

**CITY OF KENT
BOARD OF ZONING APPEALS
PUBLIC HEARING & BUSINESS MEETING
January 27, 2025**

MEMBERS PRESENT:

Michelle Sahr
Robert Szygenda
Randall Smith
Laura Scarnecchia
Olivia Kennedy

STAFF PRESENT:

Eric Fink, Assistant Law Director
Kailyn Cyrus, Zoning and Grants Coordinator

I. CALL TO ORDER

Ms. Sahr called the meeting to order at 7:00 p.m.

II. ROLL CALL

Michelle Sahr, Robert Szygenda, Laura Scarnecchia, Olivia Kennedy, and Randall Smith were present.

III. ELECTION OF OFFICERS

Mr. Fink reviewed the positions and their annual responsibilities.

After the Board's discussion, the Election of Officers is as follows:

MOTION: Mr. Smith nominated Michelle Sahr for Chairperson.

Ms. Sahr accepted the nomination. Mr. Szygenda seconded the nomination.
No other nominations were offered.

The vote carried 4-0-1. Ms. Sahr abstained.

MOTION: Ms. Sahr nominated Laura Scarnecchia for Vice Chairperson.

Ms. Scarnecchia accepted the nomination. Ms. Kennedy seconded the nomination. No other nominations were offered.

The vote carried 5-0.

MOTION: Ms. Sahr nominated Randall Smith for Secretary.

Mr. Smith accepted the nomination. Mr. Szygenda seconded the nomination.
No other nominations were offered.

The vote carried 5-0.

IV. 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.

V. 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.

VI. NEW BUSINESS

A. BZ25-001 CORDAVE PROPERTIES 1335 W. MAIN STREET

The applicants are requesting:

- 1. A variance from Section 1103.16(E) to allow a 20-foot variance where 30 feet is the minimum requirement to allow the northwest corner of an addition to be located 10 feet from the rear property line.**
- 2. A variance from Section 1103.16(E) to allow a 10-foot variance where 30 feet is the minimum requirement to allow the center point of an addition to be located 20 feet from the rear property line.**
- 3. A variance from Section 1103.16(E) to allow a 5-foot variance where 30 feet is the minimum requirement to allow the northeast corner of an addition to be located 25 feet from the rear property line**

Ms. Cyrus presented the staff report. She explained that the property is located within the IC-R: Intensive Commercial Residential Zoning District and is surrounded by residential uses to the north and west, and commercial uses to the east and south. She stated that the property is accessed from W. Main St. She stated that the applicant proposes constructing a 26-foot by 24-foot attached addition to the rear of the principal structure to allow for extra storage for shipments needed to maintain the custom shirts and sportswear business. She noted that the applicant stated that due to the size and nature of the property there is not enough space to construct the addition within the regulations of the City of Kent Zoning Code. She stated that the proposed addition is to be located 10-feet from the rear property line at the northwest corner of the building, 20-feet from the rear property line at the centerline of the building, and 25-feet from the rear property at the northeast corner of the building. She stated that the minimum rear yard setback for this property is 30 feet.

Eddie Williams, 1335 W. Main St., stated that he is representing Cordave Properties of which he is a minority partner. He stated that the business is growing and there is not enough room in the existing structure for shipping and receiving. He stated that they obtained a variance for a detached structure last month, however, they have decided to construct an attached addition instead. He presented the Board with architectural drawings that include elevations that they just received. He stated they have made the addition as small as possible but still large enough for their current and future needs.

PUBLIC COMMENT

None

BOARD OF ZONING OF APPEALS DISCUSSION

Ms. Sahr reminded the Board that they are looking at hardships.

Mr. Szygenda stated that he agrees and noted that the variance the applicant received last month for a detached structure was granted due to the shape of the existing property.

Ms. Kennedy stated that the current proposed attached addition has greater setbacks than the previously approved detached structure, which is closer to meeting the zoning code.

Ms. Sahr stated that the proposed addition also differs from the December variance in that this structure is attached.

Mr. Fink stated for the record that the December variance that was received for this property was for an accessory structure on the property and has nothing to do with the current variance request.

MOTION: *In Case BZ25-001, applicants Cordave Properties, 1335 W. Main St., Ms. Scarnecchia moved that the Board of Zoning Appeals grant the applicants' request for a variance from Section 1103.16(E) to allow a 20-foot variance where 30 feet is the minimum requirement to allow the northwest corner of an attached addition to be located 10 feet from the rear property line.*

Mr. Szygenda seconded the motion.

VOTE: *The motion passed 5-0.*

MOTION: *In Case BZ25-001, applicants Cordave Properties, 1335 W. Main St., Ms. Kennedy moved that the Board of Zoning Appeals grant the applicants' request for a variance from Section 1103.16(E) to allow a 10-foot variance where 30 feet is the minimum requirement to allow the center point of an attached addition to be located 20 feet from the rear property line.*

Ms. Scarnecchia seconded the motion.

VOTE: *The motion passed 5-0.*

MOTION: *In Case BZ25-001, applicants Cordave Properties, 1335 W. Main St., Mr. Szygenda moved that the Board of Zoning Appeals grant the applicants' request for a variance from Section 1103.16(E) to allow a 5-foot variance where 30 feet is the minimum requirement to allow the northeast corner of an attached addition to be located 25 feet from the rear property line.*

Ms. Kennedy seconded the motion.

VOTE: *The motion passed 5-0.*

VII. MEETING MINUTES

MOTION: *Mr. Smith moved to approve the December 16, 2024 meeting minutes as presented. Mr. Szygenda seconded the motion. The motion carried 4-0-1. Ms. Kennedy abstained.*

VIII. OTHER BUSINESS

None.

IX. ADJOURNMENT

MOTION: *Ms. Sahr adjourned the meeting. The meeting adjourned at 7:22 pm.*