

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

October 25, 2023

6:30pm

Present:

Don Anderson
Terry Tomaszewski
Al Berezney
Bob Valenti
John Jeffreys

Excused:

Other City Officials:

Atty. Ward
David Macartney
Tammy Paterson
Chuck Winiarski

Mr. Tomaszewski opened the meeting at 6:40pm.

Mr. Tomaszewski swears everyone in that will be speaking at this meeting.

1. Mr. John Lister from J L Architects. Mr. Kister is representing FCPT Holdings LLC and seeing a Permitted Use variance for a Urgent Care professional medical provider to open in a C-3 zoned district. Chapter 1139.02 stated a medical facility is not permitted in a C-3 district. Mr. Lister stated when they first started looking at this property, they were told by the City it was zoned C-2 but doing more research and following up with the city the property was in a C-3 zoned district. Therefore, we are asking for a permitted use variance to alter the building at 900 N. Leavitt Road into an Urgent Care facility. Mr. Macartney stated this will not be a teardown but a remodel/interior alteration and does support this variance request. Mr. Macartney stated this property is surrounded by C-2 and C-3 zoned districts. Mr. Berezney asked if the variance was denied could the applicant ask for a rezoning of the property. Attorney Ward stated he wanted to make sure the board understood this is not an area variance but a use variance and follows different standards. Attorney Ward reviewed the standards with the members of the Board. Attorney Ward stated the city does not like "Spot zoning" but if denied that would be an option. Mr. Jeffreys asked if approved would the permitted use variance stay with the property. Attorney Ward stated yes.

After deliberations, the board decided to reverse the decision of the Building Official and approve the Permitted use of an Urgent Care Professional Medical Provider at 900 N. Leavitt Road. Approved 5-0

2. Mr. Jeffreys motions to go into deliberative session, seconded by Mr. Anderson. Approved 5-0

3. Mr. Anderson motions to move back I not regular session, seconded by Mr. Jeffreys. Approved 5-0

4. Approval of minutes: Mr. Valenti motions to approve the September 27, 2023, minutes as submitted, seconded by Mr. Anderson. Approved 5-0

5. Next scheduled meeting will be Wednesday November 29, 2023, at 6:30pm. Approved 5-0

6. Adjourn: Motion made to adjourn at 7:06pm by Mr. Bereznyay, seconded by Mr. Anderson. Approved 5-0

Terry Tomaszewski 10/26/2023
Terry Tomaszewski, Chairman Date

Tammy Paterson 10/26/23
Tammy Paterson, Secretary Date