

Minutes of Zoning Commission

March 31, 2020

The regular meeting of the Bainbridge Township Zoning Commission was called to order by Mr. John Lateulere, Chairman at 7:08 P.M. Members present were: Ms. Kristina Alaei, Ms. Marlene Walkush and Mr. Dennis Williams. Mr. Howard Miller, Alternate and Ms. Marion Perry were absent.

Secretary's note: The meeting was held in accordance with COVID-19 Social Distancing guidelines.

PLEDGE OF ALLEGIANCE

The Zoning Commission recited the Pledge of Allegiance.

GUESTS: None

PUBLIC COMMENTS: None

MINUTES

Ms. Walkush moved to adopt the minutes of the February 11, 2020 meeting as written.

Ms. Alaei seconded the motion that passed unanimously.

NEW BUSINESS

Proposed Zoning Amendment Z-2020-2

The Zoning Commission reviewed a proposed amendment submitted by Signature Square of Bainbridge, LLC which proposes to rezone PPN# 02-262000 (16832 Chillicothe Road) and PPN# 02-261900 (Chillicothe Road) from R-3A Rural Residential District to CB Convenience Business District.

Ms. Walkush moved to accept this proposed amendment and to enumerate it as Amendment Z-2020-2, and to set the public hearing for April 28, 2020 at 7:15 P.M. at the Bainbridge Town Hall, 17826 Chillicothe Road, Bainbridge Township, Ohio and to request the Bainbridge Township Board of Trustees to issue a purchase order for the necessary legal advertisement.

Mr. Williams seconded the motion.

Vote: Ms. Alaei, aye; Mr. Lateulere, aye; Ms. Walkush, aye; Mr. Williams, aye.

OLD BUSINESS

Proposed Zoning Amendment Z-2020-1

Ms. Alaei moved to recess the regular meeting.

Ms. Walkush seconded the motion that passed unanimously.

The regular meeting was recessed at 7:18 P.M.

PUBLIC HEARING

Mr. Lateulere, Chairman, called the public hearing to order at 7:18 P.M.

Zoning Commission members present were: Ms. Alaei; Mr. Lateulere; Ms. Walkush and Mr. Williams. Mr. Miller, Alternate and Ms. Perry were absent.

Proposed Zoning Amendment Z-2020-1 is a motion of the Zoning Commission to amend Chapter 117 – Board of Zoning Appeals; Chapter 140 – Active Public Park District; Chapter 141 – Professional Office (P-O) District; Chapter 142 – Passive Public Park District; Chapter 143 – CB Convenience Business District; Chapter 153 – Farm Markets; Chapter 155 – LIR Light Industry Restricted Districted; Chapter 160 – Establishment of Riparian Setbacks; Chapter 177 – Prohibited Uses and Chapter 190 – Mixed Use Planned Unit Development District.

The public hearing was advertised in the News Herald on March 20, 2020. Mr. Lateulere read the legal notice of public hearing into the record.

Mr. Lateulere read into the record the recommendation of the Geauga County Planning Commission in a letter dated March 13, 2020 in which the Planning Commission recommended approval of Z-2020-1 as initiated on February 25, 2020 by the Zoning Commission.

Mr. Lateulere explained that the Geauga County Planning Commission's action is just a recommendation to this board, it is not something that binds this board, it is something the zoning commission has to consider, it is a piece of evidence. He said from an amendment standpoint and we have been through this a number of times at our open meetings, we have in front of us a packet of these zoning amendments, reasonably speaking, many of the amendments are minor and for the record he will go through them chapter by chapter. Chapter 117 – Board of Zoning Appeals has a correction of an item for the number of days to bring it into compliance with Ohio Revised Code, the Active Public Park District has a few small amount of modifications, we specified what could be provided for in that district and also added a few prohibited items and then talked about accessory structures and things of that nature and specified the height and area restrictions.

Mr. Lateulere stated that for Professional Offices several minor changes were added into it, “offices of a political subdivision of the state of Ohio” which allows to get rid of a couple of other items such as “Township and Government buildings” and added a few uses and took a few uses away as is normal and customary as time goes on and for the most part the rest of the chapter is in conformance with the cross references in the method of stating numbers throughout the rest of the resolution. Chapter 142, the Passive Park District is very similar, a few new rewords in this chapter, a little bit more specificity over what is permitted in the Passive Park District, took out some requirements for conditional uses that are in other areas accommodated and then again went through area, height and other regulations and brought it in conformance with the remainder of the resolution. Chapter 143 – Convenience Business District, we made some fairly minor changes to the permitted uses, reworded a few things within the conditional uses, eliminated the provision for “game rooms” and also added a provision that will allow the township to regulate above ground storage tanks and added into the district indoor and outdoor tennis clubs subject to the conditions that were previously in another area of the resolution. Mr. Lateulere stated that change being done by this board is a method to put it in a district that we feel is more in keeping with the purpose and intent of that district and that use and the rest of it is so that it is in accordance with the remainder of the resolution and how we call out numbers etc. with one extra modification and that is adding some very reasonable restrictions on exterior vending machines. Chapter 153 was previously Farm Markets so it is now Farm Markets and Agritourism, the changes to this chapter largely bring it into compliance with what the Ohio Revised Code already specifies for these uses and adds a requirement that a zoning certificate be applied for and granted providing they meet all of the requirements for those uses. Chapter 155, Light Industry Restricted District, we made a few changes in here, one of which was to make it a progressive zone to allow uses in the Convenience Business District to also be permitted in the Light Industry District, brought Off-street parking and loading regulations into compliance with the cross references, signs, solar panels, things of that nature. It would appear as though the rest of the revisions are reasonably minor in terms of numbering and bringing it back in conformance as he has said previously for the remainder of the zoning resolution. Chapter 160, the Establishment of Riparian Setbacks, the changes in here were reasonably comprehensive, they were made to bring it into conformance with what the Geauga County Soil and Water Conservation District has recommended as part of their model, riparian setbacks are something that we have understood and moved forward as protection of the environment and the changes that we have discussed in here at pretty good length bring it into conformance with what Geauga County Soil and Water’s recommendations are. We have also included an updated version of the Riparian Setback Map as provided by the county. Chapter 177, Prohibited Uses we have specifically added “Short term rental of a dwelling, in whole or in part, involving transient occupancy for thirty (30) consecutive days or less by persons other than the owner for which the owner receives monetary compensation pursuant to a rental agreement shall be prohibited.” The act of doing this would prohibit short term rentals in Bainbridge Township. The final modification is Chapter 190 - Mixed Use Planned Unit Development District, in this probably the most salient one would be under 2.2.102 on page eight, Subsection C which specifies in a little more specificity that lots of record that exist in this district that are not within generally speaking the areas of Market Place or Geauga Lake would be bound by the Convenience Business District standards.

Mr. Lateulere solicited comments for the proposed amendment: None

Mr. Lateulere solicited comments against the proposed amendment: None

Ms. Walkush moved to close the public hearing.

Mr. Williams seconded the motion.

Vote: Ms. Alaei, aye; Mr. Lateulere, aye; Ms. Walkush, aye; Mr. Williams, aye.

The public hearing was closed and the regular meeting was reconvened at 7:29 P.M.

Proposed Zoning Amendment – Z-2020-1

Mr. Williams moved the adoption of the following motion:

That the Bainbridge Township Zoning Commission recommend the approval of the following proposed amendment to the Bainbridge Township Zoning Resolution attached hereto: Z-2020-1.

Ms. Alaei seconded the motion and the roll being called the vote of the Bainbridge Township Zoning Commission was as follows:

Vote: Ms. Alaei, aye; Mr. Lateulere, aye; Ms. Walkush, aye; Mr. Williams, aye.

The amendment will be submitted to the Bainbridge Township Board of Trustees for its action.

(Audio Recording of Public Hearing on File)

CORRESPONDENCE

1. Bainbridge Township Board of Zoning Appeals Meeting Minutes, dated January 16, 2020.
2. Bainbridge Township Board of Trustees Meeting Minutes, dated January 6, 2020; January 13, 2020; January 27, 2020; February 10, 2020; February 18, 2020; February 19, 2020; February 24, 2020; March 9, 2020.

Since there was no further business to come before this meeting of the Bainbridge Township Zoning Commission, Mr. Williams made a motion to adjourn.

Ms. Walkush seconded the motion that passed unanimously. The meeting was adjourned at 7:36 P.M.

Respectfully submitted,

Linda L. Zimmerman
Zoning Commission Secretary

John Lateulere, Chairman

Date Approved: April 28, 2020