

Amherst Zoning Board of Appeals  
206 South Main Street  
Amherst, Ohio 44001

November 29, 2017

6:30pm

Present:

Terry Tomaszewski

Don Anderson

Al Berezney

Bob Valenti

John Jeffreys

Excused:

Other City Officials:

Frank Carlson

David Macartney

Mr. Tomaszewski opened the meeting at 6:30pm.

Mr. Tomaszewski swears in everyone that will be speaking before the board.

1. Mr. Dustin King representing Ryan Homes is requesting a rear yard setback variance. Mr. King stated their office make a clerical mistake and sold a home without realizing that the home the customers wanted to be built would be over the rear yard setback on one corner by less than 6 inches. Mr. King stated they tried to see if it was possible to reduce the size but felt it was their mistake and would see about the variance instead of disappointing the customers. Mr. Berezney asked how many times Ryan Homes has had to request a variance for this problem. Mr. King stated he has been with the company for many years and has not had this issue before. Mr. King stated they asked if the customer wanted a different lot but they really wanted back in the cul-de-sac.

After deliberations, the Board made the following findings:

- The variance request is not substantial for this property. While this determination is not sufficient in itself to justify the variance, it is important especially in the context of other factors.
- The variance request will not alter the character of the neighborhood therefore not causing any substantial detriment as a result of the variance.
- The variance would not affect the delivery of governmental services.
- The spirit and intent behind the zoning requirement would be observed and substantial injustice done by granting the variance.

Based on deliberations the Board decided to reverse the decision of the Building Inspector and grant your variance request.

Based on deliberations the Board decided to uphold the decision of the Building Inspector and deny your variance request.


3. Mr. Jeffreys motions to move into deliberative session, seconded by Mr. Bereznay.  
Approved 5-0

4. Mr. Jeffries motions to move back into regular session, seconded by Mr. Valenti.  
Approved 5-0

5. Approval of minutes from September 27, 2017. Mr. Bereznay motions to approve the minutes, seconded by Mr. Anderson. Approved 5-0

6. Next scheduled meeting will be December 20, 2017 at 6:30pm. The Zoning Board members decided to move the December meeting so all members could spend the week of Christmas with their family.

7. Adjourn: Motion made to adjourn at 7:12pm. Approved 5-0

  
Terry Tomaszewski, Chairman      Date

12/6/17

  
Tammy Paterson, Secretary      Date

12/6/17