

BOSTON TOWNSHIP ZONING

Board of Zoning Appeals – Tuesday, November 28, 2023

Present: Paul Kaczmarski, Jerry Ritch, Ron Summers

Absent: Dave Calaway and Jay Littler

Also Present: Trustee Randy Bergdorf, Zoning Inspector Mike Anderson, Township Attorney Al Schrader

Kaczmarski called the meeting to order at 6:31pm.

Kaczmarski asked Randy Bergdorf to take the minutes of the meeting.

Minutes from October 24, 2023, meeting were reviewed. Motion made by Kaczmarski to approve the minutes. Second by Summers. All "aye."

Zoning Inspector's Report

- 1). Mr. Jenkins (3832 Oak Hill) has done a lot split and plans to demo the house.
- 2). Earth n Wood (5341 Akron-Cleveland) has asked to come to the next meeting to discuss the hoop building.
- 3). Anonymous calls have been made about 5130 Akron-Cleveland.
- 5). Alpine Structures (5730 Akron-Cleveland) has mailed an application.
- 6). The Winery at Seasons (4985 Akron-Cleveland) has bought the property. No application yet.
- 7). A campground had opened at 45 Kendall Park. The owners willingly shut it down.
- 8). Storage Zone (5360 Akron-Cleveland) is doing a cost analysis of their expansion plans.

Old Business: Anderson presented the proposal from Direct Air Systems. Motion by Kaczmarski to approve the Zoning Certificate. Second by Ritch. All "aye."

Hearing for 5115 Akron-Cleveland Road:

The hearing was called to order by Kaczmarski at 7:07 pm with the same members as above present.

Kaczmarski read the Order of Procedure

Mike Jones

Trimming Lawn Service LLC

5115 Akron-Cleveland Road

Parcel numbers 07-00134 and 07-00135

The structure, from A & S Steel buildings, has been built with no approvals or permits.

Zoning Inspector Anderson described the history of the situation. A 1500 square foot metal building was constructed on the rear parcel. There is no access to the rear parcel except to go through the front parcel. Two issues are that the building was constructed in October 2022, prior to any applications, and the building sits 13' 6" from the property line instead of the required 20".

Property representative Mike Jones was sworn in and stated a temporary hoop house was taken down and that he was told by the then Zoning Inspector that his proposal "would likely be approved" and only needed to be 12" off the property line. Jones says the Zoning Inspector then went on vacation. Jones stated that he never submitted a zoning application. Kaczmarski asked if the building has been issued a Summit County Building permit. Jones replied that there had been none and that the building would be inspected after the township permit is issued. It is being used for cold storage, but the building does have electricity. Kaczmarski asked Anderson to send the digital blueprints (54 pages) to all of the members.

Warren Brown (5105 Akron-Cleveland), also present, was sworn in. Brown stated that he met with Anderson at the property in March 2023 to discuss a ditch and flooding issues. Brown feels that the construction of the building has increased the amount of drainage problems. A handout from Brown was labeled "Exhibit A." Jones responded at this point to say that he would relocate the ditch.

Kaczmarski stated that the building is an Accessory Structure on a parcel with no primary building. The possibility of a lot consolidation was discussed. Also discussed was the need for an accurate survey of the parcels.

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Motion by Kaczmarski to continue the hearing until there is a review of the Brown "Exhibit A" and a review of the building drawings. Second by Ritch. Upon a roll call vote the result was: Kaczmarski—Yes; Summers—Yes, and Ritch—Yes.

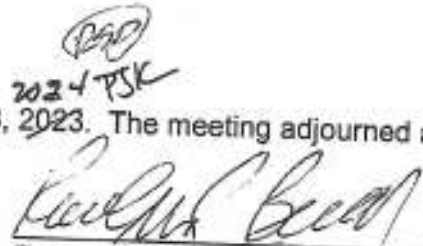
Attorney Schrader reminded the panel that they are not obligated to approve the building and the variance because it has already been built.

The hearing adjourned at 7:36 pm.

It was announced the next meeting will be held January 23, 2024. The meeting adjourned at 7:38pm.

Approvals:


Paul Kaczmarski
Chairperson


Respectfully submitted by
Randy Bergdorf, acting as secretary