

MINUTES FOR THE REGULAR MEETING OF THE CHESTER TOWNSHIP BOARD OF ZONING APPEALS HELD MONDAY, MAY 11, 2026, IN THE TOWN HALL MEETING ROOM. AUDIO RECORDING ON FILE.

Chairman Barton Ziganti called the Regular, May 11, 2026, Chester Township Board of Zoning Appeals meeting to order at 7:05 p.m.

Roll Call

Members present: Ms. Denamen/yes, Mr. Dobrzynski/no, Mr. Enger/yes*, Ms. Klemm/yes, Ms. Muehling/yes; Mr. Ziganti/yes

*Mr. Enger will be a voting member in Mr. Dobrzynski's absence

Zoning inspector: Mr. Alusheff

Admin present: Ms. McCarthy

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

**APPEAL ZA-2026-1 - Paul Ridley
12524 Caves Road
Area Variance (Continued)**

Mr. Ridley submitted an email requesting continuance to December 14, 2026.

Ms. Denamen made a motion to accept Mr. Ridley's request for a continuance till the December 14, 2026, meeting. Mr. Enger seconded the motion.

Ms. Denamen/yes; Mr. Enger/yes; Ms. Klemm/yes; Ms. Muehling/no; Mr. Ziganti/yes

Mr. Ziganti read the public hearing process of the Board of Zoning Appeals.

**APPEAL ZA-2026-5 – Nicholas and Lisa Berardinelli
12380 Chillicothe Road
Area Variance**

Mr. Ziganti had the appellant, zoning inspector and members of the audience who would offer testimony in this case stand and be sworn in.

Zoning Inspector Overview

Mr. Berardinelli is seeking a lot split to create three lots out of what is currently one lot. He was here four years ago. There was no resolution of the case. Some of the questions brought up by the board then have now been answered in the Staff Summary packets.

Of the three lots, one has a 150' lot frontage required minimum and this proposed lot will have 109' lot frontage. All three lots meet the minimum required area for the R district.

Information in the packets from Linda Crombie, the current Planning Director of Geauga County, Dave Dietrich, the former Planning Director of Geauga County and current Info Sheet No. 1 created July 2024 indicating the "Flow Chart" indicates the first place where the appellant should go is the board of zoning appeals.

This variance would be the first step of many for the applicant to get a lot split. Also, in 2022, there were four owners of the property and now there are two, Nick and Lisa Berardinelli.

Mr. Berardinelli – We would like to split our 5.3 acres off to two additional lots of 1.5 acres each. The proposed Sherman Rd lot falls short about 40' of frontage. That's about a 26% variance. We'd like to split these lots off for our children.

Board Review of Practical Difficulty Standards

Mr. Ziganti – Began review of the Duncan Factors with the appellant.

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
No
2. Whether the variance is substantial;
It is not substantial.
3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining property owners would suffer substantial detriment as a result of the variance.
No
4. Whether the variance would adversely affect the delivery of governmental services;
No
5. Whether the property owner purchased the property with knowledge of the zoning restrictions;
I did not realize there are zoning restrictions.
6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;
No
7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

Yes, I do.

After the board examined the proposed lot splits, Mr. Alusheff pointed out that the 109' frontage on Sherman Road has been there since before zoning in Chester Twp.

Mr. Ziganti – The variance we are considering is the 109' frontage on the proposed lot that would access Sherman Road.

Mr. Enger – [Addressing Mr. Berardinelli] So, I imagine at that point on Sherman Road, isn't there a stop sign very close to the proposed driveway and aren't people slowing down at that point? What do you think the average speed is at that point?

Mr. Berardinelli – I imagine they are slowing down to about 20 miles per hour at that point.

Mr. Enger – And that's why you think that less of a road frontage at that point would be appropriate?

Mr. Berardinelli – Yes, that makes sense.

Meeting Opened for Public Comment

Mr. Ziganti opened the floor to anyone wishing to comment that was sworn in.

Mr. Katrkoska (12304 Chillicothe Rd) – I live north of this proposed lot. This seems like a reasonable request to me. A 10' wide driveway and 96' of a wooded lot would barely be visible to people going by.

Mr. Mersol – Look at the map – Kolsom Tire has 400' next to them with one driveway. If that property line was over 41 more feet, Kolsom wouldn't have an issue here at all. Referring to 501.17 in the Resolution, if this was a cul-de-sac, the frontage would be 100'. I'm not saying this is a cul-de-sac, but look at the shape of this property. It's similar to a cul-de-sac with a smaller frontage, but larger in the back. The third thing is, what is stopping the Berardinelli's from putting a driveway there today?

When we go through the Duncan Factors, one of the things that I notice is what they are doing meets the spirit of the resolution. I don't think it is substantial given the size of their property.

Ms. Muehling – What Mr. Berardinelli has on this lot is what used to be called a "flag" lot – a narrow front lot widening out further back on the lot. This caused problems for zoning and the way it was corrected was by requiring a certain amount of frontage to prevent them. The question is, how does this lot differ from its neighbors in a physical sense?

Mr. Mersol (using Nearmap on the monitor) compared the Kolsom property with the Henzel property (across the street). He identified four non-conforming lots in the near vicinity of the proposed lot.

Ms. Muehling – The key question to be answered here is on this lot, is this a reasonable solution to a problem? That's the key question to be answered by this group.

Mr. Ziganti – One of the objectives in our township zoning is to move forward by moving away from non-conforming lots.

Public Comment portion of meeting was closed

Ms. Muehling made a motion to approve the requested area variance identified as number ZA-2026-5 to Article 5, Section 501.17 of the Chester Township Zoning Resolution for the real property owned by Nicholas and Lisa Dawn Berardinelli located at 12380 Chillicothe Road also known as permanent parcel number 11-016400 for one hundred nine (109) feet of lot frontage where a minimum of one hundred fifty (150) feet is required in a R Residential zoning district. Ms. Denamen seconded the motion.

Discussion

Ms. Denamen - I feel it is not a deficiency of great stature and splitting this lot actually makes it more conforming to the neighborhood. I also think it maintains the spirit of our community.

Ms. Muehling – Questioned if this is actually a continuation from the 2022 hearing as referenced in the Staff Summary as no decision was rendered.

Mr. Alusheff – It is new applicants on this case.

Ms. Muehling – When was the logical date for withdrawal? I want to make sure we are on strong legal ground.

Group discussion concurred this should be heard as a new case.

Mr. Ziganti – Questioned the variance at 26%, he believes it should be 27%.

Group concurred it should be 27%. Form 4 for ZA-2026-5 was changed to 27% and initialed by Mr. Berardinelli.

Mr. Ziganti – 27% is a big variance. This plan does not lead to non-conformity as far as lot size. 109' being close to the intersection, there is less of a concern of vehicles driving at a higher speed.

Group discussion on what happens next in the lot split process should a variance be approved. Mr. Alusheff detailed the multiple steps that need to happen before the lot is ever approved for building.

Ms. Denamen/yes; Mr. Enger/yes; Ms. Klemm/yes; Ms. Muehling/yes; Mr. Ziganti/yes
Motion passes

**Conclusions of Law
ZA-2026-5**

1. whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
Denamen/yes; Enger/yes; Klemm/yes; Muehling/yes; Ziganti/yes
2. whether the variance is substantial;
Denamen/yes; Enger/yes; Klemm/no; Muehling/yes; Ziganti/yes
3. whether the essential character of the neighborhood would be substantially altered or whether adjoining property owners would suffer substantial detriment as a result of the variance;
Denamen/no; Enger/no; Klemm/no; Muehling/no; Ziganti/no
4. whether the variance would adversely affect the delivery of governmental services;
Denamen/no; Enger/no; Klemm/no; Muehling/no; Ziganti/no
5. whether the property owner purchased the property with knowledge of the zoning restrictions;
Denamen/no; Enger/no; Klemm/no; Muehling/yes; Ziganti/no
6. whether the property owner's predicament feasibly can be obviated through some method other than variance;
Denamen/no; Enger/no; Klemm/no; Muehling/no; Ziganti/no
7. whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
Denamen/yes; Enger/yes; Klemm/yes; Muehling/no; Ziganti/no

**Findings of Fact
ZA-2026-5**

Nicolas and Lisa Berardinelli of 12380 Chillicothe Rd. requested a lot split of their present 5.36 acre lot. The lot split process requires that they come before the board of zoning appeals to secure a variance for the Sherman Rd. frontage of the current lot that measures 109 feet. The current county lot split procedure can commence with the approval of this variance request. A 109 foot frontage has been determined to be

sufficient should the owners wish to pursue establishing a new parcel 1.56 acre, with access from Sherman Road.

We the board of zoning appeals incorporate into these Findings of Fact and Conclusions of Law the application forms, documents, and exhibits including all corrections, clarifications and additions discussed or presented at this hearing.

**APPEAL ZA-2026-6 – Patrick and Lindsey Sullivan
11826 Africa Acres
Area Variance**

Mr. Ziganti had the appellant, zoning inspector, and members of the audience who would offer testimony in this case stand and be sworn in.

Zoning Inspector Overvie

Mr. Alusheff – This is a request to locate a shed closer to road than the front of the principal structure of the home. It is in violation of 501.3 (C).

Ms. Sullivan – We’re requesting a variance for the placement of our 12 x 16 storage shed. We built our house in 2025. We did not build it with a garage or storage shed in order to avoid taking on any unnecessary debt.

We currently have no garage or shed. Our equipment, (bicycles, lawn mower) are currently in our basement and a rented storage unit. We have a UTV for plowing the driveway. The UTV is currently sitting in front of our house under a tarp.

My husband and I spent a lot of time trying to determine how we could put this shed behind our house. The topography of our lot shows a 30% slope and ravine behind our home. Our septic is in front of the home. We also have the problem of saturated ground water within one foot of the surface. (See provided soils report). We do have the support of our neighbors. We did not speak with the Pattersons as they are far away to the end of our property. This is the only spot on our land that seems to work. Additionally, you cannot see our house from the road. We need this additional storage for our 9.2 acre lot.

Board review of Practical Difficulty Standards

Mr. Ziganti – Began review of the Duncan Factors with the appellant.

Ms. Muehling pointed out that these questions were answered in the Staff Summary packet. Could we present those answers as evidence and forego the oral Duncan Factors review?

The board unanimously agreed.

Questions from the Board

Mr. Ziganti – How far from Africa Acres drive is your home located?

Mr. Alusheff – The submitted drawing shows 369.5”.

Mr. Ziganti – Your testimony is that this would be used for lawn equipment and such things.

Ms. Sullivan – Yes

Ms. Muehling – I see there is an existing cabin on the site.

Ms. Sullivan – That is not there. It was demolished before the home was built.

Ms. Muehling – Did you ever live in it?

Ms. Sullivan – No, we did not.

Ms. Muehling – Did that cabin use the existing septic system?

Ms. Sullivan – No.

Ms. Muehling – Is the existing septic system put in by you?

Ms. Sullivan – Yes. What you’re looking at is the coloring overlaid by myself. The actual drawing is a site plan created by surveyors and they overlaid the septic system and replacement septic system on the map.

Ms. Muehling – You’re assuming this septic system will not be adequate in the future?

Ms. Sullivan – I’m not sure that that is relevant to the shed, but it’s required by the Health Department.

Ms. Muehling – OK, that answers my question.

Meeting Opened for Public Comment

No citizens were present to participate in this portion of the meeting.

Ms. Denamen made a motion to approve appeal ZA-2026-6 for a modest shed to be placed 369 feet from the road. Ms. Klemm seconded.

Discussion

Ms. Denamen – It is a very modest shed with no utilities. It seems cut and dry. It fits the nature of the neighborhood.

Ms. Klemm – I feel it will have minimum impact on the surrounding area.

Ms. Muehling – I was impressed with the quality of work of your 60-page document. May I ask, what is your profession?

Ms. Sullivan – I'm an engineer.

Ms. Muehling – I was most impressed with the natural resources section.

Mr. Enger – Minimum impact, spirit and intent of the law, good presentation and I found her testimony helpful.

Mr. Ziganti – Based on the topography, I think this is a reasonable request.

Denamen/yes; Enger/yes; Klemm/yes; Muehling/yes; Ziganti/yes

Findings of Fact ZA-2026-6

Applicants Patrick and Lindsey Sullivan requested an Area Variance to locate a 192 square foot accessory building in the front yard, but 369.5 feet from the roadway, Africa Acres Drive. Information presented indicated topographic difficulties in placement location other than proposed.

We, the board of zoning appeals incorporate into these Findings of Fact and Conclusions of Law the application forms, documents, and exhibits including all corrections, clarifications and additions discussed or presented at this hearing.

Conclusions of Law ZA-2026-6

1. Will the property yield a reasonable return or can there be a beneficial use of the property without the variance?
Denamen/yes; Enger/yes; Klemm/yes; Muehling/yes; Ziganti/yes
2. Is the variance substantial?
Denamen/yes; Enger/yes; Klemm/yes; Muehling/yes; Ziganti/yes

3. Will the essential character of the neighborhood be substantially altered or will adjoining properties suffer a substantial detriment if the variance is granted?
Denamen/no; Enger/no; Klemm/no; Muehling/no; Ziganti/no
4. Will the variance adversely affect the delivery of governmental services?
Denamen/no; Enger/no; Klemm/no; Muehling/no; Ziganti/no
5. Did the property owner purchase the property with knowledge of the zoning restrictions?
Denamen/yes; Enger/yes; Klemm/yes; Muehling/yes; Ziganti/yes
6. Can the problem be resolved by some manner other than the granting of the variance?
Denamen/no; Enger/no; Klemm/no; Muehling/no; Ziganti/no
7. Will the variance preserve the “spirit and intent” of the zoning resolution and will “substantial justice” be done by granting the variance?
Denamen/yes; Enger/yes; Klemm/yes; Muehling/yes; Ziganti/yes

Approval of Minutes

- Ms. Denamen moved to approve the April 13, 2026, minutes; Mr. Enger seconded the motion.
Ms. Denamen/yes; Mr. Enger/yes, Ms. Klemm/yes, Ms. Muehling/yes; Mr. Ziganti/yes
Motion passed.

New Business

- None

Old Business

- DRAFT of BZA Bylaws

All members have received a copy of the DRAFT BZA bylaws. At the next meeting, a vote will be taken to approve those bylaws as written.

June 8, 2026 at 7:00 p.m. will be the next BZA meeting.

Meeting closed at: 8:54 p.m.

Approval Date June 8, 2026

Kathleen McCarthy, Admin. Assistant

Barton Ziganti, Chairman

Mindy Denamen, Vice-Chair

Mark Dobrzynski

Justin Enger

Christina Klemm

Margaret Muehling