



Russell Township Board of Zoning Appeals

FINDINGS OF FACT

VARIANCE REQUEST #572

Applicant: David Juba

Applicant's Address: 13604 Northwood Road, parcel number 26-074400

Parcels Covered by Requests:

| <u>Parcel Number</u> | <u>Address</u> | <u>Current Owner</u> | <u>Nexus Between Applicant and Parcel</u> |
|-----------------------------|-----------------------|-----------------------------|--|
| 26-074400 | 13604 Northwood Road | David Juba | Owner |

- I. The Board of Zoning Appeals held a *Public Hearing* on November 17, 2025
The Board of Zoning Appeals considered *testimony* from the following individuals:

- David Juba (Owner)
- Frank Kolk (Zoning Inspector)

The Board of Zoning Appeals also considered all *exhibits* admitted into the record by applicant.

Variance Request #572

The Applicants, David Juba is seeking to construct an addition inside the Riparian setback, per Section 4.16 (G) and (H) and a side yard of less than the required minimum of 30 feet per Section 5.2(B).

The Board of Zoning Appeals considered testimony and exhibits to render its findings of fact. In the event of multiple variances, each request was considered as a component of the overall submission. The Board of Zoning Appeals' decision should not be construed as approving items within the building and site plans admitted into evidence by applicant that deviate from the Zoning Resolution and were not specifically presented to the Board of Zoning Appeals for consideration. To the extent any such deviations from the Zoning Resolution exist, they must be presented at a later date by the applicant.

II. FINDING OF FACTS FOR PARCEL 26-074400

1. **Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the Variance.**

Yes

2. **Whether the Variance is substantial.**

No

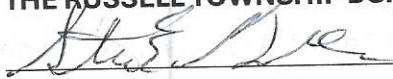


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3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.
No
4. Whether the Variance would adversely affect the delivery of governmental services.
No testimony given (Application)
5. Whether the property owner purchased the property with the knowledge of the zoning restrictions.
No
6. Whether the property owner's predicament feasibly can be obviated through some method other than a Variance.
No
7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the Variance.
Yes. The house was built prior to Riparian setback regulations.
8. Such other criteria which the board believes relates to determining whether the Zoning Regulation is equitable.
Mr. Juba owns the adjacent property.


Motion made by Mr. Boucek to approve Variance Zoning Resolution #572 to construct an addition inside the Riparian Setback and for a 21.6ft side-yard setback. Ms. Mulloy seconded and upon a roll call the vote was. Boucek-yes; Ms. Knauer-yes; Ms. Mulloy-yes; Mr. Gokorsch - yes. The motion passed.

THE RUSSELL TOWNSHIP BOARD OF ZONING APPEALS

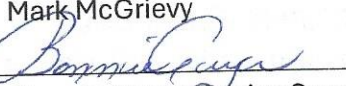

Steve Gokorsch, Chairman

Abstain
Adrienne Knauer


Nicole Mulloy


Dushan Boucek, Vice Chairman

Abstain
Mark McGrievy


Bonnie Guyer, Zoning Secretary