

**CITY OF KENT
BOARD OF ZONING APPEALS
PUBLIC HEARING & BUSINESS MEETING
May 15, 2023**

MEMBERS PRESENT:

Jona Burton
Steven Protzman
Michelle Sahr
Laura Scarnecchia

STAFF PRESENT:

Eric Fink, Assistant Law Director
Kailyn Cyrus, Development Planner

I. CALL TO ORDER

Mr. Burton called the meeting to order at 7:00 p.m.

II. ROLL CALL

Jona Burton, Steven Protzman, Michelle Sahr, and Laura Scarnecchia were present.

III. PREAMBLE

The Board of Zoning Appeals, Kent citizens serving without pay, hear evidence at public meetings both in support of and in opposition to an applicant's request before rendering a decision. Generally, the Board will decide to approve or deny each requested application at the meeting that it hears the testimony. Some decisions may be continued for further review. Once a decision has been made, the case is closed for the Board, as there is no provision in the code for the Board to reopen a case. If the petitioner disagrees with the findings of the Board, there are only two proper procedures. One is to resubmit a revision of the request that is more compatible with the code and the second is to file an appeal in the Common Pleas Court. Anyone interested in appealing a decision of the Board is advised to seek private legal counsel.

IV. ADMINISTRATION OF OATH

Mr. Fink instructed members of the audience wishing to be heard on any of the cases presented at this meeting to raise their right hand. He administered the oath. The participants responded affirmatively.

V. NEW BUSINESS

**A. BZ23-007 TAMMY & RUSSELL SHAFFER
423 SUZANNE DRIVE**

The applicant is requesting:

- 1. A variance from Section 1106.10(A) to allow a 15-foot variance where 15 feet is the minimum requirement to allow an accessory structure to be located 0 feet from the principal building.**
- 2. A variance from Section 1106.10(A) to allow a 5 foot variance where 10 feet is the minimum requirement to allow an accessory structure to be located 5 feet from the side property line.**

Russell Shaffer, 423 Suzanne Dr., stated that they are requesting the variances so that they can add a carport next to the house. He stated that they have inherited a couple of cars that they would like to bring home from storage but there isn't enough room in the back yard to construct a garage. He stated that it will look nice. He stated that the proposed carport is 10' wide and 40' long on a 12' wide concrete pad to allow for 2 cars.

Mr. Protzman questioned the carport structure; 4-6 columns and a roof.

Mr. Shaffer stated that whatever the building code requires.

Mr. Protzman noted that if they did construct a garage, it would take up too much of the property and the rest would be concrete.

Mr. Burton agreed and stated that the garage would need to be more than 10 feet wide.

Ms. Sahr questioned if he would be changing the concrete drive.

Mr. Shaffer stated that they will not be changing their current drive.

PUBLIC COMMENT

Elaine Cross, 321 Suzanne Dr., stated that she knows that their carport will look better than the temporary carports and she is in support of their project.

Tammy Shaffer, 423 Suzanne Drive, stated that they are also going to add siding to the side of the carport and the concrete that will be added over the hill will tie into the existing driveway.

Ms. Sahr questioned if they are widening the existing driveway.

Ms. Shaffer stated that they are not and there wouldn't be enough room to widen it.

Mr. Protzman questioned the siding.

Ms. Shaffer questioned if the side needs to remain open.

Mr. Fink stated that the carport can be either open or closed on the sides but it cannot have 4 walls.

Ms. Cyrus stated that a carport is considered an accessory structure in the Zoning Code, similar to a shed or detached garage.

Mr. Fink added that the design would be up to the applicants.

Ms. Shaffer stated that there isn't a man door from the proposed carport into the house.

BOARD OF ZONING OF APPEALS DISCUSSION

Mr. Burton stated that in looking at the house and the neighborhood, he feels that it makes sense as there isn't enough width to add a garage that would accommodate all of their vehicles. He stated that it seems like a practical and tasteful solution given the small lot.

Mr. Protzman agreed and stated that he likes this option better than the idea of putting a garage in the back with all of the concrete. He stated that there's nothing else to do short of selling the cars.

MOTION: *In Case BZ23-007, applicant Tammy & Russell Shaffer, located at 423 Suzanne Dr., Ms. Sahr moved that the Board of Zoning Appeals grant the applicant's request for a variance from Section 1106.10(A) to allow a 15-foot variance where 15 feet is the minimum requirement to allow an accessory structure to be located 0 feet from the principal building.*

Mr. Protzman seconded the motion.

VOTE: The motion carried 4-0.

MOTION: *In Case BZ23-007, applicant Tammy & Russell Shaffer, located at 423 Suzanne Dr., Mr. Protzman moved that the Board of Zoning Appeals grant the applicant's request for a variance from Section 1106.10(A) to allow a 5 foot variance where 10 feet is the minimum requirement to allow an accessory structure to be located 5 feet from the side property line.*

Ms. Sahr seconded the motion.

VOTE: The motion carried 4-0.

VI. OTHER BUSINESS

None.

VII. ADJOURNMENT

MOTION: Mr. Protzman moved to adjourn the meeting. Mr. Burton seconded the motion. The motion carried 4-0. The meeting adjourned at 7:20 pm.