

RECORD OF PROCEEDINGS
BOARD OF ZONING APPEALS - SAYBROOK TOWNSHIP

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

AUGUST 19, 2013

20

Case #130819

Joseph C. and Marsha L. Passerell
4249 Orchard Drive
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, 1st Alternate Jeff Freeman, 2nd Alternate Gloria Baum seated on the Board, Zoning Inspector Robert Vaughn representing the Saybrook Township Trustees, Township Secretary Lori Punkar, Court Reporter Terri Bloom Tisch, Applicants Joseph and Marsha Passerell and no public present at Saybrook Township Administrative Offices, 7247 Center Road, Ashtabula, Ohio 44004. Board Members Greg Strnisa and Raymond Thomas were not present; therefore no vote will be reflected for them.

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 (job #201). The Public Hearing was also being recorded by Court Reporter Terri Bloom Tisch 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, Jeff Freeman, Gloria Baum, Dean Moore and Gilda McQuoid.

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.

Chairperson McQuoid stated that this Public Hearing is being held pursuant to Section 519.14 and 519.15 of the Ohio Revised Code and Section 546 of the Saybrook Township Zoning Resolution.

#1 Jeff Freeman moved, seconded by Gloria Baum to dispense with the reading of the following minutes:

July 1, 2013, BZA Public Hearings, Millberg and Chah
July 30, 2013, BZA Public Hearing, Higgins

Voting:	Kathleen Kennedy	Yes
	Jeff Freeman	Yes
	Gloria Baum	Yes
	Dean Moore	Yes
	Gilda McQuoid	Yes

#2 Dean Moore moved resolution, seconded by Kathleen Kennedy to approve the following minutes:

July 1, 2013, Board of Zoning Appeals Public Hearings, Millberg and Chah
July 30, 2013, Board of Zoning Appeals Public Hearing, Higgins

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Roll Call Voting: Kathleen Kennedy Yes
Jeff Freeman Yes
Gloria Baum Yes
Dean Moore Yes
Gilda McQuoid Yes

#3 Dean Moore moved resolution, seconded by Kathleen Kennedy to rescind Resolution #2 since the same Board Members were not present at both meetings.

Roll Call Voting: Kathleen Kennedy Yes
Jeff Freeman Yes
Gloria Baum Yes
Dean Moore Yes
Gilda McQuoid Yes

#4 Kathleen Kennedy moved resolution, seconded by Dean Moore to approve the July 1, 2013 Board of Zoning Appeals Public Hearings for Millberg and Chah Minutes.

Roll Call Voting: Kathleen Kennedy Yes
Jeff Freeman Abstain
Gloria Baum Abstain
Dean Moore Yes
Gilda McQuoid Yes

#5 Jeff Freeman moved resolution, seconded by Dean Moore to approve the July 30, 2013 Board of Zoning Appeals Public Hearing for Higgins Minutes.

Roll Call Voting: Kathleen Kennedy Yes
Jeff Freeman Yes
Gloria Baum Yes
Dean Moore Yes
Gilda McQuoid Yes

Chairperson McQuoid stated that the matter is before the Board upon a request for an Area Variance filed by Joseph C. Passerell for property located at 4249 Orchard Drive, Saybrook Township.

Chairperson McQuoid read the legal ad that ran one time only on August 8, 2013 in The Star Beacon as follows:

The Board of Zoning Appeals of Saybrook Township, Ashtabula County, Ohio gives notice that a Public Hearing will be held on the 19th day of August, 2013 at 5:30 pm at the Township Administration Building located at 7247 Center Road, Ashtabula, Ohio on an Appeal for Variance in reference to the following property:

Owner/Applicant: Joseph C. Passerell

Property Address: 4249 Orchard Drive, Ashtabula, Ohio

Permanent Parcel No: 480211009000

Description of Application: Variance (Area) Installation of a 48" fence instead of the maximum height of 30" fence in the front yard

A copy of the Appeal is on file with the Board of Zoning Appeals and 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

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Chairperson McQuoid asked Zoning Inspector Vaughn if all parties in interest listed in the Notice of Appeal were served with written notice of the Public Hearing by regular U.S. mail and he stated they were.

Chairperson McQuoid read the Notice of Appeal of Decision which stated the following:

Property Owner/Leaseholder: Joseph C. and Marsha L. Passerell

Property Address: 4249 Orchard Drive, Ashtabula, Ohio 44004

Auditor's Parcel ID#: 480211009000

Current Use Classification Zoning District: Residential

Appeal for Variance – lot area, width, size, height, set back or buffer requirements, fence Attachments B, C and D

Dated: July 8, 2013

Signed by: Joseph C. Passerell

Chairperson McQuoid stated that the Board will now take testimony and evidence in favor of or in opposition to the applicant's Appeal for an Area Variance for Joseph C. Passerell. 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 Zoning Inspector and then the Applicant. They 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.

Chairperson McQuoid swore in Zoning Inspector Robert Vaughn and he gave testimony in regard to the application.

Chairperson McQuoid swore in Applicant Joseph Passerell and he gave testimony in regard to the application. He submitted a brochure that showed what the fence will look like. It was entered by Court Reporter Tisch as Exhibit 1.

There was no one else present to give testimony in opposition to the appeal.

#6 Jeff Freeman moved resolution, seconded by Gloria Baum to receive the Review of Variance Application for 4249 Orchard Drive Report dated August 16, 2013 submitted by Loveland & Brosius, LLC.

Roll Call Voting:	Kathleen Kennedy	Yes
	Jeff Freeman	Yes
	Gloria Baum	Yes
	Dean Moore	Yes
	Gilda McQuoid	Yes

#7 Jeff Freeman moved resolution, seconded by Gloria Baum to close the meeting to further testimony and go into Executive Session for deliberation and consideration of the evidence at 5:51 pm.

Minutes of **BOARD OF ZONING APPEALS - SAYBROOK TOWNSHIP**

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Held AUGUST 19, 2013 _____ 20____

Voting: Dean Moore Yes
 Ray Thomas Yes
 Paul Findlay Yes
 Greg Strmisa Yes
 Gilda McQuoid Yes

The meeting was adjourned.

Gilda McQuoid

Gilda McQuoid, Chairperson

Lori Punkar

Lori Punkar, Township Secretary