

# RESOLUTION NO. 100-2023

*Rescind Resolution 112-2022 and  
Appoint Building Official to enforce the Township's Zoning Resolution*

Cuyahoga County, Ohio

**Be It Resolved** by the Township Trustees of Olmsted Township that

**Whereas**, Olmsted Township has adopted a Zoning Resolution under the authority of Chapter 519 of the Ohio Revised Code; consistent with R.C. 519.16, Title V of the Zoning Resolution provides for a system of zoning certificates, to assure that "the plans for [any] proposed building or structure fully comply with the regulations set forth in the Zoning Resolution", and

**Whereas**, R.C. 519.16 also provides that a Board of Township Trustees "may establish and fill the position of township zoning inspector"; in the absence of a zoning inspector, the enforcement of township zoning regulations defaults to the Board of Township Trustees, and

**Whereas**, the timely and orderly processing of applications for zoning certificates calls for the delegation of the Board's authority of zoning certificates to an individual, as opposed to the retention of that authority for the Board as a whole, until such time as a Zoning Inspector may be appointed, and

**Whereas**, on 28 September 2022 the Township did not have any employee or other appointed agent serving in the capacity of Zoning Inspector, as described in Title IV of the Zoning Resolution; on that date with the passage of Resolution 112-2022, authority of the Board for all purposes of enforcing the Township's Zoning Resolution was delegated to Trustee Jeanene Kress. This delegation included but was not necessarily limited to, the issuance of zoning certificates under Title V of the Zoning Resolution. (See Resolution 112-2022 attached as though written in the document.)

**Whereas**, on 14 June 2023 with Resolution 059-2023 the Board of Trustees employed Tom Virosteck as Chief Building Official,

**Now Therefore Be It Resolved:** by the Board that:

1. The authority of the Board for all purposes of enforcing the Township's Zoning Resolution is hereby delegated to Chief Building Official Tom Virosteck. This delegation shall include, but is not necessarily limited to, the issuance of zoning certificates under Title V of the Zoning Resolution.

2. For purposes of performing the role delegated under this Resolution, Chief Building Official Tom Virosteck is authorized to engage and utilize the services of such consultants or experts as deemed advisable.

3. Pursuant to this Resolution, Chief Building Official Tom Virosteck will be serving as a designee of the Board, for the purpose of carrying out the Board's authority. In the event any circumstance arises creating a conflict of interest, such matter shall be brought before the full Board of Trustees for consideration and determination.

**Be It Further Resolved:** on 13 September 2023 that the approval of this resolution the Board of Trustees of Olmsted Township rescinds Resolution 112-2022 approved on 28 September 2022.

**Be It Further Resolved:** that it is hereby found and determined that all formal actions of this Board of Township Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted the 13<sup>th</sup> day of September, 2023

Attest: Brian W. Schell  
Township Fiscal Officer

Tom J.  
James M. Kueh  
Robert  
Township Trustees

**RESOLUTION 112-2022**  
*Procedure for Issuance of Zoning Certificates*

Cuyahoga County, Ohio

Trustee Kress Moved for adoption of the following:

**Be It Resolved** by the Township Trustees of Olmsted Township

**WHEREAS**, Olmsted Township has adopted a Zoning Resolution under the authority of Chapter 519 of the Ohio Revised Code; and

**WHEREAS**, consistent with R.C. 519.16, Title V of the Zoning Resolution provides for a system of zoning certificates, to assure that “the plans for [any] proposed building or structure fully comply with the regulations set forth in” the Zoning Resolution; and

**WHEREAS**, R.C. 519.16 also provides that a Board of Township Trustees “may establish and fill the position of township zoning inspector;” and

**WHEREAS**, the Zoning Resolution provides that, generally, applications for zoning certificates will be submitted to a zoning inspector, for all buildings or uses requiring such permits; and

**WHEREAS**, in the absence of a zoning inspector, the enforcement of township zoning regulations defaults to the Board of Township Trustees; and

**WHEREAS**, the Township does not currently have any employee or other appointed agent serving in the capacity of Zoning Inspector, as described in Title IV of the Zoning Resolution; and

**WHEREAS**, the timely and orderly processing of applications for zoning certificates calls for the delegation of the Board’s authority of zoning certificates to an individual, as opposed to the retention of that authority for the Board as a whole, until such time as a Zoning Inspector may be appointed.

**NOW THEREFORE**, it is RESOLVED by the Board that:

1. The authority of the Board for all purposes of enforcing the Township’s Zoning Resolution is hereby delegated to Trustee Jeanene Kress. This delegation shall include, but is not necessarily limited to, the issuance of zoning certificates under Title V of the Zoning Resolution.

2. For purposes of performing the role delegated under this Resolution, Trustee Kress is authorized to engage and utilize the services of such consultants or experts as deemed advisable.

3. Pursuant to this Resolution, Trustee Kress will be serving as a designee of the Board, for the purpose of carrying out the Board’s authority. In the event any circumstance arises creating a conflict of interest, such matter shall be brought before the full Board of Trustees for consideration and determination.

4. By this Resolution, the Board hereby ratifies and adopts any and all actions of Trustee Kress taken, whether to date and hereafter, pursuant to this delegation of authority.

Trustee Zvez seconded the Motion, and thereupon, the votes in favor of this Resolution were recorded and reflected by the signatures hereto.

**BE IT FURTHER RESOLVED:** that it is hereby found and determined that all formal actions of this Board of Township Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted the 28<sup>th</sup> day of September, 2022.

\_\_\_\_\_, 2024.  
Troy Area  
Leisure M. Parks  
Troy J. Pen  
Township Trustees

Attest: Brian W. Gatto  
Township Fiscal Officer