

Franklin Township, Portage County
Board of Zoning Appeals
November 12, 2018

Present: Chair David Hansford, Marilyn Sessions, Glenn Russell, Shawn Martin and Justin Moneyppenny; Board Members Sam Abell, Zoning Inspector, Joe Ciccozzi, Assistant Zoning Inspector; and 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 Eric Lanier, 5862 Horning Rd., for the property located at 5862 Horning Rd. (parcel number 12-015-10-00-036-001) was heard for a variance to Section 310.04.B which requires a minimum rear yard depth of fifty (50) feet. The applicant wishes to build an attached deck and screened in porch with a rear yard depth of thirty seven (37) feet.

Mr. Hansford asked who is here to speak to this tonight. Mr. Eric Lanier of 5862 Horning Rd. Kent was sworn in. He would like to build a 12' x 12' screened in porch, and continue with a 12' x 10' deck.

Mr. Martin asked what is beyond the back yard. Mr. Lanier said the Grace Baptist Church is beyond his back yard.

Mr. Hansford asked if anyone in the audience would like to comment. No comments.

Mr. Russell moved to allow a 13 foot rear yard depth variance reducing the minimum front yard depth to 37 feet with a second from Mr. Moneyppenny. All Board members voted yes. The variance was approved.

Mr. Hansford noted that there was a 30-day appeal period that would begin after the minutes of this meeting were journalized. The journalizing will occur at the next meeting of the Board of Zoning Appeals.

Approval of Minutes: Mr. Hansford moved to approve the minutes as presented from the October 8, 2018 meeting. Mrs. Sessions seconded the motion. All Board members voted yes. The meeting minutes were approved.

Next Meeting: The next meeting is scheduled for December 10, 2018 at 7:00 p.m.

7:15 Hearing:

At 7:15 p.m. an application by Don Easterling & Patricia McLoughlin, 6492 West Shore Dr., for the property located at 6492 West Shore Dr. (parcel # 12-039-10-00-065-000) was heard for a conditional use of a solar energy system and a variance to section 405.06.E.1 which requires a solar energy system to be only located in the rear yard portion on any lot. The applicant wishes to erect a solar energy system on the front roof

facing the street.

Mr. Hansford asked who is here to speak to this tonight. Mr. Brian DiPaolo of 9001 Portage Point Drive in Streetsboro was sworn in. Mr. DiPaolo works for YellowLite Solar Power. The reason the homeowners are doing this is to lower their carbon footprint as well as their electric bill. The reason for putting the system on the front yard portion of the roof is because this home is lakefront property. Typically, in a lakefront home, the yard facing the lake is supposed to look best. Another reason is because that side gets much more sun. There are large trees that shade the "front yard" roof.

Mr. Russell asked what this is going to look like. Mr. DiPaolo said it looks like a black flat screen television lying on the roof. There are a total of 21 panels laid out in three rows of seven panels. They will have a ½" standoff from the roof.

Mr. Hansford suggested looking at the conditional use first. The Board reviewed the Standards for a use variance: A-yes, B-yes, C-no, D-yes, E-yes, F-yes.

Mr. Hansford asked if anyone in the audience would like to comment. No comments.

Mr. Hansford moved to allow the conditional use of a solar energy system with a second from Mr. Russell. Mr. Martin asked if all of the attachment components were black. Mr. DiPaolo said yes. Mr. Martin asked if they are engineer approved. Mr. DiPaolo said yes. He also asked about the life span of these panels. Mr. DiPaolo said they have a 25 year warranty.

There was no other discussion from the Board. The question was called, and all Board members voted yes. The motion passed.

Mr. Russell moved to allow the solar energy system to be installed on the front roof. Mr. Moneypenny seconded the motion. Mr. Russell asked how much efficiency the homeowner would lose if they installed the system on the other side of the roof. Mr. DiPaolo said probably about 50-60%. On roll call, all Board members voted yes. The motion passed.

Mr. Hansford noted that there was a 30-day appeal period that would begin after the minutes of this meeting were journalized. The journalizing will occur at the next meeting of the Board of Zoning Appeals.

7:30 Hearing:

At 7:30 p.m. an application by Patrick Watson, 5903 Powdermill Rd., for the property located at 5903 Powdermill Rd. (PPN 12-020-00-00-005-000 was heard for variances to Section 405.06.A.8 which requires an accessory building to be located no closer than fifteen (15) feet from the principal building and Section 410.00.E.2 which requires 25% of a fence surface to be open to light and air and decorative posts no greater than five (5) feet in height. The applicant has an existing accessory building that is 5 ½ feet from the principal building and an existing fence with less than 25% of the surface open to light and air and decorative posts that are 10' in height.

Mr. Hansford asked who is here to speak to this tonight. Mr. Patrick Watson of 5903 Powdermill Rd. Kent was sworn in. He bought the property in very messy condition. He found the barn on sale and bought it without even considering the zoning code. He made the barn close to the attached garage because it looked attractive there, and the drainage and pavers worked out just right in that spot. He admits his guilt. The fence was old and in real bad shape. He wanted the neighbors view to be nicer than what they had to look at in prior years. He rebuilt the fence just like the old existing stockade fence, thinking it would look correct to match the old one. He put higher posts and gates on to make it look artistic. When Sam sent him a letter, he realized he needed to look into zoning.

Mr. Martin asked what is inside the fence. Mr. Watson said there is a pool.

Mr. Hansford asked if anyone in the audience would like to comment. No comments. He reviewed the standards for an area variance with the Board: A=yes, B=yes, C-No, D-no, E-no, F- yes, G=yes.

Mrs. Sessions moved to approve a variance of 5 feet for the fence posts height with a second from Mr. Martin. All Board members voted yes. The motion passed.

Mr. Martin moved to approve a 9.5 foot variance in the distance between a principal building and an accessory building. Mr. Russell seconded the motion. All Board members voted yes. The motion passed.

Adjournment: The meeting was adjourned at 7:50 pm

Respectfully submitted,

Jenny August
Administrative Assistant
Board of Zoning Appeals

Approved as submitted:

Chairperson, David Hansford

Approved as amended:

Chairperson, David Hansford