

BOARD OF ZONING APPEALS

Minutes of Meeting

September 21st, 2021

4:30 pm

Attendance: Members Mike Aeling, Brent Barnes, ~~Dave Lundgren, Chairman~~ (absent); ~~Billy Ray~~ (Absent) and Eddie Williams; Zoning Inspector Shane Howard, Assistant Law Director William Morris, Engineering Clerk Candice Martin.

Meeting held in person in the second floor conference room of the City Administration Building: The meeting was called to order by Mike Aeling at 4:35 pm. Brent Barnes, Mike Aeling, Eddie Williams were present.

1. Minutes from the August 17th, 2021 meeting:

New member Brent Barnes abstains from the vote because he was not present. No Quorum. Minutes Tabled.

Mike Aeling reads the Board of Zoning Appeals procedures including appellant recourse.

2. Les Koehn Trust – 2140 Cherry Ave. -- Appeal #21-024 – 49 Sq. Ft. Lot coverage variance Sec.1124 Table. 12 ft. rear lot setback variance Sec. 1124 Table.

Shane Howard is sworn in: Zoning Inspector, 504 E. Main St. Alliance, OH 44601. Howard explains the appeal is for an addition. The reason he could not approve it is because of total lot coverage and rear yard setback. He needed 49 sq. ft. more to be under the 25% lot coverage requirement. He will require a variance for that as well as for a 12 ft. rear yard setback.

Barnes asks about the 49 sq. ft. requirement and if they will be demolishing the existing garage. Howard replies yes they will be demolishing the current one.

Barnes also asks about the current garage from the rear setback and if it is one of those old garages that sit almost right on the alley.

Howard explains that accessory buildings do not require the same setbacks as primary structure do. Whatever is attached to the primary structure follows the rules of the primary structure. But if it is an accessory building not attached, it has its own set of rules which would be a 5 ft. setback from the property line for the front and rear and 10 ft. away from the primary building. It also has its own rules for lot coverage. Such as no more than 30 % for rear lot coverage for an accessory building. Since this is attached and part of the primary structure it is only allowed to have 25% lot coverage.

Les Koehn is sworn in. 1121 Knox School Rd. Beloit, OH. Mr. Koehn explains that this is a two bedroom house upstairs and 1 bathroom house upstairs. There is no bedroom or bathroom on the main floor. He feels the home would be a nicer and more usable property if there was a master bedroom and bathroom on the main floor. Also he feels getting rid of the old garage and making an attached garage in the same project makes sense. For safety and weather an attached garage is more user friendly.

Williams asks if it is tenant occupied and also asks if it is a college rental. Mr. Koehn replies yes it is tenant occupied and no it is not a college rental.

Aeling asks if there is anyone else to speak in favor or in opposition. – No one else comes forward.
Declares this public portion of the meeting now closed.

Board Members Begin Discussion

Williams states that variances such as this have been granted in the past. His biggest concern is whether it is a college rental. He feels this is pretty straightforward. It is an older house and a first floor master bedroom will add to the property value and it helps the value of the neighborhood. Williams further states that he knows that there are different requirements when it is attached as opposed to separate but he thinks at the end of the day they are gaining property.

Williams moves to approve both variances. The 49 sq. ft. variance as well as the 12 ft. rear yard setback variance. Barnes seconds. Roll call vote. All in favor. Motion Passes.

3. Elizabeth Cadile – 851 W. State St. – Appeal #21-025 2 parking space variance for a beauty parlor Sec.1150.04

Howard explains that this appeal is for a hair salon. They want 3 chairs and will need 9 spaces for that but with the other business sharing the property they end up 2 spaces short. They will therefore require a parking variance for the 2 spaces.

Barnes abstains due to a conflict of interest.

Aeling states that this item will need tabled until next month because there is not a quorum without Barnes' vote.

Barnes defers to Mr. Morris.

Mr. Morris explains that it is his call what he wants to do. The board does not say whether there is a conflict or not. The matter will need to be tabled because in order to overturn Howard's decision there needs to be 3.

Barnes asks to take a short recess to speak with his client privately.

Barnes returns and says that he can take part in the discussion.

Sam Cadile is sworn in. His wife is Elizabeth Cadile the applicant. His business address is 1867 Cliff Drive, Salem, OH. Mr. Cadile explains that they have a salon in Beloit and would like to expand into the Alliance area. They will need an extra 2 spaces because they have an extra employee. The only way to maintain the building and the utilities is if there are 3 stations. Their employees will likely not be there at the same time: they work full and part-time. At their salon in Beloit they maybe have 3 people working at a given time with 8 stations available.

Aeling asks if they plan on expanding the stations.

Mr. Cadile replies no not with the current parking situation.

Aeiling asks if there is enough interior space.

Mr. Cadile says yes he imagines so. There is more space available for rent if they needed it.

Mr. Barnes asks if the rest of the building is currently under lease for another business and he asks what the business is.

Mr. Cadile answers yes but he wasn't sure what the business is. (Home health care is what the consensus is from others.)

Mr. Williams asks if the other business has clients coming and going.
Mr. Cadile responds no.

Barnes asks if they have 3 employees lined up to fill the stations.
Mr. Cadile says they have possibly 3. Two will be working full-time. The other only wants part-time.

Ben Walter is sworn in. Landlord of the property. His business address is 1437 W. State St., Alliance, OH. Mr. Walter explains that he has a home healthcare tenant that is open 9-5 and no weekends. There is not a lot of foot traffic there because they go to people's homes to do their work. He explains that this hair salon is an established business in Beloit and has a great reputation there. He also explains that the owner is not only a cosmetologist but an instructor at our local school. She may be providing future students a place of employment. As a landlord, he doesn't see an issue arising from the parking and feels they would be an asset to our community.

Aeling asks if there is anyone else to speak in favor or in opposition. – No one else comes forward.
Declares this public portion of the meeting now closed.

Board Members Begin Discussion

Williams says that it is difficult to see what the future holds for the businesses and what the future parking needs will be. He doesn't think it sounds like there will be a huge influx of traffic with 2 full-time and 1 part-time employees. He asks Howard what it would be like if there were 1 less station.

Howard replies that it frees up three parking spots. Howard explains that the spots are figured by figuring 1 employee, the person in the chair, and the person waiting to get in the chair. That is where the 3 comes from.

Barnes says that there is no alternative parking there if there were the situation where all the chairs are taken. And he says that it's not like they can park adjacent. There is a gas station located nearby and Enterprise Car Rental. They are landlocked as far as having an alternative.

Aeling mentions they could potentially expand the lot someday.

Barnes says his only concern is the tight parking and he is unsure what the expansion capabilities would be.

Williams asks if we are looking at the total parking for the property or what is allotted for this tenant.
Howard replies that it is what is allotted for this tenant. He further explains that it would be different if this was going to be used as office space. For office space it is 1 parking spot for every 250 sq. feet or something like that.

Williams asks if there was no other tenant in the building would they still be short 2 spots or would there be enough.
Howard says there would be enough. He says that the other tenant was the primary since they were there first and took the spots first.

Williams states that this tenant may not be using every dedicated spot.
Howard answers correct.

Barnes asks how many spots the other tenant is dedicated.
Howard replies he believes they have 3.

Barnes mentions he lives nearby and does not see a lot of employees going out of the drive.

Williams says that obviously the landlord has some self interest in renting this but he feels that if the landlord doesn't see an issue he is not going to place himself in a position where the tenants are angry at each other due to lack of parking spaces.

Williams makes the motion to approve the 2 parking space variance. Barnes seconds. Roll call vote. All in favor. Motion passes.

4. Other Business

None.

Meeting adjourned at 4:58pm.

Respectfully Submitted by:
Candice Martin
Engineering Clerk