

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

September 28, 2022

6:30pm

Present:

Bob Valenti

Don Anderson

Al Berezney

Terry Tomaszewski

Excused:

John Jeffreys

Other City Officials:

Atty. Patrick Ward

Tammy Paterson

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

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

Mr. Tomaszewski explained to the applicants the procedure and how they will be notified of the decision for their variance request.

1. Mrs. Barbara Morgan stated they are asking for the 2-foot variance so they can build a three season 12x16 sunroom onto the back of their home. Mrs. Morgan stated due to medications that they are both taking, they have been instructed to stay out of direct sunlight. Mrs. Morgan stated the only place they can sit to get fresh air is in the garage. Mr. Tomaszewski stated David Macartney, the Building Official, had emailed to each member a discretion of what Mrs. Morgan was requesting. Mrs. Morgan stated they did apply and received the approval from the HOA. Mrs. Morgan stated the sales lady from Ryan Homes told them specifically that the 2 ft to build a sunroom would be no problem, so they decided to buy the house. Attorney Ward had no questions or comments.

After deliberations, the Board made the following findings:

- The requested variance is not substantial for this property. While this determination alone is not sufficient to justify the variances, it is important, especially in the context of other factors.
- The variance is consistent with neighborhood and will not alter the character of the neighborhood.

- The spirit and intent behind the zoning requirements would be observed and substantial justice would be done by granting the variance.
- The variance request would not adversely affect the delivery of governmental services.

It is the decision of the Board to reverse the decision of the Building Official and approve your requests ; for a 2'0" encroachment into the rear yard setback than permitted by ACO § 1145.04(a). Approved 4-0

2. Mr. Douglas Davis residing at 410 Fairfield Place. Mr. Davis is requesting a 0'7" variance to encroach into the side yard setback. Mr. Tomaszewski stated this submittal has been removed off the agenda. Mr. Davis received a written approval from his neighbor allowing him to build 0'7" closer to the side yard setback which is allowed by ACO. Approved 4-0
3. Mr. Anderson motions to move into deliberative session, seconded by Mr. Bereznay. Approved 4-0
5. Mr. Anderson motions to move back into regular session, seconded by Mr. Valenti. Approved 4-0
6. Approval of minutes from August 31, 2022: Mr. Anderson motions to approve the minutes, seconded by Mr. Valenti. Approved 4-0
7. Next scheduled meeting October 26, 2022. Approved 4-0
8. Adjourn: Motion made to adjourn at 6:42pm by Mr. Anderson, seconded by Mr. Bereznay. Approved 4-0

Terry Tomaszewski 9/29/2022
 Terry Tomaszewski, Chairman Date

Tammy K. Paterson 9/29/22
 Tammy Paterson, Secretary Date