

RECORD OF PROCEEDINGS

TOWNSHIP BOARD OF ZONING APPEALS—REGULAR

Minutes of

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Adam Hall

11544 Washington Street

January 14, 2020

Held ~~BZA-19-14v BZA-19-15v BZA-19-16v BZA-19-17zi BZA-19-18v~~ 20

MEMBERS PRESENT: ROBERT FORD, DOUG HOGAN, DAVID PARKER, LEWIS TOMSIC, BRIAN STEWART, MICHAEL VARLEY

MEMBER ABSENT: NONE

MEMBERS HEARING

THE CASE: Ford, Hogan, Parker, Stewart, Tomsic,

DOCUMENTS

IN CASE FILE: See Case File, the case file is included as part of the official record. Additional documents were submitted during the meeting and are added to the case file. They include: Office and Light Industrial Demand Study (Auburn Township) by Emily L. Braman & Co.; 2. Traffic Impact Study by TMS Engineers, Inc. (Revised 1-13-2020); Redwood Acquisitions Guide 2019; Site Plans/Wetland project information by Joe Gutowsky; letter from Fire Chief John Phillips dated 8/19/19; Bald Eagle Nesting & Development Constraints, National Bald Eagle Management Guidelines (US Fish & Wildlife Service, May 2007)

BZA-19-14v--an appeal requesting a variance, for **Redwood USA, LLC** from the Auburn Township Zoning Resolution, **Article 4A.04(d) Prohibited Uses**: Any use not specifically listed in this Resolution (**Article 4A.05 Schedule of Uses**) shall not be permitted, nor shall any zoning certificate be issued therefore, unless and until a zoning amendment to provide for such use is in effect or a variance has been granted in accordance with this Resolution for proposed attached dwellings to be located at 17961 and 17943 Ravenna Road and parcel numbers identified as 01-014200, 01-014300, 01-014500, 01-041800, 01-056420, 01-104700, 01-117632 in Auburn Township OH 44023 in a B-3 and B-4 zoning district.

BZA-19-15v--an appeal requesting a variance, for **Redwood USA, LLC** from the Auburn Township Zoning Resolution, **Article 5.01(b) Minimum Dwelling Unit Areas**, 1,200 square feet is required [for dwellings under 3 bedrooms] (excluding basements, closets, foyers, garages, general storage rooms, halls, porches, stairways and utility rooms) for proposed attached dwellings to be located at 17961 and 17943 Ravenna Road and parcel numbers identified as 01-014200, 01-014300, 01-014500, 01-041800, 01-056420, 01-104700, 01-117632 in Auburn Township OH 44023 in a B-3 and B-4 zoning district.

BZA-19-16v--an appeal requesting a variance, for **Redwood USA, LLC** from the Auburn Township Zoning Resolution, **Article 4A.07(a): Building Setback Requirements, Front Yard**: 125' required, 70' proposed, for proposed attached dwellings to be located at 17961 and 17943 Ravenna Road and parcel numbers identified as 01-014200, 01-014300, 01-014500, 01-041800, 01-056420, 01-104700, 01-117632 in Auburn Township OH 44023 in a B-3 and B-4 zoning district.

BZA-19-17zi--an appeal for **Redwood USA, LLC**, alleging error by the Zoning Inspector, in his interpretation of the Auburn Township Zoning Resolution, **Article 3.06, 3.06c(2), 3.06c(3)(d), 3.06(i)**, riparian setback requirements for proposed attached dwellings to be located at 17961 and 17943 Ravenna Road and parcel numbers identified as 01-014200, 01-014300, 01-014500, 01-041800, 01-056420, 01-104700, 01-117632 in Auburn Township OH 44023 in a B-3 and B-4 zoning district.

BZA-19-18v--an appeal requesting a variance for **Redwood USA, LLC**, from the Auburn Township Zoning Resolution **Article 3.06, 3.06c(2), 3.06c(3), 3.06(i)** riparian setback requirements for proposed attached dwellings to be located at 17961 and 17943 Ravenna Road and parcel numbers identified as 01-014200, 01-014300, 01-014500, 01-041800, 01-056420, 01-104700, 01-117632 in Auburn Township OH 44023 in a B-3 and B-4 zoning district.

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Chairman Brian Stewart continued the meeting to the next items on the agenda which are listed above.

wMr. Stewart indicated that the Auburn Township Board of Zoning Appeals we would be hearing the following variance requests, BZA-19-14v through BZA-19-18v, individually.

A discussion took place regarding the format of the meeting. Mr. Stewart indicated that there was a lot of information to hear this evening and again the Board will be hearing the cases individually. He indicated that everyone in the audience would need to keep comments to a minimum to keep the meeting moving forward on a timely basis.

Brian Stewart also commented on the variance application submitted by the applicant. Mr. Stewart indicated that he felt the answer on the application regarding “whether this variance was substantial”, Mr. Stewart testified that felt that all the variances that were being applied for were significant and that the variance requests were substantial.

Mr. Stewart read the definition from the Auburn Township Zoning Resolution of what a use variance was: “Variance, Use: Means an alteration of the use of a lot as a result of unnecessary hardship.”

Mr. Stewart further explained that these are two zoning districts which are business related and they are being claimed as an unnecessary hardship for this (BZA-19-14v) case. He further commented that one district is B-3, Retail/Motorist Services and the other district is B-4, Office/Light Industrial.

Mr. Stewart read the first variance request. **BZA-19-14v**--an appeal requesting a variance, for **Redwood USA, LLC** from the Auburn Township Zoning Resolution, **Article 4A.04(d) Prohibited Uses:** Any use not specifically listed in this Resolution (**Article 4A.05 Schedule of Uses**) shall not be permitted, nor shall any zoning certificate be issued therefore, unless and until a zoning amendment to provide for such use is in effect or a variance has been granted in accordance with this Resolution for proposed attached dwellings to be located at 17961 and 17943 Ravenna Road and parcel numbers identified as 01-014200, 01-014300, 01-014500, 01-041800, 01-056420, 01-104700, 01-117632 in Auburn Township OH 44023 in a B-3 and B-4 zoning district.

Attorney Dale Markowitz from Thrasher, Dinsmore, and Dolan introduced himself to the Board and also introduced Attorney Bridey Matheney also from Thrasher, Dinsmore and Dolan. He proceeded to introduce Bob Dyer, Director of Acquisition, from Redwood, and all of their other various expert witnesses; including the civil engineer, an appraiser, traffic consultant, and an environmental specialist.

Attorney Markowitz explained what and why the Redwood group was applying for the use variance. He commented that the Redwood Project was a reliable way to develop the properties and this is a reasonable use for the property.

Mr. Markowitz indicated that Emily Braman, an appraiser would explain the viability of the property as a commercial/industrial use.

Mr. Markowitz further explained that a use variance in Ohio needs to prove that the property cannot be used as it is currently zoned. He indicated that it has been more than 20 years since a portion of the property was sold by Hirshman to Geauga County for a sewer plant. He explained that the property has sat vacant for a long time since Kosar purchased it. Mr. Markowitz explained that this project is a long-term investment for Redwood. He also commented that rent for the Redwood Apartment units will range from \$1,500 to \$2,000 a month. He commented that Redwood’s intention is to attract renters that currently live in a three-mile radius from the proposed Redwood Project site.

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Robert Dyer, Director of Acquisition, for Redwood Apartment Neighborhoods, 7510 Pleasant Valley, Independence, Ohio, introduced himself to the Board. He explained that Redwood does one thing and that is to build luxury, high-end apartments that are low density in design. He further explained that the company “offers the homeowner experience without the hassles and stress of home ownership.” He further commented that Redwood is currently in eight states in the United States, with 100 neighborhoods and 11,000 dwelling units; and that the Redwood units are single story apartment dwellings with a 2-car attached garage.

Mr. Dyer also commented that the Redwood units are attached single-family dwellings and the largest group of renters are empty nesters with the average age of renters being 51 years old. He explained that they also rent to some younger people, who are not ready to purchase a home. Mr. Dyer also commented that by law, Redwood could not deny younger people access to rent the Redwood units.

Mr. Dyer further indicated that inside the Redwood neighborhood, there will be private streets; so that Geauga County or Auburn Township will not have the burden to maintain the streets; he also commented that trash will be removed once a week from the complex.

Mr. Dyer indicated that there are 3.5 units per acre proposed in this development, which is considered low density for this type of project; but he further explained that the 3.5 is considered high density for Auburn Township and low density across the country.

Mr. Dyer also indicated that the current property owner [Robert Brosnan] approached Redwood about 2.5 years ago regarding the 31 acres and Mr. Brosnan has been unsuccessful in finding someone else to purchase this property.

Mr. Dyer further commented that the Board of Zoning Appeals will hear from one of the consultants about the type of uses that are a more appropriate fit for this site.

Mr. Dyer presented handouts for the Board members and indicated that he underestimated the crowd, but they could get more information at buyredwood.com.

Emily Braman, 23300 Chagrin Blvd. introduced herself and indicated that she was a real estate appraiser; state certified for complex appraisals and is properly credentialed to do so.

A discussion took place with a member of the audience regarding her experience and credentials in appraising a project of this nature.

She distributed copies of her Demand Study to the Board. This Demand Study is part of the official meeting records.

The meeting continued with Ms. Braman explaining the results of her study. She explained that the study indicated that light industrial is not in demand, there is slow growth in the area by design; and that the area of interest contains 29.86 acres of office/light industrial (B-4) and the other 1.32 acres are Motor Services (B-3). She also indicated that there is 145 acres total that are zoned B-4.

Ms. Braman proceeded to explain that 1.6% of the area of interest is in the B-3 district. This parcel is a small portion of the B-3 zoned land and is located in the rear of the proposed project. She also explained that 69% of the zoned industrial land in Auburn Township is underdeveloped or marginally developed. She commented that marginally developed land is property that is developed but not with the use that it is zoned for. She stated that all B-3 zoned land is a marginally developed; and since 2016 there has been no development in B-3 or B-4 zoning districts.

Ms. Braman further pointed out that the area in question is located north of a newer subdivision with \$500,000 to \$700,000 residential homes and that industrial development on these parcels would have an effect on the property values in that development. She explained that there currently is no demand for industrial, there is few skilled workers and no public transportation in the area to support it. She commented that office development is limited and there is negative absorption in Auburn in the next 5 years, due to the slow 1% population growth.

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Ms. Braman elaborated on the feasibility of new industrial construction and based on her rent analysis study, new industrial construction is not currently feasible.

She also commented on the conditional uses for this area that included hospitals, day care facilities, recreation facilities and billboards.

Mr. Stewart explained that they would take questions from the Board first.

Mr. Stewart also commented that 3.5 units is considered high density for multifamily in Auburn Township.

Mr. Dyer was asked if Redwood has ever sold any of their developments that they have built. Mr. Dyer commented that they have never sold anything that they have owned. Mr. Tomsic asked if their projects have ever been transferred to a different division of Redwood, if one is set up as a different LLC. A discussion took place.

Mr. Stewart commented that the water usage would be in high demand for this particular type of development. Mr. Dyer noted that they have done a desktop survey for the wells in that area. Mr. Dyer further explained that they plan to have a commercial well system for the project, and that this commercial system will include two wells, which Redwood feels, would be able to handle the demand.

Mr. Hogan asked if the project would be done at one time or in phases. Mr. Dyer explained that they would complete five to ten units per month.

John Clark, an audience member asked the Redwood Group a question about how long it took to build the Redwood project in the city of Macedonia. Mr. Dyer did not know the answer. John Clark, Bartholomew Road, interjected that it took three years for that project to be completed.

Mr. Stewart explained that the Board of Zoning Appeals cannot place conditions on these variance requests. Mr. Stewart further explained that a variance stays with the property for life and that is one of the biggest hold ups.

A discussion took place regarding use variances.

Mr. Dyer indicated that this particular use, that they are proposing, does not currently fit in the township zoning at this time and that is why they are asking for the use variance.

Mr. Stewart commented that Redwood's intentions are great, the schematics are great but there are major health and safety concerns. Mr. Stewart again noted that all the variances are very substantial requests.

Mr. Tomsic commented that Auburn Township bases its zoning on health and safety. Mr. Tomsic further commented that this proposed project is high density, and that when people live close together there are problems. He added that Auburn Township does not have a police department and it could take the sheriff 45 minutes to respond, and this is a safety concern.

Mr. Hogan commented that this would have a negative impact on the subdivision to the south, LaDue Trails.

The appraiser indicated that there would be no negative impact, on the value of the property, that the proposed Redwood development would be sheltered by the 30 acres buffer between the Redwood Project and LaDue Trails.

Michael Varney asked about the certificate from the Army Corp of Engineers for the Jurisdictional Wetlands and their 404 plan. It was explained that the Redwood project is in the process of getting a permit from the Army Corp of Engineers and that the ORAM processing is being prepared for the Ohio EPA.

A discussion took place.

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Mr. Varney also commented on the Fish and Wildlife Service requirements, regarding the bald eagles within this waterway and the requirements for bald eagles. He again noted that they may need to apply and secure a bald eagle permit and this process may involve a bald eagle study. Mr. Varney had handouts that he gave other board members

Patrick Cunningham, an Auburn Township resident, asked about the increase in police and fire calls.

Other comments from the audience included the effect of this project and home and property values decreasing; residents do not want high-density housing; they want quiet; they do not want this area to be rezoned. An unidentified member of the audience asked if Redwood is going to reimburse residents when all the wells in the area go dry, because of the drain on the aquifers.

Regarding the water well issue, it was noted that there is a plan to do a number of test wells for the project. It was also noted that the project will be a huge multi-million dollar investment for Redwood.

Tiffany Rowley, 11920 LaDue Trails commented on the deer and the issues when wetlands are drained.

E. Evans 18480 Shaw Road asked if allowing this project would set a precedent, if it is allowed.

Patti Kovalchick, 17973 Ravenna Road, a contiguous proper owner, testified about her concern with Section 8 housing and how preserving the rural appeal of Auburn Township was important. She also wanted to know what percentage of Section 8 vouchers are involved in the Redwood project. Mr. Dyer responded that it was 0%. Ms. Kovalchick asked how that could be verified. She also asked what hardship was created to allow for the setback to go from 125' to 70'. She again indicated that preserving the rural appeal of Auburn Township was important; she also felt that the increase in traffic is an issue, and the sewer assessment needed to be addressed.

Mr. Dyer responded that the aging population had an attraction to this area.

Bob Brosnan introduced himself to the Board and indicated that he was the current owner of the property. He explained that this was the ninth year he has owned the property. He also commented that he marketed the property heavily to four or five major developers and had detailed discussions with these developers. Mr. Brosnan further testified that the properties were listed for sale as commercial property [no evidence was presented to substantiate this]. He indicated that he has had candid conversations with commercial developers who have indicated that it is not feasible to develop the property as it is currently zoned.

Lewis Tomsic addressed Mr. Brosnan's testimony. Mr. Tomsic commented that, by Mr. Brosnan's own admission, Mr. Brosnan has realized that there is a different approach that could have been taken as far as developing his property. Mr. Tomsic further commented that Mr. Brosnan needed to go to Auburn Township's zoning commission and request that the zoning districts be changed to fit the proposed needs. Mr. Tomsic commented that people want a rural area. Mr. Tomsic again stressed that health and welfare play into this; there are problems when you get people living close together, especially when there is no police department.

Debbie Kovalchick, a contiguous property owner, commented on the special sewer assessments for the sewer because of the Great Lakes Cheese factory sewer tie-in. Mrs. Kovalchick wondered if there would be more new sewer assessments for this Redwood project and where are the reimbursements for these current assessments from the Cheese factory's tie-in. She also commented that with this proposed high density housing, that this project needs to be paying their fair share on the sewer assessment.

The meeting continued. Joe Gutowsky, 10135 Gottschalk Parkway #4, Auburn Township Ohio, introduced himself to the Board of Appeals. Mr. Gutowsky indicated that he is the Licensed Civil Engineer for the Redwood project. Commenting on his experience, Mr. Gutowsky discussed some of the projects that he has handled in the area, including, Gottschalk Parkway, Fireside Estates in Auburn, Kenston High School, the Kenston School Bus Garage, Holy Angles Church, a commercial park, the Auburn Township Parking Lot. He also commented that he is on the Bainbridge Township Board of Zoning Appeals.

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Mr. Gutowsky distributed wetland information on this and other Auburn Township projects he has handled. Mr. Gutowsky elaborated on the site conditions. He commented that there is a 65' fall from State Route 44 to the back of the property. He testified that it would be difficult for a building pad for any type of building to be constructed on this property. He also commented on the grading that will be involved in developing the property.

Mr. Gutowsky also explained that there has been no activity on this property since Cliff Hirshman sold a portion of the property for Geauga County to construct the sewer plant.

Mr. Gutowsky commented on the Redwood proposed project, that they will need a 54' culvert for the roadway. He again commented that it would be hard to do a large building with the 65' of fall throughout the site. He also testified that this Redwood project could deal with the buffers for the riparian, streams, and wetlands.

John Clark, Bartholomew Road, indicated that Falls Canyon, in Twinsburg, Ohio, had 193' drop with rivers and there are industrial buildings at that location, so this property could handle the industrial projects.

A discussion took place.

Josh Meyer, Ascot Lane, commented that he is a general contractor, and commented if the Federal Government gets involved, this project could be shut down, and that this is all for nothing.

Michael Varley again commented on the environmental issues, the bald eagles may be an issue and there are the strict laws that protect the bird.

Allie Kure, an audience member, demanded from Redwood that she be given numbers and answers regarding the marketing research that Redwood did to make people want to move out here. She again insisted and wanted to know what research was used to attract the 50 and up age group. She also commented on the King James group and stated that she does not want the Redwood development. She also asked who the excavator was going to be. The response to the question regarding the excavator was that the project "is not there yet".

Mr. Dyer also responded that the project will market itself. He elaborated that in their other developments, there are approximately .08 children per unit, 10 to 15 kids, 92% adults, in the units they currently have. He further explained that their projects are not geared to families with children, since there is no swimming pool or clubhouse; Redwood is for people who want peace and quiet.

Mr. Stewart commented that he was going to keep the meeting moving.

Erin Van Nort, Chagrin Valley Engineering introduced herself to the Board of Appeals and gave a brief overview of her credentials. She presented the new wetland delineation for the area. She indicated that it had changed slightly from the previous delineation that expired in 2019. She also explained that the site plan prepared by Joe Gutowsky had incorporated this new delineation. Joe Gutowsky also confirmed that the updated wetland delineation performed by Chagrin Valley Engineering was incorporated into the current site plan.

The meeting proceeded to the next witness for Redwood which was Traffic Engineer, Andrew Komar, from TMS, 2112 Case Parkway, Twinsburg, Ohio. Mr. Komar presented his traffic impact study, which was performed as a requirement for the Ohio Department of Transportation permit to allow the Redwood project to access to State Route 44.

Mr. Komar testified that two impact studies were done which included both east bound and west bound traffic, forecasted to 2021 and 2031 ODOT design factors. He explained that there will be an additional 68 AM trips and an additional 74 PM trips and that these trips would be a minimal impact on the traffic. Mr. Komar further explained that the Redwood development itself would require a stop sign approach and a single lane use for cars exiting out of the Redwood development.

Mr. Komar further testified that the project would require a southbound left-hand turn lane into the Redwood development from State Route 44 and this required turning lane would need to be constructed to ODOT's specifications.

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Mr. Komar was asked by a member of the audience, since there is a heavy presence of motorcycles in the area were the motorcycles counted in the survey. Mr. Komar indicated that, for the purpose of the study, motorcycles are considered vehicles and the motorcycles were counted in the traffic study.

Miscellaneous questions from the audience were asked about accidents in the area, the hours and day of the week the study was performed and how long the left turn lane was to access the development.

Mr. Komar indicated that they were not required to do a crash analysis for the ODOT permit. He further responded that the traffic study was performed on Tuesday, July 30, 2019, and that there are factors that are entered into the report for the day and time when the study is conducted.

He also commented that the left turn lane will be approximately 225' in length and that the turn lane would hold approximately seven to eight cars; each car using 20' to 25'. He further explained that the turn lane will be constructed to ODOT's specifications and requirements.

A discussion took place regarding how many feet the proposed entrance would be from the 422/SR 44 intersection.

Contiguous property owner Debbie Kovalchick, 17971 Ravenna Road, commented that when she exits the freeway and travels to her driveway, [which is south of the proposed Redwood entrance] to make a left hand turn, cars barrel down on her "and almost run me over". She also indicated that it is challenging and dangerous making a left turn to her property, which is on the same side of Ravenna Road as the proposed Redwood project.

Comments from the audience were also made that the Redwood project is adding 74 additional cars to the road; the proposed turning lane handling only 7 cars is not enough length, even if it is designed to ODOT specifications. There were many concerns with the ODOT design standards and the factors involved in this traffic study regarding the day and time that it was conducted, cluster homes high-density population is not what people live in Auburn for, and there is no hardship shown at all for this project to be approved.

The next expert witness introduced himself to the Board of Appeals, James Pees, an architect for Redwood. He commented on the unit size of the Redwood Apartments. Mr. Pees indicated that the Builders and Management Association measures building square footage from outside wall to outside wall and that the manner that Auburn Township measures square footage is not used by any other government entity that he is aware of.

Lewis Tomsic commented on the project being commercial and felt that it would need to have a fire suppression sprinkler system. Mr. Pees indicated that 310 of the Ohio Building Code, Chapter 2 to 10 of the residential code indicates differently. A discussion took place.

Mr. Hogan asked if the Redwood units would be built on a slab or crawl space. It was noted that the units are being built on a slab.

Auburn Township Fire Chief John Philips commented that there is nothing in the Fire Code requiring a sprinkler system.

A discussion took place regarding the retention ponds being built to code. Fire Chief Phillips indicated the Auburn Township Fire Department could handle any issues in the development.

Brian Hartung, 11807 LaDue Trails, asked if there was a common attic to all units and if Type A shingles were being used. It was noted, that the fire rated materials would be used and full height firewalls would separate each unit.

Mr. Markowitz began his summarization. He indicated that conditions for the variances can be agreed upon from this hearing. A discussion took place.

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Mr. Markowitz also commented on Debbie Kovalchick's concerns regarding her sewer assessments. He explained how sewer projects are funded and not to expect any refund. He further commented on LaDue Trails being on a different aquifer than the Redwood project. He explained that Mr. Brosnan has the right to develop this property, if it is a reasonable use for the property and that it could be considered a "taking" if he was not allowed to develop the project.

Frank Kitko, Auburn Township's Zoning Inspector, was asked to comment on BZA-19-17zi where he allegedly erred in his interpretation of the zoning resolution. Mr. Kitko testified that he was not given any permits from the Army Corp of Engineers regarding the wetlands, riparian or crossings issue and has no way of knowing if Army Corp permission was granted to the applicant. Mr. Kitko also testified that in Section 3.06(g) of the Auburn Township Zoning Resolution referencing riparian, the resolution indicates that with Army Corp permits, projects "may" be permitted, the zoning resolution does not indicate that it "shall" be permitted.

Auburn Township resident Dee Belew asked why the submittal of the Redwood project for the amendment process to the Geauga County Planning Commission was withdrawn and was it because the Geauga County Planning Director, Linda Crombie, indicated that the project would not be recommended.

A discussion took place.

Mr. Markowitz indicated that they decided the project could create a domino effect if they created a new zoning district and that it made more sense not to create a new district and pursue variances instead.

Diane Jones, Auburn Township resident, questioned the manner in which the amendment for this project was withdrawn from the Geauga County Planning Commission. A discussion took place between Attorney Markowitz and Diane Jones regarding her question.

Patti Kovalchick, 17973 Ravenna Road, a contiguous property owner, asked if Mr. Brosnan if he purchased the property as one parcel. Mr. Brosnan indicated that he purchased all but two of the properties at one time. The cost of the purchase, was \$600,000-\$700,000, including the sewer assessment. A discussion took place.

Motion by Lewis Tomsic to grant BZA-19-14v-an appeal requesting a variance, for Redwood USA, LLC from the Auburn Township Zoning Resolution, **Article 4A.04(d) Prohibited Uses: Any use not specifically listed in this Resolution (**Article 4A.05 Schedule of Uses**) shall not be permitted, nor shall any zoning certificate be issued therefore, unless and until a zoning amendment to provide for such use is in effect or a variance has been granted in accordance with this Resolution for proposed attached dwellings to be located at 17961 and 17943 Ravenna Road and parcel numbers identified as 01-014200, 01-014300, 01-014500, 01-041800, 01-056420, 01-104700, 01-117632 in Auburn Township OH 44023 in a B-3 and B-4 zoning district. **The motion was seconded by Doug Hogan. Vote: Tomsic, no; Parker, no; Ford, no; Hogan, no; Stewart, no. Motion denied.****

Motion by Doug Hogan to grant BZA-19-15v-an appeal requesting a variance, for Redwood USA, LLC from the Auburn Township Zoning Resolution, **Article 5.01(b) Minimum Dwelling Unit Areas, 1,200 square feet is required [for dwellings under 3 bedrooms] (excluding basements, closets, foyers, garages, general storage rooms, halls, porches, stairways and utility rooms) for proposed attached dwellings to be located at 17961 and 17943 Ravenna Road and parcel numbers identified as 01-014200, 01-014300, 01-014500, 01-041800, 01-056420, 01-104700, 01-117632 in Auburn Township OH 44023 in a B-3 and B-4 zoning district. **The motion was seconded by Robert Ford. Vote: Tomsic, no; Parker, no; Ford, no; Hogan, no; Stewart, no. Motion denied.****

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Held ~~BZA-19-14v BZA-19-15v BZA-19-16v BZA-19-17zi BZA-19-18v~~ 20

Motion by Brian Stewart to grant BZA-19-16v-an appeal requesting a variance, for Redwood USA, LLC from the Auburn Township Zoning Resolution, Article 4A.07(a): Building Setback Requirements, Front Yard: 125' required, 70' proposed, for proposed attached dwellings to be located at 17961 and 17943 Ravenna Road and parcel numbers identified as 01-014200, 01-014300, 01-014500, 01-041800, 01-056420, 01-104700, 01-117632 in Auburn Township OH 44023 in a B-3 and B-4 zoning district. The motion was seconded by Lewis Tomsic. Vote: Tomsic, no; Parker, no; Ford, no; Hogan, no; Stewart, no. Motion denied.

Motion by Lewis Tomsic to grant BZA-19-17zi-an appeal for Redwood USA, LLC, alleging error by the Zoning Inspector, in his interpretation of the Auburn Township Zoning Resolution, Article 3.06, 3.06c(2), 3.06c(3)(d), 3.06(i), riparian setback requirements for proposed attached dwellings to be located at 17961 and 17943 Ravenna Road and parcel numbers identified as 01-014200, 01-014300, 01-014500, 01-041800, 01-056420, 01-104700, 01-117632 in Auburn Township OH 44023 in a B-3 and B-4 zoning district. The motion was seconded by Doug Hogan. Vote: Tomsic, no; Parker, no; Ford, no; Hogan, no; Stewart, no. Motion denied.

Motion by Brian Stewart to grant BZA-19-18v-an appeal requesting a variance for Redwood USA, LLC, from the Auburn Township Zoning Resolution Article 3.06, 3.06c(2), 3.06c(3), 3.06(i) riparian setback requirements for proposed attached dwellings to be located at 17961 and 17943 Ravenna Road and parcel numbers identified as 01-014200, 01-014300, 01-014500, 01-041800, 01-056420, 01-104700, 01-117632 in Auburn Township OH 44023 in a B-3 and B-4 zoning district. The motion was seconded by Doug Hogan. Vote: Tomsic, no; Parker, no; Ford, no; Hogan, no; Stewart, no. Motion denied.

Chairman Brian Stewart explained the appeal process. Mr. Stewart indicated that the minutes will be signed on February 11, 2020, and there is a 30-day appeal period from the date that the minutes are signed.

There were no minutes to sign at this meeting. The next meeting will be Tuesday, February 11, 2020.

Motion by Lewis Tomsic to adjourn. The motion was seconded by Doug Hogan. Vote: Tomsic, yes; Parker, yes; Ford, yes; Hogan, yes; and Stewart, yes. Motion approved.

Minutes submitted by

Minutes Approved on:


Jane Hardy, BZA Secretary

February 11, 2019

Brian Stewart, Chairman