

**CITY OF KENT
BOARD OF ZONING APPEALS
PUBLIC HEARING & BUSINESS MEETING
June 19, 2023**

MEMBERS PRESENT: Steven Protzman
Michelle Sahr
Laura Scarnecchia

STAFF PRESENT: Bridget Susel, Community Development Director
Kailyn Cyrus, Development Planner

I. CALL TO ORDER

Mr. Protzman called the meeting to order at 7:02 p.m.

II. ROLL CALL

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

Ms. Susel noted that because the Board of Zoning Appeals currently only has 3 members, a unanimous vote is required to move forward with any variance request.

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

The Oath was not administered as there were no applicants or members of the public present at 7:04.

V. NEW BUSINESS

**A. BZ23-009 KARDELL JACKSON
 1228 GARTH**

The applicant is requesting a variance from Section 1106.12(A) to allow a 6-foottall fence to be constructed where 4 feet is the maximum height allowed.

Ms. Cyrus stated that the property is located in an R-2: Low Density Residential Zoning District and is accessed from Silver Meadows Blvd. She stated that the property is surrounded by residential uses on all sides. The property is located on a corner lot so it is considered to have two front yards. She stated that the applicant is requesting a variance

to allow a 6-foot fence in a front yard area where only a 4-foot maximum height is permitted.

Ms. Scarnecchia stated that she drove by the property and the fence has already been constructed.

Mr. Protzman questioned how far back the fence is from Garth Dr.

Ms. Scarnecchia estimated that it is approximately 20 feet. She stated that the fence location is really unobtrusive.

Ms. Sahr stated that the property has a very small back yard.

Mr. Protzman questioned if the constructed fence matches the plan.

Ms. Scarnecchia stated that it is different as it is flush with the side of the fence if not a little farther back. She stated that she felt that it was tasteful and didn't obstruct the entire front yard.

Ms. Susel questioned if the 33-foot expanse doesn't come out 6 feet but rather is more in line with the back of house.

Ms. Scarnecchia stated that she is fairly certain.

Ms. Sahr questioned who provided the drawing.

Ms. Cyrus stated that the applicant provided the drawing.

Ms. Susel explained that they still need a variance due to the practical difficulty of having two front yards that only allows for a 4-foot-tall fence.

PUBLIC COMMENT

None

BOARD OF ZONING OF APPEALS DISCUSSION

Ms. Sahr stated that there isn't anywhere else that they could put a fenced in yard and feels that they meet the practical difficulty.

Ms. Scarnecchia agreed and added that it looks nice.

MOTION: In Case BZ23-009, applicant Kardell Jackson, located at 1228 Garth Dr., Ms. Sahr moved that the Board of Zoning Appeals grant the applicant's request for a variance from Section 1106.12(A) to allow a 6-foot-tall fence to be constructed where 4 feet is the maximum height allowed.

Ms. Scarnecchia seconded the motion.

VOTE: The motion carried 3-0.

VI. OTHER BUSINESS

None.

VII. MEETING MINUTES

MOTION: Ms. Scarnecchia moved to approve the April 17, 2023 meeting minutes as presented. Ms. Sahr seconded the motion. The motion carried 3-0.

MOTION: Ms. Scarnecchia moved to approve the May 15, 2023 meeting minutes as presented. Ms. Sahr seconded the motion. The motion carried 3-0.

VIII. ADJOURNMENT

MOTION: Ms. Sahr moved to adjourn the meeting. The meeting adjourned at 7:12 pm.