



8484 Olde Eight Road, Northfield Center Township, Ohio 44067

Phone: (330) 467-7646

Fax: (330) 650-0815

Web Site: www.northfieldcenter.com

TRUSTEES

Russell F. Mazzola

Rick Patz

Richard H. Reville

FISCAL OFFICER

Andy LaGuardia

DIR. OF TOWNSHIP SERVICES

Tim Black

Northfield Center Township Board of Zoning Appeals

Public Hearing

5/18/23

8969 Olde Eight Rd.

I CALL TO ORDER-OPEN MEETING:

Time: 7:30 PM By: John Romanik, Chair.

Roll Call:

John Romanik, aye; Lisa Clark, aye; Gene Lim, aye; Jim Lamb, aye; Vern Rudder, aye.

II Application:

Applicant Chris Hahn has applied for multiple variances to riparian regulations for a pool, accessory building, and patio.

Ms. Hahn purchased and built the house in 2006. Backyard is a riparian area. Shed was put up around 2010, patio never put in. Can't use the sliding back door.

Ms. Clark asked if the house was new when Ms. Hahn bought it.

Ms. Hahn said yes.

Inspector Saunders said Summit County passed riparian regulations in 2002. When house was built, it passed the riparian setback. When wetland was declared, that changed the riparian line. Sometime after the house was built, the back was declared wetlands.

Mr. Rudder said a previous case that was heard was a wetland, this case is a riparian setback off a wetland.

Mr. Lamb verified that when the house was built, the riparian location wasn't known; had the shed, patio and accessory building been built soon after the house was built, those items would have been ok.

Mr. Romanik reviewed the deed that was given to NCT and Macedonia from the JEDD and he reviewed page 20 which covers activities that are prohibited. He asked if there was flowing water behind the house.

Inspector Saunders said no.

Ms. Clark asked Inspector Saunders to explain the difference between hydric soil and a wetland.

Inspector Saunders said it's a peat bog. A lot of that area was disturbed when the house was built. A wetland delineation study would be needed.

Ms. Clark asked what year the shed was built.

Chris Hahn said about 2010.

Mr. Lamb said the shed sits on concrete block.

Mr. Rudder said the shed was built without a permit and when the permit was applied for, it was denied.

Mr. Lamb asked when the riparian designation was done.

Inspector Saunders said he didn't know.

At this point there was discussion regarding the information that the applicant had showing the riparian areas on the property. There was some difference between what the applicant submitted and what the township received from Summit Soil & Water.

Ms. Clark verified that the proposed pool is only 4 feet deep.

Mr. Lamb verified that the patio would be pavers or concrete. He also verified that there would be a ramp on the right side and a water feature.

Mr. Rudder said the applications should have dimensions included; how can the BZA grant any variance without that information.

Ms. Hahn said the information is included in the explanation in her variance application.

Mr. Rudder felt there was enough information for the shed and the pool. He didn't see anything with the dimensions of the patio.

Ms. Hahn tried to further explain the patio plan to the BZA at this time.

PUBLIC COMMENTS:

Robert Stokes, 8957 Olde Eight Rd. said that the original riparian issues were already denied by Summit County. No new construction can be built in a riparian area. He said the patio was unpermitted, has been sitting unfinished for 4 years. He is on the downhill side of the applicant's property. An inground pool may have some impact on runoff onto his property. He suggested a ground water runoff study.

Mr. Romanik assumed there was a fence around the top of the pool.

CLOSING OF OPEN SESSION:

Mr. Lim moved to close the Open Session at 8:05 PM.
Seconded by Ms. Clark.

Roll Call:

John Romanik, aye; Lisa Clark, aye; Gene Lim, aye; Jim Lamb, aye; Vern Rudder, aye.

III Board of Zoning Appeals Discussion:

Mr. Rudder said the patio was being installed without a permit, a violation letter was sent in 2021.

Mr. Romanik asked about any follow-up from the violation letters written in 2021.

Inspector Saunders said permits were applied for and denied.

Mr. Rudder said that violation letters were written in Nov. of 2021, the applicant filed for a permit that was denied in April of 2022. Why no follow up from the violation in 2021?

Inspector Saunders said at that time NCT didn't have any lawyers so there was no prosecution.

Mr. Lim didn't see anything that was sufficient to make a determination on any of the requests.

Mr. Rudder agreed with Mr. Lim; he felt there was enough information on the shed, but the decisions should all be made at the same time.

There was discussion at this time about what was still needed for complete information.

Mr. Lim moved to continue this Public Hearing until 9/28/23 at 7:00PM to allow time for the applicant to obtain a wetland delineation study.

Seconded by Ms. Clark.

Roll Call:

John Romanik, aye; Lisa Clark, aye; Gene Lim, aye; Jim Lamb, aye; Vern Rudder, aye.

IV APPROVAL OF MINUTES:

1. Ms. Clark moved to waive the reading and approve the minutes AS AMENDED of the Public Hearing of 5/11/23, Hambones by the Fire BBQ.

Seconded by Mr. Rudder.

Roll Call:

John Romanik, aye; Lisa Clark, aye; Gene Lim, aye; Jim Lamb, abstain; Vern Rudder, aye.

V. OTHER BUSINESS:

Ms. Flauto verified that the sidewalk issue on Rt 82 is not something that the BZA hears. The application for variance that was made can be rescinded.

Mr. Rudder felt that it looks bad that violation letters went out 2 years ago with no follow-up. NCT has always had someone to use at the Summit County Prosecutor's Office.

VI. MOTION TO ADJOURN:

Mr. Lim moved to adjourn at 8:30 PM.

Seconded by Ms. Clark.

Roll Call:

John Romanik, aye; Lisa Clark, aye; Gene Lim, aye; Jim Lamb, aye; Vern Rudder, aye.

Respectfully Submitted,

John Romanik, Chair

Date

Judy Flauto, Township Secretary

Date