

Minutes of the Zoning Board of Appeals
Sheffield Lake, Ohio
August 21, 2013

The regular meeting of the Zoning Board of Appeals was held Wednesday, August 21, 2013. Chairperson Jancura called the meeting to order at 7:02 PM.

ROLL CALL OF MEMBERS:

Present: Jancura, Tatter, Melbar, Kovach, Building Inspector Wiblin

Absent: Pavkovich (excused)

Attending: Mayor Bring, Law Director Graves, Applicants, Concerned Citizens

CORRESPONDENCE: None.

PRESENTATIONS: *Mr. and Mrs. Norton applicants for a fence variance. Chairperson Jancura swore in Ben and Jane Norton, 3535 E Erie Ave., Lorain for testimony.*

Building Inspector Wiblin advised this is the very last property in Sheffield Lake, their house is in Lorain and their lot is in Sheffield Lake. It is a vacant lot which they wish to replace the existing fencing, a wooden fence across both properties that is need of repair, replacement. They went to the Zoning Board in Lorain and asked for a new 4-foot tall fence but our ordinance though states that they only have a 3-foot decorative fence 1352.07 which is limited to 3-foot so I had to deny and let it come here to Zoning Board of Appeals. Chairperson Jancura asked what percentage of the vacant line are we talking that is in Sheffield Lake? Is it a significant portion or just a few feet? Building Inspector Wiblin referenced county auditors map – it is 173 feet is in Lorain/123 feet is in Sheffield Lake. Law Director Graves added I believe Lorain’s code is very similar to Sheffield Lake’s and they have already gone before the Lorain Zoning Board of Appeals and obtained a variance if I am not mistaken for the fence portion in the City of Lorain. Chairperson Jancura asked is it safe to assume that the fence is going to be contiguous like the one that is already there except it will be 12 inches higher? Mrs. Norton stated that is our plan. Chairperson Jancura stated aesthetically it is just going to be the same decorative fence that runs along the front of the house? Mrs. Norton said yes. Chairperson Jancura stated one question, in order to find a need for a variance we have to have a finding of practical difficulty. So in your own words, is there a reason why you have to have 4-feet in particular. Can you get another 3-foot fence just like the one you have? Mr. Norton stated as mentioned in the note that we gave you folks, we are on the national historical register and that fence has been there for I believe 70 plus years and we have

owned the home now for 37 years which we bought in 1976. We would like to keep it in the same style as it was many, many years ago. Chairperson Jancura stated do you know if they make the same style of fence in 3-feet or is it only available in 4-feet? Mrs. Norton answered it is available in 4-feet not 3-feet. Chairperson Jancura stated so it is only available in 4-feet, you do not have a choice to get the same style in 3-feet.

*Motion by Tatter/Second by Melbar to approve the request as presented as it does fall within the findings of fact that are given by the Ohio Supreme Court as determination. Chairperson Jancura advised we have a motion to grant the variance as presented with a finding that there is practical difficulty in as much as the Norton's first and foremost not able to replace the existing fence with a 3-foot fence since is no longer manufactured and secondly that they have already gone before the Lorain Zoning Board and have received a variance from Lorain as well. ROLL CALL FOR APPROVAL: Yeas All – Tatter, Melbar, Jancura.

OLD BUSINESS:

Revision of Building Department Application – Chairperson Jancura advised I will send the revision to the new member and will review at the next meeting. I am looking for input from everybody to have this as a nice round application that will go to the Building Department. Chairperson Jancura advised for the September meeting I will not be here, so Mr. Tatter will chair the meeting.

CITIZENS COMMENTARY: None.

MEETING ADJOURNED: With no further business before this board, *Motion by Tatter/Second by Melbar to adjourn at 7:10 pm. Yeas All.

CLERK OF COMMITTEE AFFIRMATION: This Meeting Of The City Committee Of The City of Sheffield Lake, Ohio Was Held and Conducted Under All Rules and Regulations Governing The Sunshine Laws Of The State Of Ohio As They May Apply. All meetings are recorded and available in council's office.

CLERK OF COUNCIL
Kay Fantauzzi

CHAIRMAN OF COMMITTEE
Diana Jancura

I, Kay Fantauzzi, duly appointed Clerk of Committee Of Sheffield Lake DO HEREBY CERTIFY that this Is a true and exact copy of the Minutes of the Zoning Board of Appeals meeting of August 21, 2013.

PRESIDENT OF COUNCIL

Rick Rosso

and/or

COUNCIL PRO TEM

Eric S Elliott