

**Brunswick Hills Township
Zoning Commission Regular Meeting Minutes
January 6, 2022**

Call Meeting to Order

Following the Organizational Meeting, Chair Wetterman called the Brunswick Hills Township Zoning Commission January 6, 2022 regular meeting to order at 8:20 p.m.

A roll call of the board was executed.

- **Board Members in Attendance:** Patricia Wetterman; Robert Norton; Ed Kelly
- **Alternate Board Members in Attendance:** Barb Porter, Dean Collura
- **Board Members Not in Attendance:** Sy Mougrabi (Excused Absence)
- **Others in Attendance:** Evelyn Czyz, Zoning Inspector; Trustee Trica Murphy, Zoning Liaison; Mary Jean Milanko, Zoning Secretary

Alternates Dean Collura and Barb Porter were seated to represent a full board. Mr. Norton led the Pledge of Allegiance and moment of silence for our military and first responders.

APPROVAL OF THE MINUTES

1. Approval of the ZC December 2, 2021 Minutes

Secretary Milanko noted a correction on page one under **2. Approval of the ZC November 4, 2021 Regular Meeting Minutes** and noted that Mrs. Murphy’s vote should say “yes” instead of abstain.

Discussion: Mr. Collura had a question on page three, last paragraph before New Business where Mrs. Czyz referenced the term “tot lots” and said he assumed it was not a misspelling, but a reference to small kids. Mrs. Czyz confirmed that they are called “tot lots” in the development plans.

Mr. Norton referenced page two of the minutes where Mrs. Czyz stated that “townhouses are in a building and the size is comprised of all of that” and asked what she was trying to explain. Mr. Collura said I asked the question about the Comprehensive Plan that referenced minimum square footage of a building in the township is 1250 sq. ft. and I asked about townhouses. He said Mrs. Czyz explained there could be four houses, but they are all within one structure. Mr. Norton said that is not what our Bylaws say and noted “each dwelling has to be a minimum of 1250 sq. ft.”. He said his question was whether she was saying if there is more than one townhouse in a building, they all have to equal 1250 sq. ft. or if “each one of them has to equal 1250 sq. ft”. Mr. Norton referenced 303-6 (L.) on page 24 of the Zoning Resolution “Minimum Living Floor Area Per Dwelling Unit”:

L. Minimum Living Floor Area Per Dwelling Unit - No structure shall be erected, reconstructed, or converted for use as a dwelling unless the following minimum living floor area per dwelling unit is provided.

- | | |
|-------------------------------------|---------------|
| 1. Single-family Dwellings | 1,250 sq. ft. |
| 2. Two-family Dwellings | 1,250 sq. ft. |
| 3. Single-family Attached Dwellings | 1,250 sq. ft. |
| 4. Multifamily Dwellings | 1,250 sq. ft. |

Mr. Norton asked if the Multifamily Dwellings means one building has to be 1250 sq. feet because if you put six units in a townhouse building, that’s only 200 sq. feet. He said I think each house, each dwelling unit has to be 1250 sq. feet. Mrs. Czyz said that is a nice size townhouse. Mr. Norton said he looked at the Redwood Apartment units and they are all 1250 sq. ft. to 1300 sq. feet so they are not really that big, but for a townhouse, the building is going to be big and if we start to do that, someone will find a loophole to build

and call them townhouses, but they are apartments, and start to attach them and make them smaller. He said we need to stay with a minimum of 1250 sq. ft. per living dwelling to keep our square footage safe. Mrs. Czyz agreed and said I don't think we have anything in the township less than 1250 sq. ft. Mrs. Porter said, so that means that all of the apartments have to be a minimum of 1250 sq. ft. as well, correct? Mr. Norton and Mrs. Czyz said yes. Mrs. Czyz said the Redwood Apartments will be single family attached dwelling units.

Mrs. Wetterman said which also brings us protection from the small houses that might want to come in. Mrs. Czyz stated we do not allow "tiny houses" in the township. She said there was one that was erected in the township and she sent them a violation letter. She said they didn't get a permit from the township and just built it on the site. They got a permit from the Medina County Building Department, but it fell through the cracks and they never checked to see if there was a zoning certificate from the township. Ms. Czyz stated she gave them 30 days and they complied by moving it to their permanent site within a week or so. Mrs. Czyz said Medina County does not allow tiny houses.

Motion to Approve Minutes: Mr. Norton moved to accept the December 2, 2021 minutes as discussed and corrected. Mrs. Porter seconds. **Roll Call:** Mr. Kelly-yes; Mr. Norton-yes; Mr. Collura-yes; Mrs. Porter-yes; Mrs. Wetterman-yes.

OLD / CONTINUED BUSINESS:

1. Definition of Deck Review Request by Board of Trustees

- Review Definition of Deck
- Review Definition of Structure

Definition of Deck sent to the Trustees for public hearing:

Deck: An above ground platform without a roof which is directly adjacent to a principal building. ~~and has an average elevation of thirty (30) inches or greater from finished grade.~~ A platform supported by pillars or posts which may be either freestanding or attached to a building.

Mrs. Wetterman stated at our last meeting, we received the acceptance of our text amendments from the Trustees with the exception of the deck definition and we decided to postpone it to this meeting. Mrs. Wetterman called for discussion regarding the definition of a deck because it was questioned that a deck in the back portion of a property, perhaps near a wooded area, and the current definition does not allow for that. She stated the letter from the Trustees mentioned that our definition of structure would cover the question of "adjacent to the principal building." Mrs. Wetterman said we do not have a definition of a "principal building" in our definitions.

Board Discussion: Mr. Collura referenced the wording: "*A structure without a roof which is directly adjacent to a principal building*" and said somebody reading that would think that if it isn't adjacent to a principal building that you can't put it up. I think if you simply said "*directly adjacent to a principal building or freestanding*" (which is about the only wording difference between the structure and the deck) it would take care of it. He said we already removed the wording "average elevation of thirty (30) inches or greater from finished grade." He said then the last sentence can be "A platform supported by pillars or posts". Mr. Collura said that statement is giving you the freestanding or attached which is basically the same thing you want the deck to say.

Mrs. Wetterman said this came up because of the restrictions on the front part of the building, so that would clarify about any other buildings. Mr. Norton said he looked at the definition and used the word "platform" but platform is not in our definitions. He said a platform is just a level surface that anything can be built on.

Mrs. Porter said she agreed with Mr. Collura and Mr. Norton and said my wording was a tad different, but it works out to be the same thing. She said it would be free standing or adjacent; either way. Mrs. Wetterman said that would eliminate it if someone wanted to put deck out in back with a pergola on top of it. She said a pergola is not a porch. Mrs. Porter said I was wondering if we might want to add that if it is freestanding that it must comply with the setbacks. Mrs. Czyz said they would still have to get a permit from Medina County so they would do inspections and everything else. Mr. Kelly had no additional comments to add.

Mrs. Wetterman called for a motion to send the new recommendation to the trustees and asked for the new wording definition of a deck. Mr. Collura responded: ***Deck: A platform which is directly adjacent to a principal building or is free standing.***

Mrs. Czyz stated that definition is good because if it needs pillars or something the Medina County Building Department will require that. Mrs. Wetterman noted that she did not know what the discussion was on the deck with the Trustees and asked for clarification from the attorney and didn't get it. She said if this is what the board wants, we will make the recommendation as stated.

Motion to Approve New Definition of Deck: Mr. Collura moved to recommend the revised definition ***Deck: A platform which is directly adjacent to a principal building or is free standing.*** Mr. Norton seconds. **Roll Call:** Mr. Collura-yes; Mr. Norton-yes; Mrs. Porter-yes; Mr. Kelly-yes; Mrs. Wetterman-yes.

Secretary Milanko stated we have a new recommendation, but we have to follow the same process and that is to send the recommendation to the Medina County Planning Commission and the Prosecutor's Office for comments. Trustee Murphy asked if we were just sending this one recommendation to the Planning Commission. Mr. Norton said we will be reviewing the definition of structure, so if we make changes to that definition, then we can send them both through together instead of one at a time. Board members questioned whether we were changing the definition of structure.

Discussion on Structures: Mrs. Wetterman said there were a few things that came up recently about structures and noted there was a structure connected to the ground on Rt. 42 and Grafton Road on a lot. She said it is a structure because it is considered attached to the ground and we have to talk about that because we don't cover temporary structures in our definition. Mr. Kelly referenced page 14 of the Zoning Resolution definition of Temporary Buildings/Structures:

Temporary Buildings/Structures: Any vehicle or structure constructed in such a manner as to permit occupancy as temporary meeting space, offices, classrooms, libraries, or used in similar fashion while permanent construction is under way. Temporary buildings/structures must meet all setback and other pertinent requirements.

Mrs. Wetterman noted it mentions these are allowed while the other construction is under way. She said the place on Rt. 42 sells T-shirts and gear that is made out of plastic wrapped around the building/structure. Mrs. Czyz stated it is an accessory use to a commercial building. Mrs. Wetterman asked if it is an accessory use. She said it not an accessory to the Red Onion (principal building). Mrs. Czyz said the fire department called in about that structure. Mr. Collura asked if this a permanent structure on its own? Mrs. Wetterman said no, it's a temporary structure. Mr. Norton said they also had food people there too and those are temporary structures. Mr. Norton said they're doing a commercial business on a commercial property. He said that tent can be moved, so it is temporary, but it is housing a business. He said a job trailer can be brought out to a site so he could put a little mobile office there and do the same thing out of that mobile office. Mrs. Czyz said he would have to get a permit for that. Mrs. Czyz stated in this situation, he would have to get a temporary vendor's permit from the police department. End of discussion.

2. Review of the Comprehensive Land Use Plan for Updates

- Board member questions /ideas for questionnaires
- Discussion of steering committee and citizen’s group

Chair Wetterman asked Trustee Murphy if anything on the Comprehensive Land Use Plan update has come before the Trustees. Mrs. Murphy said we haven’t had a meeting on it yet. Mrs. Wetterman stated we will table this topic because we have to have direction from the Trustees first on how they are going to handle that.

Motion to Table Review of the Comprehensive Land Use Plan for Updates: Mr. Norton moved to table the Comprehensive Land Use Plan and two agenda items until the Trustees have given us direction.

Discussion on the motion: Mrs. Czyz said I don’t believe the Trustees have received any notification as to monies being disbursed. Mrs. Wetterman stated they were looking into a grant.

Motion Continued: Mr. Kelly seconds the motion. **Roll Call:** Mr. Norton-yes; Mr. Collura-yes; Mrs. Porter-yes; Mr. Kelly-yes; Mrs. Wetterman-yes.

NEW BUSINESS: None

ADDITIONAL BUSINESS: Table Sending Revised Definition of Deck for Comments.

Secretary Milanko asked the board if they are tabling the definition of the deck to the Planning Commission and Prosecutor’s Office. The board agreed to table the definition until they have other amendments to send with it. The board agreed to table sending as there will be other changes they will be discussing.

PUBLIC COMMENT: None

ANNOUNCEMENT OF NEXT MEETING DATE: Thursday, February 3, 2022 @ 7 p.m.

MOTION TO ADJOURN

Mr. Norton moved to adjourn the meeting. Mrs. Porter seconds. **Roll Call:** All in favor to adjourn.

Meeting officially adjourned at 8:57 p.m.

Respectfully Submitted,
Mary Jean Milanko, Zoning Secretary

Patricia Wetterman, Chair

Date