

**CITY OF KENT  
BOARD OF ZONING APPEALS  
PUBLIC HEARING & BUSINESS MEETING  
April 21, 2025**

**MEMBERS PRESENT:** Michelle Sahr  
Robert Szygenda  
Randall Smith

**STAFF PRESENT:** Bridget Susel, 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, and Randall Smith were present. Laura Scarnecchia and O'lvia Kennedy were absent.

**MOTION: Mr. Smith moved to excuse Laura Scarnecchia and O'lvia Kennedy. Mr. Szygenda seconded the motion. The motion passed unanimously.**

**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**

Ms. Susel instructed members of the audience, wishing to be heard on any of the cases presented at this meeting, to raise their right hand. She administered the oath. The participants responded affirmatively.

**V. NEW BUSINESS**

**A. BZ25-002 JULIE MELUCH  
1509 S. WATER STREET**

**The applicant is requesting:**

- 1. A variance from Section 1107.15(B) to allow a 9-foot by 31-foot driveway extension to be installed where the driveway must be of equal width from the traveled portion of the public or private road right-of-way to the terminus.**
- 2. A variance from Section 1107.15(B) to allow a 25-foot by 18-foot driveway extensions to be installed where the driveway must be equal width from the traveled portion of the public or private road right-of-way to the terminus.**
- 3. A variance from Section 1107.15(A) to allow a 25-foot by 18-foot driveway extension to be installed where the driveway must not exceed 24 feet in width.**
- 4. A variance from Section 1107.15(C) to allow a driveway to utilize 51% of the required front yard where 40% is the maximum allowable space.**

Ms. Cyrus presented the staff report. She explained that the property is located within the R-C: High Density Multifamily-Commercial Zoning District and is surrounded by business non-retail uses to the north, residential uses to the south and east and retail uses to the west. She stated that the applicant is proposing to extend the current driveway to service a garage that is located within the rear yard and to allow for extra parking as the current driveway only extends to a single car garage. She stated that the driveway extension to the rear yard will allow for easier parking for any future and current tenants. She stated that the 25' x 18' driveway pad has already been poured but not attached to the driveway. She added that a concrete pad does not require permits if it is not attached to the driveway. She explained that the driveway extension will not be equal widths from the traveled portion of the right of way to the driveway terminus as required with 19 feet 10 inches at the current terminus to 9 feet where it extends into the rear yard, and then 25 feet wide where it will service the garage. She noted that the allowed maximum width of a driveway is 24 feet. She stated that extension of the driveway with the previously approved bump out means that the driveway will be utilizing 51% of the required front yard and the zoning code limits driveways to 40% of the required front yard.

Nicholas Meluch, 1533 S. Water St., stated that the proposed 9 foot section on the side of the main structure will allow access to the back two-door garage. He stated that the 25 foot wide section is for the driving space to get into each garage bay. He noted that the top profile drawing seems a bit off due to the roof overhang. He stated that they could reduce the 25 foot section a little bit but it does make it easier to get in/out and turnaround. He stated that they could utilize less space in the front yard if their curb was straight in line with the house garage and they didn't need a turnaround in the front yard. He stated that 25 foot x 18 foot rear yard pad has not yet been poured although there is another existing concrete pad next to it.

Ms. Sahr questioned if the existing driveway was going to remain gravel.

Mr. Meluch stated that the plan is to make it concrete because the neighbor's runoff washes out the gravel.

Mr. Smith questioned the age of the back garage.

Mr. Meluch stated that he believes that it is the same as the residence.

Mr. Smith stated that the applicants just received a variance for the other driveway a couple of months ago and questioned why they didn't bring all of these requests at the same time.

Mr. Meluch agreed. He explained that at first, all the investors were not in agreement with the completion of the whole driveway, so they only asked for the front driveway, which was needed at that time to accommodate a new /first tenant. He stated that all of the owners are in agreement that they need to finish the driveway.

Ms. Susel explained to the applicant that because there are only three board members present, the applicant will need to get a unanimous positive vote in order to be granted the variances. She stated that if a variance was denied, they would not be able to bring the request back to be heard again. She stated that the applicant can decide to continue the case to another meeting before the board votes so that more members are present.

Mr. Meluch questioned what was included in the 51% open space calculation.

Ms. Susel explained that the 51% applies to the front yard and the first variance should have noted that it was over the allowed minimum open space requirement. She stated that the requirement is to help with stormwater runoff.

Mr. Meluch stated that they have a storm drain that takes care of much of the rain and downspouts except for a heavy flashflood type event.

Julie Meluch, 1533 S. Water St., stated that they tied all of their gutters into the city storm sewer system as well as the gutters of the neighboring State Farm office to help with the run-ff during heavy rains. She stated that the 6-inch drain is located in the rear yard where the pad is to be poured. She stated that permits and inspections were completed by the city and the inspector commented that the property needed a drain.

### **PUBLIC COMMENT**

None

### **BOARD OF ZONING OF APPEALS DISCUSSION**

Mr. Smith stated that he feels that it is difficult to do this because it is being done piece-meal. He stated that he's not sure he would have approved the bump out if they had known about the proposed driveway and concrete planned for the rear yard.

Ms. Sahr stated that it is her recollection that they approved the bump out for the purpose of a turnaround and a parking space. She stated that they need to approve variances based on hardships but they do not have a hardship in needing more parking spaces.

Mr. Smith stated that there is a massive amount of concrete proposed. He questioned what the alternative would be.

Mr. Szygenda stated that the alternative would be to utilize the back.

Ms. Sahr stated that that would still cause the need for the drive width variance as well as the open space variance.

Mr. Szygenda stated that they have already given a variance for the width for the front bump-out so he doesn't feel that the back width is an issue for him, but he is also questioning whether this is a hardship case. He asked if any of the members were concerned about the variance for the driveway width.

Mr. Smith stated that he's not sure that it needs to be 25 feet as the drive could curve over to a 24 foot wide area and there would still be room to get in and out.

Mr. Szygenda suggested that the Board could request that the width be 24 feet.

Mr. Smith agreed and stated that he would also like to have an engineer look at the drain and make sure that it is adequate for this amount of concrete.

Ms. Szygenda agreed.

Ms. Sahr stated that she is just not sure given that there are already 2 parking spaces plus a place to turn around plus the proposed addition. She stated that she doesn't see the hardship.

Mr. Smith asked if Ms. Sahr was indicating that the hardship was that they knew when they built the rear garage that there wouldn't be access to it.

Ms. Sahr stated that you could argue that that is a hardship.

Mr. Meluch stated that the garage was pre-existing to their ownership. He stated that they would have done things differently had they understood the process better and brought the entire project at once. He added that they really needed the front drive right away though. He commented that the coverage might not be 51% if the driveway ran straight to the road but it is way too expensive to change it now. He stated that it isn't their choice to have that much driveway. He stated that they essentially have only 2 parking spaces if limited to the existing driveway.

Ms. Meluch stated that their current tenant is a family with 2 daughters that drive and one of them parks at the State Farm office now because there isn't room on the site. She stated that they feel that it is reasonable to assume that they may need 3 parking spaces. She stated that they could reduce the front turn around area from 20 feet down to 10 feet. She explained that by making the bump out smaller, it creates the necessity for them to access the back garage for more parking.

Ms. Sahr suggested that currently they could add a parking space next to the garage in addition to the 20 foot bump out and achieve 3 parking spaces.

Ms. Szygenda agreed.

Mr. Meluch stated that there wouldn't be any access to the back garage.

Ms. Sahr questioned the former driveway that went back to the back garage.

Ms. Meluch stated that they have pictures of cars parked in the back by the previous owner who built the garage.

Mr. Meluch stated that during renovations they graded the land so that it slopes away from the building, not thinking that it would be an issue to reinstall the driveway.

Ms. Meluch stated that the driveway was located alongside the garage that is attached to the house.

Ms. Sahr suggested that the case be continued so that the applicant can look at their options and possibly reduce the amount of concrete. She stated that they can also defer to the engineer regarding the drain.

Mr. Smith stated that he likes Ms. Sahr's suggestion and added that he would like to see the back pad be 24 feet by 18 feet as that would eliminate the need for another variance.

Mr. & Mrs. Meluch stated that they would like to continue the case.

The Board, staff, and applicants further discussed the potential changes to the plans.

**MOTION:**     *In Case BZ25-002, applicant Julie Meluch, 1509 S. Water St., Mr. Smith moved that the Board of Zoning Appeals continue the case to the next meeting.*

*Mr. Szygenda seconded the motion.*

**VOTE:**        *The motion passed 3-0.*

VI.     **MEETING MINUTES**

**MOTION:**     *Mr. Smith moved to approve the January 27, 2025 meeting minutes as presented. Mr. Szygenda seconded the motion. The motion carried 3-0.*

VII.    **OTHER BUSINESS**

None.

VIII.   **ADJOURNMENT**

**MOTION:**     *Mr. Smith moved to adjourn the meeting at 7:47. Mr. Szygenda seconded the motion. The motion carried 3-0.*