

Board of Zoning Appeals

Minutes

November 12, 2014

Members present: John Golzy (Chairperson), Betty Hollow, Joan Kraynanski, Kay Tousley, Edward Baum (alternate), Ellen Soltow (alternate).

City officials present: John Paszke (Zoning Administrator), Paul Eschenbacher (secretary).

The meeting was called to order at 7:00pm in Council Chambers, third floor of City Hall. The Chairperson read a prepared statement about the policies and procedures of the Board of Zoning Appeals. The Chairperson then swore in, under oath, those intending to give testimony.

Case #14-15C 469 Richland Avenue Zone B-2 James & Kathleen Fuller, appellants

Appellant is requesting a conditional use permit, under ACC 23.04.05 referencing ACC 23.04.03(C)(2), to allow a “bed and breakfast” establishment on the property at 469 Richland Avenue.

The Chairperson called on the Zoning Administrator to testify.

The Zoning Administrator noted that the appellants live next door to this property. He also confirmed that a “bed and breakfast” use is allowed in this B-2 zone, as it refers to what is allowed in an R-3 zone.

The Chairperson called on the appellants to testify.

James Fuller addressed the Board. Mr. Fuller said that he and his wife have lived next door to this lot since 1986. He said that using the house at 469 Richland Avenue as a “bed and breakfast” made the most sense. Mr. Fuller said that a state fire marshal has inspected the building, and hard-wired smoke detectors and carbon monoxide detectors have been installed.

The Chairperson asked about how accommodations. Mr. Fuller said that there is one main bedroom with a double bed, and the living room has a hide-a-bed.

Ms. Hollow asked about parking on site. Mr. Fuller said there was room for two or three parking spaces with the carport. He added that he expects no more than one or two cars for visitors, but any extra parking needs could be met by their own property.

Ms. Soltow asked if the house can be rented to a couple or family. Mr. Fuller said that it could be.

The Chairperson called on anyone wanting to speak in favor of, make general comment, or speak against the conditional use request. No one came forward.

The Chairperson asked if one parking space is all that’s required for this particular use. The Zoning Administrator said that, as he reads the City Code parking requirements, one parking space is needed.

Ms. Kraynanski noted that, when she visited the site, she had to back out into the street to exit, and said that she had a clear range of view due to the curve in the street at that point.

On a motion by Ms. Hollow, seconded by Ms. Kraynanski, the Board considered to grant a conditional use permit to the property at 469 Richland Avenue under ACC 23.04.05 referencing ACC 23.04.03(C)(2), to allow a “bed and breakfast” establishment, which will then also have two (2) parking spaces.

FINDINGS:

1.) **USE PERMITTED IN ZONE:** Yes.

2.) **USE AS INDIVIDUAL CASE:** Yes.

3a.) **COMPLIANCE WITH REGULATIONS:** Yes.

3b.) **CONSISTENT WITH ZONE AND COMPREHENSIVE PLAN:** Yes.

3c.) **MINIMUM INTERFERENCE WITH TRAFFIC:** Minimum.

The Chairperson called for a vote: Golzy – yes, Hollow – yes, Kraynanski – yes, Tousley – yes, Soltow – yes. Motion approved 5-0; conditional use granted.

OTHER BUSINESS:

--*Disposition of minutes from October 14, 2014 meeting.* Ms. Kraynanski noted corrections that she wanted for the minutes, and that the minutes were amended. Ms. Kraynanski made a motion to accept the minutes as presented, seconded by Ms. Hollow. Motion approved 5-0.

--*Review of Case #14-08V.* The Zoning Administrator stated that the wall originally designed by the appellant has been changed in plans to have sections that were solid walls to become a wrought-iron fence with masonry posts. The Zoning Administrator asked the Board members if they thought this plan change was acceptable as per the variance granted, or if the appellant needed to bring this case back to the Board. The appellant, Bruce Wentworth (8266 Rock Riffle Road, Athens, Ohio) showed diagrams, photographs and plans indicating the changes proposed. Mr. Wentworth said that landscaping plans would hide most of the fence and wall sections.

The Chairperson called for a vote as to whether the changes are acceptable under the wording of the variance, with a “yes” vote indicating acceptance, and a “no” vote indicating the need to have the variance reviewed. Baum, Golzy, Tousley – yes. Hollow, Kraynanski – no. Changes in plans for Case #14-08V accepted.

The meeting was adjourned at 7:38pm.

John Golzy, Chairperson

Paul Eschenbacher, secretary