

Chester Township Zoning Commission Meeting Minutes

| Wednesday, March 16, 2022 7:00 PM |

Meeting Called to Order by Mr. Oswick at: 7:02 pm

Roll Call

Members present: Mr. Chess, Mr. Kats, Mr. Lauro, Mr. Oswick, Mr. Peto*

Members absent: Mr. Nastasi

Admin present: Ms. McCarthy

*Mr. Peto served as alternate for Mr. Nastasi

Pledge of Allegiance

Mr. Oswick led the Committee in reciting the Pledge of Allegiance.

Public Comment and Questions

- Mr. Joe Weiss presented an application packet for a Zoning amendment packet to the Zoning Commission on behalf of Tranchita Enterprises LLC, Joe Tranchita. This business was opened in 1998 and purchased in 2011 from a previous owner. A 1962 Court of Appeals ruled that the property may be used as a commercial property even though it was and is currently recorded as R3A. His stated goal is to have the two, two-acre parcels, 11-203-500 and 11-203-600 combined and rezoned as Commercial. The second parcel is currently landlocked. His stated goal is to make one parcel of four acres.

Dave Dietrich referenced the ORC 519.12 and stated the application entails rezoning of property and commercial zone legal resolution. He then detailed for the ZC the items that were included in the packet and described what was on many of the pages. The ZC was assured that the maps and documentation were in proper order. It was also stated there were no wetlands, storm water issues or any other known impediments.

Property has 264' frontage. North of the property is light industrial, east is well buffered and residential and west is commercial. Essentially, Mr. Dietrich stated, this is the end of the line for your commercial area. It makes a lot of sense. The next step for the ZC is to send a copy to the County Planning Commission and schedule a Public Hearing within 20 days of receipt of packet.

Mr. Weiss stated there was no building on the property when the original McDonald decision of 1963 was granted. The building was built in 1964.

Mr. Dietrich stated that Advanced Auto is being taxed as commercial because of it's use. Well and septic are already on site and in good working order. He is asking to be rezoned to bring into compliance.

Mr. Chess asked what was going to be done with the property?

Mr. Weiss said "same use."

Mr. Chess asked if Electolite and Angelotta's support it? Response from Mr. Dietrich said it wasn't a problem.

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Mr. Lauro asked why this seems to be time sensitive?

Mr. Weiss explained the owner just wanted to get it taken care of. Mr. Dietrich said it could be continued by just making a motion.

Mr. Kats asked if there is an easement with land locked property. Mr. Weiss said no.

Mr. Dietrich explained that back in the day, there were many different opinions and “who cares” situations. The bottom line is, we just want to erase the line dividing the two parcels currently.

Mr. Chess said as far as he knows, parcels going west on Mayfield – past the BP station -- and fronting Mayfield Road, may be land locked beyond the commercial zoning going down toward Caves Road. More research needs to be done.

Mr. Dietrich said, this could make it easier for the Zoning Inspector with future measurements. This way I would know the depth of property and where those boundaries are. In this case, we think it’s best to synch up.

Mr. Weiss addressed previous conversations from earlier meetings and let the ZC know that in his opinion, Parkman has the best accessory building ZR. The ZC members may contact him if they have any other thoughts/questions.

- Mr. Bob Bremec let the ZC know he will be submitting a variance request for a digital sign. He explained how the current sign is deteriorating and felt that Bremec Garden Centers did a nice job with their front facing landscaping. Currently they are in discussion with a digital sign design company.

Mr. Lauro acknowledge that the ZC is going in that direction. Mr. Peto also brought up the county is updating the Model Zoning Resolution with sign information and we are waiting on direction from them. The ZC was in complete agreement that signing needs to be looked at for the Zoning Resolution.

- Motion made by Mr. Chess to table Zoning Amendment for Tranchita Enterprises located at 8833 Mayfield Road until next meeting scheduled for April 6, 2022. Seconded by Mr. Lauro.

Vote: Mr. Chess – yes; Mr. Kats – yes; Mr. Lauro – yes; Mr. Oswick – yes; Mr. Peto – yes.

Item 1. Approval of Minutes

- Move to approve the minutes of the March 2, 2022 meeting as presented.
Moved by Mr. Lauro; Seconded by Mr. Kats
Motion passed by unanimous vote

Item 2. Mr. Peto report out of March 10, 2022 BOT meeting

- Brief update on what was being done with accessory buildings. Well received by BOT. Discussed increasing the footprint based on acreage. 1280 square foot will remain for smaller lots, 500’ per acre up to 5,000 square foot. Also discussing height of structure and side lots changes based on setbacks.

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- Ms. Muehling asked how the height is being measured. This may have been measured differently in the past and the ZC will be reaching out to the prior Zoning Inspector.

Item 3. BZA request consideration for ZR 5.01.03

- Mr. Oswick brought up the Fire and Safety reference of the BZA. Ms. Klemm asked if this will be added to the Zoning application? Mr. Peto said yes. Margaret Muehling will check on fire and safety regulations and how wording may go on application. This will be brought up at April 20 joint meeting with the BZA and ZC.

New Business

None

Public Comment and Questions

Correspondence Received

- Mr. Oswick read recent correspondence from the BOT regarding Ohio HB563. Concern is people buying homes in residential areas and renting them out as Air BnB's. Members of the audience felt it could take away local control. Group discussion continued.

Open Items

Meeting Called to Close at: 8:22 pm

Approved by:

Chester Township Zoning Commission March 2, 2022

Final Review by: _____
Jon Oswick, Chair