

The Chester Township Board of Trustees met in special session **Wednesday, August 3, 2022** at the Geauga West Library at 6:30 P.M. Chairman Ken Radtke presided. Trustee Richter was appointed Clerk pro tem.

Roll Call: Present: Trustee Radtke, Trustee Mazzurco, Trustee Richter
Absent: Fiscal Officer Jarrett

6:30 PM – Zoning Commission regular meeting

Roll Call: Present: Jonathan Oswick, Andrew Chess, Sergey Kats, Anthony Peto
Absent: Michael Lauro, Anthony Nastasi

Pledge of Allegiance to the Flag

The Boards led the audience in reciting the Pledge of Allegiance to the Flag.

6:35 PM – Zoning amendment Z2022-2 public hearing

2022-326. Mr. Radtke moved to open the continuation of the public hearing for zoning amendment Z2022-2. The Trustees have received and reviewed the recommendation of the Geauga County Planning Commission and the Zoning Commission. Mr. Mazzurco seconded. Vote unanimous; motion passed.

2022-327. Mr. Radtke moved to waive the reading of the legal notice. Mr. Mazzurco seconded. Vote unanimous; motion passed.

Mr. Radtke summarized the current zoning amendment; currently there is a size limitation for accessory buildings of 1,280 square feet. Over time, issues arose as to it not being a sufficient size for a building, given the size of the properties in Chester Township. Other Townships' zoning regulations were examined and a recommendation was made of an incremental increase from 500 square feet up to a maximum of 2,500 square feet, based upon acreage. As well, changes were made to allow accessory buildings within 25' of a side lot line, no closer to the street than the principal building, and no less than 15' from the face of the principal building.

Jessica Zatroch asked why the amendment was being proposed. The Board of Zoning Appeals came to the Zoning Commission stating that the biggest topic that comes before the BZA is accessory buildings, and their size and location. The Zoning Commission took it into consideration to limit the number of variances that were going before the Zoning Appeals. Trustee Richter stated that since 2011 there were 38 cases. Paulette Gaia didn't think that 11 requests per year on average was too much for the Board of Zoning Appeals to deal with and felt that the issue should be dealt with on a case by case basis. Janet Kramarz stated when she was on the Board of Zoning Appeals, they did not get that many appeals requests for accessory buildings. Linda Gifford did not feel it would reduce the number of variance requests and read a personal statement of opposition to the amendment. Margaret Muehling discussed the mechanics of enforcing the resolution and stated the amendment was flawed and poorly written, suggesting the Zoning Commission look at the way they write what they want so it cannot be misunderstood. Zoning Commission member Andrew Chess stated everything in the resolution is old, and needs to be reviewed and adjusted. Mr. Chess defended his board and the effort they put into this and other amendments.

Jessica Zatroch asked how many Zoning Inspectors has Chester had. Mr. Radtke stated they were at approximately five inspectors over time. Mrs. Zatroch asked what the County's opinion on the amendment was. Mr. Chess explained that the Geauga County Planning Commission reviews amendments and offers their views to the Zoning Commission along with a formal recommendation. In this case, they had recommended approval. Joe Rosenbaum asked if there were limits to how many floors the building could have. Mr. Chess stated the height was not changed. Mrs. Muehling said the amendment was too flawed and should be denied. Mrs. Gifford stated putting an accessory building in a side yard was ridiculous and hurt the neighborhood with their appearance.

2022-328. Mr. Radtke moved to close the public comment portion of the public hearing. Mr. Mazzurco seconded. Vote unanimous; motion passed.

Mr. Radtke knew that building size has been an issue for years, and appreciated the Zoning Commission's efforts to amend the resolution. Based upon information in the 38 cases regarding accessory buildings and their resolution, he felt the system was working and did not require amending.

Commission member Sergey Kats asked why the Board of Zoning Appeals didn't come to them two years ago and say there was a problem; the Zoning Commission would not have wasted their time. The Board of Zoning Appeals presented it as a major problem. Mr. Kats asked why the last 11 years were researched rather than just the past 3-4 years. Trustee Richter said over the last couple years, all the cases would still have been in front of the Board of Zoning Appeals. Mr. Kats expressed frustration that the problem was made to be larger than it really was, and stated they would think twice when the Board of Zoning Appeals comes to them with future problems. Mr. Radtke admitted to the realization that the Zoning Commission and Trustees needed to be engaged earlier in the process to avoid wasted effort.

Mr. Mazzurco felt the size limit of 1,280 was fine for a smaller lot but there has to be some size increases for people with larger properties, to accommodate the changing times and the "toys" people accumulate.

Mr. Richter stated that a 2,500 square foot accessory building would be bigger than 70% of the homes in Chester Township. It would affect about 30% of properties 3 acres or larger. He understood the need for a larger building.

2022-329. Mr. Radtke moved to deny zoning amendment Z2022-2 as presented by the Chester Township Zoning Commission and recommended by the Geauga County Planning Commission. Mr. Mazzurco seconded. Roll call vote: Mr. Radtke, yes; Mr. Mazzurco, yes; Mr. Richter, yes. Motion passed.

The Trustees adjourned their meeting at 7:54 PM and the Zoning Commission continued with regular business, the details of which can be found in the Zoning Commission minutes dated August 3, 2022.

ADJOURNMENT:

There being no further business before the Board, Mr. Radtke adjourned the meeting at 7:54 P.M.

Respectfully submitted,

Patricia Jarrett, Fiscal Officer

August 11, 2022 Motion 2022-330
Approval Date

Ken Radtke, Jr., Chairman

Joseph C. Mazzurco, Vice-Chairman

Craig S. Richter, Trustee