

**Brunswick Hills Township Board of Zoning Appeals  
Regular Meeting Minutes  
Township Hall  
December 6, 2023**

**Call Meeting to Order**

Chairman, Chris Schigel called the Brunswick Hills Township Board of Zoning Appeals regular meeting for December 6, 2023 to order at 7:00 p.m. A roll call of the board was executed.

- **Board Members in Attendance:** Chris Schigel, Cliff Kersten, Ron Wetterman, Ann Barron, Gregg Timura
- **Alternate Board Members in Attendance:**
- **Others in Attendance:** Trustee Trica Murphy, Zoning Liaison, Wes Humphrey Assistant Zoning Inspector, Linda Kuenzer, Secretary.

Chair Schigel stated a quorum is present. Meeting has been properly advertised and is being taped for the record. Before any vote, a yes, simple majority vote with a quorum is in favor of the applicant. A no, simple majority vote, will deny the applicant's request. The Brunswick Hills Township Board of Zoning Appeals acts within the regulations of Sec. 519 of the Ohio Revised Code. Meeting has been properly advertised.

**APPROVAL OF MINUTES**

**1. July 5, 2023**

Mr. Schigel stated we have the minutes to approve from July 5, 2023.

**Motion:** Mr. Kersten moved to approve the minutes as written plus the correction for the July 5, 2023 meeting. Mr. Wetterman seconds. **Roll Call:** Ms. Barron-yes; Mr. Wetterman-yes; Mr. Kersten-yes; Mr. Timura-yes; Mr. Schigel-yes.

**2. August 2, 2023**

Mr. Schigel stated we also have minutes to approve from August 2, 2023 case re-open meeting.

**Motion:** Mr. Kersten moved to approve the minutes as written plus the correction for the August 2, 2023 meeting. Mr. Wetterman seconds. **Roll Call:** Ms. Barron-yes; Mr. Wetterman-yes; Mr. Kersten-yes; Mr. Timura-abstain; Mr. Schigel-yes.

**NEW BUSINESS**

No new cases for January 2024 per Mr. Humphrey.

Mr. Kersten questioned the Kingsbury Road church that the BZA had granted a conditional permit with stipulations. Mr. Kersten had received phone calls regarding the permit had expired, that work was done after permit expiration date and that the work does not comply with what was approved. Mr. Kersten asked Mr. Humphrey how this was monitored? Mr. Humphrey stated that it was the responsibility of the Zoning Department to follow up. He had taken pictures, had driven past a couple of times, and was finding out what the status was. He would also call and check on the status as well. Mr. Humphrey asked if the board had asked for pictures of the inside of the building?

Mrs. Murphy asked if Mrs. Kuenzer had the motion that was made at that meeting. Mrs. Kuenzer read the motion that was made at the August 3, 2022 meeting.

*Mr. Schigel moved to approve 4430 Kingsbury Road, Medina, Ohio 44256. PP#001-02C-22-050 for a modular classroom on the property for the conditionally permitted use, contingent on the approval of the Medina County Building Department, and that within six (6) months the*

***modular classroom will be permanently installed in place according to the submitted drawings. Mr. Jeffers seconds. Roll Call: Mr. Wetterman-yes, with conditions, Mr. Schigel-yes; Mr. Jeffers-yes, Mr. Kersten-yes, with conditions.***

Mr. Schigel asked what our formalized process to keep track of the permit issued with conditions? Mr. Humphrey stated that would come back to the Zoning office. They should also have provided the Zoning secretary with the permit and the pictures. Mr. Humphrey will contact the building department and obtain the approval of the building and call the call to obtain the pictures.

Mr. Kersten stated that the work that was done would have been in violation due to it being over the six (6) month stipulation. Mr. Kersten stated the board makes a ruling, are those rulings inspected by zoning? Mr. Humphrey stated no, not 100% of them.

Mr. Kersten asked if a violation letter is sent out, pertaining to a decision the board had made, is there any reason that the board could not get a copy of the letter? Mr. Humphrey stated that they could send a copy to the secretary. Mr. Humphrey stated he did not understand why the board put the six (6) month stipulation on the permit. Was there a reason for the six (6) months rather than the normal year for permits? Mr. Wetterman stated the six (6) months was for the building department to make their inspections of the building.

Mr. Schigel stated that what is needed is a formalized process to make sure that if a stipulation is put on the permit, that it is followed up on. Mr. Kersten stated that what has been done up to now is illegal. Mrs. Murphy asked what the date of the motion that was read was made. Mrs. Kuenzer answered August 3, 2022. Mrs. Murphy stated it has been over a year. Mr. Humphrey stated he could get the additional information for the board and see when that work was done. He would try to obtain pictures of the inside of the building. Mrs. Kuenzer stated that there had been discussion during the meeting about obtaining pictures, however the boards motion did not reflect providing pictures of the inside.

Mr. Humphrey stated he wanted to see if the motion stated the entire process had to be completed within the six (6) months. Was the process to be completed within the six (6) months? Mr. Kersten stated that the information he received, nothing had been done within the time frame. Mr. Humphrey stated that the permit may have been obtained within the six (6) months, but construction wasn't completed. Mr. Kersten stated that according to the boards motion it was supposed to be done in the six (6) month timeframe. Mrs. Kuenzer asked to speak. Mr. Schigel said yes. Mrs. Kuenzer reread a portion of the motion that was made: ***“that within six (6) months the modular classroom will be permanently installed in place according to the submitted drawings.”***

Mr. Kersten stated this was not done, Mr. Humphrey asked what they would like him to do? Mr. Kersten said the board would have to discuss it. He also stated that he and probably the other board members did not know anything about what happens with this regarding stipulations. He asked if at the end of the six (6) months would Mr. Humphrey go back and check on it? Mr. Humphrey stated that Mrs. Czyz gives him a list of things to go and take pictures.

Mr. Kersten stated that no violation letters were written on this. What he would like to see is, if there are violations and if violation letters are sent, he would like to have a copy of the violation letter be given to the Zoning Secretary and it would be distributed to the board. That way the board can stay informed of what is happening with the case. Mr. Kersten asked Mr. Humphrey if that could be done and what he would have to do to have that happen? Would he have to make a motion? Mr. Kersten stated that nothing had been done within the six (6) month period, the permits had run out and he felt the board should have been notified. Mr. Schigel stated that he understood how Mr. Kersten felt, he felt the same way, however he thinks that would have to be stated in our Zoning Resolution as a follow up process.

Mr. Kersten asked Mrs. Murphy what needed to be done. Mrs. Murphy stated that is just how it should work. If the board makes stipulations, at the end of the time frame or whatever the stipulation is, the Zoning department should go out and inspect and see if it has been in conformance. If you give six (6) months and it is not completed or there has been changes, then it should go back to the BZA.

Mr. Kersten stated he did not want to see all violations, only those that had come before the board.

Mr. Kersten asked if he came to the Zoning office and asked to see a violation letter on a certain piece of property, could he do that? Mr. Humphrey stated yes. However, if he was with someone Mr. Kersten may have to wait, but sure. People can come down to the office anytime. The letter is public record, so yes.

Mr. Wetterman stated he had been into the Zoning office and discussed the Church. He had asked about the two (2) units being one which Mr. Humphrey just answered and if the Church received a letter from the Zoning Board. He was told it wasn't necessary.

Mr. Wetterman stated there have been instances in the past where stipulations have not been followed or information had not been communicated back to the board. Follow-up is nothing new.

Mr. Schigel stated that a process should be put into place for tracking stipulations on permits and their follow-ups.

Mrs. Murphy stated that it could be done between the Zoning liaison and the Zoning office. She felt it would great if they (the Zoning department) could follow up and say it has been done and in compliance or it is not done and not in compliance or in violation and it would have to come back to the board. Mr. Schigel stated that in the future, they should include a statement in the motion regarding the stipulation and what would happen if not followed. There should also maybe include a statute of limitations if they catch it say within four (4) months or something.

Mr. Humphrey stated if they talk about it, talk about you want. Be clear, because once they go out and measure, they do not go back. If there is something out with buildings, once the Zoning department goes out to the site, then the other departments start their process, Zoning does not go back.

Mr. Kersten stated he felt that the Zoning department should have known that the permit was a six (6) month permit. Once it was expired then they stated to work. At the end of the time frame, if you go out and they are working on it, then a violation should be written and work stopped. Mr. Kersten stated he was just trying to keep this from happening again.

Mr. Humphrey stated that they can come to him and discuss things with him at any time.

**ANNOUNCEMENT OF THE NEXT MEETING DATE:**

Due to the trustees organizational meeting being held on January 3, 2024, the BZA Organizational meeting will have to be held the following week. Mr. Schigel called for a motion.

**Motion:** Mr. Kersten motioned for the Organizational meeting to be held on January 10, 2024, at 7pm. Mr. Wetterman seconds. **Roll Call:** Ms. Barron-yes; Mr. Timura-yes; Mr. Wetterman-yes; Mr. Kersten-yes; Mr. Schigel-yes.

**Organizational meeting is scheduled for Wednesday, January 10, 2024 7pm**

**PUBLIC COMMENT:** None

**MOTION TO ADJOURN**

Mr. Kersten moved to adjourn the meeting. Mr. Timura seconds. **Roll Call:** All in favor to adjourn.

Meeting officially adjourned at 7:40 p.m.

Respectfully Submitted,  
Linda Kuenzer, Zoning Secretary

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Chris Schigel, Chair

Date Approved (Approved 12/11/2024)