

**Minutes: Russell Township Board of Zoning Appeals  
Russell Fire-Rescue Station  
January 8, 2018**

Present: Steve Gokorsch, Chair  
Dushan Boucek  
William Downing

Absent: Sarah Moore  
Nick Grassi

Also in attendance: Jennell Dahlhausen, Zoning Secretary; Michael Wheeler; Charlie Butters; Domenic & Christine DiLalla.

The meeting was called to order at 7:00 p.m.

The applicant wasn't present yet so the board moved on to other business.

**MINUTES OF DECEMBER 18, 2017:** *Mr. Boucek moved to accept the minutes of the December 18, 2017, seconded by Mr. Downing. Motion passed unanimously.*

**VARIANCE REQUEST #506:** Requesting a variance of 40 feet due to having 260 foot lot frontage at 7821 Kinsman Road and a variance of 58.5 feet due to having 241.5 foot lot frontage at 7847 Kinsman Road in lieu of the 300 feet required in an R-5 Residential zoned district per Section 5.2(B).

Mr. Gokorsch explained to the applicant that two members weren't able to attend the meeting last minute. Although the board does have a quorum, he has the option to reschedule the Public Hearing since he requires three yes votes for his request to be approved. Mr. Wheeler stated he would like to proceed with the Public Hearing.

The audience members planning to give testimony were sworn in.

*Mr. Boucek moved to open the public hearing for variance request #506, seconded by Mr. Downing. Motion passed unanimously.*

Mr. Gokorsch asked Mr. Wheeler, who was sworn in, if all of the statements in his variance application were truthful and he responded yes.

Mr. Gokorsch asked the Zoning Secretary if the Zoning Inspector was aware that two addresses were on one application. The Zoning Secretary stated that he was aware since the application was applied through the Zoning Office and the Zoning Inspector saw it. Mr. Gokorsch felt each address should be on a different application and asked Mr. Wheeler which property he would like to request at this hearing. Mr. Wheeler replied 7847 Kinsman Road – Parcel #26-135650. The application was revised to exclude the 7821 Kinsman Road request.

Mr. Wheeler stated that when he realized there was a frontage issue at 7821 Kinsman Road, he purchased 7847 Kinsman Road. He plans to build his home on this property at 7847 Kinsman Road since he can then set it a little bit further from the road, which has a lot of traffic. He pointed out that

most neighboring properties don't have the required frontage either. Mr. Wheeler said he has completed soil testing and has been doing some earthwork to prep for the construction. There was previously a house on the property, which was razed.

Mr. Gokorsch asked if there was only one living residence on the property when it was torn down. Mr. Wheeler stated there was one house and a small living unit in a second building behind it. The electric company and Post Office had the structures listed as A & B. There was also a two-car garage. Mr. Wheeler only plans to have one living structure at 7847 Kinsman Road. The previous house was setback about 75 feet from State Route 87 and Mr. Wheeler plans to build more than 300 feet from the road.

Mr. Boucek felt the applicant might need a variance for the lot width as well. The board reviewed the Zoning Resolution and asked the applicant to revise his variance to include a request for a lot width variance. Mr. Wheeler revised the request to state that he needs a 58.5 foot variance for the frontage and a 30 foot variance for the width.

Mr. Gokorsch stated the property to the east has approximately 58 feet of frontage, the property to the west has approximately 112.5 feet of frontage, and the properties directly across the street have approximately 216 and 202 feet of frontage. It was also noted that the REALink sheet providing the frontages from the Zoning Office listed a property as one that should have been two.

Mr. Boucek asked if any other lots in the area have variances. The Zoning Secretary stated she wasn't aware of any other variances within this area and that she believes the houses are grandfathered due to being built before the zoning change.

Mr. Butters reminded the Board that having an alternate would eliminate the quorum issue that the Board ran into. The Zoning Secretary stated that both members let her know within hours of the meeting that they weren't able to attend.

Mr. DiLalla of 7840 Larkspur Drive commended Mr. Wheeler for the work he has completed on his property and stated that it is a huge improvement compared to the house previously on the property. He thanked Mr. Wheeler for investing his money in the Russell community.

Mr. Gokorsch asked Mr. DiLalla if he thought granting the variance would be consistent with the essential character of the neighborhood. Mr. DiLalla stated that he feels it would be consistent with the neighborhood, if not better.

*Being that there was no further comment from the public, Mr. Boucek moved to close the public hearing for variance request #506, seconded by Mr. Downing. Motion passed unanimously.*

*Mr. Downing moved to accept exhibit #1 – a site plan of the property delineating the applicant's location of the structure and dimensions of the front and rear property width, seconded by Mr. Boucek. Motion passed unanimously.*

The Board reviewed the factors used to establish a practical difficulty:

A) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance: *The applicant answered he can't build if the variance isn't approved. The Board agreed.*

