

Sheffield Lake Zoning Board of Appeals Minutes
Held July 16, 2020

The regular meeting of the Sheffield Lake Zoning Board of Appeals was called to order on Thursday, July 16, 2020 at 7:10pm in Council Chambers with Chairwoman Jancura presiding.

ROLL CALL:

Present: Jancura, Reilly, Harper, Siebenhar, Tatter, Law Director Graves, Council Representative Erdei.

Absent: Building Inspector Melbar, Mayor Bring.

Attending: Applicant.

APPROVAL OF MINUTES: May 21, 2020. *Motion by Harper/Second by Tatter to approve the minutes with noted corrections.

Correspondence: None

Council Representative Erdei report: Councilman Erdei states at last night's meeting Planning Commission approved the lot split for the city of Sheffield Lake.

Planning Commission Member Siebenhar report: Member Siebenhar states last night there were two cases: The City of Sheffield Lake to split the parcel was unanimously approved and then there was the approval to rezone five lots from R-1 to R-2 which was approved.

OATH ADMINISTERED

As provided in 1353.37 of the Sheffield Lake Building Code, procedure at hearings, an oath was administered by Chairwoman Jancura to all members of the audience who would be speaking at this meeting.

CASE#20SFL-VAR007

The City of Sheffield Lake, 609 Harris Rd., proposing a lot split at 4208 Lake Rd.

Chairwoman Jancura swears in Law Director Graves. Law Director Graves states this application relates to the proposed redevelopment for Community Rd. Back when they built the shopping center, the city had vacated that road. The city has recently rededicated that road and wants to improve it. The problem is where it takes a little bend, heading south, it is way too narrow. In order for that to be improved, we need to acquire a small triangular piece of Speedway's property. We have been in negotiations with them and have an agreement to purchase that piece for \$5,000. The first step is that we have to split that off, but because it is non-buildable, zoning board has to approve the split. Planning Commission approved the split contingent on ZBA giving the variance. So, we hope tonight that you give the city the variance so we can go formalize that piece at the county, buy it and incorporate it into Community Rd. We could have pursued it through eminent domain in what is called a quick take, but we were able to reach a favorable agreement to purchase it. Chairwoman Jancura asks in your professional opinion, if the city would have exercised eminent domain, would it

have been more costly and time consuming? Law Director Graves replies it would have. In an eminent domain case, there’s really two issues: is it a public purpose and what’s the fair market value. Obviously, when it’s a road it’s a public purpose so that is a non-issue and we already have a signed agreement for the purchase price. Chairwoman Jancura asks will the lot be absorbed into another lot or will it stand as is? Law Director Graves replies once the piece is created, we will buy it and incorporate it into the road right of way. It will be part of Community Rd. Mr. Tatter asks when the Speedway was constructed, there were a number of variances that we had to grant, will this in anyway affect the lot it is on? Is there anything the city should be concerned with? Law Director Graves replies I do not see any concerns there.

CLOSE PRESENTATION:

*Motion by Harper/Second by Reilly to close the presentation.

Chairwoman Jancura states to me this is straight forward. Member Reilly states the Duncan stipulations for the good of the community, I think would fall under that. Chairwoman Jancura states it is still practical difficulty. This is a timelier and cheaper way of doing what needs to be done than eminent domain. Law Director Graves states had we gone that route; it would have all been handled under the court’s jurisdiction. Member Reilly states and you would have wound up paying something for it anyway. Chairwoman Jancura states plus we would have had to use his time and he is a city resource, so we are saving the city money by going this route.

*Motion by Harper/Second by Reilly to CLOSE COMMENTARY.

*Motion by Harper/Second by Reilly to APPROVE THE VARIANCE AS REQUESTED.

ROLL CALL FOR APPROVAL: Harper, Reilly, Siebenhar, Tatter, Jancura. Yeas All.

OLD BUSINESS: Proposed ordinance changes: Law Director Graves states I need to follow up with her. We had a number of meetings scheduled which all fell off the books with COVID-19. I was in Avon Lake where they are using her too, she has been with them three years, and they haven’t had any meetings either. I will reach out to her. Chairwoman Jancura states remove this from the agenda.

NEW BUSINESS: None.

CITIZENS COMMENTARY: None.

MEETING ADJOURNED: With no further business before this board, *Motion by Harper/Second by Reilly to adjourn at 7:21PM. 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

Brandy Randolph

I, Brandy Randolph, duly appointed Clerk of the Zoning Board of Sheffield Lake DO HEREBY CERTIFY that

CHAIRPERSON

Diana Jancura

this is a true and exact copy of the Minutes of the
Zoning Board of Appeals meeting of July 16 , 2020.

PRESIDENT OF COUNCIL

Rick Rosso