RECORD OF PROCEEDINGS

Minutes of AUBURN TOWNSHIP BOARD OF ZONING APPEALS—REGULAR Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Auburn Township Administration Building
11010 Washington Street

Held August 16, 2022 1 20

~~BZA-2022-08v~~

MEMBERS PRESENT: DOUG HOGAN, BRIAN STEWART, MICHAEL VARLEY, ROBERT FORD, BEN TIMMONS

MEMBER ABSENT: DAVID PARKER, LEWIS TOMSIC,

MEMBERS HEARING THE CASE: Timmons, Stewart, Ford, Varley

CASE FILE: The case file is included as part of the official record, and also includes the Auburn Township Zoning Resolution

BZA-2022-08v--an appeal requesting a variance, submitted by Payne & Tompkins Design Renovations for Chris & Gwen Bajzer from the Auburn Township Zoning Resolution, Schedule 4.03(k); Residential District Schedule, Minimum Yard Depth, Rear, 50' required, 41' proposed, for a proposed addition located at 18190 Greatwood Lane, Auburn Township OH 44023 in the R-2 zoning district.

The meeting continued on to the next item on the agenda. Mr. Hogan verified that everyone was sworn in who was going to testify.

As noted on the agenda, Mr. Hogan confirmed that the official record for this hearing (BZA-2022-08v) are the minutes recorded by the Board of Zoning Appeals Secretary. He also noted that the case file and the Auburn Township Zoning Resolution are part of the official record.

Mr. Hogan confirmed that everyone who was going to testify in this case had been sworn in.

Mr. Hogan also indicated that since he personally lives on Greatwood Lane, he would be recusing himself from hearing this case.

Mr. Hogan asked Brian Stewart to conduct the meeting.

The applicant was asked to present his case.

David Payne, 10634 Cedar Road, Chesterland, Ohio 44026, introduced himself to the Board members. Mr. Payne indicated that his clients, Chris and Gwen Bajzer, were asking for a 9' variance for the rear setback for their property. He explained that currently, the Bajzer's have a deck on the back of the dwelling and they want to remove the current deck and replace it with a covered porch.

Mr. Payne also indicated that the City of Akron owns the property to the rear of the Bajzer's property and the proposed project is a distance of 140' to the next nearest structure.

Mr. Stewart confirmed that the Bajzer's project would be located on the same footprint as the current deck is located. Mr. Payne did confirm that the addition would be built in the same footprint as the current deck.

Frank Kitko, Auburn Township Zoning Inspector, did explain how the existing deck was in the rear yard setback. Mr. Kitko indicated that years ago no building permit was required to build a deck; so that could be how this problem developed. He further explained that once the building code changed to stricter requirements, deck permits were than required. Mr. Kitko also indicated that a lot of decks that were constructed prior to the building code change will not meet the current building code requirements.

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Mr. Stewart wanted to stress for the record, that this project was actually building a structure in place of a deck.

Mr. Timmons asked if the current setback of the dwelling was in compliance. It was noted that it was.

A discussion took place regarding what year the house was constructed. Based on the discussion, it was noted that the house was built between 1994 and 1996.

Mr. Stewart asked if the current walkway around the deck would be removed. Mr. Payne commented that the walkway will be removed; that the pavers will be stacked and the property owner will eventually be using them, when that current area is landscaped and redesigned.

There was no further comments or questions.

Motion by Brian Stewart to grant BZA-2022-08v--an appeal requesting a variance, submitted by Payne & Tompkins Design Renovations for Chris & Gwen Bajzer from the Auburn Township Zoning Resolution, Schedule 4.03(k); Residential District Schedule, Minimum Yard Depth, Rear, 50' required, 41' proposed, for a proposed addition located at 18190 Greatwood Lane, Auburn Township OH 44023 in the R-2 zoning district. The motion was seconded by Ben Timmons. Vote: Varley, yes; Stewart, yes; Timmons, yes; and Ford, yes. The motion was approved.

The appeal period was again explained to the David Payne and the property owners; in that the decision made tonight will not be effective until 30 days after the meeting minutes are signed. The meeting minutes for this case, BZA-2022-08v, will be approved on September 13, 2022.

The meeting continued to the next item on the agenda.

Minutes submitted by:

Jane Hardy

Jane Hardy, BZA Secretary

Minutes Approved on:

September 13, 2022

Brian Stewart, Acting Chairman