

Board of Zoning Appeals

Munson Township

Minutes of July 21, 2021

Chair Dennis Pilawa called the meeting to order at 6:34pm with Jim O'Neill, Joe Tomaric, Alternate Tim Kearns, Secretary Paula Friebertshauser, and Court Reporter Laura Ware present. Don Alexander, Danielle Pitcock and Alternate Gabe Kezdi were absent.

The Pledge of Allegiance was said.

Chair Pilawa explained the public hearing process. 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. 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 June 15, 2021 as written. Upon the roll call, all members present voted to approve; motion carried, 3-0.

CASE 21-06: Robert Zimmerman for 2015 Berkshire Hills LLC 9760 Mayfield Rd., Chesterland OH – requests to use the abandoned pro shop of the former golf course as an interim administrative office as another principal use of the property in a Residential District. Violates SEC. 401.2 R-1 Residential District - Permitted Principal Uses and Structures (in part)-operating an administrative business office in a Residential District is not a permitted principal use.

Chair Pilawa read the variance request. He explained there are usually five members on the Board of Zoning Appeals, but they only had four present. With a four-member board, a tie vote constitutes a no vote. Because of this, the appellant is given the opportunity to ask for a continuance. Mr. Pilawa confirmed with Ms. Friebertshauser that a letter would be sent to affected property owners notifying them of the next hearing.

Robert Zimmerman of 200 Public Square, Suite 2300, Cleveland, Ohio was sworn in. He asked for a continuance with the principal reason being there are only four members present. Mr. Zimmerman explained he is actually a councilman in Shaker Heights and understands the importance of having a full board. He informed those present that Mr. Vukovic is in the process of moving to Munson Township; he should be at the next meeting and they want to be a good neighbor with full disclosure. He requested the fee be waived.

Joe Tomaric moved and Jim O'Neill seconded to allow Case 21-06 to be continued until next month. Chair Pilawa commented that it is a right that rests with the appellant and he himself would want a full board. Mr. Zimmerman added that he only had the opportunity to speak with Mr. Vukovic that day. The motion carried 4-0.

Chair Pilawa moved and Joe Tomaric seconded to request that the Board of Trustees waive the continuance fee (\$100.00) as they were unable to have a full board. Motion carried 4-0.

The meeting was adjourned at 6:53pm.

Dennis Pilawa 8/16/21
Dennis Pilawa, Chair Date

Paula Friebertshausen 8/18/21
Paula Friebertshausen, Secretary Date