

Richfield Township Board of Zoning Appeals
March 20, 2023

The meeting was opened at 6:37 p.m. on March 20, 2023, with the following members in attendance:

Jeffrey Smola, Chair
Natalie Grubb, Member
Geoffrey Graham, Vice Chair
Rob Kapitan, Member
Mostafa Hussein, Member
Jerry Ryba, Alternate Member (absent)

Also in attendance:

Patricia Ryan, Zoning Inspector
Darren Shultz, representative from Shultz Design & Construction
Mark and Angela Kyei

OLD BUSINESS:

None

APPROVAL OF MINUTES: January 16, 2023.

Mr. Smola made a motion to approve the minutes as written, seconded by Mr. Kapitan. All members present voted to approve. Motion passed 3-0-0.

Minutes from July 18, 2022 were tabled to the next meeting due to lack of members being present from that meeting.

ELECTION OF OFFICERS FOR 2023:

Ms. Grubb made a motion to retain the Chairman Smola and Vice Chairman Graham for 2023. Mr. Kapitan seconded. All members present voted to approve. Motion passed 3-0-0.

NEW BUSINESS:

Case 668-23, Mark and Angela Kyei, property owners, are requesting a variance on property located at 3649 W. Galloway Drive, PPN# 48-02119, in the R-4 District: 1) a 8.68' rear yard setback variance from Section 405-3B3 to construct an accessory building 51.31' from the rear property to construct an addition on the rear of the existing house.

Mr. Shultz, of Shultz Design and Construction came forward, was administered the oath by Mr. Smola and explained the practical difficulties pertaining to the property. They need a small rear yard setback variance from the required 60' requirement to construct an orangery on the back of the residence.

He stated that the owners applied for an inground pool last year but due to the riparian zone, steep slopes and geological studies needed to receive further consideration from the Summit County Planning Commission the owners withdrew the application.

The current plan being reviewed has been revised from an initial submittal by removing a patio and reducing the size of the addition to meet an exception in the Summit County Riparian Ordinance allowing

additions to a structure not exceeding 15% of the footprint of the existing structure. They have met that exception and have approval from SWCD. Mr. Shultz stated they have kept the encroachment to a minimum and have adhered to the riparian ordinance thus removing the need for variance from the County.

The land to the rear is facing HOA open space so no neighbors are impacted. The HOA has approved the addition.

Mr. Shultz explained the plans stating the orangery is an enclosed conditioned space and the lower level is open air. There is also a deck.



Mr. Graham asked if there were retaining walls in lieu of grading within the riparian. Mr. Shultz answered, yes.

Mr. Smola read the resolution and made a motion to approve an 8.68' variance for the rear yard setback. Mr. Kapitan seconded. All members present voted to approve. The motion passed 5-0-0.

Motion to approve the January 16, 2023 minutes as written was made by Ms. Grubb, seconded by Mr. Smola. Motion passed 3-0-2. Mr. Hussein and Mr. Graham abstained.

Motion to approve the July 18, 2022 minutes as written was made by Ms. Grubb, seconded by Mr. Smola. Motion passed 3-0-2. Mr. Hussein and Mr. Kapitan abstained.

With no further business the meeting was adjourned by Mr. Smola at 7:00 pm. Second by Mr. Graham. All members present approved.

Chairperson  Secretary  Date 6/19/23