

RECORD OF PROCEEDINGS

Minutes of

Meeting

BOARD OF ZONING APPEALS - SAYBROOK TOWNSHIP

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

NOVEMBER 25, 2013

20

Case #130916

**Richard F. & Debra S. Trice and James C. & Judith Pearson
6427 Lake Road West
Ashtabula, OH 44004**

The Open Public Hearing of the Saybrook Township Board of Zoning Appeals was called to order at 5:30 pm by Chairperson Gilda McQuoid with Board Members Kathleen Kennedy, Dean Moore, Greg Strnisa and 1st Alternate Jeff Freeman were seated on the Board, Zoning Inspector Robert Vaughn representing the Saybrook Township Trustees, Township Secretary Lori Punkar, Court Reporter Susan Goodell, Applicants Judy and Jim Pearson, Debra and Richard Trice, Applicant's Attorney Gary L. Pasqualone and Public: John Burkhart and Jane Burkhart present at Saybrook Township Administrative Offices, 7247 Center Road, Ashtabula, Ohio 44004. Board Member Raymond Thomas was not present: therefore no vote will be reflected for him. Second Alternate Gloria Baum was seated in the audience.

The following minutes reflect action taken by this Board. The recording of this meeting is on file at the Administrative Office. More detailed information can be obtained by listening to it at our office (jobs 218 & 219). The Public Hearing was also being recorded by Court Reporter Susan Goodell who was hired by Saybrook Township and anyone wishing a full transcript may request one and pre-payment will be made based on the number of pages.

Chairperson McQuoid led the assembly in "The Pledge of Allegiance".

A roll call of Members was taken, the following were present: Kathleen Kennedy, Dean Moore, Gilda McQuoid, Jeff Freeman and Greg Strnisa.

Chairperson McQuoid stated that the hearing is being recorded for record purposes only, if anyone is recording, please so state for the records. No public stated they were recording.

#1 Dean Moore moved resolution, seconded by Kathleen Kennedy that the applicant's request to reconsider the decision rendered by the Board of Zoning Appeals in Case No. 130916 be granted. Furthermore, the Board vacates the decision rendered in Case No. 130916 on October 7, 2013. The Board would like the record to reflect that the applicant and interested parties were given adequate notice of this reconsideration and that upon approval of applicant's request to reconsider and vacate the prior decision in Case No. 130916, the Board of Zoning Appeals will proceed with a reconsideration hearing at this meeting, held on November 25, 2013.

| | | |
|-------------------|------------------|-----|
| Roll Call Voting: | Kathleen Kennedy | Yes |
| | Dean Moore | Yes |
| | Jeff Freeman | Yes |
| | Greg Strnisa | Yes |
| | Gilda McQuoid | Yes |

Chairperson McQuoid stated that the purpose of this public hearing is reconsideration to vacate the decision rendered by the Board of Zoning Appeals in reference to Case Number 130916 and/or to proceed with a new public hearing for purpose of rehearing and rendering a new decision on Case No. 130916.

The legal notice that ran one time only, on Thursday, November 14, 2013 in The Star Beacon stated the following:

The Board of Zoning Appeals of Saybrook Township, Ashtabula County, Ohio gives

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notice that a Public Hearing will be held on the 25th day of November, 2013 at 5:30 pm at the Township Administrative Building located at 7247 Center Road, Ashtabula, Ohio on the Request for Reconsideration, filed by Gary L. Pasqualone, Attorney, in reference to the October 7, 2013, Board of Zoning Appeals Decision in regards to the following properties:

Purpose: To consider, Attorney Gary L. Pasqualone's request that the Board of Zoning Appeals reconsider their October 7, 2013 decision in reference to the following Permanent Parcel No: 480381000500, 480381000600, 480381000700, 480381001000, 480381001300, 480381000800 and 480381001100.

Owners: Richard F. & Debra S. Trice and James C. & Judith Pearson
Property Address: 6427 Lake Road West, Ashtabula, OH 44004
Description of Appeal for Variance: Appeal for Variance (Area) to reduce the frontage requirement of 100 feet to a lesser amount on each of the above stated Permanent Parcel Numbers.

The October 7, 2013 file pertaining to the Public Hearing for an Appeal for Variance (Area) for the properties identified in the above Description of Application is available for inspection at the Township Administration Building located at 7247 Center Road, Ashtabula, Ohio between the hours of 8:00 am to 4:30 pm, Monday through Friday. All persons have a right to appear in person or by representation to question the owner or give testimony. By Order of Board of Zoning Appeals by Gilda McQuoid, Chairperson

The Notice of Appeal states the following:

Property Owner/Leaseholder: Richard F. Trice, Debra S. Trice, James C. Pearson, Judith Pearson
Property Address: 6427 Lake Road West, Ashtabula, Ohio
Auditor's Parcel ID#: 480381000500, 480381000600, 480381000700, 480381001000, 480381001300, 480381000800 and 480381001100
Appeal for Variance -- Area
List Attachments: B & D
Signed by: Gary L. Pasqualone, Attorney

Chairperson McQuoid stated: In order to receive testimony and evidence in an orderly fashion the following procedure will be used:

- First we will take the testimony of the Applicant. The applicant will be sworn in and will present their testimony and evidence subject to questions of the Board and cross-examination and then will take testimony of anyone wishing to testify in support of the Appeal, subject to questions of the Board and cross-examination.
- Upon conclusion of the testimony in favor of the Applicant, those parties wishing to testify and present evidence in opposition to the Appeal will testify.
- Each part wishing to testify shall raise their hand, be recognized by the Chairperson, stand, be sworn under oath or affirmation, state their name and resident address and then present their testimony, subject to questions of the Board and cross-examination.

Attorney for the Applicants, Gary Pasqualone gave testimony for the Applicants. He submitted a picture of the lots and was marked as Exhibit 1.

Gary Pasqualone numbered the lots on the map to make the locations of the lots more clear and the map can be found in the Addendum.

Chairperson McQuoid and Greg Strmisa asked questions of Gary Pasqualone regarding the properties.

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James Pearson was sworn in by Chairperson McQuoid and he submitted to the Board a picture of a house that he is interested in building on one of the lots and was marked as Exhibit 2.

Zoning Inspector Robert Vaughn stated that the Application for the Variance is very specific regarding the 100 foot frontage for a buildable property. He was then sworn in by Chairperson McQuoid and stated that the testimony he gave was the truth.

No one testified in opposition to the appeal.

#2 Greg Strnisa moved resolution, seconded by Kathleen Kennedy to go into Executive Session for deliberation and consideration of the evidence at 5:57 pm.

Roll Call Voting:

| | |
|------------------|-----|
| Kathleen Kennedy | Yes |
| Dean Moore | Yes |
| Jeff Freeman | Yes |
| Greg Strnisa | Yes |
| Gilda McQuoid | Yes |

#3 Greg Strnisa moved resolution, seconded by Kathleen Kennedy to return to Regular Session at 6:26 pm.

Roll Call Voting:

| | |
|------------------|-----|
| Kathleen Kennedy | Yes |
| Dean Moore | Yes |
| Jeff Freeman | Yes |
| Greg Strnisa | Yes |
| Gilda McQuoid | Yes |

#4 Dean Moore moved resolution, seconded by Jeff Freeman that the Variance that was requested be granted for the seven lots (parcel numbers) 480381000500, 480381000600, 480381000700, 480381000800, 480381001000, 480381001300 and 480381001100 with the following conditions.

- All zoning requirements be adhered to on all seven parcels.
- That the R-3 requirements are followed to assure that the residential character of the neighborhood is maintained.

Roll Call Voting:

| | |
|------------------|-----|
| Kathleen Kennedy | Yes |
| Dean Moore | Yes |
| Jeff Freeman | Yes |
| Greg Strnisa | Yes |
| Gilda McQuoid | Yes |

#5 Dean Moore moved to adjourn the meeting at 6:30 pm.

Voting:

| | |
|------------------|-----|
| Kathleen Kennedy | Yes |
| Dean Moore | Yes |
| Jeff Freeman | Yes |
| Greg Strnisa | Yes |
| Gilda McQuoid | Yes |

The meeting was adjourned.

Gilda McQuoid

Gilda McQuoid, Chairperson

Lori Punkar

Lori Punkar, Township Secretary