



## Russell Township Board of Zoning Appeals

### FINDINGS OF FACT

#### VARIANCE REQUEST #570

**Applicant:** Scott & Lori Fine

**Applicant's Address:** 13828 Chillicothe Road

**Parcels Covered by Requests:**

<u>Parcel Number</u>	<u>Address</u>	<u>Current Owner</u>	<u>Nexus Between Applicant and Parcel</u>
26-152300	13828 Chillicothe Rd.	Scott & Lori Fine	Owners

I. **The Record** The Board of Zoning Appeals held a *Public Hearing* on: August 4, 2025.

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

- Scott Fine (Owner)
- Lori Fine (Owner)
- Michael Bonner, 9570 Kinsman Road
- Charles Butters, 14818 River Glen Drive
- Ronald DiNardo, 8510 Fairmount Rd.
- Theresa Yondo & Bruce Murphy, 13797 Chillicothe Road
- Derk & Brownell Patterson, 13768 Chillicothe Road
- Andrew & Alana Radonich, 13795 Chillicothe Road

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

II. **Variance Request #570**

**The Applicants, Scott & Lori Fine, are seeking a reduction of the 30 ft. side-yard variance to 24 ft. for construction of an attached garage.**

The Board of Zoning Appeals considered testimony and exhibits to render its findings of fact. Each variance 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 26-063300**

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



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- 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.**

Yes, testimony from neighbors noted the property would be enhanced.

- 4. Whether the Variance would adversely affect the delivery of governmental services.**

No testimony given

- 5. Whether the property owner purchased the property with the knowledge of the zoning restrictions.**

No, not aware of lot size restrictions and riparian setback.

- 6. Whether the property owner's predicament feasibly can be obviated through some method other than a Variance.**

No, only place for the attached garage.

- 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.**

No exterior lighting on the north side of the building

*Motion made by Mr. Boucek to approve Variance Zoning Resolution #570 for a 24ft side-yard setback, for an attached garage at 13828 Chillicothe Road.*

***Ms. Mulloy seconded and upon a roll call the vote was. Boucek-yes; Ms. Knauer-yes; Mr. McGrievy-yes; Ms. Mulloy-yes; Mr. Gokorsch – yes. The motion passed.***

### THE RUSSELL TOWNSHIP BOARD OF ZONING APPEALS

\_\_\_\_\_  
Steve Gokorsch, Chairman

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Dushan Boucek, Vice Chairman

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Adrienne Knauer

\_\_\_\_\_  
Mark McGrievy

\_\_\_\_\_  
Nicole Mulloy

Date: \_\_\_\_\_

\_\_\_\_\_  
Zoning Secretary