

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

August 27, 2025

6:30pm

Present:

Don Anderson  
John Jeffreys  
Heather Knoble  
Terry Tomaszewski

Excused:

Scott Vilagi

Other City Officials:

Atty. Ward  
David Macartney  
Tammy Nixon  
Steve Bukovec

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. John Lopez is residing at 301 Tower Lane. Mr. Lopez is requesting a 540 sq. ft. variance for a proposed lean-to addition onto his existing 30'x 40' accessory structure that received a variance approval in 2003. The proposed structure would have 18' x 30' to be enclosed; 18' x 10' to be roof only. Mr. Lopez stated they were looking to add onto their existing structure. Mr. Lopez stated the 18' x 30' would be enclosed and the 18' x 10' would only have a roof and would cover the man door into the main structure. Mr. Lopez stated they would have a concrete patio under the roof-only section. Mr. Lopez stated the structure would set back from the driveway and could not be seen at the street. Mr. Lopez explained the structure would match the siding and gutters. Mr. Lopez stated with his lawn equipment and one child and one on the way they need more space for storage, so nothing is sitting outside when not in use. Mr. Lopez stated he did not feel this was impeding on the neighbors or affecting the character of the neighborhood. Mr. Macartney had no comments at this time. Mr. Tomaszewski asked if they had taken down the pool. Mr. Lopez stated they have removed the above ground pool but will replace it in the next year. Mr. Lopez stated the deck is still up. Mr. Tomaszewski asked if the applicant was aware the property had a variance for the existing structure. Mr. Lopez stated no, they just bought the house and moved in July of

this year but was unaware of the variance until they applied for the permit. Mr. Tomaszewski asked if there were open spaces between the existing structure and the lean-to. Mr. Lopez stated no. Attorney Ward had no questions at this time. Mr. Jeffreys asked about the lot size. Mr. Lopez stated he has a one (1) acre lot, 392 ft in depth.

After deliberation, the Board made the following findings:

- The lot in question is one (1) acre and approximately 392 feet deep. Given the size of the lot, the limited visibility of the proposed building from the street, and the fact that the lot to the east is not buildable, the variance requested is not substantial for this specific property. While this determination alone is not sufficient to justify granting the variance, it is important, especially in the context of other factors.
- There has been no opposition to the requested variance from abutting property owners.
- The requested variance would not substantially alter the essential character of the neighborhood, and the adjoining properties would not suffer a substantial detriment as a result of the variance.
- The spirit and intent behind the zoning requirement would be observed and substantial justice would be done by granting the variance.
- The requested variance 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 grant your request for a 540 sq. ft. variance to build a 540 sq. ft. lean-to addition onto your existing 30 ft. x 40 ft. accessory structure, making the total square footage of the building 1,740 sq. ft., 1,164 sq. ft. larger than allowed under ACO § 1145.05(b)(1). Approved 4-0

2. Motion made by Mr. Jeffreys to move back into deliberative session, seconded by Mr. Anderson. Approved 4-0
3. Motion by Mr. Anderson to move back into regular session, seconded by Ms. Knoble. Approved 4-0.
4. Approval of minutes from July 30, 2025: Ms. Knoble motions to approve the minutes, seconded by Mr. Jeffreys. Approved 4-0
5. Next scheduled meeting Wednesday, September 24, 2025, at 6:30pm. Approved 4-0
6. Adjourn: Motion made to adjourn at 6:46pm by Mr. Jeffreys, seconded by Ms. Koble. Approved 4-0

Terry Tomaszewski      9/3/2025      Tammy Nixon      9/3/2025  
Terry Tomaszewski, Chairperson      Date      Tammy Nixon, Secretary      Date