

**BRUNSWICK HILLS TOWNSHIP**  
**Public Hearing**  
**October 23, 2018**

**RE-ZONING: W 130<sup>th</sup> St. between Laurel Rd. and Sleepy Hollow Rd.**

The Brunswick Hills Township Board of Trustees held a Public Hearing on Tuesday, October 23, 2018 at 5:30 pm on the recommendation from the Zoning Commission for a re-zoning brought before the Board.

Present: Trustee Chair Michael Esber, Trustee Vice Chair John Witthuhn, Trustee Christina Kusnerak, Zoning Inspector Evelyn Czyz, Brian and Scott James from Developers Management, LLC and several members of the public.

Trustee Esber called the public hearing to order at 5:30 pm noting the hearing was properly advertised meeting all the requirements of the Ohio Revised Code.

Trustee Esber noted that each person speaking will have 3 minutes before the board.

Brian James from Developer Management, LLC explained the company requested from the Zoning Commission to rezone the entire corridor on W130th from Sleepy Hollow to Laurel Rd. currently zoned RR (rural residential) to R1 (residential district) and provided a rendition of the housing plan to include 40 homes with protected areas.

**Public Comments:**

Christy Frank, 1938 W130th St, expressed her concern on the impact of traffic and the way of life they have enjoyed for 30 years. She is not in favor of the rezoning request.

Christopher Frank, 1938 W130th St, submitted a petition to the Board with 50 signatures of the residents that live in the area opposing the rezoning and noted concern over water drainage.

Steve James, 2040 W130th St, stated he believes everyone has the right to develop their own land and should meet the requirements. He also expressed concern of the water drainage once a large development is put in.

Raymond Pick, Mount Pleasant United Methodist Church, 2768 Laurel Rd stated he is representing the church and its leaders and would like to keep it RR and thinks that the tax valuation would increase property taxes.

Patrick Carrabine, 2020 W130th St, expressed opposition to the rezoning.

Scott James, Developers Management LLC, stated 75% of the lots in that area do not meet the current zoning requirements for setbacks. They are proposing to protect the riparian area and the woods. He expressed the rezoning of the 55 acres (Hejduk property) and to modify would like to modify the application. He stated that the land will be developed under the R1 or the RR. 40 homes or 20 homes but it will be developed.

Trustee Kusnerak, stated that the Board cannot change the application and we have to hear what was applied for. Also, after reading the comments from the Zoning Commission and the applicant at their public hearings, she noted that the Comprehensive Land Use Plan does say a

rezoning in that area would be appropriate however not to RR but to Commercial Light Industrial and doesn't say when that might happen. Scott James stated that the Board can and does have the right to alter the application, Kusnerak disagreed and the proper procedure would have to follow. Mr. James also noted that rezoning to R1 would be spot zoning but would be a better fit for the area than Commercial.

Sorina Strioe, 1976 W130th expressed concern about water issues and is opposed to the rezoning.

Jeannette Mytyk, 2148 W130th, opposes the rezoning and agreed with all of the other comments.

Patty Wetterman, 1085 Substation Rd, stated that she and her husband live on the opposite end of the Township however they are opposed to the rezoning stating how is this going to impact the emergency services.

Leslie Feagan, 2116 W130th St, expressed opposition to the rezoning.

Brian James, Developer Management LLC, also noted that site distance would not be an issue.

Christine Sirca, 1951 W130th St, commented that she grew up with the Hejduk's. Wanted to know why the property owner is not present and was curious as to why the developer was asking for the rezoning and not the land owner. She also questioned if there was an agreement between the developer and the land owner.

Scott James replied that there is an agreement signed by all necessary Hejduk's and the purchase/development is contingent upon rezoning the land however the land will be developed at some point.

Mary Moyseenko, 2815 Sleepy Hollow Rd, stated her opposed to the rezoning.

No other public comments were made.

Trustee Esber closed the public hearing at 6:08 pm

Trustee Esber moved to adopt Resolution #35 to disapprove the re-zoning request made by Brian and Scott James, Developer Management LLC, Trustee Witthuhn 2<sup>nd</sup>, voting yes, Esber, Witthuhn and Kusnerak

Esber moved to adjourn Kusnerak 2<sup>nd</sup> voting yes Esber, Witthuhn and Kusnerak

Adjourned at 6:16pm

---

Michael Esber, Trustee Chair

---

John Witthuhn, Trustee

---

Christina Kusnerak, Trustee Vice Chair

---

Katherine Esber, Fiscal Officer