

RECORD OF PROCEEDINGS
TOWNSHIP BOARD OF ZONING APPEALS—REGULAR

Minutes of

Meeting

Adam Hall

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

11455 Washington Street

April 13, 2021

Held

BZA-2021-05v

20

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

MEMBER ABSENT: NONE

MEMBERS HEARING

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

DOCUMENTS

IN CASE FILE: See Case File, the case file is included as part of the official record.. Including the Auburn Township Zoning Resolution

The meeting moved on to the next item on the agenda which was

BZA-2021-05v,--a request for a variance, submitted by Miller & Sons Enterprises, LLC, from the Auburn Township Zoning Resolution, Schedule 4A.09(d): Parking Setbacks, Side--15' required, 3' proposed for parking located at 10986 Washington Street, Auburn Township, OH 44023, in a B-1 zoning district.

Mr. Hogan asked for this request to be explained.

Michelle Miller indicated that this request is for a side yard setback to accommodate the parking in the rear of the building. She further explained that the Millers demolished a dilapidated building on the west side of the property. She indicated that the demolished building was encroaching on the neighbor's property line.

Mrs. Miller indicated that from a previously submitted parking plan there were side yard encroachments on both the east and west side. She commented that the currently submitted proposed parking plan corrected the initial east side parking encroachment, but they were not able to correct the west side parking encroachment and still have the required parking spaces needed for the building.

Mrs. Miller further testified that they are also proposing to install a six foot (6') high privacy fence on that west property line where the encroachment is.

Mr. Stewart asked if the proposed parking area would remain gravel or would it be asphalted. Clark Miller indicated that they were planning on asphaltting the new proposed lot and re-asphaltting all the other parking areas.

Mr. Stewart also asked how the storm water for the property would be handled and if Geauga Soil and Water had been consulted regarding a required plan for storm water runoff.

A discussion also took place regarding the septic on the property and how the storm water might effect it.

A discussion took place regarding the wheelchair lift that was proposed for the back of the building.

A discussion again also took place regarding the deck modification that was made with obtaining permits.

Mr. Ford asked about the telephone repair shop that was upfront and what was done to that part of the structure where this commercial shop was located.

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Mr. Hogan indicated that the storm water might be an issue with the proposed plan, especially since there were no plans on how to handle the storm water runoff.

Dr. Michael Varley had questions on the apartments that were upstairs in the structure. It was explained that Geauga County did not show that there were residential units on the property. Dr. Varley also commented that Geauga County's records did show that there was a commercial garage on the property.

He further commented that in the comments on the signed architectural prints, that were submitted for the restaurant, the prints show mixed uses; there is a commercial garage, a restaurant and other commercial areas, and R-3 was also listed, even though Auburn does not have a zoning classification of R-3.

Dr. Varley also noted that the notes on the prints indicated that the Building Department is in Ashtabula County. Dr. Varley noted that this location is in Geauga County. He indicated that the prints are inconsistent with Auburn Township's zoning codes and also inconsistent with what Geauga County has on file.

Fire Chief John Phillips explained that the R-3 designation on the prints is a building code classification.

Contiguous property owner Mike Jacobs commented that he had concerns regarding his property flooding. He testified that he is not opposed to the parking lot being three feet (3') from his property line. Mr. Jacobs also testified that he likes the proposed six (6') privacy fence but he did have concerns regarding where the storm water was going to go.

Donna Jacobs asked how the proposed restaurant would be accessed from the back parking lot. Mrs. Jacobs asked if patrons would be able to go into the restaurant from the back parking?

Mrs. Miller explained that the restaurant parking would be in the back of the building and patrons would walk around the west side of the building, to access the restaurant in the front of the building. She further explained that traffic would enter on the east side of the property and exit on the west side of the property.

A discussion took place regarding the handicap lift and entrance to the building.

Mrs. Miller was asked if they were going to be selling liquor in the restaurant. She responded that there would be no bar in the restaurant. She commented that they were obtaining a liquor license because they were planning on renting the space out for parties.

Mr. Hogan indicated that it was in the best interest of the applicant that there was more information needed regarding paving the parking area and the concerns regarding storm water management and the impact the storm water could have on the septic.

Mr. Hogan suggested that the meeting be tabled. Mr. Hogan further commented that health and safety was the #1 concern with this project.

It was suggested to the Millers, that a civil engineer be utilized to analyze and create the needed calculations to manage the storm water.

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Clark Miller indicated that they would comply. Mrs. Miller had concerns regarding the postponement.

The meeting was recessed and would be continued to May 11, 2021.

The meeting proceeded to the next agenda item.

Minutes submitted by

Minutes Approved on:


Jane Hardy, BZA Secretary

June 8, 2021


Doug Hogan, Chairman