

CITY OF AURORA
OHIO
BOARD OF ZONING APPEALS
Meeting Minutes
January 13, 2016

The Aurora Board of Zoning Appeals met in a regularly scheduled meeting Wednesday, January 13, 2016 in the Council Chambers at City Hall. The meeting was called to order at 6:57 p.m. by Chairman Terese Fennell.

Prior to the start of the meeting, Mr. Gramm took the oath of Office. His new term of office will expire at the end of 2019.

ROLL CALL: Present: Terese Fennell, Chairman
Tony Gramm
Jeff Iammarino
Bernard McCarrell, Vice Chairman
Tim Novotny
Absent: Tom Carr, Alternate
Also Present: Meredith Davis, Asst. Director Planning, Zoning, Building Division
Dean DePiero, Law Director
Marie Lawrie, Clerk

ORGANIZATIONAL:

Ms. Fennell opened the floor for nominations for the Chairman position. Mr. Iammarino nominated Terese Fennell for Chairman. Mr. McCarrell seconded that nomination. Hearing nothing further, nominations were closed.

MOTION: To elect Terese Fennell to the position of Chairman

Mr. Iammarino moved for approval; Mr. McCarrell seconded, and the motion carried 5-0 on a roll call vote.

Yeas: Mr. Iammarino, Mr. McCarrell, Mr. Gramm, Mr. Novotny, Ms. Fennell
Nays: None

Ms. Fennell opened the floor for nominations for the Vice Chairman position. Mr. Gramm nominated Bernard McCarrell for Vice Chairman. Mr. Iammarino seconded that nomination. Hearing nothing further, nominations were closed.

MOTION: To elect Bernard McCarrell to the position of Vice Chairman

Mr. Gramm moved for approval; Mr. Iammarino seconded, and the motion carried 5-0 on a roll call vote.

Yeas: Mr. Gramm, Mr. Iammarino, Mr. McCarrell, Mr. Novotny, Ms. Fennell
Nays: None

Ms. Fennell opened the floor for nominations for the Clerk position. Ms. Fennell nominated Marie Lawrie for Clerk. Mr. Iammarino seconded that nomination. Hearing nothing further, nominations were closed.

MOTION: To elect Marie Lawrie to the position of Clerk

Ms. Fennell moved for approval; Mr. Iammarino seconded, and the motion carried 5-0 on a roll call vote.

Yeas: Ms. Fennell, Mr. Iammarino, Mr. Gramm, Mr. McCarrell, Mr. Novotny
Nays: None

DECLARATION OF OATH:

Mr. DePiero swore in those that planned to speak.

AMENDMENTS TO THE AGENDA:

Discussion of meeting start time would be added to the miscellaneous portion of the meeting.

APPROVAL OF MINUTES:

MOTION: To approve the minutes of the December 9, 2015 meeting

Mr. Iammarino moved for approval; Ms. Fennell seconded, and the motion carried 3-0-2 on a roll call vote.

Yeas: Mr. Iammarino, Ms. Fennell, Mr. McCarrell
Nays: None
Abstentions: Mr. Gramm, Mr. Novotny

OLD BUSINESS:

None

NEW BUSINESS:

SUSAN HUNTER, 250 N PINE CT (1512030) – 6' FENCE WHERE A 4' FENCE IS PERMITTED

Susan Hunter, homeowner was in attendance to request a 2 foot variance for a fence. She stated that she has dogs. She normally keeps the dogs chained in the backyard, but would like to erect a fence. It was recommended by her veterinarian that she construct a

6 foot fence rather than a 4 foot fence due to the large size of her animals. She also stated that her backyard consists of an attached deck with steps that lead down to her slopping yard. She resides in the Woods of Aurora and her backyard borders South Bissell Road. Her development has a brick wall along that road. The fence she was proposing would be below the level of the brick wall. With the vegetation present on the parcel, the fence would not be very visible. Ms. Hunter further stated that fence would contain the dogs and keep neighbors out of her backyard for the safety of all parties. Mr. Novotny asked the applicant if she had a homeowner's association and if she had checked with them to see if the fence was permissible. She stated that she did have a homeowner's association, but had not contacted them. Mr. McCarrell stated that the applicant's neighbor two doors down have a 4 foot fence. He asked if she had spoken to that neighbor. She had not. Mr. DePiero advised the applicant to contact her homeowner's association and discuss the project with them and inquire about their rules and process. Ms. Fennell stated that the homeowner's association rules do not affect the vote of the Board of Zoning Appeals but due to the fact that she did not have an approval letter from the association, she recommended that Ms. Hunter contact them. Ms. Davis informed the Board that the Department of Planning, Zoning, and Building had received one phone call from a person stating that they were from the homeowner's association. Questions about the project were answered and the caller stated they intended to drive by the project site. No letters were received in favor of or against the variance. No one, other than the applicant was present at the meeting to discuss the project.

MOTION: To grant the variance as requested

Mr. McCarrell moved for approval; Mr. Gramm seconded, and the motion carried, 4-1, on a roll call vote.

Yeas: Mr. McCarrell, Mr. Gramm, Mr. Novotny, Ms. Fennell
Nays: Mr. Iammarino

Discussion followed the vote. Ms. Fennell stated that she voted yes because with the large brick wall and the vegetation present, she did not feel the variance was substantial. She further indicated due to other fences in the area, that the character of the neighborhood would not be altered. Mr. Iammarino stated that he voted no because he felt the permissible 4 foot fence would serve the same purpose effectively. Mr. Novotny voted yes stating that he agreed with the veterinarian that the 4 foot fence might not contain the large animals. He based this opinion on his past experience with the Animal Protective League. Mr. Gramm voted yes stating that governmental services would not be affected. Mr. McCarrell voted yes, stating that he agreed that the variance was not substantial because the fence would not be very visible and he further stated the that the aluminum fence was aesthetically pleasing.

MISCELLANEOUS:

There was a discussion pertaining to the start time for future meetings. All agreed to change the time to 6:30pm.

MOTION: To start future meetings at 6:30 p.m. for the remainder of 2016

Mr. Novotny moved for approval; Mr. Iammarino seconded, and the motion carried, 5-0, on a roll call vote.

Yeas: Mr. Novotny, Mr. Iammarino, Mr. Gramm, Mr. McCarrell, Ms. Fennell

Nays: None

ADJOURNMENT:

MOTION: To adjourn the meeting

Mr. Iammarino moved to adjourn at 7:10p.m. Mr. Novotny seconded, and the motion carried on a unanimous voice vote.

Terese Fennell - Chairman

Marie Lawrie - Clerk