

# Board of Zoning Appeals

## Munson Township

Minutes of January 19, 2022

Chair Dennis Pilawa called the meeting to order at 6:32pm with Danielle Pitcock, Jim O'Neill, Joe Tomaric, Alternate Don Ondrejka, and Secretary Paula Friebertshauser present. Don Alexander was absent. The Pledge of Allegiance was said.

Mr. Pilawa explained the role of the Board of Zoning Appeals is to apply certain principles of law as required by the Ohio Supreme Court. He explained that the Board of Zoning Appeals is a quasi-judicial Board which acts in the role of judges. The Board has limited authority and cannot change the zoning, but there is a provision in the zoning resolution for variances. The Board receives sworn testimony and applies that testimony and evidence to certain standards of law to then make a decision. A court reporter is present so that anyone wishing to speak for or against the case must be sworn in for the record. The record is made up of testimony and evidence presented. If a case goes to court, decisions are based on what is presented the evening of the hearing. Anyone not in agreement with the decision of the Board could file with the Court of Common Pleas within 30 days after the minutes of the meeting are approved.

Danielle Pitcock was reappointed and sworn in for a five-year term through December 31, 2026. Don Ondrejka was reappointed as an alternate and sworn in for a two-year term through December 31, 2023. Roger Simpson was sworn in as a new member to fulfill an open term through December 31, 2022.

Danielle Pitcock moved and Joe Tomaric seconded to appoint Dennis Pilawa as Chair. The motion failed for lack of a vote because Dennis Pilawa followed it with a motion to appoint the same Chair (Dennis Pilawa) and Vice Chair (Danielle Pitcock) as last year. Joe Tomaric seconded the motion. Motion carried, 5-0.

Don Ondrejka moved and Joe Tomaric seconded to approve the minutes of December 15, 2021, as written. Motion carried, 4-0.

**CASE 22-01 Corey Ryan** 10345 Thwing Rd., Chardon OH - requests to construct an accessory building in front of the home. Violates SEC. 509.2 (in part) No garage or other accessory structure shall be erected within the front yard of any district.

Chair Pilawa read the variance request and violation. Zoning Inspector Jim Herringshaw was sworn in. He explained the aerial view shows the unique property and referenced three pages of photographs that showed the proposed location of the building in red marker taken from Thwing and the other looking toward Thwing. He indicated there are many trees and the home is farther back.

Corey Ryan was sworn in. He explained that the proposed location for the building was chosen because of the position of the home, a ravine in back and a pond to the side. It would also allow for additional parking. When asked what it would be used for, Mr. Ryan said he would store a traveling trailer and

