder needs 75

feet between the lake and the creek. That is the reason he has been adding fill. His intentions are to move the wood chips back and complete the lake project.

Mr. Russell asked him if he has a map or something to show what he wants to do. Mr. Reder said he does not.

Mr. Hansford asked how far from the road the lake would be. Mr. Reder replied that it would be at least 400 feet and at the south end of the property.

Ms. Hanna asked Mr. Abell if the request to change the elevation just out front or for the entire property. Mr. Abell said it is for the whole lot. Mr. Russell asked if there are plantings in the raised area. Mr. Reder said not yet.

Mr. Zeit asked if the fill is through the creek. Mr. Reder said it is, and there is a culvert. Mr. Zeit asked if he can prove that the fill is clean. Mr. Abell said we just take his word for it.

Mr. Henry asked who will determine if the drainage is proper. Mr. Abell said drainage that flows onto a neighboring property is not a zoning issue. It is considered a trespass issue. Mr. Russell asked if we should require a professional opinion on proper drainage. Mr. Abell said our Road Superintendent will be inspecting it.

Mr. Zeit asked what the pond level will be when the project is finished. Mr. Reder said it will be the same as it is now. Mr. Zeit asked if the pond is connected to the creek. Mr. Reder said it is not. Mr. Zeit asked if the pond is lined with clay, and what is keeping the water from going elsewhere. Mr. Reder said the water in the creek and the pond is in balance.

Mr. Russell asked if he has had any flooding before putting the pond in. Mr. Reder said he never has.

Mr. Hansford said the Portage County Water Resources department can approve it. We just need to ensure that our road will not be damaged. Mr. Abell said PCWR and our Road Superintendent can inspect and evaluate.

Mr. Henry asked how long he has been filling. Mr. Reder said 40 years.

Ms. Hanna said she would like to continue this until PCWR and our Road Superintendent can take a look at this and make recommendations, and also provide us with a drawing to reference. That would help the Board make a decision.

Mr. Henry moved to grant a continuance in order to see drawings and plans in cooperation with the Portage County Water Resources and the Franklin Township Road Maintenance Superintendent. Mr. Russell seconded the motion. All Board members voted yes to grant a continuance.

**Approval of Minutes:** Mr. Hansford moved to approve the minutes as presented from the June 5, 2017 meeting. Mr. Henry seconded the motion. All Board members voted yes. The meeting minutes were approved.

**Next Meeting:** The next meeting is scheduled for August 7, 2017 at 7:00 p.m.

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Jenny August  
Administrative Assistant  
Board of Zoning Appeals

Approved as submitted:

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Chairperson, David Hansford

Approved as amended:

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