

**NORTHFIELD CENTER TOWNSHIP  
BOARD OF ZONING APPEALS PUBLIC HEARING  
June 7, 2018**

**A. CALL TO ORDER:**

Meeting called to order at 7:30 p.m. by Rick Patz, Chair.

Roll Call:

Mr. Patz, aye; Mr. Rudder, aye; Ms. Bielecki, absent; Mr. Christley, aye; Mr. Wolff, aye; Mr. Kaminicki, alternate, aye.

**B. APPLICATION:**

Applicant Lisa Cooper, 7625 Kitner Blvd. has applied for a Zoning Variance to use her property as an overnight accommodation for travelers and/or health seekers. Ms. Cooper addressed the BZA. ; She said she moved to Northfield Center a year ago and wants to practice massage out of her home. She had some unexpected home repair costs and was told she should try an “Air B&B” type room rental. She would like to have her clients be able to stay overnight.

Mr. Patz said that the application says “integrative medicine.”

Ms. Cooper said what she does falls under the umbrella of integrative medicine.

Mr. Patz asked how many guests she was planning on having per night.

Ms. Cooper said she can rent up to 3 rooms.

Mr. Wolff verified that she wanted to rent all 3 rooms.

Ms. Cooper said she could rent all 3, and sleep on her massage table or the floor.

Mr. Wolff said a B&B is allowed in an R-2 district, but not in an R-1 district, which is where Ms. Cooper is located. He asked what makes her house unique from all other homes in an R-1 zoning.

Ms. Cooper said what she offers is unique. She does have Air B&B guests that stay overnight at the moment.

Mr. Rudder asked if she had her massage business in Brecksville or in her home.

Ms. Cooper said she does see some clients in her home.

Inspector Saunders said home occupation with overnight guests in Section 390.04 A, “residential” it is a Conditional Use. Under 310.03 is not permitted at all.

Mr. Rudder said that in Section 390.04 this requires that the building be compatible with surrounding land area, parking plan, FD inspection, 25 foot landscape screening, etc.

Inspector Saunders said the Zoning Commission is looking into updating/clarifying these regulations.

Gary Moore, 7608 Kitner Blvd., has met some of the people staying in Ms. Cooper's home; they seem like good people, asked what the big deal was.

Mr. Rudder pointed out that in Section 310.03 A 5, a B&B is a Conditional Use in an R-2, but not listed as a Conditional Use in an R-1. Under 390.04 A 4 discusses the possibility of a Conditional Use permit being granted in both R-2 and R-1 zoning districts.

Mr. Patz asked if Ms. Cooper is doing this to make up some of the losses on her property.

Ms. Cooper does want to do this for financial gain.

Andrew Brush, 7643 Kitner. Wasn't clear about services, are they in home or somewhere else. What is screening process for people staying in the home?

Mr. Rudder explained that the application is for a B&B, the BZA is hearing about other services today. A B&B in 130.02 #15 is a single family dwelling whose principal use is permanent residential quarters and no more than 3 guestrooms available to no more than 6 transient guests.

Ms. Cooper said that the people coming for treatment would only be those that fall under her scope of training.

Mr. Kaminicki moved to close the Open Session at 7:50 p.m.

Seconded by Mr. Christley.

Roll Call:

Mr. Patz, aye; Mr. Rudder, aye; Ms. Bielecki, absent; Mr. Christley, aye; Mr. Wolff, aye; Mr. Kaminicki, alternate, aye.

### **C. BOARD OF ZONING APPEALS DISCUSSION:**

Mr. Rudder said that there is a disparity in the code; when there is, the code is to be interpreted more liberally in favor of the applicant. Even though under 390.04 A, 4, it does provide for a B&B in an R-1 district, it references 390.06 C, the 18 criteria for the B&B. He reminded all that it does require 10 acres. There are also

landscaping requirements. He also questioned whether or not a B&B in a residential development like Ms. Cooper's is compatible with the surrounding land use; also there is no site plan for parking.

Mr. Wolff said that the 50 foot setback with the 25 foot buffer is to protect the neighbors. This is a 3 bedroom ranch home. He didn't think the intent of the code was to allow a B&B in every residential area in the Township. HE feels it is designed as a residential home and it doesn't seem to be a good idea for a B&B.

Mr. Christley likes the idea of the business, but per the current code it does not fit.

Mr. Kaminicki had no additional comment.

Mr. Patz didn't see how this can fit; the BZA must work within the code.

Ms. Cooper said that when zoning laws were written, the world was different. She encouraged the BZA to look at other vacation rentals online.

Mr. Wolff suggested that Ms. Cooper take her suggestion to the Zoning Commission. He also verified with Inspector Saunders that this does not affect clients coming into the home during the day.

Mr. Rudder moved to deny the application for a Conditional Use Permit to operate a Bed and Breakfast.

Seconded by Mr. Christley.

Roll Call:

Mr. Patz, aye; Mr. Rudder, aye; Ms. Bielecki, absent; Mr. Christley, aye; Mr. Wolff, aye; Mr. Kaminicki, alternate, aye.

**D. APPROVAL OF MINUTES:**

1. Mr. Rudder moved to waive the reading and approve the minutes of the 4/12/18 Public Hearing, Sit Means Sit Dog Training.

Seconded by Mr. Wolff.

Roll Call:

Mr. Patz, aye; Mr. Rudder, aye; Ms. Bielecki, absent; Mr. Christley, aye; Mr. Wolff, aye; Mr. Kaminicki, alternate, abstain.

2. Mr. Wolff moved to waive the reading and approve the minutes of the 5/10/18 Public Hearing, St. Barnabas Festival.

Seconded by Mr. Rudder.

Roll Call:

Mr. Patz, aye; Mr. Rudder, aye; Ms. Bielecki, absent; Mr. Christley, aye; Mr. Wolff, aye; Mr. Kaminicki, alternate, abstain.

3. Mr. Kaminicki moved to waive the reading and approve the minutes of the 5/17/18 Public Hearing, Selbona Event Center.

Seconded by Mr. Rudder.

Roll Call:

Mr. Patz, aye; Mr. Rudder, aye; Ms. Bielecki, absent; Mr. Christley, aye; Mr. Wolff, aye; Mr. Kaminicki, alternate, aye.

**E. OTHER BUSINESS:**

Inspector Saunders told the BZA that Howard Shafron will be applying for a sign variance.

**F. ADJOURNMENT:**

Mr. Wolff moved to adjourn at 8:20 p.m.

Seconded by Mr. Rudder.

Roll Call:

Mr. Patz, aye; Mr. Rudder, aye; Ms. Bielecki, absent; Mr. Christley, aye; Mr. Wolff, aye; Mr. Kaminicki, alternate, aye.

Respectfully Submitted,

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Rick Patz, Chair

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Date

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Judy Flauto, Secretary

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Date