

Richfield Township Board of Zoning Appeals
January 20, 2020

The meeting was opened at 6:35 p.m. on January 20, 2020 with the following in attendance:

Jeff Smola
Natalie Grubb
Robert Kapitan
Geoffrey Graham

Zoning Inspector, Laurie Pinney
Summit County Prosecutors Office Assistant Prosecuting Attorney, Ray Hartsough
Court Reporter Carina Mezaros

There were approximately twenty attendees, including approximately twelve applicant representatives for the two cases on the agenda.

Board member Christi Gable had provided prior notice that she would be unable to attend.

A motion was made by Mr. Smola and seconded by Mr. Graham to go into executive session with legal counsel. The motion passed with unanimous approval. The board came out of executive session at 7:17 p.m.

The floor was opened to nominations for 2020 chair and vice-chair positions. A motion was made by Ms. Grubb to keep the same chairperson and vice chair assignments as the prior year, with Mr. Smola as Chairperson and Ms. Grubb as Vice Chair. The motion was seconded by Mr. Kapitan and received unanimous approval.

The agenda was amended to take the cases out of order and Case 642-20 was opened. The members discussed the request, which was to remove zoning requirements on a property in the Light Industrial-Office district. An almost identical had been filed in December 2019 as BZA Case 640-19 but was withdrawn by the applicant prior to the December meeting and the request topic was subsequently discussed by the board and trustees at the December 16, 2019 BZA regular meeting.

John Slagter, legal counsel for the applicant presented information regarding the application and stated he had land use planner Mark Majewski in attendance to provide expert testimony.

A motion was made by Mr. Smola and seconded by Ms. Grubb to continue the hearing until a legal opinion can be obtained regarding whether the BZA has authority to entirely remove zoning restrictions for an entire property. The hearing would be continued to a special meeting scheduled for February 10, 2020, 6:30 p.m. and will be the only matter on the agenda. The motion passed with unanimous approval.

Property owner John Allega made a statement to the board that the only reason for the request was to facilitate financing so that the building would be available to different types of users in

the future. Zoning Commission Chair Mark Totten notified the board that the zoning commission had written a letter of support for the request.

Case 641-20 was opened at 6:58 p.m. and John Coyne, legal counsel for the applicant presented information on the request for setback variances for an existing residence. The applicant had provided a document addressing the seven standards of practical difficulty for the area variance request and property owner Terence Wilson was sworn in at 8:04 p.m. and gave information on the changes made during the construction process by the engineering company and the site plan drawings that had been provided. There were no proponents or opponents to the request.

A motion was made by Mr. Smola and seconded by Ms. Grubb to accept resolution 641-20 to approve the variance request. The motion passed with unanimous approval.

A motion was made by Mr. Smola to accept the minutes of October 21, 2019. the motion was seconded by Mr. Kapitan and received majority approval, with an abstention by Ms. Grubb. There was no meeting in November 2019 and there was not a quorum present for approval of the December 16, 2019 minutes and they were tabled to the next regular meeting.

Having no further business, a motion was made to adjourn by Mr. Smola at 8:21 p.m. The motion was seconded by Mr. Graham and received unanimous approval of those in attendance.

Chairperson _____ Secretary _____ Date _____