

**Leroy Township Zoning Board of Appeals**  
**Public Hearing No. 2022-5 (Diar) and General Meeting**

**September 27, 2022**  
Leroy Township Town Hall  
6684 Paine Road  
Leroy Township OH

**PUBLIC MEETING**

Meeting called to order by Chairman, Rudy Veselko.

**Roll Call:** Chairman, Rudy Veselko, Vice Chairman, Shawn Parker, Susan Hanna, Tim Toman, Greg Miller, Alternate, Amy Shelton

**Staff Present:** Zoning Inspector, Noell Sivertsen, Secretary, Nancy Kranstuber

**Audience:** Chad Diar, Dayna Snyder, John Kovalchuk, Adam Pilarczyk, Amanda Pilarczyk

**Purpose of the Hearing**

The applicant is requesting a variance to be permitted to construct an accessory structure with a front setback variance of fifty (50) feet.

An application was received from Mr. Chad Diar for an accessory structure to be located at 7400 Brakeman Road. He is proposing to construct a 30' x 50' (1,500 sq. ft.) structure that would be located 50' from the edge of the right of way. There is currently one (1) accessory structure on the lot that is 32' x 24' (768 sq. ft.). In total, with the proposed structure, there would be 2,268 square feet of accessory structures in a R-2 Rural Residential Zoning District. 2,500 square feet is permitted on lots over three (3) acres. All structures must have a minimum front setback of 100 feet from the edge of the right of way. Mr. Diar is proposing his structure be located 50 feet from the edge of the right of way.

Table 16.1

Minimum front yard setback/depth 100'

**Testimonies of Interested Parties**

Mr. Diar explained this is a heavily wooded property with large mature trees. The current septic system is located behind the house and access to the rear yard is limited due to the current placement of the structures on the property. To add on to the existing structure would be more costly. The proposed location alleviates major reconstruction costs and loss of environmental benefits. He presented maps, drawings, and pictures detailing the proposed plans. No hardship was specified.

Dayna Snyder commented that even though the structure would have aesthetic appeal, it would not be visible from the road.

**Recommendation of the Zoning Inspector:** The Zoning Inspector recommended modifying the approval. There are limited areas to place the proposed building; however, placing the structure in front of the house is not an ideal placement. Placing the structure adjacent to the current garage along the driveway would still require a front setback variance and would leave the large growth trees intact and allow for the added square footage requested by applicant.

**Testimony from guests and audience:** Neighbor, Adam Pilarczyk, advised he has no issue with the construction of the proposed structure. Applicant's neighbor, John Kovalchuk, asked for clarification of exactly where the structure would be built. The Board shared with him the proposed drawings and pictures, and he was satisfied with the information provided.

The Board reviewed various options. This included the possibility of adding to, or replacing, the existing 32'x24' building. They also considered rotating the barn and/or moving it closer to the property line.

With no further questions or comments, the Board moved into Executive Session.

**Executive Session:** Vice Chair, Parker made a motion to move into executive session, seconded by Hanna. All in favor. The zoning inspector, alternate, and secretary were invited to stay. Hanna made a motion to close the executive session, Miller seconded, and all were in favor.

**Motion to approve:** Chairman Veselko made a motion to approve the variance as requested, Parker seconded. There was no further discussion. Poll of the Vote:

Veselko – No	Parker – No
Hanna – No	Toman – No
Miller – No	

Motion for variance was denied.

**Finding of Facts and Conclusion of the Board:** Chairman Veselko stated the Board of Zoning Appeals feels that the facts presented support the following: There is no incurred hardship based on the proposed site placement. With alternate locations available on the property and in keeping with the spirit of the comprehensive plan, the variance application was denied.

Veselko stated that the owner could meet with the zoning inspector to discuss other possible modifications. The hearing was closed.

## GENERAL MEETING

The Board recognized the corrected and approved meeting minutes presented on August 30, 2022, for the August 23, 2022, hearing No. 2022-4 Armour, and at which time the letter of denial was signed.

The secretary reminded the Board of the optional BZA training being offered to the five Lake County Township Zoning Commissions and Boards of Zoning Appeals members on Thursday, October 6, 2022.

ADJOURNMENT: Hearing no requests for further business, a motion was made by Parker to adjourn the meeting, seconded by Toman.

Respectfully submitted,  
Nancy Kranstuber  
Secretary, Zoning Board of Appeals