

Monclova Township Board of Zoning Appeals

Summary for May 9, 2022

The meeting commenced with the Pledge of Allegiance to the Flag at 5:30 PM led by Chair Jeff Ballmer.

Roll Call:

Present: Board Member Stanton, Board Member Downey, Board Member Ballmer

Absent: Board Member Ross, Board Member Limes

Staff Members Present: Zoning Administrator Eric Wagner; Law Director Dawn Sanderson

Public Hearing, continued:

Public hearing to consider a Conditional Use request to Section 8 of the Zoning Resolution. Applicant is seeking to operate a business on the property without residing on the Agricultural/Residential A/R zoning district property. Subject parcel is located at 6715 Monclova Road; applicant: Martin and Dawn Sniadecki/Agent: Zachary J. Murray, Esquire.

Zoning Administrator Eric Wagner gave a brief review stating that since the last meeting he has made two site visits. Similar situation to last month. Ballmer stated that last month the Board noted that stone needed to be added to fill in pot holes, driveway work, etc..

Zachary Murray, attorney with Barkan and Robon, 1705 Woodlands Drive, gave testimony. Client has made some movement on vehicles. Moved some of the wood. Asked the Board to note the progress that has been made since the beginning.

Ballmer asked Murray if he has heard about the fence. Murray responded in the negative.

Murray gave testimony for fence intentions, but does not have anything conclusive to report.

Ballmer moved to close that portion of the public hearing that accepts public testimony. Seconded by Downey.

Yes: Ballmer, Stanton, Downey

MOTION: Ballmer moved to enter into Executive Session to review the facts of the matter.

SECOND: Stanton

Yes: Ballmer, Stanton, Downey

MOTION: Ballmer moved to return from Executive Session

SECOND: Stanton

Yes: Ballmer, Stanton, Downey

Ballmer stated that during the Executive Session the Board discussed the exception for home occupation for Martin Sniadecki. Request for an exception of "Home Occupation," which is allowed in A/R zoning under Section 9.10 A & B, with the exception being that the property owner does not live on the property but does rent out the existing single family home.

1. This request may be a more intensive use than the home based occupation definition.
2. Property owner has indicated that specific vehicles and/or equipment not related to the business will be stored behind the building or removed from the site.
3. Property owner has indicated that a 6' tall wood privacy fence is to be installed approximately 49' westerly from north side of the commercial building (terminating at the east side of the drive and then running approximately 162' southerly along the west side of the drive. Property owner has obtained a fence permit from Monclova Township, a sketch of which was submitted to Monclova Township and included in the Board of Zoning Appeals packet.

4. Property owner has indicated that additional, properly graded stone will be brought in, placed and properly compacted to eliminate potholes and bring the drive up to standards.
5. Property owner has agreed to allow the Monclova Township Zoning Administrator periodic access to the property for inspections of the property.

Chairman Ballmer inquired if the members of the Board had any additional comments.
Receiving no further comments;

Ballmer moved to approve a four month exception for a temporary use to operate a business as a Home Occupation at 6715 Monclova Road without residing on the subject parcel subject to the following:

1. A 6’ tall wood privacy fence as proposed shall be installed prior to September 12, 2022 and maintained at all times structurally and esthetically so as not to fall into disrepair.
2. The stone drive shall be maintained in line and grade so as not to cause potholes or blowouts and hold water.
3. The entire property shall be properly maintained and kept neat and trimmed.
4. No vehicle, equipment, trailer or apparatus except for vehicles marked “Martin Electric” and used specifically and purposefully for that specific business shall be seen.
5. There shall be no off-road vehicle usage on the site.
6. Each September, the property owner shall appear before the Monclova Township BZA for a one year temporary use for a Home Based Business as per Section 14.3 H until such time as the business ceases operations on the property or the property owner is granted a change in zoning to M-1 Industrial/Office Research District.
7. The BZA, during the annual review for the temporary usage permit, shall discuss any neighbor or other complaints and concerns that have occurred during the previous year.
8. Until such time as the 6’ tall wood privacy fence is installed as per the proposed plan, all vehicles, trailers, equipment and apparatus not marked “Martin Electric” and used specifically and purposely for that business shall be stored within the commercial building or directly behind commercial building within the extension in a southerly direction of the east and west lines of the commercial building.
9. The property owner shall allow the Monclova Township Zoning Administrator and Fire Department personnel access to the property for periodic inspections of the commercial building and grounds as necessary.

Downey seconded the motion.

Yes: Ballmer, Stanton, Downey

Adjournment:

MOTION: Downey moved to adjourn.

SECOND: Stanton

Yes: Ballmer, Stanton, Downey

Motion unanimously passed.

Respectfully Submitted:

Kathleen Stewart Kuns, Recording Secretary

Accepted by:

Jeff Ballmer

Doug Stanton

Dan Downey

Michelle Hudson Ross

Darrel Limes

Roll calls taken in random order. Official minutes will display signatures. This meeting was electronically recorded. Audio is available at monclovatwp.org during that same calendar year. Also on file in the Office of the Fiscal Officer in accordance with the township’s Records Retention Schedule.