



**CITY OF TALLMADGE  
BOARD OF ZONING APPEALS  
MEETING MINUTES**

July 13, 2021

7:00 p.m.

Council Chambers

*Per the RC-2 Schedule, meeting recordings and communications will remain on file in the Planning and Zoning Department*

I. Call to Order

Chair Chuck Victor called the meeting to order at 7:00 pm.

II. Pledge of Allegiance

III. Roll Call

Commission Members present: Chuck Victor  
Richean Kuzior  
Melanie Bushey

**A motion to excuse Mr. Gregg and Mr. Satterfield was made by Mrs. Bushey and seconded by Mrs. Kuzior.**

All members present voted in favor. (3-0)

Administration present: Dave Kline, Mayor  
Megan Raber, Law Director

IV. Approval of Minutes

**A motion to approve the June 8, 2021 minutes was made by Mrs. Kuzior and seconded by Mrs. Bushey.**

All members voted in favor. (3-0)

V. Agenda Additions

None

VI. Correspondence & Communications

**Correspondences received will be read into the record with the appropriate case.**

VII. Cases

**Case # 1061**

**Michael E Abshire, applicant/owner  
528 Hughes Dr**

- A Variance is requested from TCO 1153.03 (c) Accumulative area for all accessory buildings shall not exceed 900 sf.
- **Request variance of 300 square feet to allow 1,200 square feet.**
- For review and determination

*Public Hearing opened at 7:02 pm.*

The representative for this case, Michael Abshire, was sworn in.

Mr. Abshire presented the plan according to the submitted plans.

*Discussion*

Mrs. Bushey: What is in the existing shed, and do you know where you are going to relocate that to?

Mr. Abshire: It's going to move over about 12' to the left.

Mr. Victor: And the proposed location is because of an easement across your property?

Mr. Abshire: Correct.

Mrs. Bushey: Did you get the idea for the size of your garage from the neighbor to the left of you?

Mr. Abshire: I'm just going by the size to stay at that 50' mark for the easement.

Mrs. Bushey: Do you still really need the shed? What is in it?

Mr. Abshire: It has lawn equipment in it. I still need that.

Mrs. Kuzior: The square footage included the shed.

*Public Comment*

Email received a call from June Laughard stating she has no issue with the request.

*No residents registered to speak.*

*Public Hearing closed at 7:05 pm.*

***The following motion was made by Mrs. Kuzior and seconded by Mrs. Bushey:***

**I move to approve the variance request for, MICHAEL E ABSHIRE applicant and owner for the property located at 528 HUGHES DR for the variance requested from Subsection 1153.03 (c) Accumulative area for all accessory buildings shall not exceed 900 sf granting a variance of 300 SF to allow 1200 SF. upon the showing based on the plans and application submitted dated JUNE 14, 2021 and evidence presented that:**

- (1) The strict application of the provisions of this Zoning Code would result in practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of this Zoning Code.**
- (2) There are exceptional or extraordinary circumstances or conditions applying to the property involved or to the intended use or development of the property that do not apply generally to other properties or uses in the same zoning district or neighborhood.**
- (3) The granting of such variance will not be of substantial detriment to the public interest or to property or improvements in such district in which the variance is sought and will not materially impair the purpose of this Zoning Code.**

*Additional Discussion*

Mrs. Kuzior: I see your hardship with that easement coming through your property and even with the shed, you're not going over the square footage very much, so I don't have a problem with this variance.

Mr. Victor: I agree. It's not an unreasonable request given that none of the neighbors are offering any objection to this.

All members voted in favor. (3-0)

**Case # 1062**

**Steven M Forfia**, applicant/owner  
**379 Perry Rd**

- A Variance is requested from TCO 1155.08 (a) Minimum rear yard setback is 25 feet.
- **Request variance of 20 feet to allow 5 feet.**
- For review and determination

*Public Hearing opened at 7:10 pm.*

The representative for this case, Steven Forfia, was sworn in.

Mr. Forfia presented the plan according to the submitted plans.

*Discussion*

Mr. Victor: Have you discussed this with the neighbor immediately to the north of you?

Mr. Forfia: I have and every time we've talked to him, he has no issues.

Mr. Victor: I did visit your property last week and I was concerned with only 5' off the property line but after a site visit, I understand and if there is no objection from that owner, I'm not in objection to it.

Mrs. Kuzior: When I visited the property, I asked about the swing set. I couldn't get a feel for where the pool was going because of the swing set that was on the property, but he verified that it will be coming closer to the swing set, or the swing set is going to be moved so that would have been my question for today. I see your hardship. There really is no other place to put the pool unless you turned it sideways, and it would be fully visible from the front, and I don't think that's a good thing for the neighbor.

Mr. Victor: Since there is no fence, will the pool be secured...?

Mr. Forfia: Yes, a removable ladder per code.

Mrs. Bushey: I was out there on Monday, and I see your hardship. You don't have a large yard. Was there a reason you picked that size of pool?

Mr. Forfia: For us to grow into. We've got 3 kids and we don't want to have to resize in the future.

*Public Comment*

Email received from Tiffany Hartman with no opposition to the request.

*No residents registered to speak.*

*Public Hearing closed at 7:15 pm.*

***The following motion was made by Mrs. Bushey and seconded by Mrs. Kuzior:***

**I move to approve the variance request for, STEVEN M FORFIA applicant and owner for the property located at 379 PERRY RD for the variance requested from 1155.08 (a) Minimum rear setback is 25 feet granting a 20' variance to allow 5' rear setback upon the showing based on the plans and application submitted dated JUNE 16, 2021 and evidence presented that:**

**(1) The strict application of the provisions of this Zoning Code would result in practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of this Zoning Code.**

**(2) There are exceptional or extraordinary circumstances or conditions applying to the property involved or to the intended use or development of the property that do not apply generally to other properties or uses in the same zoning district or neighborhood.**

**(3) The granting of such variance will not be of substantial detriment to the public interest or to property or improvements in such district in which the variance is sought and will not materially impair the purpose of this Zoning Code.**

*Additional Discussion*

**None**

All members voted in favor. (3-0)

VIII. Adjournment

**A motion to adjourn was made by Mrs. Bushey and seconded by Mrs. Kuzior.**

All members in favor. (3-0)

Meeting adjourned at 7:17 pm

Respectfully submitted,

  
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Kelli Funk, Secretary

  
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Chuck Victor, Chair