

CITY OF AURORA
BOARD OF ZONING APPEALS
MEETING MINUTES
February 10, 2021

The Aurora Board of Zoning Appeals met in a regularly scheduled meeting Wednesday, February 10, 2021, facilitated by the internet application Zoom. Chairman Terese Fennell called the meeting to order at 6:28pm.

ROLL CALL:

Present: Terese Fennell, Chairman
Jeff Iammarino, Vice Chairman
Kevin Krane
Tony Gramm (joined the meeting at 6:32)
Tom Carr
Doris Evans (joined the meeting at 6:32)

Also Present: Meredith Davis, Asst. Director, Planning, Zoning & Bldg. Division
Christine Gruttadauria, Clerk

Ms. Fennell swore in those in attendance who wished to speak this evening.

AMENDMENTS TO THE AGENDA:

None.

APPROVAL OF MINUTES:

Motion: To approve the meeting minutes of January 13, 2021, as submitted.

Mr. Iammarino moved; Mr. Carr seconded and the motion carried 4-0, on a roll call vote.

Yeas: Mr. Iammarino, Mr. Carr, Ms. Fennell, Mr. Krane

Nays: None

OLD BUSINESS:

None

NEW BUSINESS:

Ann Kastelic, 730 Eggleston Rd. – Variance to allow 3,488 square feet of accessory structures, where 3,00 square feet is allowed, (2101001)

Ann Kastelic, 730 Eggleston Road, Aurora, OH 44202 attended the meeting to present the project and answer questions. She was seeking a variance to add an addition to an existing pole barn. The applicant explained that she was planning to add 12 feet to the existing barn and that she would use the new space for additional storage. She further

explained that she would be creating a separate room, which would have its own egress. Ms. Kastelic also noted that the East side of the barn is 14 feet high, while the west side is 8 feet high. She stated that the addition would make the two sides even. Ms. Fennell asked why the applicant wanted additional storage. Ms. Kastelic explained the addition would provide space that is free from dirt and grime, which is created when working on projects in the main barn. Mr. Iammarino asked if any neighbor comments were received. Ms. Davis explained that she had not received anything in writing, but there was a resident logged on to the meeting that wished to address the variance request. Mr. Iammarino asked which side of the barn was being modified. Ms. Kastelic explained that the far side of the barn is being modified, it will not be seen from the street.

Ms. Fennell opened the discussion for public comment.

Mike Bezilla, 620 Cedar Bark Drive, Aurora, OH 44202 joined the meeting to make public comment. Ms. Fennell swore him in. Mr. Bezilla explained that the rear of his property touches the subject property. He stated that he is concerned that the addition would encroach on his property and lower his property value. He stated that if the applicant expanded West instead of East, or erected a separate building, the effect on his property would not be as bad. Ms. Fennell asked if Mr. Bezilla could see the existing barn from his back yard. The answer was yes. Mr. Iammarino asked if he could see it all year, or just in the winter. Mr. Bezilla explained that he can see the barn all year. Mr. Iammarino asked if Mr. Bezilla had trees in his back yard. Mr. Bezilla stated that he had some, but lost several trees to Ash Bore disease. Mr. Bezilla asked for clarification on the Zoning ordinances. He stated that he would have to seek a variance if he wanted to add an accessory building larger than 12X12. Ms. Davis explained that parcels greater than five acres could have up to 3,000 square feet of accessory buildings.

Hearing no further public comments, Ms. Fennell closed the discussion.

Ms. Fennell gave the applicant an opportunity to address the public comments. Ms. Kastelic noted that several trees on the property were pine trees. She further stated that she would plant additional trees to block the view for the neighbor. Ms. Fennell asked if the applicant could accommodate her storage needs by building a separate building. The applicant stated that she prefers to add on to the existing building as it is already wired for electricity. Ms. Fennell asked if the existing 3,000 square foot barn could accommodate the additional storage needs. The applicant explained that she currently has a car lift, and a section for woodworking as well as an area for metal work. She further explained that the additional storage area would be closed off from the barn and would provide a clean area for storage.

Dr. Evans stated that she noticed an additional building when she visited the property. She asked if that building could be used to accommodate the applicants storage needs. Ms. Kastelic explained that building was used to house her tractor and gardening supplies. She stated it is small, the size of a shed. Ms. Fennell asked if the applicant could expand the shed. Ms. Kastelic explained that expanding the shed is not an option, due to the way her driveway is and an existing concrete pad. Mr. Carr asked how large the shed is. The applicant was not sure. Ms. Davis stated that the shed was about 420 square feet.

Mr. Krane asked if the applicant was running a business out of the existing barn. Ms. Kastelic explained that her husband built the barn for use in his retirement. She stated that now her son and son-in-law use the barn for their projects. She stated that currently, her son is restoring an old RV. Mr. Carr asked if the applicant would need a variance if the smaller shed did not exist. Ms. Davis explained that without the smaller shed, the addition to the pole barn would be about 75 square feet over the allowed amount of square footage, and the applicant would require a variance.

Mr. Iammarino stated that there is nothing to be done about the existing barn and the applicant was asking for 12 lineal feet of new space. He stated that if there were six properly placed arborvitae trees, they would block the view for the neighbor. Mr. Iammarino also stated that the homeowner should have the right to do what she wants on her property as long as it doesn't physically encroach on her neighbor's property. Lastly, he stated that he understood Mr. Bezilla's concerns. Dr. Evans agreed with Mr. Iammarino, and noted that the trees that are planted should be more mature at the time of planting. Ms. Fennell asked if the Board could add a condition to the motion that addresses the planting of trees. Ms. Davis explained that was acceptable and conditions have been placed on motions in the past. The applicant stated that due to the deer population in the area, arborvitae may not be the best choice. Ms. Davis stated that the motion could include a generalization of the need for the trees to provide screening. She further explained the applicant could work with the City Arborist for guidance.

The Board members discussed the application. Mr. Iammarino stated the variance was not substantial, given the size of the property. He stated the addition would not compromise the character of the neighborhood. Ms. Fennell asked if any Board members were opposed to adding the condition of screening to the variance. No members were against the condition. Ms. Fennell further stated that she did think there were other ways for the applicant to solve her problem without the variance. Mr. Gramm agreed with Ms. Fennell. Mr. Carr agreed with what has been said by the other members. He further stated that this variance request highlights the difficulties that are faced when you have multiple sized lots adjacent to each other. He also noted that this is a clear example of how to work with the homeowners to solve any problems that exist. Mr. Krane stated that he did not think the variance was substantial and the compromise between the homeowner and the applicant was a step in the right direction.

MOTION: To grant the variance request that would allow a total of 3,488 square feet of accessory structures, where the code states that 3,000 square feet is the maximum allowed on a property over 5 acres, with the condition that evergreens shall be planted to screen the addition from existing structures.

Mr. Gramm moved; Mr. Krane seconded, and the motion carried, 5-0, on a roll call vote.

Yeas: Mr. Gramm, Mr. Krane, Ms. Fennell, Mr. Carr, Mr. Iammarino

Nays: None

MISCELLANEOUS:

None

ADJOURNMENT:

Mr. Iammarino moved to adjourn at 7:02 p.m. Mr. Gramm seconded, and the motion carried on a unanimous voice vote.

Terese Fennell - Chairman

Christine Gruttadauria – Clerk