

Board of Zoning Appeals

Munson Township

Minutes of August 18, 2011

Chair Bobbie Nolan called the hearing to order at 6:30pm. Gabe Kezdi, Sophie Horvath, Richard Wright, Alternates Don Alexander and Lonny Beck, Secretary Paula Friebertshauser, Zoning Inspector Tim Kearns, and Court Reporter Nayann Payzniak were present. Lucy Longo was absent. The Pledge of Allegiance was said.

Sophie Horvath moved and Richard Wright seconded to approve the minutes of July 21, 2011 as written. Motion carried.

Ms. Nolan explained that the Board of Zoning Appeals is a quasi-judicial Board which acts in the role of judges. They take facts as presented and apply 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. Anyone not in agreement with the decision of the Board could take the case to the Court of Common Pleas within 30 days after the minutes of the meeting are approved.

CASE 11-13: Suszynski Construction for Brian & Pamela Langlotz, 10296 Mayfield Rd., Chesterland, OH – request to construct a 10' x 7' porch 69' from the road right-of-way. Violates SEC. 411 Minimum Dimensional Requirements-Minimum setback from road right-of-way is 80 ft.

Tim Kearns, Zoning Inspector, was sworn in. He read the variance request and violation and presented photos of the home. The porch project would be a reconstruction.

Todd Suszynski was sworn in as the builder representing the property owner. He explained that Mr. Langlotz came to him regarding the renovation. He will be tearing off the old porch and changing the roof. The sizing will change but not the square footage. It will be on a post & no foundation.

Mr. Kezdi asked if the porch faces south towards the road. Mr. Suszynski responded "yes". The old porch is barely standing on its own. They just want to make it more open. Mr. Wright commented that there appears to be a side entrance to another room. Mr. Suszynski explained that room will be gone and it will all be open. There is a door on the side into the house.

Ms. Nolan stated for the record that 20 affected property owners were notified in Case 11-13. There was no public comment.

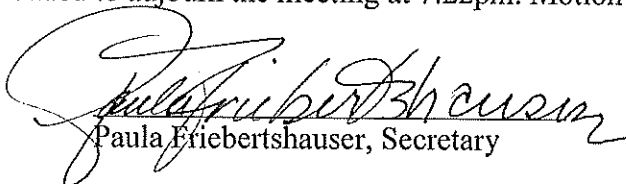
Sophie Horvath moved and Richard Wright seconded that the variance requested by Suszynski Construction for Brian & Pamela Langlotz as requested in Case 11-13 be granted. Discussion included: the property can be utilized and has been used as is for over 100 years, but your improving; the variance is not substantial; the exterior will be professionally done; affected properties will not be altered it is an improvement; adjoining properties will not suffer any detriment; government services will not be impeded; the predicament cannot be feasibly relieved through some other manner; and the spirit and intent will be upheld. Mr. Wright asked Mr. Langlotz if he had prior knowledge of the zoning. Mr. Langlotz replied "no". Upon the roll call, all members voted yes – motion carried, 5-0.

Gabe Kezdi moved and Richard Wright seconded that the findings of fact for Case 11-10 Karen Rudar; Case 11-11 Greg Neurohr; and Case 11-12 Mate Brkic, be approved as written. Motion carried.

The meeting was adjourned at 6:45pm. The next scheduled meeting is September 15, 2011.

Sophie Horvath moved and Bobbie Nolan seconded to adjourn the meeting at 7:22pm. Motion carried.


Bobbie Nolan, Chair


Paula Frieberthausen, Secretary