

Minutes of Zoning Commission

January 28, 2025

The regular meeting of the Bainbridge Township Zoning Commission was called to order by Ms. Marlene Walkush, Chair at 6:00 P.M. Members present were: Ms. Lorrie Sass Benza; Ms. Sephanie Puzzo; Ms. Jennifer Troutman; Mr. Dan Tutolo and Ms. Jill Adams, Alternate. Ms. Laura Weber, Alternate was absent. Also present was Mr. Dave Dietrich, Planning and Zoning Coordinator.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC COMMENTS

None.

GUESTS

Mr. Jeff Markley, Bainbridge Township Trustee

MINUTES

Ms. Sass Benza made a motion to adopt the minutes of the 9/24/2024 meeting as written.

Ms. Troutman seconded the motion.

Vote: Ms. Sass Benza, aye; Ms. Puzzo, abstain; Ms. Troutman, aye; Mr. Tutolo, abstain; Ms. Walkush, aye.

Mr. Tutolo made a motion to adopt the minutes of the 10/29/2024 meeting as written.

Ms. Troutman seconded the motion.

Vote: Ms. Sass Benza, abstain; Ms. Puzzo, abstain; Ms. Troutman, aye; Mr. Tutolo, aye; Ms. Walkush, aye.

Ms. Walkush made a motion to adopt the minutes of the 11/26/2024 meeting as written.

Mr. Tutolo seconded the motion.

Vote: Ms. Sass Benza, aye; Ms. Puzzo, aye; Ms. Troutman, abstain; Mr. Tutolo, aye; Ms. Walkush, aye.

Secretary's Note: The December 31, 2024 meeting was canceled.

ORGANIZATIONAL SESSION

Sunshine Law

Ms. Troutman made a motion to adopt and support the Sunshine Law as provided in the O.R.C.

Ms. Sass Benza seconded the motion.

Vote: Ms. Sass Benza, aye; Ms. Puzzo, aye; Ms. Troutman, aye; Mr. Tutolo, aye; Ms. Walkush, aye.

Secretary

Ms. Puzzo made a motion to reappoint Linda Zimmerman as secretary for the Zoning Commission.

Mr. Tutolo seconded the motion.

Vote: Ms. Sass Benza, aye; Ms. Puzzo, aye; Ms. Troutman, aye; Mr. Tutolo, aye; Ms. Walkush, aye.

Meeting Schedule

Ms. Troutman made a motion to hold the regular meetings on the last Tuesday of each month at 6:00 P.M. at the Town Hall.

Ms. Puzzo seconded the motion.

Vote: Ms. Sass Benza, aye; Ms. Puzzo, aye; Ms. Troutman, aye; Mr. Tutolo, aye; Ms. Walkush, aye.

Acceptance of Proposed Amendments

Ms. Sass Benza made a motion to retain the policy of accepting any proposed amendment applications on the last meeting night of each month. (Generally to be the last Tuesday of the month.)

Ms. Puzzo seconded the motion.

Vote: Ms. Sass Benza, aye; Ms. Puzzo, aye; Ms. Troutman, aye; Mr. Tutolo, aye; Ms. Walkush, aye.

Election of Officers

Chair

Ms. Sass Benza made a motion to elect Ms. Walkush as Chair.

Ms. Puzzo seconded the motion.

Vote: Ms. Sass Benza, aye; Ms. Puzzo, aye; Ms. Troutman, aye; Mr. Tutolo, aye; Ms. Walkush, aye.

Vice Chair

Ms. Walkush made a motion to elect Ms. Puzzo as Vice Chair.

Ms. Troutman seconded the motion.

Vote: Ms. Sass Benza, aye; Ms. Puzzo, aye; Ms. Troutman, aye; Mr. Tutolo, aye; Ms. Walkush, aye.

NEW BUSINESS

Short-Term Rentals/Home Occupations

Ms. Sass Benza referred to the Eleventh District Court of Appeals Opinion regarding Russell Township Board of Trustees vs. 7722 Fairmount LLC Case No. 2024-6-0026 whereby a family was using their property for short-term rentals and explained that Bainbridge Township has a prohibition of short-term rentals that is defined as less than thirty days but Russell Township does not have that prohibition, they do have the regulation that anything not permitted is prohibited. Also discussed was that Bainbridge Township does permit home occupations in residential districts as a permitted use subject to certain conditions but should the township add a regulatory component to the home occupation regulations and do we need to seek a legal opinion from the county prosecutor's office.

OLD BUSINESS

Joint Meeting with Board of Trustees and Board of Zoning Appeals

The Zoning Commission was in agreement to hold a Joint Meeting with the Board of Trustees and Board of Zoning Appeals on February 25, 2025 at 6:15 P.M.

Proposed Land Use Plan Update

Mr. Markley asked if the proposed Land Use Plan Update is being revisited. The Zoning Commission explained that the township received three proposals, but the trustees decided to put a pause on the Land Use Plan Update at that time.

NEW BUSINESS

Informal Review of Proposed Zoning Amendments

The Zoning Commission was in agreement to review the proposed zoning amendment for Chapters 105 – Definitions; Chapter 109 – Zoning Inspector; Certificates and Enforcement; Chapter 117 – Board of Zoning Appeals; Chapter 135 – R-5A Rural Open Residential District; Chapter 139 – R-3A Rural Residential District prior to the next meeting.

The Zoning Commission reviewed a proposed zoning map that would rezone certain properties in the MUP District to CB Convenience Business District.

OLD BUSINESS

Ohio Revised Code Chapter 519 Update

The Zoning Commission reviewed a preliminary draft of items that identifies some of the areas in ORC Chapter 519 that should be examined for possible updates. After approval by the Zoning Commission, it will be sent in letter form to State Representative Steve Demetriou for his proposed action on these items.

208 Map

The Zoning Commission discussed the status of the 208 Map. This will be discussed at a future Zoning Commission meeting.

CORRESPONDENCE

1. Bainbridge Township Board of Trustees Meeting Minutes, dated November 11, 2024; November 18, 2024 – Special; November 18, 2024 – Special Work Session; November 25, 2024; December 2, 2024; December 9, 2024; December 16, 2024; December 18, 2024; December 24, 2024.
2. Bainbridge Township Board of Zoning Appeals Meeting Minutes, dated October 17, 2024; November 21, 2024; December 19, 2024.

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

Ms. Puzzo seconded the motion that passed unanimously. The meeting was adjourned at 7:50 P.M.

Respectfully submitted,

Linda L. Zimmerman
Zoning Commission Secretary

Marlene Walkush, Chair

Date Approved: February 25, 2025