

Chester Township Zoning Commission Meeting Minutes

| Wednesday, May 18, 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. Nastasi, Mr. Oswick, Mr. Peto

Members absent:

Admin present: Ms. McCarthy

Pledge of Allegiance

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

Public Comment and Questions

Mr. Oswick, with additional input from the Zoning Commission members, reviewed documents attached to these minutes as Attachment A – What is a Zoning Commission, Attachment B – Township Zoning Amendment Procedure, Attachment C – ORC 519.12 and Attachment D – Chester Township Calendar 2022. Procedural questions from audience were addressed. Many of those in attendance had questions about the Congregate Care proposed amendment, ZC-2022-3.

Item 1. Announcement of re-initiation of ZC-2022-1 and Motions to 1) Set the Date for a Public Hearing; 2) Public Notice; and 3) Transmit the Proposed Amendment to the County Planning Commission for Zoning Amendment ZC-2022-1

Mr. Nastasi reviewed the reason the Application for an Amendment, ZC-2022-1, was reinitiated was because letters notifying neighbors did not receive notification in the required amount of time. Questions/comments/discussion before initiating amendment ZC-2022-01.

- Move to adopt the following motion – Form No. 27

“That the Chester Township Zoning Commission conduct a public hearing on the proposed amendment, identified as number ZC-2022-1, to the Chester Township Zoning Resolution as attached hereto on the 15th day of June, 2022 at 7:00 o’clock p.m. at the Chester Township Town Hall.”

Moved by Mr. Chess; Seconded by Mr. Lauro

Mr. Chess/yes; Mr. Kats/yes; Mr. Lauro/yes; Mr. Nastasi/yes; Mr. Oswick/yes

- Move to adopt the following motion – Form No. 28

“Move to approve public noticing the public hearing for ZC-2022-1 of the Chester Township Zoning Resolution in the Legal Notices of the Geauga County Maple Leaf print edition June 2, 2022 and in the Chesterland News print edition on June 1, 2022 and to have the amendment available for public examination at the Chester Town Hall from 9:00 a.m. to 3:00 p.m. from June 6, 2022 through June 15, 2022.”

Moved by Mr. Lauro; Seconded by Mr. Oswick

Mr. Chess/yes; Mr. Kats/yes; Mr. Lauro/yes; Mr. Nastasi/yes; Mr. Oswick/yes

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- Move to adopt the following motion – Form No. 30

“The Chester Township Zoning Commission hereby submits the attached copy of the application for a proposed amendment, identified as number ZC-2022-01, to the Chester Township Zoning Resolution together with the attached map and text pertaining thereto to the Geauga County Planning Commission this 18th day of May, 2022.

Moved by Mr. Kats; Seconded by Mr. Oswick

Mr. Chess/yes; Mr. Kats/yes; Mr. Lauro/yes; Mr. Nastasi/yes; Mr. Oswick/yes

Item 2. Open the Public Hearing for Proposed Chester Township Zoning Amendment ZC-2022-2 at 7:43 pm at Chester Town Hall

Mr. Oswick reviewed the Public Hearing procedure.

- Audience members in attendance were asked to sign in on the sign-in sheet located at the podium.
- All comments related to either support of or opposition to the proposed amendment would be welcome.
- Anyone wishing to voice their comments was asked to state their name and provide their address for the record before beginning their comments.
- Zoning Commissioners will listen as public comments are offered.
- Once the public comments have been concluded, the public comment session will be closed.
- The Zoning Commission deliberates and decides to either 1) vote on the proposed amendment – approve, deny or approve with modifications(s); or 2) continue the public hearing to another date.

Item 3. Proposed Chester Township Zoning Amendment ZC-2022-2

Mr. Nastasi reviewed the information below.

- The Chester Township Zoning Commission initiated the proposed amendment on April 20, 2022.
- In accordance with ORC Section 519.12, the proposed amendment was properly noticed and transmitted to the Geauga County Planning Commission.
- As required by ORC Section 519.12, the recommendation of the Geauga County Planning Commission must be considered during the public hearing.
- Ms. McCarthy read the recommendation of the Geauga County Planning Commission into the record for consideration.
- Offered an overview of how the proposed amendment ZC-2022-2 would modify the current Chester Township Zoning Resolution was read as attached and was displayed on the monitor. (Attachment 5.01.03 Accessory Buildings v4)
 - April 3, 2019 BZA and ZC had a joint meeting. BZA reviewed current and recurring issues coming before the BZA. At that meeting stated most frequent hearing before the BZA was Accessory Buildings – specifically dealing with size, height and location of building.
 - ZC members reviewed local townships current accessory building restrictions.
 - This amendment effects properties between 2.5 and 5 acres. Under 2.5 acres, 1280 square foot applies. 2.5 to 5 acre lots have a bit more flexibility.

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- Open the floor to public comments (opposition-first; support-second).
- Once all public comments have been heard, the public comment session will be closed.
- Comments in opposition
 - Margaret Schmidt – Wood Crest Lane
 - Holding square footage to one building or multiple buildings?
 - Answer: Combined – no change.
 - Eric Wittine – Wilson Mills Rd
 - Presented Attachment E to supplement the Accessory Building data from 2010 through current. Gathered info on size and location of petitions. Size does not appear to be an issue with average of three BZA cases a year. Location variances did seem to be more frequent.
 - Mr. Kats asked if location and/or size are being tracked. Mr. Wittine answered both. Mr. Kats asked him to review line by line as by his math, it looks like 47 requests. Of those 47 requests, 25 include a larger size than 1280. That's over a 50% ratio.
 - Bart Ziganti – Sperry Rd
 - An average of the 47 entries, we came up with an average of 1,434 square ft.
 - Mr. Kats asked what is the point of averages? Why does it matter? Our Zoning Commission looked at lot size and we felt that lot size mattered. Again, why do averages matter? Group discussion continued.
 - Mr. Chess asked for the average of the last three or four years? We discussed that we could not go back too far. Everything has changed tremendously over the past two to four years.
 - Mr. Wittine referenced case 2017-7. The owner wanted 288 square feet for a building. Group discussion continued on property size and requested square feet of building.
 - Mr. Kats reminded the BZA members present that the ZC addressed the size of accessory buildings because the BZA asked the ZC to look at the size of the buildings in 2019.
 - Mr. Wittine felt that 2,500 square feet is excessive on a five-acre lot.
 - Margaret Muehling – Sherman Rd
 - 2,500 sq ft is about the size of McDonald's. More concerned about Planning Commission comments. Was there an increase in the side yard?
 - Mr. Nastasi – Yes, from 10 ft to 25 feet.
 - That's going to be tough on the property owner with a small lot.
 - Mr. Lauro explained what a side yard looks like and how odd shaped lots are affected.
 - Group discussed that the increased setback on side yards is to keep large accessory buildings being placed on a small lot and affecting their neighbor.
 - Ms. Muehling referred to the Planning Commission comments referenced on Chester Recommendation letter of 17th. She feels #1 is better written than what GCPC suggested. #2 agree to not reduce 1280 sf size as it will harm the smaller lot person. #3 I don't see what is wrong with the language you have. #4 – misses the fact that there is another section of the Zoning Resolution that refers to Accessory Buildings. We should consider the phrase, "completely enclosed".

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- The only reason Ms. Muehling would vote for denial is because I don't think this amendment is "tight enough."
 - Linda Gifford – Rust Dr.
 - We have a barn on our property that is 54 ft x 48 ft. That is 2,592 sf which is huge to be on a 5 acre lot.
 - Judith Schwed –
 - I would like to see this amendment denied. I want to keep Chesterland rural.
 - Bart Ziganti reviewed issues of 2019 meeting. Suggests not adding accessory buildings to side yards. BZA could best handle those requests. Would like to see the size adjusted to a standard dimension of 2,304 sf. (A 48 x 48 standard pole barn).
 - Cathy Cotman –The number one request for variance was Accessory Building size when I was on the ZC. Now in 2022, it's the same today. This is an appropriate action. Today's zoning does not address the larger lot sizes in Chesterland. She supports deleting the word detached as suggested by the GCPC. Reminded group that lot coverage also comes into play on each of these also.
 - Andy Ribic – Bentbrook Drive
 - Reviewed the potential increased building sizes. This adds character and gets with the times. I don't see a problem with what it adds to the community.
 - Joe Weiss – Mayfield Road
 - I support your effort 100%. It's been a long time coming. Great idea – pass it. In the past, property owners that needed variances due to size turned out fine. One guy had two motor homes. He wanted to keep them inside. The change is amazing having them inside a building. Let's move ahead.
 - Rosemary Stevens - Ledgewood Dr
 - I agree with the positive comments. Asked about the process and where it goes from here.
- At this point, Mr. Nastasi closed the public comments and asked for the Zoning Commission members input/thoughts. As a group, the ZC members reviewed the GCPC suggestions item by item. Discussion regarding wording of ZC-2022-2.
 - Mr. Chess made a motion and Mr. Oswick seconded the motion
"That the Chester Township Zoning Commission recommend the approval of the following modification to the proposed amendment, ZC-2022-2 to the Chester Township Zoning Resolution, as attached hereto (Modified amendment attached to minutes as *5.01.03 Accessory Buildings v4 GCPC sent to BoT*)."
 - Mr. Chess/yes; Mr. Kats/yes; Mr. Lauro/yes; Mr. Nastasi/yes; Mr. Oswick/yes
Motion Passed
 - **Item 4. Signing of Forms Nos. 31 and 32 for Amendments.**
 - Completed
 - "The Chester Township Zoning Commission hereby submits the attached recommendation on the proposed amendment, identified as number ZC-2022-2, to the Chester Township Zoning Resolution together with the attached motion and text pertaining thereto and the attached recommendation of the Geauga County Planning

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Commission to the Chester Township Board of Township Trustees this 18th day of May, 2022." (Form No. 32)

- Moved by Mr. Oswick; Seconded by Mr. Kats
- Mr. Chess/yes; Mr. Kats/yes; Mr. Lauro/yes; Mr. Nastasi/yes; Mr. Oswick/yes;
 - Motion Passed

Motion to close the public hearing for proposed Chester Township zoning Amendment ZC-2022-2

Moved by Mr. Oswick; Seconded by Mr. Lauro
Mr. Chess/yes; Mr. Kats/yes; Mr. Lauro/yes; Mr. Nastasi/yes; Mr. Oswick/yes;

- Motion Passed

- **Item 5. Develop timeline for initiating Application for a Zoning Amendment for ZC-2022-3 – Caves Rd. LLC Motions to 1) Set the Date for a Public Hearing; 2) Public Notice; and 3) Transmit the Proposed Amendment to the County Planning Commission for Zoning Amendment ZC-2022-3**

Questions/comments/discussion before initiating amendment ZC-2022-3.

As Board proceeded to initiate the amendment, question was asked when check was actually accepted and if a special meeting should be set up to determine dates for the entire amendment procedure. Negotiating discussion began for several possible dates. Determined that Zoning Commission would consult with Prosecuting Attorney and verify that timeline is waivable and July 6th is acceptable tentative date for Public Hearing. The forms were not initiated at this meeting.

- Motion made to table approving the May 4th meeting minutes to the June 1, 2022 meeting.
 - Mr. Lauro moved and Mr. Kats seconded
Mr. Chess/yes; Mr. Kats/yes; Mr. Lauro/yes; Mr. Nastasi/Abstain; Mr. Oswick/yes
 - Motion Passed

Correspondence Received

- Letter from Geauga County Planning Commission regarding Planning & Zoning Workshop for June 24, 2022.
- Letter of recommendation to approve ZC-2022-1 and -2 from Geauga County Planning Commission.

Meeting Called to Close at: 9:55 pm

Approved by:

Chester Township Zoning Commission July 20, 2022

Final Review by: _____
Jon Oswick, Chair

Attachment A May 18, 2022

What is a Zoning Commission?

A brief definition/explanation of what exactly the Zoning Commission (and BZA) is and what we do for our Township.

“The Zoning Commission constantly reviews the existing Zoning Resolution in Chesterland, and receives input from all sources, from within the township, from the County, beyond the County, and land use seminars. They study and research the input before making recommendations on possible changes and modifications to the Resolution before the Township Trustees.” This definition was pulled directly from our Township website.

In short, we are a resource for the Township to provide recommendations based off of research. We hold no power or authority to make decisions. Essentially, we are tasked with trying to make sure our Zoning Resolution is “current” so to speak.

The Board of Zoning Appeals (BZA) is a completely different group with different responsibilities. I am not a member of that committee, but the definition for them is as follows:

“The Board of Zoning Appeals (BZA) acts as the Township’s first court of appeals for anyone seeking a variance from the Zoning Resolution. In addition to granting variances, the BZA also will rule on certain interpretations the Zoning Inspector makes in the enforcement of the Resolution. The BZA also grants special uses of the land called “Conditional Uses”. The Conditional Uses are defined in the Zoning Resolution and are authorized for a period of one (1) to five (5) years.”

--Michael Lauro

Chester Township Zoning Commission member 2022

TOWNSHIP ZONING AMENDMENT PROCEDURE
O.R.C. SECTION 519.12

- | | | |
|--|--|---|
| <p>(1) INITIATE AMENDMENT:
APPLICATION BY PROPERTY OWNER OR LESSEE
MOTION BY TOWNSHIP ZONING COMMISSION
RESOLUTION BY BOARD OF TOWNSHIP TRUSTEES</p> <p>(2) TOWNSHIP ZONING COMMISSION SETS DATE OF
PUBLIC HEARING NOT LESS THAN 20 NOR MORE
THAN 40 DAYS FROM DATE OF INITIATION.</p> <p>(3) TOWNSHIP ZONING COMMISSION TRANSMITS
A COPY OF THE TEXT AND MAP OF THE
AMENDMENT TO THE COUNTY PLANNING
COMMISSION WITHIN 5 DAYS OF INITIATION.</p> <p>(4) TOWNSHIP ZONING COMMISSION
PLACES A LEGAL NOTICE ON
THE AMENDMENT IN A NEWSPAPER
OF GENERAL CIRCULATION NOT
LESS THAN 10 DAYS PRIOR TO THE
PUBLIC HEARING. IF THE AMENDMENT
INTENDS TO REZONE 10 OR FEWER
LOTS, THEN A NOTICE MUST BE
MAILED TO ADJACENT PROPERTY
OWNERS AS WELL.</p> <p>(5) COUNTY PLANNING COMMISSION
REVIEWS AMENDMENT AND OFFERS
ITS FORMAL RECOMMENDATION TO
THE TOWNSHIP ZONING COMMISSION.</p> <p>(6) TOWNSHIP ZONING COMMISSION
HOLDS PUBLIC HEARING
AND CONSIDERS RECOMMENDATION
OF COUNTY PLANNING COMMISSION</p> | <p>(7) TOWNSHIP ZONING COMMISSION
CLOSES PUBLIC HEARING AND
MUST VOTE TO RECOMMEND
APPROVAL, DENIAL, OR APPROVAL
OF SOME MODIFICATION OF THE
AMENDMENT WITHIN 30 DAYS AFTER
THE PUBLIC HEARING.</p> <p>(8) TOWNSHIP ZONING COMMISSION
SUBMITS ITS RECOMMENDATION
ON AMENDMENT, APPLICATION
OR RESOLUTION, TEXT AND MAP,
AND RECOMMENDATION OF COUNTY
PLANNING COMMISSION TO
BOARD OF TOWNSHIP TRUSTEES.</p> <p>(9) UPON RECEIPT, THE BOARD OF
TOWNSHIP TRUSTEES MUST SET
A PUBLIC HEARING DATE NOT MORE
THAN 30 DAYS FROM THE DATE OF
RECEIPT OF THE ZONING COMMISSION'S
RECOMMENDATION ON AMENDMENT.</p> <p>(10) BOARD OF TOWNSHIP TRUSTEES
PLACES A LEGAL NOTICE IN A
NEWSPAPER OF GENERAL CIRCULATION
NOT LESS THAN 10 DAYS PRIOR
TO THE PUBLIC HEARING.</p> <p>(11) BOARD OF TOWNSHIP TRUSTEES
HOLDS PUBLIC HEARING. BOARD
REVIEWS RECOMMENDATIONS
OF COUNTY PLANNING COMMISSION
AND TOWNSHIP ZONING COMMISSION.</p> | <p>(12) BOARD OF TOWNSHIP TRUSTEES CLOSES
PUBLIC HEARING AND WITHIN 20 DAYS MUST
VOTE TO ADOPT OR DENY THE RECOMMENDATION
OF THE TOWNSHIP ZONING COMMISSION, OR ADOPT
SOME MODIFICATION THEREOF. IF RECOMMENDATION
OF THE TOWNSHIP ZONING COMMISSION IS DENIED OR
MODIFIED, A MAJORITY VOTE OF THE BOARD IS
REQUIRED.</p> <p>(13) THE AMENDMENT, IF ADOPTED, SHALL BECOME
EFFECTIVE IN 30 DAYS AFTER THE DATE OF ADOPTION
UNLESS A REFERENDUM PETITION IS PRESENTED TO
THE BOARD OF TOWNSHIP TRUSTEES WITHIN THE 30
DAY TIME PERIOD.</p> <p>(14) IF THE PETITION IS VALIDATED BY THE COUNTY BOARD
OF ELECTIONS, THE AMENDMENT SHALL NOT TAKE
EFFECT UNTIL THE RESULTS OF THE ELECTION HAVE
BEEN CERTIFIED BY THE COUNTY BOARD OF ELECTIONS
AND A MAJORITY OF VOTES ARE CAST IN FAVOR OF
THE AMENDMENT.</p> <p>(15) WITHIN 5 WORKING DAYS AFTER AN AMENDMENT'S
EFFECTIVE DATE, COPIES THEREOF SHALL BE FILED BY
THE BOARD OF TOWNSHIP TRUSTEES WITH THE
COUNTY RECORDER AND THE COUNTY PLANNING
COMMISSION OFFICE.</p> <p>(16) O.R.C. SECTION 519.122 PROVIDES THAT NO ACTION
CHALLENGING THE VALIDITY OF A ZONING RESOLUTION OR
OF ANY AMENDMENT THERETO BECAUSE OF A PROCEDURAL
ERROR IN THE ADOPTION OF THE RESOLUTION OR
AMENDMENT SHALL BE BROUGHT MORE THAN 2 YEARS
AFTER THE ADOPTION OF THE RESOLUTION OR
AMENDMENT.</p> |
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PREPARED BY: GCPC 10/08. NOTE: THIS SUMMARY IS NOT MEANT TO REPLACE O.R.C. SECTION 519.12.

2022

JANUARY							FEBRUARY							MARCH							APRIL						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
26	27	28	29	30	31	1	30	31	1	2	3	4	5	27	28	1	2	3	4	5	27	28	29	30	31	1	2
2	3	4	5	6	7	8	6	7	8	9	10	11	12	6	7	8	9	10	11	12	3	4	5	6	7	8	9
9	10	11	12	13	14	15	13	14	15	16	17	18	19	13	14	15	16	17	18	19	10	11	12	13	14	15	16
16	17	18	19	20	21	22	20	21	22	23	24	25	26	20	21	22	23	24	25	26	17	18	19	20	21	22	23
23	24	25	26	27	28	29	27	28	1	2	3	4	5	27	28	29	30	31	1	2	24	25	26	27	28	29	30
30	31	1	2	3	4	5	6	7	8	9	10	11	12	3	4	5	6	7	8	9	1	2	3	4	5	6	7
MAY							JUNE							JULY							AUGUST						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
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8	9	10	11	12	13	14	5	6	7	8	9	10	11	3	4	5	6	7	8	9	7	8	9	10	11	12	13
15	16	17	18	19	20	21	12	13	14	15	16	17	18	10	11	12	13	14	15	16	14	15	16	17	18	19	20
22	23	24	25	26	27	28	19	20	21	22	23	24	25	17	18	19	20	21	22	23	21	22	23	24	25	26	27
29	30	31	1	2	3	4	26	27	28	29	30	1	2	24	25	26	27	28	29	30	28	29	30	31	1	2	3
5	6	7	8	9	10	11	3	4	5	6	7	8	9	31	1	2	3	4	5	6	4	5	6	7	8	9	10
SEPTEMBER							OCTOBER							NOVEMBER							DECEMBER						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
28	29	30	31	1	2	3	25	26	27	28	29	30	1	30	31	1	2	3	4	5	27	28	29	30	1	2	3
4	5	6	7	8	9	10	2	3	4	5	6	7	8	6	7	8	9	10	11	12	4	5	6	7	8	9	10
11	12	13	14	15	16	17	9	10	11	12	13	14	15	13	14	15	16	17	18	19	11	12	13	14	15	16	17
18	19	20	21	22	23	24	16	17	18	19	20	21	22	20	21	22	23	24	25	26	18	19	20	21	22	23	24
25	26	27	28	29	30	1	23	24	25	26	27	28	29	27	28	29	30	1	2	3	25	26	27	28	29	30	31
2	3	4	5	6	7	8	30	31	1	2	3	4	5	4	5	6	7	8	9	10	1	2	3	4	5	6	7
Zoning Commission Meeting							BOT Meeting							BZA Meeting							Geauga Cty Plan Com</						

#Records	Case #	Dimensions	Size	Orientation
*	2011-10	56 x 30	1680	Height
*	2011-11		1680	Location
	2012-10	18 x 24	432	Location
	2012-2	32 x 40	1280	Height
	2012-3		1280	Height
	2012-9	16 X 24	384	Side
	2012-4	32 X 48	1536	
	2013-6		2052	Height
*	2014-4		1373	Location
	2014-5	8 x 10	80	Location
*	2014-7		1548	Location
*	2014-7	25 x 36	1548	Location
	2015-1	20 X 30	600	Loction
	2015-1		140	Side
*	2015-2		2500	
	2015-3	24 x 26	624	Location
	2015-3	12 x 14	168	Side
	2016-1	12 x 16	192	Location
	2016-1	24 x 32	768	Side
	2016-3		960	Location
	2016-3	40 x 24	960	Location
	2016-5			
	2017-4			Location
	2017-5	24 x 40	960	Location
	2017-5	24 X 40	960	Location
	2017-7	12 X 24	288	Side
*	2018-1		1890	side
*	2018-2		1280+	Encroachment
	2018-6		288	Location
	2018-9	12 x 26	312	Location
*	2019-4	ad 11 X 18	1478	Location
	2020-7		1280	Side
	2920-1		<1280	Location

860.029412

2009-28	25x45	1125	
2010-1		6500	
2010-02			Loc + Separat
2010-4		2272	
2010-08		1204	Loc
2010-12		1544	

2010-13	1408	
2010-11		Loc
2010-16	1320	
2010-14		Loc
2010-17		Loc
2010-19	1884	
2010-22	4205	
2011-6	4934	
2011-8	1827.5	
2011-7		Separation
2011-11		Add Porch
2011-10	1680	
2012-1		Trailer Storage
2012-2	1500	Eliminate Shed
2014-3	1596	Sz+Loc+HT
2014-7	1548	
2017-8	1360	Sz + Separation
2018-2		Sz + Property
	1434.96803	



Geauga County Planning Commission
470 Center Street, Building 1C, Chardon, Ohio 44024
Phone (440) 279-1740 Fax (440) 285-7069
www.co.geauga.oh.us/Departments/Planning-Commission

May 11, 2022

Ms. Kathleen McCarthy, Secretary
Chester Township Zoning Commission
12701 Chillicothe Road
Chesterland, Ohio 44026

Re: Proposed Zoning Amendment No. Z 2022-2
Initiated on April 20, 2022

Dear Ms. McCarthy:

Please be advised that the Geauga County Planning Commission at its meeting held on May 10, 2022 voted to recommend approval with modifications of the proposed Chester Township Zoning Amendment Z 2022-2 as initiated by the Chester Township Zoning Commission on April 20, 2022. Please see the following:

Article 5

Section 5.01.03

1. Recommend the Township consider the following language: "Accessory building area shall be calculated as follows, whichever is greater, not including breezeways, decks, patios, and open sided porches: A) 1,280 square feet for any lot OR B) 500 square feet/acre, not to exceed 2,500 square feet per lot."
2. Recommend the Township consider revising the 1,280 square feet to perhaps 800 or 900 square feet as 1,280 square feet is out of scale with smaller lots.
3. Recommend rewording: "An accessory building shall not be closer to the street than the principal building. Nor shall such accessory building be less than fifteen (15) feet from the principal building as measured from its closest vertical face of the accessory building to the foundation wall of the principal building."
4. Recommend reference to "detached accessory building" in the body of the text be changed to "accessory building" as the Section is labeled only as "Accessory Building"
5. Recommend Township review these recommendations with their APA

Pursuant to R.C. 519.12, the Planning Commission's recommendation must be considered by the Zoning Commission at its public hearing regarding the proposed amendment. Subsequent to the hearing, the recommendation is to be forwarded to the Board of Township Trustees. If the

Chester Township Zoning Amendment Z 2022-2
April 14, 2022

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subject amendment is adopted by the Board of Trustees, a copy thereof must be provided to this office within five (5) days after its effective date.

If you have any questions, please contact the Planning Commission at (440) 279-1740.

Sincerely,



Linda M. Crombie, AICP
Planning Director, Geauga County Planning Commission

c: Susan Wieland, APA
Amendment file

Additions are highlighted in yellow
Deletions are in red text and ~~strikeout~~.

Existing Zoning Code:

5.01.03 **ACCESSORY BUILDINGS.** The minimum distance from a detached accessory building to any dwelling shall be not less than Twenty (20) feet, however breezeways, decks, patios, and open-sided porches may be attached to or less than twenty (20) feet, however breezeways, decks, patios, and open-sided porches maybe attached to or less than twenty (20) feet from the principal building. The maximum combines total ground floor area of all Accessory buildings on a lot shall not exceed one thousand two hundred eighty (1,280) square feet, not including breezeways, decks, patios, and open-sided porches.

Detached accessory buildings shall be located to the rear of the principle building or structure, not in the required front and side yards, and shall be at least ten (10) feet from the rear and side lot lines, unless otherwise provided for. An accessory building shall not be closer to any street than the principal dwelling; decks, patios and open-sided porches may be permitted in the front, rear and/or to the side of the principal building provided they meet all the applicable setbacks. Health District regulations require that accessory buildings and structure shall not be located over leach fields.

Recommended Changes and redactions:

5.01.03 **ACCESSORY BUILDING.** The minimum distance from an ~~an detached~~ accessory building to any dwelling ~~building~~ shall be not less than Twenty (20) feet, however breezeways, decks, patios, and open-sided porches may be attached to or less than twenty (20) feet, ~~however breezeways, decks, patios, and open-sided porches may be attached to or less than twenty (20) feet from the~~ principal building. The maximum ~~combines~~ **combined** total ground floor area of all Accessory buildings on a lot shall not exceed one thousand two hundred eighty (1,280) square feet **or five hundred (500) square feet of ground floor area per acre, up to a maximum of 2,500 square feet of total ground area, whichever is greater,** not including breezeways, decks, patios, and open-sided porches.

~~Detached~~ Accessory buildings shall be located to the rear **or side** of the ~~principle~~ **principal** building or structure, not in the required front ~~yard and side yards,~~ and shall be at least ten (10) feet from the rear ~~and side lot lines~~ **and ten (10) feet from the side lot lines, unless the accessory building is placed in a side yard at which time the accessory building shall be at least twenty five (25) feet from the side lot line. An accessory building shall not be closer to any street than the principal building and must be no less than fifteen (15) feet from the face of the principal building, measured from the closest vertical face as measured from the closest foundation wall to the street unless otherwise provided for in this resolution. An accessory building shall not be closer to any street than the principal dwelling; Decks, patios and open-sided porches may be permitted in the front, rear and/or to the side of the principal building provided they meet all the applicable set backs. Health District regulations require that accessory buildings and structure shall not be located over leach fields.**