

Minutes of Zoning Commission

April 30, 2024

The regular meeting of the Bainbridge Township Zoning Commission was called to order by Ms. Marlene Walkush, Chair at 6:04 P.M. Members present were: Ms. Lorrie Sass Benza; Mr. John Lateulere; Ms. Stephanie Puzzo and Ms. Jill Adams, Alternate. Ms. Kristina Alaei and Ms. Laura Weber, Alternate were absent. Also present was Mr. Dave Dietrich, Planning and Zoning Coordinator.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC COMMENTS

None.

MINUTES

Ms. Sass Benza moved to adopt the minutes of the March 26, 2024 meeting as written.

Ms. Puzzo seconded the motion.

Vote: Ms. Adams, Alternate, aye; Ms. Sass Benza, aye; Mr. Lateulere, abstain; Ms. Puzzo, aye; Ms. Walkush, aye.

NEW BUSINESS

May Meeting Schedule

The Zoning Commission held a discussion on the May 28, 2024 meeting and acknowledged that the Board of Trustees are meeting in the meeting room on the same day and time (Tuesday) because of the Memorial Day holiday. The members were in agreement to hold the regular Zoning Commission meeting at its scheduled date and time on May 28, 2024 at 6:00 P.M. in the Zoning Office.

Informal Review of Proposed Zoning Amendments

The Zoning Commission reviewed proposed zoning amendments for Chapter 121 – Amendments and Chapter 131 – Districts Classified and Purpose: Zoning Map.

OLD BUSINESS

Proposed Zoning Amendment Z-2024-1

Mr. Lateulere made a motion to recess the regular meeting.

Ms. Sass Benza seconded the motion that passed unanimously.

The regular meeting was recessed at 6:15 P.M.

PUBLIC HEARING

Ms. Walkush, Chair called the public hearing to order at 6:15 P.M.

Zoning Commission members present were: Ms. Adams, Alternate; Ms. Sass Benza; Mr. Lateulere; Ms. Puzzo and Ms. Walkush.

Proposed Zoning Amendment Z-2024-1 proposes to amend Chapter 140 – Active Public Park District; Chapter 142 – Passive Public Park District; Chapter 165 – Nonconformities and Chapter 186 – Wireless Telecommunications Towers and Facilities.

Ms. Walkush noted that the public hearing was duly advertised in the News Herald on April 19, 2024 and has been available for public examination and review at the township office for at least ten days before today as required by Ohio Revised Code Section 519.12 (D, 5).

Ms. Walkush read into the record the recommendation of the Geauga County Planning Commission in a letter dated April 10, 2024 in which the Planning Commission recommended approval of the proposed amendment with modifications as follows:

- 1. Section 142.02(c): Recommend removing reference to Section 161.22 as it does not yet exist.*
- 2. Active Public Park and Passive Public Park districts: Consider adding reference to the regulations applying to township-owned parks.*

Ms. Walkush stated that the Zoning Commission members previously discussed these proposed amendments and decided that they were going to accept them and sent them up to the Planning Commission without any changes.

Mr. Dietrich referred to Section 142.02(c) recommending that the reference to Section 161.22 be removed as it does not yet exist. He said Ms. Zimmerman brought this up with Ms. Crombie before and she acknowledged that and said she understood that it is not in there and why and then made the comment anyway in her letter so it is a little bit interesting. He said we thought we had the base covered with the traded emails with her and told her what track we were on.

Ms. Walkush said to clarify the proposed zoning amendment Z-2024-1 it encompasses Chapter 140, Chapter 142, Chapter 165 and Chapter 186. She said Chapter 140 is Active Public Park District and basically we added minimum setbacks for buildings in 140.03 - Area, Height, and Other Regulations with some minor corrections and additions. She asked if any of the Zoning Commission members had any comments.

The Zoning Commission replied none.

Ms. Walkush said next is Chapter 142 – Passive Public Park District and we added the setbacks because they were not previously included and some minor changes also. She said in Chapter 165 – Nonconformities “Agreed” Judgment Entries was changed to “Consent” Judgment Entries and decided that there wasn’t that much of a difference there and to continue with the word “Consent” Judgement Entries.

Ms. Sass Benza noted that our legal counsel did not like “entries”, she preferred the word “orders”.

Ms. Walkush said correct. She said the next one is Chapter 186 – Wireless Telecommunications Towers and Facilities and there is nothing major on that one, just cleaning it up. She asked for additional comments from the Zoning Commission.

The Zoning Commission replied none.

Ms. Walkush solicited comments for the proposed amendment: None.

Ms. Walkush solicited comments against the proposed amendment: None.

Ms. Sass Benza moved to close the public hearing.

Mr. Lateulere seconded the motion.

Vote: Ms. Adams, Alternate, aye; Ms. Sass Benza, aye; Mr. Lateulere, aye Ms. Puzzo, aye; Ms. Walkush, aye.

The public hearing was closed and the regular meeting was reconvened at 6:23 P.M.

Mr. Lateulere moved the adoption of the following motion:

That the Bainbridge Township Zoning Commission recommend the approval of the following proposed zoning amendment Z-2024-1 to the Bainbridge Township Zoning Resolution which is an amendment to Chapter 140 – Active Public Park District; Chapter 142 – Passive Public Park District; Chapter 165 – Nonconformities and Chapter 186 – Wireless Telecommunications Towers and Facilities in its entirety with no modifications.

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

Vote: Ms. Adams, Alternate, aye; Ms. Sass Benza, aye; Mr. Lateulere, aye; Ms. Puzzo, aye; Ms. Walkush, aye.

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

(Audio Recording of Public Hearing on File)

NEW BUSINESS

Informal Review of Proposed Zoning Amendments

The Zoning Commission continued its review of proposed zoning amendments for Chapter 153 – Farm Markets and Agritourism; Chapter 157 – Agriculture; Chapter 159 – Environmental Standards and Chapter 177 – Prohibited Uses.

Short Term Rentals

The Zoning Commission discussed Short Term Rentals which are currently prohibited in the Zoning Resolution.

Limited Home Rule Townships

The Zoning Commission discussed Limited Home Rule Townships versus Statutory Townships such as Bainbridge Township and how zoning authority is different and continued its discussion from last month on the recommendation to the Ohio Senate Select Committee on Housing to rescind all zoning authority for statutory townships in the state of Ohio.

CORRESPONDENCE

1. Bainbridge Township Board of Trustees Meeting Minutes, dated March 11, 2024 and March 25, 2024.
2. Bainbridge Township Board of Zoning Appeals Meeting Minutes, dated February 15, 2024 and March 21, 2024.

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

Ms. Puzzo seconded the motion that passed unanimously. The meeting was adjourned at 7:35 P.M.

Respectfully submitted,

Linda L. Zimmerman
Zoning Commission Secretary

Marlene Walkush, Chair

Date Approved: May 28, 2024