

MINUTES BZA April 15, 2024

MINUTES FOR THE REGULAR MEETING OF THE CHESTER TOWNSHIP BOARD OF ZONING APPEALS HELD MONDAY, April 15, 2024, IN THE TOWN HALL MEETING ROOM. AUDIO RECORDING ON FILE.

Chairman Barton Ziganti called the April 15, 2024, Chester Township Board of Zoning Appeals meeting to order at 7:05 p.m.

Roll Call

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

Members absent: Ms. Denamen

Admin present: Ms. McCarthy

Mr. Ziganti led all in reciting the Pledge of Allegiance.

Applications to be heard:

APPEAL ZA-2024-2 Russell Perry document withdrawing his appeal was submitted. Ms. Fadorsen moved to accept the withdrawal; Ms. Muehling seconded the motion. Board discussed what happened with the case and what the property owner decided. Board agreed to ask the Zoning Inspector to describe the process of withdrawal of a Variance Request at the next meeting and if a time frame is established for completion. Ms. Fadorsen/yes; Ms. Klemm/yes; Ms. Muehling/yes; Ms. Sritalapat/yes; Mr. Ziganti/yes.

APPEAL ZA-2024-3 Mark Dobrzynski document withdrawing his appeal was submitted. Ms. Fadorsen moved to accept the withdrawal; Ms. Sritalapat seconded the motion. Ms. Fadorsen/yes; Ms. Klemm/yes; Ms. Muehling/yes; Ms. Sritalapat/yes; Mr. Ziganti/yes.

Discussion of the Zoning Resolution requiring of timely signing

The Board reviewed the requirements of the Chester Township Zoning Resolution in section 12.02.04 F.2. as it relates to Conclusions of Fact and signing of the Conclusions of Fact. It was decided to accept Geauga County Model Zoning Forms 18 and 19 and begin using the adapted Forms (attached) effective immediately.

Form 18 (To be used with an Area or Use Variance and a Conditional Zoning Certificate.)

- Pertinent details of the Variance to be heard will be completed prior to the meeting by the Zoning secretary.
- To be signed the night of the meeting by BZA members present at that meeting and voting in the affirmative.

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- Line #4 – Depending on type of variance, the appropriate section of the Zoning Resolution will be referenced. For example, an Area variance, will read, “Please review Section 2 and 4 of the attached Form No. 4.” A Use variance will read, “Please review Section 2 and 4 of the attached Form No. 5.” A Conditional Zoning Certificate should read, “Not Applicable.”
- Line #5 – A permanent entry will be made stating: “Please refer to the Conclusions of Fact as found in the minutes of this hearing.”
- Line #6 should be discussed at every meeting. The Article # and Section # of the Chester Township Zoning Resolution will be entered by the Zoning secretary prior to the start of the meeting.

Form 19 (To be used with an Area Variance, Use Variance or Conditional Zoning Certificate.)

- Pertinent details completed ahead of time by the Zoning secretary.

When Conclusions of Fact is stated for a Conditional Zoning Certificate, it will always end with the statement, “It is noted that per Section 6.04.0.E. of the Chester Township Zoning Resolution the conditional use may be revoked if any of the conditions set forth in the conditional zoning certificate are violated.”

Effectively immediately, all members of the Board of Zoning Appeals will sign approved BZA minutes within five days of completion.

Ms. Muehling agreed to research and report at the next meeting the legality/reasoning of signing within five days as per section 12.02.04 F. 3. of the Chester Township Zoning Resolution.

Minutes approval procedure

Effective immediately, all Board members will receive the DRAFT minutes of the meeting. Members will correct the minutes using the “Track Changes” function in Word and return to the Zoning secretary to compile the DRAFT FINAL minutes for distribution at the next Board of Zoning Appeals meeting for FINAL minutes approval.

Minutes approval

Motion to approve the minutes of December 19, 2023 as presented.
Moved by Ms. Klemm; Seconded by Ms. Muehling

Ms. Fadorsen/yes; Ms. Klemm/yes; Ms. Muehling/yes; Ms. Sritalapat/yes; Mr. Ziganti/yes

Motion approved.

Ms. Klemm and Ms. Muehling left the meeting at 9:42 p.m.

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Motion to approve the minutes of February 12, 2024 as modified.

Moved by Ms. Fadorsen; Seconded by Ms. Sritalapat

Ms. Fadorsen/yes; Ms. Sritalapat/yes; Mr. Ziganti/yes

Motion approved.

Ms. Sritalapat mentioned that she will likely not be available for the May 13, 2024. meeting.

Meeting closed at 10:07 p.m.

Approval Date May 13, 2024

Kathleen McCarthy, Admin. Assistant

Barton Ziganti, Chairman

Deana Sritalapat, Vice-Chair

Absent

Mindy Denamen

Kathy Fadorsen

Christina Klemm

Margaret Muehling