

**Brunswick Hills Township Zoning Commission
Regular Meeting Minutes
February 4, 2021**

CALL REGULAR MEETING TO ORDER

Chair Wetterman called the Brunswick Hills Township Zoning Commission regular meeting to order at 7:53 p.m. following the Organizational Meeting. A roll call of the board was executed.

- **Board Members in Attendance:** Trica Murphy, Patti Wetterman, Robert Norton, Ed Kelly
- **Alternate Board Members in Attendance:** Dean Collura, Barb Porter
- **Board Members Not in Attendance:** Sy Mougrabi
- **Others in Attendance:** Evelyn Czyz, Zoning Inspector, Trustee Kusnerak, Mary Jean Milanko, Zoning Secretary

Alternate member, Dean Collura sat in for Mr. Mougrabi to represent a full board.

APPROVAL OF THE MINUTES

1. Approval of the November 5, 2020 Regular Meeting Minutes

Mrs. Porter referenced page one under Sorting Clay Shooting Regulations, Roll Call, last sentence to add yes after Mrs. Porter's name. **Amendment:** *Mrs. Porter-yes.* **Motion:** Mr. Collura made a motion to accept the November 5, 2020 minutes from the Zoning Commission as amended. Mrs. Wetterman seconds the motion. **Roll Call:** Mr. Norton-abstain; Mr. Kelly-abstain; Mr. Collura-yes; Mrs. Murphy-yes; Mrs. Wetterman-yes.

OLD BUSINESS/ CONTINUED BUSINESS

1. Review of Zoning Resolution

A. Sec. 1108 Decisions by Board of Trustees vs. ORC 519.12 (H): Trustee decisions, “majority” vs. “unanimous” vote.

Chair Wetterman said at the last meeting we had a discussion on Sec. 1108 Decisions by Board of Trustees vs. ORC 519.12 (H) on “majority” vs. “unanimous vote”. She said the ORC was changed and it now says a majority vote is required by Trustees and our zoning book says unanimous vote by Trustees. Trustee Kusnerak stated that is probably something we need to discuss with the Prosecutor because a lot of instances for a vote are majority, but there are certain instances where it has to be unanimous. Trustee Kusnerak said we can submit something with this section for Mr. Richter to review and discuss at our zoning training workshop. No further discussion. Chair Wetterman stated we will keep this on our meeting agenda.

B. Article VIII Conditional Zoning Certificates; Sec. 802-1 Submission and Sec.1003-1 Applications

➤ **Discussion on a needing complete application(s) before going forward.** Chair Wetterman said we've had conversations on needing complete applications with letters of consent and notarized signatures before we pass anything through and asked for comments. Mrs. Czyz said I don't submit anything to the Zoning Commission for a Conditional Zoning Certificate, those go to the BZA. Mrs. Czyz said for Conditional Zoning Certificates, as we discussed before, it is on the application that fifteen (15) copies have to be submitted. She said yes, we require it to be complete, however, I have been told through various Zoning Inspector's workshops that if that is all the applicant wants to submit to me, I have no right to refuse it. She said it still goes to the BZA and it is up to them to say we are not accepting this because it is not a complete application and tell them what they want.

➤ **Sec. 1003-1 Discussion on applications – one application per appeal or request.**

(Example: One application & fee submitted requesting global use variances or area variances on 30+ parcels/lots). Chair Wetterman stated I would like to table this and send this to Mr. Richter to address at the training because there have been some questions on how those have been submitted with parcel numbers. She asked if the zoning goes with the parcel number then what happens if they split the lots off. Mrs. Czyz agreed and said I have a call into the Prosecutor’s Office on a similar situation.

- **Sec. 802-1 (B.), Article VIII – Conditional Zoning Certificates: 15 printed copies of site plan. What sections require 15 printed copies and an electronic copy.** Chair Wetterman stated we discussed this before and the question is if we should also request an electronic copy. Mrs. Czyz said she just took an application for this board and an electronic copy was provided. Secretary Milanko agreed we need an electronic copy of applications in addition to the fifteen (15) printed copies as applications that go before the Medina County Planning Commission require both.

NEW BUSINESS:

Zoning Training Workshop. Trustee Kusnerak stated she reached out to Brian Richter, Prosecutor (Legal Counsel) and he is willing to provide a virtual training session for both of our zoning boards. She asked board member to send dates on when they would be available for an evening in March at 6:00 p.m.

ADDITIONAL BUSINESS:

New Map Amendment Application. Secretary Milanko stated Mrs. Czyz received an application request yesterday for a Zoning Map Amendment for a parcel on Laurel Road (4575 Laurel Road). Mrs. Czyz said this Map Amendment is for the property that is two doors to the east of the Historical Society buildings on Laurel Road. The dwelling that is there is a single-family home that consists of 450 square feet built back in 1922. She said in 1922 there was no zoning because we did not have zoning until 1950, but it was Rural Residential. She said the parcel that is directly to the west of that has been rezoned to an R-1 Residential to accommodate a home. Mrs. Czyz said some of the parcels that adjoin it to the east, west and south are in the City of Brunswick. Mrs. Czyz said without rezoning that parcel, you won’t be able to do anything with it. It conforms to an R-1 zoning district as it stands now, but it does not conform, nor will it ever, to Rural Residential. She said it does not even have one acre and you need two acres for a Rural Residential district home.

Mrs. Czyz said I provided extra maps to the board identifying the subject property and the surrounding property owners for Secretary Milanko to send letters to the property owners notifying them of the Map Amendment. Mrs. Czyz said its two parcels basically, but one parcel number. It’s a total of 100 feet in width and 150 in depth so it does meet the zoning frontage and the depth, but that is all it’s ever going to meet. Mrs. Czyz stated she provided a cover memo to the board with more details on the property.

Secretary Milanko stated because it is a Zoning Map Amendment, it has to go to the Medina County Planning Commission and the township is responsible for sending the hard copy and electronic copy of the application to the Planning Commission within five days of receipt. Secretary Milanko stated the March 3, 2021 Planning Commission submission deadline was February 1st and we received the application on February 3rd. Secretary Milanko stated she will forward the application to the Planning Commission and it may be that April 7th is soonest date they can hear it and make recommendations. Mrs. Czyz said the applicant met our Zoning Commission submission deadline.

There were questions whether the Zoning Map Amendment procedure had changed. Secretary Milanko stated it had not changed and per Sec. 519.12 Zoning Amendments of the Ohio Revised Code, Zoning Map Amendments for rezoning must be sent to the Medina County Planning Commission for review, comment and recommendations before the Zoning Commission can hear the case. The Zoning Commission schedules a public hearing and considers the Planning Commission recommendations and then sends their recommendation to the Board of Trustees for their decision at a public hearing.

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Secretary Milanko said the applicant thinks he is on the Zoning Commission March agenda for a decision, however, there are a few more steps involved. Mrs. Czyz said we can't change it now, but from here on we need to change the Zoning Map Amendment filing dates so it somehow coincides with filing deadline date of the Planning Commission.

Mrs. Wetterman said knowing a little about the property, the house is in terrible shape and being close to the Historical Society, it would be a good thing for Brunswick Hills to have that gone. Secretary Milanko stated she will contact the applicant to explain the situation and send everything to Planning Services.

PUBLIC COMMENT: None

ANNOUNCEMENT OF NEXT MEETING DATE: Thursday, March 4, 2021 @ 7:00 p.m.

MOTION TO ADJOURN

Motion: Mr. Norton made a motion to adjourn the meeting. Mr. Collura seconds. **Roll Call:** All in favor to adjourn. Meeting officially adjourned at 8:28 p.m.

Respectfully Submitted,

Mary Jean Milanko, Zoning Secretary

Zoning Commission

Date