

Canfield Township Board of Zoning Appeals

March 27, 2023, 6:30 p.m.

Canfield Township Hall

Meeting called by	Chairperson Knarr Recite <i>Pledge of Allegiance</i>	In attendance: Mr. Knarr, Mr. Porinchak, Mr. Yosay, Mr. Schenker, Mrs. Levine
Type of meeting	BZA Public Hearing	Absent: Mr. Brooks
Case Number	#23-02-BA	
Court Reporter	Dena Crissman	Others Present: Traci DeCapua
Agency		

This meeting is a Public Hearing and was advertised in the *Vindicator, an edition of the Tribune Chronicle*, on March 7, 2023 and is being recorded by a court reporter.

At this time the room was sworn in by the court reporter.

The minutes of January 23, 2023 were approved.

PUBLIC HEARING

Summary of Application & Public Notice: Mrs. DeCapua, Zoning Inspector

CASE #23-02-BA, 6:30 p.m.

The zoning Inspector summarized the variance application and case:

The applicant, Mr. Anthony Crisucci, requests an area variance for a side yard setback for an addition to an existing structure (barn) that sits on the vacant lot. The addition to the structure will require a three (3) foot variance from the back corner to the side property line.

As stated in your packets, the structure on this lot is a nonconforming structure and is defined as:

“Where a lawful Structure exists at the effective date of adoption or amendment of this Resolution that could not be built under the terms of this Resolution by reason of restrictions on area, Lot coverage, height, Yards, location on the Lot, or other requirements concerning the Structure...”

The hearing was turned over to Chairperson Knarr.

DISCUSSION

Mr. AJ Crisucci, 4098 Adeer Dr., property owner, stated that he bought the property across the street from his house in 2014. The property was unkept and the horse barn on the property was in need of maintenance and repair. He continued that he has since repaired the original barn and has kept the inside in its original state. He also said that he has maintained the grass and grounds. He further stated that he would like to construct a 14 x 42 (588 sq. ft.) addition to the barn for additional storage. He also plans on keeping the aesthetic of the addition in keeping with the original structure.

There were no residents in attendance that opposed this request.

Mr. Knarr opened the floor to discussion.

Mrs. Levine asked why the addition had to be placed on the north side of the original structure. Mr. Crisucci answered that due to the creek running on the south side and the steep slope, an addition would not be feasible. Mr. Yosay asked if there was an existing driveway. Mr. Crisucci answered no, just grass.

Mr. Knarr reiterated that the reason that the existing structure is considered non-conforming is because it sits as an accessory structure on a lot by itself. He also added that cases such as this are not unheard of and that each case must stand on its own.

Mr. Crisucci again stated that he has cleaned up the lot and fixed up the existing barn and the only reason that he needs the addition is because the interior of the barn does not allow him the height to store his trailer. Mr. Knarr added that the addition would be an improvement to the property. Mrs. Levine asked if the neighbors to the north had any opinions on the request. Mr. Crisucci did say that he had spoken to them and they were on board with his plans.

Mr. Porinchak stated that the original barn already exceeds the maximum square footage (1092 sq. ft.) allowed on a lot between 1-2 acres which is 1000 sq. ft. And the addition would make it 1680 sq. ft. And he further stated, that the Zoning Resolution does not permit increasing the non-conformity. Again, Mr. Knarr said that the Board has dealt with non-conforming structures in the past. Mrs. Levine said that if precedent had been set, then the Board must give this resident the same opportunity. She asked that the Duncan Factors be analyzed by the Board.

After the review and discussion of the Duncan Factors, Mrs. Levine motioned to accept the request as presented and allow the non-conforming structure to be improved. Mr. Schenker seconded the motion.

Roll Call (an "aye" vote approves request):

Mr. Porinchak	NAY
Mr. Yosay	NAY
Mr. Schenker	AYE
Mrs. Levine	AYE
Mr. Knarr	AYE

The Board of Zoning Appeals voted to APPROVE the request as presented, 3-2.

Meeting adjourned at 7:11 p.m.

Next Meeting is scheduled for April 24, 2023, 6:30 p.m.

X

Dave Knarr
Chairperson

X

Loran Brooks
Vice Chairman

X

George Porinchak

X

Bob Yosay

X

Don Schenker

X

Beth Levine
Alternate