

Board of Zoning Appeals

Munson Township

Minutes of April 14, 2011

Vice-Chair Lucy Longo called the meeting to order at 6:30pm. Lonny Beck, Gabe Kezdi, Sophie Horvath, Lucy Longo, Richard Wright, and Secretary Paula Friebertshauser were present. Don Alexander and Bobbie Nolan were absent. Court Reporter Kim Geil was present to record the minutes. The Pledge of Allegiance was said.

Gabe Kezdi moved and Lucy Longo seconded to approve the March 24, 2011 minutes. Motion carried.

Ms. Longo 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 11-03: Janet Lucha, 11610 Pinehurst Dr., Chardon OH – request to construct a 22 x 24 sq. ft. garage in the front yard of a residential district. Violates SEC. 509.2 No garage or other accessory structure shall be erected within the front yard of any district.

Tim Kearns, Zoning Inspector, was sworn in. He read the variance request and violation, and presented photographs of the well area and site. He noted that the well is 15.6 feet from the garage, and the building will match the house.

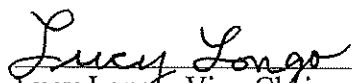
Mr. Wright asked if there is a homeowner's association. Ms. Lucha responded "no". Ms. Horvath asked if the building is going to be smaller than they are requesting because the dimensions of an existing concrete pad are smaller. Janet Lucha was sworn in. She responded that in order to build the structure 10 feet from the well they need to move it over so it will not be flush with the pad. Mr. Kezdi noticed the neighbor has a pond on the other side of the home so the appellant is limited to that spot. Ms. Lucha concurred, and added that they also have a tall mound they will leave as a buffer. Mr. Wright asked if it would be a typical two-car garage. Ms. Lucha responded yes, it would not be a two-story. The work will be done by M&M Construction. Ms. Lucha explained they have septic in the back of the existing garage and 16 leech beds.

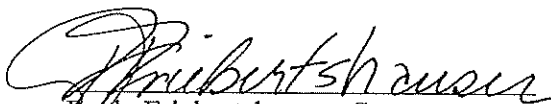
There were 51 affected property owners notified in Case 11-03. There was no public comment.

Sophie Horvath moved and Gabe Kezdi seconded that the variance as requested by three lovely ladies be granted for Case 11-03 at 11610 Pinehurst Drive. Discussion included: the hardship is unique in the sense that the ladies want to stay out of the cold; in reviewing the property itself, the zoning regulations do not deprive the owners of a use, but it is an improvement and will be professionally done; the property can be used as is; the appellant has applied consideration to make it look nice; access to services will not be affected; and not sure whether you purchased the property or not knowing the zoning restriction; but the variance as stated is reasonable. Upon the roll call, all members voted yes (5-0), motion carried.

The next meeting is scheduled for May 19, 2011 at 6:30pm.

The meeting was adjourned at 6:48pm.


Lucy Longo, Vice-Chair


Paula Friebertshauser, Secretary