**Brunswick Hills Township**
**Zoning Commission Regular Meeting Minutes**
**March 5, 2026**

**Call Meeting to Order**
Mr. Witt called the Brunswick Hills Township Zoning Commission on March 5, 2026 regular meeting to order at 7:00 pm.

A roll call of the board was executed.

- **Board Members in Attendance**: Ms. Brunn, Mr. Kalina, Mr. Witt, Mrs. Wetterman, Mr. McFarland
- **Alternate Board Members as voting members**:
- **Board Members Absent:**
- **Others in Attendance:** Mr. Smerek, Alternate Member, Mr. DeCastra, Trustee, Ms. Beck, Secretary.

Mr. Witt asked everyone to stand for the Pledge of Allegiance and for a moment of silence for our troops and first responders.

**Approval of the February 5, 2026 regular meeting minutes**
Mr. Witt asked the board if there were any updates or corrections to the meeting minutes. There were none.
**Motion:** Mrs. Wetterman made a motion to accept the February 5, 2026 Zoning Commission minutes as written. Mrs. Brunn seconded the motion.

**Roll Call:** Mr. McFarland- yes, Ms. Brunn- yes, Mrs. Wetterman- yes, Mr. Kalina- yes, Mr. Witt- yes.

**NEW BUSINESS**: None

**OLD/CONTINUED BUSINESS:**

Proposed Amendment to Section-1005.3 (Variance Time Limits)

The Commission continued the discussion on potentially establishing time limits for variances. Key points included the possibility of eliminating open-ended variances, allowing up to two six month extensions, and clarifying that extensions do not require a public hearing. The amendment addresses "open ended variances" – variances granted in the past without clear time limits, leading to variances granted for one building, but later multiple buildings being constructed under the same approval (example: storage buildings on Pearl Road, now 8 buildings) The intent is to close the gap/loophole so that variances do not remain indefinitely effective when no action is taken for many years.

There was concern whether the Zoning Commission should dictate to the BZA as a quasi-judicial board how to handle time limits in individual cases. The BZA currently has authority to impose case specific conditions, including time frames based on the facts of each application. Mr. Kalina discussed that he feels it is excessive for the Zoning Commission to provide uniform deadlines for the BZA. He shared that case law holds that each appeal is fact specific, so BZA decisions do not create binding precedent, they may treat each case differently without violating equal treatment principles. He expressed concerns about language that might retroactively affect previously granted variances.

Mr. DeCastra shared that the BZA has received complaints from neighbors about old variances that have sat unused for 20+ years and are now being acted upon in a changed context. Residents have expressed concern over property owners obtaining variances with no near term intent to build, then using them decades later. The BZA is looking for additional support in the resolution to clarify validity/time limits of variances, so applicants know they are expected to actually move forward.

The board decided to submit the draft amendment to the Medina County Planning Commission and County Prosecutor for their review and feedback.

Article 11 Amendments (ORC Alignment)

The Commission reviewed updates to align with Ohio Revised Code.

Section 1104 clarifies public hearing notice must be published within 10 days before the hearing using one or more methods, recommendation to reference the website and remove a redundant sentence. Sections 1105–1106- Minor edits aligning with ORC and Planning Commission procedures, mailing by first class mail reflects statutory minimum. The board will continue reviewing at the next meeting.

Marijuana Dispensary Discussion

Trustee, Mr. DeCastra discussed with the commission that 35% of state marijuana tax revenue goes to the host jurisdiction, with some townships receiving $100,000–250,000 and some even as much as $900,000+ per year in additional revenue. The current zoning bans medical marijuana dispensaries. Discussion included the potential revenue, heavy state regulation and security, and the possibility of creating a specific "marijuana zone" or parcel to tightly control location. The zoning commission is opened to exploring. Mr. DeCastra will continue investigating, no further action is needed from the Zoning Commission at this time. Mr. DeCastra just wanted to know the boards opinion on it.

Zoning Map Update

Mr. DeCastra shared that he is working with the Planning Commission to update the zoning map. He discussed the Parcels located northwest and southwest of the Blue Bell Parkway intersection near SR 42, adjacent to an existing housing development. Although the zoning map designates these parcels as RR (Rural Residential), a 2005 court settlement agreement permits development as C-1 (Commercial). This agreement is tied to the property/owner and is not reflected on the official zoning map.
To prevent ongoing confusion for zoning officials, staff, and future applicants, it is recommended that the Township formally rezone the parcels from RR to C-1 through the standard map amendment process. This would align the zoning map with the existing settlement.

Mr. DeCastra explained that the Zoning Commission may initiate the rezoning without an owner application. Required steps include: Motion to recommend rezoning from RR to C-1, hold a public hearing with proper notice and then forward recommendation to the Board of Trustees for final action/ decision. The commission agreed that initiating the rezoning is the most straight forward way to accurately reflect the current development rights and avoid future confusion.

Mr. DeCastra also discussed that there is a separate larger parcel near Bluebell Parkway that is subject to the 2005 Settlement agreement. It allows the owner to build two buildings with a total of 140 senior housing units. The new owner is approaching the Trustees with a concept to amend the settlement to remove the ability to do the 140-unit senior living facility, and instead develop a plan of single-family homes (approx. 30–35 homes) on a public road, likely with a homeowners association.

Mr. DeCastra explained that doing this would remove the possibility of the senior living option, viewed as expensive for safety services and located at the far south of the township, which is also not ideal. This will also allow the township to specifically dictate what can be built on the property (e.g, exact layout and housing type), subject to engineering refinement. It's overall beneficial for the Township.

Mr. DeCastra encouraged the board to follow the process along and provide any input to the Trustees.

**Motion:** Mrs. Wetterman made a motion to recommend rezoning the parcels 001-02D-27-035 and 001-02D-27-036 from RR to C-1.

**Roll:** Call: All in favor- Aye unanimously.

**ADDITIONAL BUSINESS:** None

**PUBLIC COMMENT:**

Linda Hudson, 314 Pearl Road, Brunswick, OH 44212

Mrs. Hudson shared that the BZA already has strong quasi-judicial authority to set conditions, including time limits, many past problems are due to weak enforcement and poor communication, not lack of zoning text. She discussed that retroactively changing rules for old variances could create legal complications and fairness issues. She Strongly urged better coordination between the Zoning Office, Zoning Commission, and BZA and supported obtaining a Prosecutor's legal opinion on the time limit proposal. On the topic of marijuana- She believes a tightly controlled dispensary could bring significant revenue, with manageable safety impacts, possibly less problematic than alcohol, and encouraged careful consideration.

Billy Hudson, 314 Pearl Road, Brunswick, OH 44212

Mr. Hudson supported aligning zoning with the settlement agreement on the properties on 42, praised the developer who brought water and sewer to the area, benefiting other residents.

Ron Wetterman, 1085 Substation Road, Brunswick, OH 44212

Shared that he is a recently retired board member of the BZA. He shared that the BZA pays attention to commission decisions. Encouraged the commission not to hesitate to pass well considered amendments. He also recommended revisiting the meeting structure, so public comment occurs before votes on topics and not just at the end of the meeting.

**ANNOUNCEMENT OF NEXT MEETING:** Thursday, April 2, 2026 at 7:00pm

**MOTION TO ADJOURN**
**Motion:** Ms. Brunn made a motion to adjourn. Mr. McFarland seconded the motion.
**Roll Call:** All in favor – Aye unanimously.

Adjourned at 8:26 PM

Respectfully Submitted,
Dalith Beck, Zoning Secretary

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Edward Witt, Chair Date