

**MINUTES FOR THE REGULAR MEETING OF THE CHESTER TOWNSHIP BOARD OF ZONING APPEALS HELD MONDAY, FEBRUARY 10, 2025, IN THE TOWN HALL MEETING ROOM. AUDIO RECORDING ON FILE.**

**Roll Call**

Members present: Ms. Denamen/yes, Ms. Fadorsen/yes, Ms. Klemm/yes, Ms. Muehling/yes; Mr. Ziganti/yes, Mr. Dobrzynski/yes  
Zoning inspector: Mr. Alusheff  
Admin present: None  
BoT liaison present: Mr. Radtke

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

**Approval of Minutes**

Motion to approve the minutes of January 13, 2025

- Ms. Denamen motioned to accept the January 13, 2025, minutes as presented. Ms. Muehling seconded the motion.  
Ms. Denamen/yes, Ms. Fadorsen/abstain, Ms. Klemm/yes, Ms. Muehling/yes, Mr. Ziganti/yes, Mr. Dobrzynski/yes  
Motion passed.

Motion to approve the minutes of January 23, 2025

- Ms. Muehling motioned to accept the January 13, 2025, minutes as presented. Ms. Fadorsen seconded the motion.  
Ms. Denamen/abstain, Ms. Fadorsen/yes, Ms. Klemm/yes, Ms. Muehling/yes, Mr. Ziganti/abstain, Mr. Dobrzynski/yes  
Motion passed.

**Appeals to be heard – None scheduled**

**New Zoning Forms and Supplemental Sheets discussion**

Ms. Muehling – In the May 20, 2024 Zoning Resolution, Article 12 refers to the notices of appeal contents of a Zoning Certificate. Concern is the absence of Duncan Factors being omitted from the current Zoning Resolution.

Mr. Ziganti – Asked if she wants the Duncan Factors put back into the Zoning Resolution as required on Form 4.

Mr. Alusheff – Clarified the Duncan Factors are on the Supplemental Forms. The Supreme Court of Ohio requires information on the practical difficulties be covered in a case if the variance is denied.

Ms. Muehling – Concern is the Duncan Factors must be included on Form 4.

Mr. Alusheff reading Section 12.02.02(B) – These are the only powers granted to the Board of Zoning Appeals. Currently, there is no mention of practical difficulties for the BZA to consider. This is a problem that needs to be addressed.

Mr. Ziganti asked Ms. Muehling to clarify this request, “We would like the Board of Trustees to get the opinion of the prosecutor to indicate if the Duncan Factors must be stated in the Zoning Resolution?”

Ms. Muehling agreed with this question as stated. The Duncan Factors must be in the Zoning Resolution as protection from possible incompetencies of future Zoning Inspectors who may not understand the importance of the Duncan Factors.

Mr. Ziganti – Asked if 12.02.02 (B) needing practical difficulties included needs to be addressed.

Mr. Alusheff – That is in process. An unofficial review has been sent to the Planning Commission for input on this potential change.

Ms. Muehling – Does not feel that changes to the new forms was in a public enough format. It was not required, but it should have been more public.

Ms. Denamen – Suggested removing the word “Certificate” on the first line of all the applications.

Ms. Muehling –

- Suggested changing provide to “attach” in the paragraph beginning with a “\*”.
- Concern about “Zoning District in which property is located”
- Permit Type does not indicate which Permit is being applied for.
  - Mr. Alusheff indicated where that information is recorded by the Zoning Inspector in the “For Official Use Only” section.
  - It was later indicated that this information is provided on a drop-down menu of the form available on-line.

Ms. Denamen suggested “provide” documentation may be better as some residents may wish to provide a PowerPoint presentation or submit their information on a flash drive.

Ms. Muehling –

- After PLANS AND OTHER APPROVALS: Suggested adding the words “TO BE SUBMITTED”
- In the SITE PLAN section, add the following line – “Locate, identify, provide dimensions and area of all existing and proposed:”
  - This is to simplify the items that area really important.
- Ms. Muehling’s document of suggested changes is attached to the end of these minutes.
- Concern over “lot coverage” is missing on the form.

Ms. Denamen suggested living with the forms for the immediate future and collectively come up with a list of things that could be changed and submit all at once in the future.

Ms. Muehling – Agreed with Ms. Denamen and suggested this is why these things need to be listed in the Zoning Resolution.

Mr. Ziganti – Many of these points are covered in the other forms.

Discussion on Form 1G. and how it covers General Use certificates for a business moving into a property.

Ms. Muehling does not agree with the Zoning Inspector name being pre-printed on the form.

Supplemental sheets were distributed and will be discussed at some point in the future.

**Zoning Inspector Update**

- Template of BZA bylaws from Ashtabula Twp. distributed.
- Auditor of State Sample bylaws from the Planning and Zoning Handbook distributed.
- BZA bylaws last discussed at August 14, 2006 meeting – needs to be reviewed, updated, discussed and adopted.

**Next meeting scheduled for March 10, 2025**

Meeting closed at 9:10 p.m.

Approval Date March 10, 2025

\_\_\_\_\_  
Kathleen McCarthy, Admin. Assistant

\_\_\_\_\_  
Barton Ziganti, Chairman

\_\_\_\_\_  
Mindy Denamen, Vice-Chair

\_\_\_\_\_  
Alternate  
Mark Dobrynski

\_\_\_\_\_  
Kathy Fadorsen

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

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

SAMPLE: Form No. 1 R – Chester Township Zoning Certificate  
**RESIDENTIAL APPLICATION**

**PROPERTY OWNER AND LOCATION**

Property Owner \_\_\_\_\_  
Address of Property \_\_\_\_\_ **Chesterland, OH 44026**  
Phone \_\_\_\_\_ Email \_\_\_\_\_  
Parcel # 11- \_\_\_\_\_

**APPLICANT (RESPONSIBLE PARTY)**

Applicant Name (if different than Property Owner)\* \_\_\_\_\_  
Type of Applicant \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_ Email \_\_\_\_\_

\*If the name of the applicant is different from that of the owner of record, then you must **attach** documentation as to authority (standing) to make application (e.g., deed, contract, power of attorney, lease, or purchase agreement), and the signature of the legal owner.

CURRENT ZONING DISTRICT IN WHICH PROPERTY IS LOCATED:     **R District**    **R3A District**    **R5A District**

PROPOSED USE OF THE LOT INCLUDING ANY BUILDINGS OR STRUCTURES:

**New Residence**    **Garage Attached**    **Driveway**    **Addition (type)**    **Fence**    **Open-sided Porches**  
**Deck**    **Patio**    **Breezeway**    **Pool**    **Detached Accessory Building**    **Other (Specify)**

**PLANS AND OTHER APPROVALS TO BE SUBMITTED:**

**Provide one (1) pdf copy and two (2) paper copies of the plan for the proposal, drawn to scale (with scale indicated), north arrow and date that includes the following information (dimensions shall be in feet when applicable):**

**SITE PLAN**

Locate, identify, provide dimensions and area of all existing and proposed:

1. Existing road(s), public and private adjacent to the lot.
2. All lot lines and the total lot acreage.
3. Existing topography at two-foot contour levels.
- 4.. Number of dwelling units.
5. Setbacks from all lot lines of buildings **and** structures.
6. Easements.
7. Parking spaces **and** driveway(s).
8. Sewage treatment system and replacement area.
9. Buildings or structures, or any addition or structural alteration.
10. **Lot coverage, area and percentage, by buildings, structures and other impervious surfaces.**
11. **Lot frontage at the road right-of-way, and width at the building setback.**
12. **Exterior lighting identified and located.**