

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

June 25, 2025

6:30pm

Present:

Don Anderson

Scott Vilagi

Heather Knoble

Terry Tomaszewski

Excused:

John Jeffreys

Tammy Nixon

Other City Officials:

Atty. Ward

David Macartney

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. Mr. Carl Rosso residing at 595 Milan Avenue. Mr. Rosso is requesting a variance to house one (1) additional fowl on his property. Mr. Rosso stated he purchased the chickens and coop at the request of his children for a project to teach them about farming and caring for animals. Originally, Mr. Rosso stated six fowl were purchased but one has since died leaving five. Mrs. Rosso stated the children are interested in farming and may join FFA (Future Farmers of America) and they were unaware of all the restrictions at the time of acquiring the fowl and coop. Mr. Rosso reiterated they were unaware of the restrictions to keeping fowl at the time of acquiring them. Mr. and Mrs. Rosso stated they still have five fowl but they are aware that predators and sickness exist that may reduce the number of fowl to the approved number. Mr. Rosso stated the coop is predator proof and spend \$1,200.00 on the structure which is moveable to help fertilize the yard and reduce the bug population and is plastic for easy cleaning. Mr. Rosso stated their request to keep the additional fowl for the children and that if any more die, they would not exceed the four permitted in the future. Mrs. Rosso stated all five are hens and there are no roosters on site. Mr. Tomaszewski asked if the coop is properly located and Mr. Macartney stated the Rosso's are in compliance. Mr. Tomaszewski asked how long the fowl have been onsite. Mr. Rosso stated they have had them since March (of 2025) but were located in the garage as chicks until May. Mr. Tomaszewski asked if they are keeping fowl for egg production. Mr. Rosso stated that was not a deciding factor and Mrs. Rosso explained one of the children has celiac disease so the protein from the eggs help. Sarah Moore residing at 591 Milan Avenue stated she does not have an issue with the fowl at the property and her children also enjoy caring for the fowl. Attorney Ward had no comments.

After deliberations, the Board made the following findings:

- The variance requested is substantial for this property. While this determination alone is not sufficient to justify denying the variance, it is important, especially in the context of other factors.
- The property would yield a reasonable return and have a beneficial use without the requested variance.
- The requested variance would substantially alter the essential character of the neighborhood, and the adjoining properties would suffer a substantial detriment as a result of the variance.
- The spirit and intent behind the zoning requirement would not be observed and substantial justice would not be done by granting the variance.
- The variance requested would not adversely affect the delivery of governmental services.
- The property owner's predicament can feasibly be obviated through some method other than a variance.

Based on deliberations, it is the decision of the Board to uphold the decision of the Building Inspector and deny your request for a variance to house five fowl at 114 S. Lake Street, one more than allowed. See ACO § 505.13(a)(4). Please remove one of the fowl from the above-referenced property within thirty (30) days of this notice. Denied 4-0


2. Mr. Vilagi motions to move into deliberative session, seconded by Ms. Knoble. Approved 4-0

3. Ms. Knoble motions to move back into regular session, seconded by Mr. Anderson. Approved 4-0. Mr. Tomaszewski asked Mr. Ward if the Board needed to take any action on an agenda item tabled by the Board at the April 30, 2025, meeting related to the request at 165 Edgewood Drive. Mr. Macartney updated the Board on the variance request. Mr. Ward stated no further action was required by the Board as the issue was resolved as the variance is no longer needed due to circumstances specific to the property.

4. Approval of minutes from April 30, 2025: Ms. Knoble motions to approve the minutes, seconded by Mr. Anderson. Approved 4-0

5. Next scheduled meeting July 30, 2025. Approved 4-0

6. Adjourn: Motion made to adjourn at 6:56pm by Mr. Vilagi, seconded by Mr. Anderson. Approved 4-0

  
 Terry Tomaszewski, Chairperson      7/8/25  
 Date

  
 David Macartney, Building Official      7.8.25  
 Date