

**Brunswick Hills Township Board of Zoning Appeals
Regular Meeting Minutes
Township Hall
November 3, 2021**

Call Meeting to Order

Chair Kersten called the Brunswick Hills Township Board of Zoning Appeals regular meeting for November 3, 2021 to order at 7:03 p.m. A roll call of the board was executed.

- **Board Members in Attendance:** Cliff Kersten (Chair), Chris Schigel (Vice Chair), Ron Wetterman, Ann Barron
- **Board Members Not in Attendance:** Linda Kuenzer (Excused Absence); Daryl Lucien (Excused Absence)
- **Others in Attendance:** Evelyn Czyz, Zoning Inspector, Trustee Christina Kusnerak, Mary Jean Milanko, Secretary.

The Brunswick Hills Board of Zoning Appeals acts within the regulations of Sec. 519 of the Ohio Revised Code. A quorum was present. Chair Kersten noted there were no cases before the board, but a tie vote on anything that comes up is a no vote.

APPROVAL OF MEETING MINUTES

1. Approval of the October 6, 2021 Minutes

Motion: Mr. Wetterman moved to approve the minutes as submitted. Mr. Schigel seconds.

Roll Call: Ms. Barron-yes; Mr. Wetterman-yes; Mr. Schigel-yes; Mr. Kersten-yes.

APPROVAL OF DECISION LETTER

1. Decision Letter: Richard & Linda Kassouf, 2109 Marks Road variance to build a new home.

Motion: Mr. Schigel moved to accept the decision letter as submitted by the Secretary. Mr.

Wetterman seconds. **Roll Call:** Mr. Schigel-yes; Mr. Wetterman-yes; Ms. Barron-yes; Mr. Kersten-yes.

NEW BUSINESS – NONE

ADDITIONAL BUSINESS

1. Approval of a Special Meeting of the BZA before the December 1, 2021, if needed for the purpose of adopting and signing the Conclusion of Fact for 1595 Substation Road.

Motion: Mr. Schigel moved for approval of scheduling a special BZA meeting before the December 1, 2021 regular meeting, if needed, for approval of Notice of Appeal documents. Mr. Kersten seconds.

Roll Call: Mr. Wetterman-yes; Ms. Barron-yes; Mr. Schigel-yes; Mr. Kersten-yes.

2. Question About Variances by Ron Wetterman.

Mr. Wetterman had a question on variances and what they mean. He said he understands the variances go with the property and asked if it is a “one-time” issue, or once it’s been granted, can the owner of the property repeat it without coming back before the BZA. Ms. Czyz stated it is a variance “in perpetuity” because it goes with the property regardless of who owns it. Ms. Czyz stated the example if Mr. Wetterman owns a property and Ms. Barron purchases said property 20 years down the road, that variance goes with that property. Mr. Wetterman said to clarify, let’s say a business applies for a building on his property that does not comply, can he come back 10 years later and just pay an application fee and build another building the same size without coming back to the BZA? Ms. Czyz asked, without raising the first one? Mr. Wetterman said yes, without

raising the first one. Ms. Czyz said that is a totally different variance because that variance is specific for that building. Ms. Czyz asked, can he raise that building for whatever reason and put another building there that is of the same size and everything – yes, he can.

Mr. Wetterman said what about a self-storage facility? Can they add another 69,000 square feet without another variance? Ms. Czyz said if that is the way the original plan was submitted, yes. She said a perfect example of that is R&B Storage. When R&B Storage was granted their variance, they showed all of the proposed future buildings, so all of those buildings are included in that variance. Mr. Wetterman said so if it is not included in the original, then they can't? Ms. Czyz said yes, because variances are specific and you are asking for a specific reason for that variance. Mr. Wetterman said so if they just decide 10 years later, they want to expand and had no plans to do it 10 years earlier, would they have to come back? Ms. Czyz said they would have to come back because it's specific. Trustee Kusnerak asked Mr. Wetterman if he is seeing a problem. Mr. Wetterman said yes. Trustee Kusnerak and Ms. Czyz asked, where at? Mr. Wetterman said he would rather not say at this time. Trustee Kusnerak said if we don't know about it, we can't do anything about it. Mr. Wetterman said it is passed and done so we can't do anything about it. Ms. Czyz said and if it is over the 20 years, then it is grandfathered in. Mr. Wetterman stated he just wanted a clarification on it.

3. Questions on Potential Special Meeting Before December 1, 2021

Mr. Schigel asked if we have a special meeting before December 1st, do we need the December 1st meeting? Ms. Czyz stated you have nothing on the agenda. Mr. Kersten stated we don't have any decision letters to sign and the meeting minutes from tonight could be carried over to the January meeting, so we would not need to have the December 1st meeting. Secretary Milanko stated in January, we have to schedule our organizational meeting and that has to be after the Trustee organizational meeting. Trustee Kusnerak stated they usually have their organizational meeting the first week in January. She said in some past cases, the zoning boards could not schedule their meetings the first week in January and so their organizational meetings were scheduled in February. She said if you meet in January and it is before you can have your organizational meeting, then the board would proceed in your roles as you are now until you have the organizational meeting.

The BZA board agreed they would cancel the December 1st meeting if there is a special meeting scheduled in November. The board also agreed they will meet in January, 2022 if there is an application request submitted by the December 1, 2021 deadline. The organizational meeting will be held in January or February, 2022 depending on when the Trustees announce their organizational meeting date.

PUBLIC COMMENT - NONE

ANNOUNCEMENT OF NEXT MEETING DATES:

Wednesday, December 1, 2021 @ 7:00 p.m. unless a special meeting is called in November, 2021.

MOTION TO ADJOURN

Motion: Mr. Schigel moved to adjourn the meeting. Ms. Barron seconds. **Roll Call:** All in favor to adjourn. Meeting officially adjourned at 7:16 p.m.

Respectfully Submitted,
Mary Jean Milanko, Zoning Secretary

Cliff Kersten, Chair

Date