

Board of Zoning Appeals

Munson Township

Minutes of January 20, 2021

Chair Dennis Pilawa called the meeting to order at 6:30pm with Don Alexander, Jim O'Neill, Joe Tomaric, Alternate Tim Kearns and Secretary Paula Friebertshauser present. Danielle Pitcock and Alternate Gabe Kezdi were absent. The Pledge of Allegiance was said.

Dennis Pilawa was reappointed and sworn in for a five-year term through December 31, 2025. Tim Kearns was reappointed as an alternate and sworn in for a two-year term through December 31, 2022.

Don Alexander moved and Joe Tomaric seconded to nominate Dennis Pilawa as Chair. Motion carried, 4-0 (Mr. Pilawa abstained). Dennis Pilawa moved and Don Alexander seconded to nominate Danielle Pitcock as Vice-Chair. Motion carried, 5-0.

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.

Joe Tomaric moved and Jim O'Neill seconded to approve the minutes of November 18, 2020 as written. Motion carried, 3-0.

CASE 21-01: Todd Suszynski 11175 Beechnut Lane, Chardon OH – requesting to build a 26' x 40' detached garage 7.8' from the south side property line and a driveway extension 2' from the south side property line. Violates Sec. 411 Minimum Dimensional Requirements – minimum side yard is 25'; and Sec. 511 Driveways (in part) – driveways shall be a minimum of 15' from any lot line.

The meeting was adjourned at 7:17pm.

Chair Pilawa read the variance request and violations. Zoning Inspector Jim Herringshaw was sworn in. He explained photographs showing the view to the closest affected property owner and the actual location of the proposed structure. He explained that when the driveway was originally put in it was actually 2 feet from the property line. The variance is needed because they are extending the driveway but it will then go inward 7.8 feet. Mr. Pilawa asked if the knowledge of this came about only because of this variance. Mr. Herringshaw responded yes.

