



Russell Township Board of Zoning Appeals

FINDINGS OF FACT

VARIANCE REQUEST #574

Applicant: Larry Fulton

Applicant's Address: 7550 Thistle Lane

Parcels Covered by Requests:

<u>Parcel Number</u>	<u>Address</u>	<u>Current Owner</u>	<u>Nexus Between Applicant and Parcel</u>
26-213887	7550 Thistle Lane	Larry Fulton	Owner

- I. The Board of Zoning Appeals held a *Public Hearing* on January 5, 2026.

The Board of Zoning Appeals considered *testimony* from the following individuals:

- Larry Fulton (owner)
- Harshna Patel, 14869 Trappers Trail
- Gary Utterback, 14859 Trappers Trail

The Board of Zoning Appeals also considered all *exhibits* admitted into the record by applicant.

- II. **Variance Request #574**, , submitted by Applicants Larry and Arlishea Fulton, owners of property at 7550 Thistle Lane, parcel number 26-213887. The Applicants are seeking a reduction of the required 100 ft. rear yard setback to 93.7 feet for construction of a detached garage, per Section 5.2(B).

The Board of Zoning Appeals considered testimony and exhibits to render its findings of fact. In the event of multiple variances, each request was considered as a component of the overall submission. The Board of Zoning Appeals' decision should not be construed as approving items within the building and site plans admitted into evidence by applicant that deviate from the Zoning Resolution and were not specifically presented to the Board of Zoning Appeals for consideration. To the extent any such deviations from the Zoning Resolution exist, they must be presented at a later date by the applicant.

FINDING OF FACTS FOR PARCEL 26-213887

1. **Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the Variance.**

Yes

2. **Whether the Variance is substantial.**

No; 6%



Russell Township Board of Zoning Appeals

3. **Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.**
No. The color and style of the proposed structure will complement the existing house.
4. **Whether the Variance would adversely affect the delivery of governmental services.**
No
5. **Whether the property owner purchased the property with the knowledge of the zoning restrictions.**
Yes
6. **Whether the property owner's predicament feasibly can be obviated through some method other than a Variance.**
Potential alternate options but topography render them undesirable.
7. **Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the Variance.**
Yes.
8. **Such other criteria which the board believes relates to determining whether the Zoning Regulation is equitable.**
Utilize only downlighting; Structure doors to face west; no rear lighting on building.

Mr. Boucek moved to approve the Variance Application #574 for the reduction of the 100 ft rear yard setback to 93.7 feet for construction of a detached garage, with conditions. Ms. Mulloy moved to second, and upon roll call the vote was Mr. Boucek-yes; Ms. Knauer-yes; Mr. McGrievy-yes; Ms. Mulloy-yes; Mr. Gokorsch-yes. The motion was approved.

THE RUSSELL TOWNSHIP BOARD OF ZONING APPEALS

Steve Gokorsch, Chairman

Adrienne Knauer

Nicole Mulloy

Dushan Boucek, Vice Chairman

Mark McGrievy

Bonnie Guyer, Zoning Secretary