

## Minutes of Zoning Commission

May 26, 2020

The regular meeting of the Bainbridge Township Zoning Commission was called to order by Mr. John Lateulere, Chairman at 4:02 P.M. Members present were: Ms. Marion Perry and Ms. Marlene Walkush. Mr. Dennis Williams called in via Zoom. Ms. Kristina Alaei was absent. Ms. Karen Endres, Zoning Inspector was present and Mr. David Dietrich, Assistant Zoning Inspector/Zoning and Planning Coordinator was present via Zoom.

Secretary's note: The meeting was held in accordance with COVID-19 Social Distancing guidelines and also held as a "Zoom" meeting.

### PLEDGE OF ALLEGIANCE

The Zoning Commission recited the Pledge of Allegiance.

PUBLIC COMMENTS: None.

GUESTS: Those present were Mr. Ted Otero, Mrs. Kelly Otero and Mr. Jared Flynn.

Those present via Zoom were Ms. Bridey Matheney, Mr. Dale Markowitz, Mr. Glenn Knific, Ms. Anna Backus King and Ms. Samantha Cottrill – Chagrin Valley Times.

### MINUTES

Ms. Walkush moved to adopt the minutes of the April 28, 2020 meeting as written.

Ms. Perry seconded the motion that passed unanimously.

### NEW BUSINESS

Mr. Lateulere noted for the record that the Zoning Commission will be taking the items on the agenda out of order under New Business.

### Proposed Zoning Amendment Z-2020-4

Mr. and Mrs. Ted Otero, applicants and Mr. Jared Flynn, attorney for the applicants met with the Zoning Commission to discuss the proposed amendment.

The Zoning Commission reviewed the 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-2020-4, and to set the public hearing for June 30, 2020 at 7:30 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.

Ms. Perry seconded the motion.

Vote: Mr. Lateulere, aye; Ms. Perry, aye; Ms. Walkush, aye.

#### Proposed Zoning Amendment Z-2020-3

The Zoning Commission reviewed the proposed amendment and noted that it is an amendment to Chapter 105 – Definitions; Chapter 135 – R-5A Rural Open Residential District; Chapter 139 – R-3A Rural Residential District; Chapter 143 – Convenience Business District; Chapter 161 – General Provisions and Chapter 165 – Nonconformities.

#### Public Comments on Proposed Zoning Amendment Z-2020-3

Ms. Bridey Matheney, Attorney on behalf of the Woods of Wembley Homeowner's Association asked if Chapters 135, 139 and 165 or at least the portions that relate to tennis clubs as conditional uses be pulled from the amendment until the Board of Zoning Appeals has ruled on the pending application from the New Wembley LLC for its review of its conditional use permit in the R-3A rural district. She said the concern is that there are some specific conditions for a tennis club that are important with respect to this renewal application and in addition there are BZA conditions that have been imposed.

Mr. Lateulere explained that the tennis club will become a non-conforming use and an expansion of a non-conforming use is more restrictive however the conditions applicable to such non-conforming conditional uses will still apply. He added that the Zoning Commission believes that if you are going to establish a new tennis club the place to have a tennis club is in the CB district and a revision was made to add them into the CB District.

After some discussion the Zoning Commission was in agreement to initiate the proposed amendment.

Ms. Perry moved the adoption of the following motion:

That an amendment to the Bainbridge Township Zoning Resolution, identified as number Z-2020-3, consisting of 132 pages, marked Exhibit A and attached hereto and incorporated herein as though fully rewritten, be hereby initiated by the Bainbridge Township Zoning Commission this 26<sup>th</sup> day of May, 2020.

Ms. Walkush seconded said motion.

Vote: Mr. Lateulere, aye; Ms. Perry, aye; Ms. Walkush, aye.

Motion to Set a Date for a Public Hearing on the Proposed Zoning Amendment Z-2020-3

Ms. Perry moved the adoption of the following motion:

That the Bainbridge Township Zoning Commission conduct a public hearing on the proposed amendment, identified as number Z-2020-3 to the Bainbridge Township Zoning Resolution as attached hereto on the 30<sup>th</sup> day of June, 2020 at 7:15 P.M. at the Bainbridge Town Hall and request that the Bainbridge Township Board of Trustees issue a purchase order for the necessary legal advertising.

Ms. Walkush seconded the motion.

Vote: Mr. Lateulere, aye; Ms. Perry, aye; Ms. Walkush, aye.

OLD BUSINESS

Proposed Zoning Amendment – PUD Zoning

The Zoning Commission was in agreement to table the proposed amendment.

CORRESPONDENCE

1. Bainbridge Township Board of Trustees Meeting Minutes, dated April 13, 2020; April 17, 2020 and April 27, 2020.
2. Memo from Linda M. Crombie, Geauga County Planning Director, dated January 23, 2020. RE: Replat of Sublot Number 10 and 26A of Canyon Manor Subdivision – Final Plat.
3. Memo from Linda M. Crombie, Geauga County Planning Director, dated February 20, 2020. RE: Replat of Sublot Number 10 and 26A of Canyon Manor Subdivision – Final Plat.
4. Memo from Linda M. Crombie, Geauga County Planning Director, dated February 20, 2020. RE: Canyon Lake Colony Subdivision No. 14-B – Final Plat.

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

Ms. Walkush seconded the motion that passed unanimously. The meeting was adjourned at 4:52 P.M.

Respectfully submitted,

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Linda L. Zimmerman  
Zoning Commission Secretary

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John Lateulere, Chairman

Date Approved: June 30, 2020