

## MINUTES BZA 9/11/2023

---

### **MINUTES FOR THE REGULAR MEETING OF THE CHESTER TOWNSHIP BOARD OF ZONING APPEALS HELD MONDAY SEPTEMBER 11, 2023 IN THE TOWN HALL MEETING ROOM - AUDIO RECORDING ON FILE**

Chairman, Barton Ziganti called the September 11, 2023, Chester Township Board of Zoning Appeals meeting to order at 7:03 pm.

#### **Roll Call**

Members present: Ms. Fadorsen, Ms. Klemm, Ms. Muehling, Ms. Sritalapat, Mr. Ziganti

Members absent: --

Admin present: Ms. McCarthy

Zoning Inspector: None

Mr. Ziganti led those present in reciting the Pledge of Allegiance.

#### **NEW BUSINESS**

Mr. Ziganti started discussion about proposed amendment Z-2023-1 originating from the Zoning Commission. The current Section 12.02.5, section F of the Zoning Resolution was reviewed.

Mr. Ziganti discussed examples of why he was concerned about the ability of the BZA Board members to add supplementary conditions to proposed variances. These conditions are tools the Board has to help out the residents seeking a variance.

His concern was the phrase, "not in conflict with" which is being struck. He was also concerned the Zoning Commission did not send forward their plans for this amendment to review with the BZA for input. He asked Ms. Muehling to speak about the Bainbridge amendment on supplementary variances that was implemented into their Zoning Resolution.

Ms. Muehling said the Geauga County Planning Commission had sent out a general change in this area. It was their attempt to try and tighten up this section for all Geauga Townships. My concern is in the first sentence. The phrase "in deciding" in the first sentence was changed to read "when granting." The BZA board reviewed the approved change in the Bainbridge Township Zoning Resolution.

Concern was raised about the lack of action on the Priority Matrix from the Zoning Commission.

Extensive discussion on what should and should not be done with the proposed amendment.

## MINUTES BZA 9/11/2023

---

Excerpts from the Powerall, Inc. vs Chester Township Trustees, case No. 81-M-765 from 1983 were read aloud. Sloe v. Russell township BZA Decided Sept. 27, 2002 was also discussed.

Discussion also centered around the items that are most frequent areas of concern in approving a variance for the BZA. Distance from the proposed building to the existing structure being too small and needing Fire Inspector approval and some type of screening. The Zoning Commission needs to be open and willing to do changes to the Zoning Resolution to help the BZA determine if supplementary conditions are appropriate for consideration in an appeal. Should something about screening be put onto the Zoning Matrix for consideration? What about adding something needed from the Fire Inspector?

Motion to deny approval of amendment, Z-2023-1 that is to be presented at the Board of Trustees Public Hearing on September 21, 2023 was made by Ms. Fadorsen and seconded by Ms. Sritalapat for the following reasons – the BZA Board wanted more time to look at the ramifications of proposed amendment and requested that it be legally reviewed.

Vote: Ms. Fadorsen/yes; Ms. Klemm/yes; Ms. Sritalapat/yes; Ms. Muehling/yes; Mr. Ziganti/yes Motion passed

Mr. Ziganti expressed concern about the amount of conditional use permits that have not come before the BZA.

Group discussion about possibilities of a future Parks zoning district.

### Review of August 14, 2023 Meeting Minutes

Ms. Fadorsen moved approval of the August 14, 2023 meeting minutes as modified; Ms. Sritalapat seconded.

Vote: Ms. Fadorsen/yes; Ms. Klemm/abstain; Ms. Sritalapat/yes; Ms. Muehling/yes; Mr. Ziganti/yes Motion passed.

Meeting was closed at 8:50 p.m.

Approval Date October 9, 2023

---

Kathleen McCarthy, Admin. Assistant

---

Barton Ziganti, Chairman

---

Deana Sritalapat, Co-Chair

# MINUTES BZA 9/11/2023

---

\_\_\_\_\_  
Christina Klemm

–

\_\_\_\_\_  
Margaret Muehling