

CITY OF CANAL FULTON

BOARD OF ZONING APPEALS
MINUTES OF RECORD OF PROCEEDINGS

Held at Council Chambers at City Hall
June 14, 2004 – 6:40 PM

CALLING OF THE ROLL

Present: Garnet Thomas, Sean McKiernan, Dennis Mayberry, Joseph Charlton,
Jeff Doak
Guests in Attendance: Mary Moriarty, Goodwill Industries; Joe Mollric, JFM Companies;
Donald Fisk and David Smith, residents

GOODWILL SIGNAGE

Mrs. Thomas stated Goodwill has modified their sign. It is under the required 150 square feet, so there is no need for a Variance. Mrs. Thomas suggested to Mayor Grogan that Goodwill’s \$50 Variance Fee be refunded. Mary Moriarty was told to contact Mayor Grogan if Goodwill doesn’t receive the money soon. Mrs. Thomas welcomed Goodwill to the City, saying it was a pleasure working with them and the expansion was great.

**DAVID SMITH – APPLICATION FOR ZONING VARIANCE, PROPERTY LOCATION:
INTERSECTION CHERRY AND STREBY STREETS, CANAL FULTON; PARCEL #2700183**

Mrs. Thomas invited David Smith and Donald Fisk to joint them at the table. Waited for someone to appear . . .

Mr. Mayberry made a motion to recess for 10 minutes; seconded by Joseph Charlton.

Roll Call on Motion: Garnet Thomas – Yes Sean McKiernan - Yes
Dennis Mayberry – Yes Joseph Charlton – Yes
Jeff Doak – Yes **Aye: 5 Nay: 0**

Mrs. Thomas reconvened the Board of Zoning Appeals meeting at 7:00 PM.

Read: Notice of Public Hearing

Swearing In Witness: David Smith, 407 Elm St., Canal Fulton, Ohio

Statement of David Smith: (Referencing a copy of his “layout” [drawing]) “We revised this after we got the proper survey by Hammond and Tree, so we knew right where the pins were. So I rearranged the house just a little bit on the lot differently than what Joe did when he first presented this, so that we had the 35-foot setback off of Streby, so it would match the front line of the rest of the houses on the block . . . as you can see from the drawing . . . we don’t quite match everything on what would be the left-hand side of the house, as you look at the front. But the rest obviously we’ve got plenty of setback everywhere else and that’s about as close as I can get it to match that frontage that the neighbors (I think) were a little concerned with originally.”

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Mrs. Garnet stated, "We have a lot that is not substandard, but the dimensions are such that we are permitted to grant variances in order to put a house on this lot. We have no neighbors that are, at this point, complaining. We need a variance for the side from a 10 to an 8-foot and because of the shape of the lot, we are granting for the rear too."

Mr. Charlton asked what they were talking about regarding feet on the rear variance. Mrs. Garnet said, "On that one corner, we have to have 40-feet; we are actually giving him a 30-foot variance on that one corner. On the far corner, if it's 33 feet, we're talking 7."

Swearing In Witness: Joe Mollric, 7817 Autumn Wood, NW, North Canton, Ohio 44720

Statement of Joe Mollric: "What I did, for the sake of our discussion here - I just started up here, so I understand A, B, C, D. We've got Corner A, Corner B, Corner C, Corner D, so I can follow the discussion." (Mrs. Thomas asked Mr. Mollric which corners he was referencing. Corner A is the right rear corner; Corner B is the right front corner; Corner C is the left rear; Corner D is the right rear.) From A to C, it's obvious that I'm going to need 64 feet, and then from C to D I'm going to need 30 feet, and from A to B I'm going to need 26. I can't imagine whatever porch . . . whatever elevation my son decides to put up here is going to make a difference. Whether the porch is 6-feet or 8-feet or 10-feet going in this direction, there's nothing going on up there. I just want to make sure that everybody agrees that I have enough room for my son to put that house there. However this works out, I'm going to need . . . the foundation's going to be 64 basically by 30, so we need to make sure that 64 by 30 everybody agrees to agree. So C and D are the only place that looks like we need variances."

It was stated that the surveyor's set of prints and the dimensions were identical to the City plot. The Zoning Inspector has a copy of the survey map.

Mr. Mayberry made a motion to grant a side and a rear yard Variance (per the application) for Mr. Smith, so he can get the house built; Mr. Sean McKiernan seconded the motion.

Roll Call on Motion:	Garnet Thomas – Yes	Sean McKiernan - Yes
	Dennis Mayberry – Yes	Joseph Charlton – Yes
	Jeff Doak – Yes	Aye: 5 Nay: 0

Request for Variance of David Smith for the house to be constructed at the intersection Cherry and Streby streets, Canal Fulton, Ohio (Parcel #2700183) is granted.

Mr. Sean McKiernan made a motion to adjourn the regular meeting and go into Executive Session; seconded by Mr. Mayberry. Motion is granted.

Mrs. Thomas reconvened the Board of Zoning Appeals meeting.

Mrs. Thomas asks if there is any further business. There is no response.

Move to adjourn made and seconded. Meeting adjourned.

Garnet R. Thomas, Chair