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**Northfield Center Township Board of Zoning Appeals**

**Public Hearing CONTINUATION from 11/17/22**

**12/15/22 8090 Brandywine Rd.**

**I CALL TO ORDER-OPEN MEETING:**

Time: 7:00 PM By: Vern Rudder, Chair.

**Roll Call:**

V. Rudder, aye; J. Romanik, aye; Lisa Clark, aye; G. Lim, aye; J. Lamb, aye.

**II Application:**

Applicant Craig Skorepa, 8110 Brandywine Rd., Northfield Center OH, has applied for a variance regarding an accessory building located at 8090 Brandywine Rd., Northfield Center OH.

Legal notification of this Public Hearing was published in The News Leader on October 26, 2022. Notification of this hearing was on NCT website, and the Park Sign. A Sunshine Law notification and agenda was sent via email to the Northfield Center Township Meeting. Notification letters were sent to property owners contiguous and across the street from the applicant's property.

Mr. Rudder reminded everyone of the variances being considered.

Mr. Skorepa addressed the BZA. He reviewed Section 640.07 B of the Northfield Center Township Zoning Resolution. He said he has a standard truss with a 7/12 pitch. It compliments the neighbors in his immediate area. He questioned the 18-foot height for a building over 1,000 square feet. 2,000 square feet doesn't dominate the property. He went on to address each of the subsequent letters under B #1, Area Variance. He also mentioned other accessory buildings in the area that are very large.

Ms. Clark said the 1<sup>st</sup> issue is the accessory building on a lot without a primary structure. The 2<sup>nd</sup> issue is the size of the accessory building being bigger than the lot allows, the 3<sup>rd</sup> issue is the height.

Mr. Lim said there is also a 4<sup>th</sup> item, the appeal of the violation of non-compliance.

Mr. Rudder said the applicant received a violation letter dated 7/21/21, then he filed an application for a permit and filed an application for a variance.

Ms. Clark moved to enter into Executive Session at 7:28 PM.

Seconded by Mr. Lim.

Present in Executive Session are the 5 BZA members, John Galonski, and Judy Flauto.

**Roll Call:**

V. Rudder, aye; J. Romanik, aye; Lisa Clark, aye; G. Lim, aye; J. Lamb, aye.

Ms. Clark moved to end the Executive Session at 7:43 PM.

Seconded by Mr. Lim.

**Roll Call:**

V. Rudder, aye; J. Romanik, aye; Lisa Clark, aye; G. Lim, aye; J. Lamb, aye.

Mr. Rudder reviewed the code regarding height. The applicant has a request for a height variance. The BZA has previously interpreted the Northfield Center Township Zoning Code as not allowing a building larger than 1,581 square feet based on the size of the lot. Mr. Rudder verified with the applicant via yes or no questions, each variance he was requesting and the size/amount of variance being requested.

The applicant had no further information or documents to submit.

Ms. Clark moved to close the Open Session at 7:45PM.  
Seconded by Mr. Romanik.

**Roll Call:**

V. Rudder, aye; J. Romanik, aye; Lisa Clark, aye; G. Lim, aye; J. Lamb, aye.

**III CLOSING OF OPEN SESSION:**

Ms. Clark moved to close the Open Session at 7:55PM.  
Seconded by Mr. Romanik.

**Roll Call:**

V. Rudder, aye; J. Romanik, aye; Lisa Clark, aye; G. Lim, aye; J. Lamb, aye.

**IV BOARD OF ZONING APPEALS DISCUSSION:**

Ms. Clark didn't see a reason to allow an accessory building on a vacant lot. Didn't feel practical difficulty or hardship existed.

Mr. Romanik reviewed the definition of accessory building. Also, a primary building must be on the lot.

Ms. Clark said the BZA has not made exceptions in the past.

Mr. Lim said granting this variance would set a horrible precedent. He also felt it would negate the whole point of the code.

Mr. Lamb didn't see a hardship or reason that something would need to be built quickly without permits; he didn't see a hardship in this situation.

Ms. Clark said 2,000 square feet is too much for this parcel.

Mr. Romanik reviewed the criteria for an area variance. He didn't feel that the criteria was met. The current conditions exist as a result of the property owner's actions.

Mr. Rudder referred to Section 640.07 B 1 sections a-o, he felt no special conditions or circumstances were peculiar to this lot. Lot is zoned R -1 single family residential, has been used as a residence in the past. Property can still be used without a variance. Applicant has not submitted any evidence showing a smaller building can do the same thing as the current building. The variances being requested are quite substantial. This parcel is in an R-1 community; the applicant initially said he needed to build and move items into the accessory building from a storage unit. That would be using the building as a warehouse for personal property, but this goes against the spirit of the code. This could alter the nature of an R-1 neighborhood. Had permits been applied for, the applicant would have known that what he was doing was contrary to the code and a condition of his own making. The stop work order issued on 7/21/22 was ignored. He also felt that by granting a variance, an injustice would be done to other residents who followed the code.

Ms. Clark moved to deny a variance to put up an accessory building on a lot without a primary dwelling.  
Seconded by Mr. Lim.

**Roll Call:**

V. Rudder, aye; J. Romanik, aye; Lisa Clark, aye; G. Lim, aye; J. Lamb, aye.

Ms. Clark moved to deny the request for a 6 and ½ foot area variance to the height of the accessory building which is 24 and ½ feet high.

Seconded by Mr. Lim.

**Roll Call:**

V. Rudder, aye; J. Romanik, aye; Lisa Clark, aye; G. Lim, aye; J. Lamb, aye.

Ms. Clark moved to deny the request for an area variance of 419 square feet to the size of the accessory building which is currently 2,000 square feet.

Seconded by Mr. Romanik.

**Roll Call:**

V. Rudder, aye; J. Romanik, aye; Lisa Clark, aye; G. Lim, aye; J. Lamb, aye.

Mr. Lim moved to deny the applicant's appeal of the violation of non-compliance of 7/21/22.

Seconded by Mr. Lamb.

**Roll Call:**

V. Rudder, aye; J. Romanik, aye; Lisa Clark, aye; G. Lim, aye; J. Lamb, aye.

Mr. Romanik moved to re-open the Open Session at 8:25PM.

Seconded by Mr. Clark.

**Roll Call:**

V. Rudder, aye; J. Romanik, aye; Lisa Clark, aye; G. Lim, aye; J. Lamb, aye.

**V APPROVAL OF MINUTES:**

1. Mr. Romanik moved to waive the reading and approve the minutes AS AMENDED of the Public Hearing of 11/17/22-8090 Brandywine Rd.

Seconded by Mr. Lim.

**Roll Call:**

Rudder, aye; J. Romanik, aye; Lisa Clark, aye; G. Lim, aye; J. Lamb, aye.

**VI. OTHER BUSINESS:**

Mr. Clark moved to nominate John Romanik for 2023 Chair.

Seconded by Mr. Lim.

**Roll Call:**

Rudder, aye; J. Romanik, abstain; Lisa Clark, aye; G. Lim, aye; J. Lamb, aye.

**VII. ADJOURNMENT:**

Mr. Romanik moved to adjourn at 8:32 p.m.

Seconded by Mr. Lim.

**Roll Call:**

V. Rudder, aye; J. Romanik, aye; Lisa Clark, aye; G. Lim, aye; J. Lamb, aye.

Respectfully Submitted,

_____	_____	_____	_____
Vern Rudder, Chair	Date	Judy Flauto, Township Secretary	Date