

**ZC-2024-02**

**NOTICE OF PUBLIC HEARINGS ON APPLICATIONS  
PROPOSING TO AMEND THE  
AUBURN TOWNSHIP ZONING RESOLUTION  
R. C. 519.12 (D)**

Notice is hereby given that the Auburn Township Zoning Commission will conduct public hearings on proposed amendments, identified as **ZC-2024-02** (family cemetery); **ZC-2024-03** (mobile food units), and **ZC-2024-04** (accessory building height) to the Auburn Township Zoning Resolution at the Auburn Township Administration Building, 11010 Washington Street, Auburn Township, OH at 7:00 PM, 7:15 PM, and 7:30 PM on **Thursday, December 12, 2024**.

The proposed amendments will be available for examination, by request and appointment, at the Auburn Administration Building, from 8 o'clock AM to 3:00 o'clock PM from November 18, 2024, through December 12, 2024, and on the website [www.auburntownship.com](http://www.auburntownship.com).

After the conclusion of the public hearings, the proposed amendments will be submitted to the Auburn Township Board of Trustees for its action.


Auburn Township Zoning Commission  
S. Mulleman, Secretary

**TRANSMISSION OF A COPY OF THE  
MOTION FOR A PROPOSED AMENDMENT TO THE  
AUBURN TOWNSHIP ZONING RESOLUTION  
TOGETHER WITH THE TEXT  
PERTAINING THERETO  
TO THE GEAUGA COUNTY PLANNING COMMISSION  
O.R.C. 519.12 (E)**

The Auburn Township Zoning Commission hereby submits the attached copy of the motion for a proposed amendment, identified as number **ZC-2024-02** to the Auburn Township Zoning Resolution together with the attached text pertaining thereto to the Geauga County Planning Commission this 18th day of November, 2024.


**Auburn Township Zoning Commission:**

  
\_\_\_\_\_  
Ted Van Hyning, Chairman

  
\_\_\_\_\_  
Dennis Bergansky

  
\_\_\_\_\_  
Greg Lackey

  
\_\_\_\_\_  
Chad Canfield

  
\_\_\_\_\_  
Jeff Pulsford

Attested to by:

  
\_\_\_\_\_  
J. Hardy for Sarah Mulleman, Secretary,  
Auburn Township Zoning Commission

Received by the Geauga County Planning Commission this 18th day of November, 2024.

  
\_\_\_\_\_  
Signature of Planning Commission Employee


Linda Crombte  
\_\_\_\_\_  
Print Name

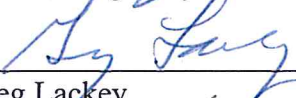
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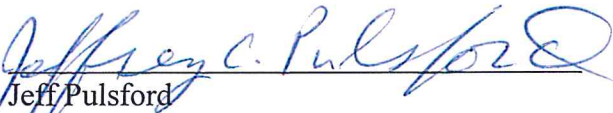
**Auburn Township Zoning Commission:**

  
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Dennis Bergansky

  
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Greg Lackey

  
\_\_\_\_\_  
Chad Canfield

  
\_\_\_\_\_  
Jeff Pulsford

Attested to by:

  
\_\_\_\_\_  
J. Hardy for Sarah Mulleman, Secretary,  
Auburn Township Zoning Commission

Received by the Geauga County Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Signature of Planning Commission Employee

\_\_\_\_\_  
Print Name

**MOTION TO SET DATE FOR PUBLIC HEARING ON  
PROPOSED AMENDMENT TO THE  
AUBURN TOWNSHIP ZONING RESOLUTION  
R.C. 519.12 (A) (E)**

The Auburn Township Zoning Commission, Geauga County, Ohio, met in Regular Session on the 14<sup>th</sup> day of November, 2024, at 7:00 PM, with the following members present:

- ✓ Dennis Bergansky
- ✓ Ted Van Hyning
- ✓ Greg Lackey
- ✓ Chad Canfield
- ✓ Jeff Pulsford
- ✓ Angela Daugherty

TED VANHYNING moved to adopt the following motion:

That the Auburn Township Zoning Commission conduct a public hearing on the proposed Amendment, identified as ZC-2024-02 to the Auburn Township Zoning Resolution as attached hereto on the 12<sup>th</sup> day of December, 2024, at 7:00 o'clock PM at the Auburn Township Administration Building, 11010 Washington Street, 44023.

Jeff Pulsford seconded the motion and the roll being called, the vote of the Auburn Township Zoning Commission was as follows:

	<u>Yes or No</u>
<u>Dennis Bergansky</u>	<u>Yes</u>
<u>Ted Van Hyning</u>	<u>Yes</u>
<u>Chad Canfield</u>	<u>Yes</u>
<u>Greg Lackey</u>	<u>Yes</u>
<u>Jeff Pulsford</u>	<u>yes</u>
<u>Angela Daugherty</u>	<u>yes</u>

Adopted this 14<sup>th</sup> day of November, 2024  
Attested to by:

J. Hardy for Sarah Mulleman  
J. Hardy for Sarah Mulleman, Secretary, Auburn Township Zoning Commission

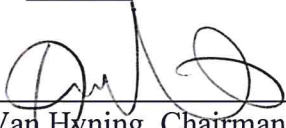
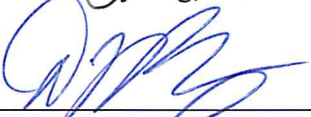
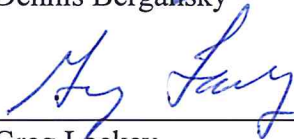
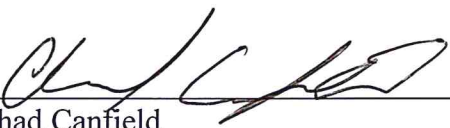
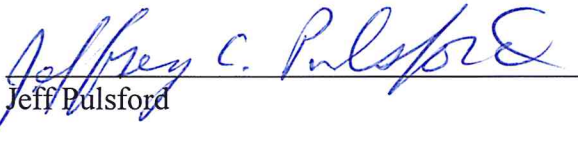


**MOTION TO INITIATE AMENDMENT TO THE  
AUBURN TOWNSHIP ZONING RESOLUTION  
R.C. 519.12 (A)**


DENNIS BERGANSKY moved the adoption of the following motion:

That an amendment to the Auburn Township Zoning Resolution identified as **ZC-2024-02** consisting of 6 pages, marked Exhibit A and attached hereto and incorporated herein as though fully rewritten, be hereby initiated by the Auburn Township Zoning Commission this **14<sup>th</sup>** day of **November, 2024.**

CHAD CANFIELD seconded said motion. Upon the roll being called, the vote of the members of the zoning commission was as follows:

<u>Member</u>	<u>Yes or No</u>
 Ted Van Hynning, Chairman	Yes
 Dennis Bergansky	YES
 Greg Lackey	YES
 Chad Canfield	YES
 Jeff Pulsford	

Attested to by:

  
J. Hardy for Sarah Mulleman, Secretary  
Auburn Township Zoning Commission

Date: November 14, 2024

**ARTICLE 2**  
**DEFINITIONS**

- 2.01 General.
  - 2.02 Definitions.
- 

**2.02 DEFINITIONS:**

**CEMETERY:** Real property used for the interment of human remains including any one or a combination of more than one of the following: a burial ground containing plots designated for earth interments or inurnments, a mausoleum for crypt entombments, or a columbarium for the deposit of cremated remains. Pursuant to O.R.C. Sections 1721.21 and 4767.02, "cemetery" means any real property owned by a person, church, religious society, established fraternal organization, or political subdivision of the state of Ohio for the disposition of human remains and includes any one or a combination of more than one of the following. For the purpose of this definition, "interment" means the disposition of human remains by earth burial, entombment, or inurnment.:

- a. A burial ground for earth interments;
- b. A mausoleum for crypt entombments;
- c. A columbarium for the deposit of cremated remains;
- d. A scattering ground for the spreading of cremated remains.

**CEMETERY, FAMILY:** Pursuant to O.R.C. Section 4767.02(D), "family cemetery" means a cemetery located on privately owned real property containing the human remains of persons, at least three-fourths of whom have a common ancestor or who are the spouse or adopted child of that common ancestor.

**Schedule 4.03(k): Residential District Schedule EXHIBIT A**

DISTRICTS & USES <sup>(1)</sup>	MINIMUM LOT AREA (Acres)	MINIMUM LOT WIDTH (Feet)	MINIMUM YARD DEPTH (Feet)			MAXIMUM LOT COVERAGE <sup>(4)</sup>
			FRONT	SIDE	REAR	
<b>R-1 DISTRICTS</b>						
<b>Permitted Main Uses:</b>						
Reserved						
Single Family Dwellings 8/15/18	3.00	200 <sup>(2)</sup>	65	30	50	10%
Adult Group Homes	3.00	200 <sup>(2)</sup>	65	30	50	10%
Adult Family Homes	3.00	200 <sup>(2)</sup>	65	30	50	10%
Public Facilities	3.00	200	100	50	50	20%
<b>Family Cemetery <sup>(5)</sup></b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<b>Conditional Uses:</b>						
Cemeteries	5.00	300	100	100	100	5%
Churches	3.00	200	100	50	100	20%
Golf Course (7/21/10)	50.00	300	100	100	100	20%
Quarries	20.00	300	100	100	100	5%
<b>R-2 DISTRICTS</b>						
<b>Permitted Main Uses:</b>						
Agriculture	5.00	150	65	50	50	5%
Single Family Dwelling 8/15/18	2.00	175 <sup>(2)(3)</sup>	65	30	50	10%
Adult Group Homes	2.00	175 <sup>(2)(3)</sup>	65	30	50	10%
Adult Family Homes	2.00	175 <sup>(2)(3)</sup>	65	30	50	10%
Public Facilities	3.00	200	100	50	50	20%
<b>Family Cemetery <sup>(5)</sup></b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<b>Conditional Uses:</b>						
Cemeteries	5.00	300	100	100	100	5%
Churches	3.00	200	100	50	100	20%
Golf Course (7/21/10)	50.00	300	100	100	100	20%
Quarries	20.00	300	100	100	100	5%
<p>(1) See Use Definitions (2.02), Zoning Map (Appendix B), Dwellings (5.01), Accessory Uses (5.02) and Conditional Uses (5.03)</p> <p>(2) See 4.03(d).</p> <p>(3) Corner Lots shall have a Minimum Lot Area of 2.00 acres, and a Minimum Lot Width of 200 feet.</p> <p>(4) See 4.03(h) for Maximum Building Heights</p> <p>(5) For the protection and sanctity of the family cemetery, an affidavit of fact per ORC 5301.252 regarding location may be filed with the County Recorder's Office.</p>						



## 4A.05 SCHEDULE OF USES:

## Schedule 4A.05: Schedule of Uses

LAND USE CATEGORY	B-1 General Business District (1)	B-1A Auburn Corners Retail Business District	B-2 "Village" Retail District	B-3 Retail/Motorist Service District	B-4 Office/Light Industrial District	I-1 General Industrial District
<b>(a) Residential</b>						
(1) Detached Single Family Dwelling	P	P	P	N/P	N/P	N/P
(2) <del>Reserved 6/6/07</del> Family Cemetery (5)	P	P	P	P	P	P
(3) Nursing Homes and Residential care facilities	N/P	N/P	N/P	N/P	C	N/P
<b>(b) Offices</b>						
(1) Medical clinics	P	P	P	P	P	N/P
(2) Reserved 6/6/07						
(3) Professional, administrative, executive, and real estate	P	P	P	P	P	P
(4) Reserved (6/2021)						
<b>(c) Retail/Services</b>						
(1) Retail in completely enclosed buildings	P	P	P	P	C <sup>(3)</sup>	C <sup>(3)</sup>
(2) Reserved (6/2021)						
(3) Animal hospital, Veterinary clinic and offices	P	P	P	P	P	P
(4) Reserved (6/2021)						
(5) Bank, financial institution	P	P	P	P	P	N/P
(6) Drive-thru facilities in association with a principal use	P	P	P	P	P	C
(7) Funeral Home	P	P	P	N/P	P	N/P
(8) Landscaping & Tree Service	N/P	N/P	N/P	N/P	N/P	C
(9) Reserved (6/2021)						
(10) Restaurants	P	P	P	P	P	C
(11) General Businesses (4)	P	P	P	P	P	C
(12) Reserved 6/6/07						
(13) Child Day Care Facility	C	C	C	C	C	C

LAND USE CATEGORY	B-1 General Business District (1)	B-1A Auburn Corners Retail Business District	B-2 "Village" Retail District	B-3 Retail/Motorist Service District	B-4 Office/Light Industrial District	I-1 General Industrial District
<p>P = Permitted Use                      C = Conditional Use                      N/P=Not Permitted                      (1) R-1 District permitted main and conditional uses apply to B-1 District. 8/20/14                      (2) <i>Reserved</i>                      (3) Limited to if it is manufactured on site.                      (4) In completely enclosed buildings (see General Business definition)                      (5) For the protection and sanctity of the family cemetery, an affidavit of fact per O.R.C. 5301.252 regarding notice of its location should be filed with the County Recorder's office.</p>						



limited to, any signage and trash receptacles. (13) Maintain daily hours of operation no earlier than 10:00 a.m. and no later than 8:00 p.m

**5.03 CONDITIONAL USES:** Only those conditional uses defined in this Resolution and specified under a given district on Schedule 4.03(k) and Schedule 4A.05 may be approved in that district. In addition, the following regulations related to particular categories of conditional uses shall apply.

**(a) Cemeteries (7/21/10)**

- (1) Location and Access:** Cemeteries, **except family cemeteries**, shall be a conditional use in the R-1 and R-2 Zoning Districts and shall offer natural or man-made features such as variations in grade and landscaping which will assure a compatible development pattern. All points of **access** vehicle **ingress/egress** shall be located at least two hundred feet (200') from any road intersection. **11/19/13, 9/2022 Driveways for ingress/egress shall be a minimum of fifteen feet (15') from side and rear lot lines. Such driveways shall be a minimum of fifteen feet (15') in width and shall be constructed with an aggregate, asphalt, or concrete material.**
- (2) Development Standards:** In addition to the other standards of this Resolution (3.01), all main and accessory uses shall be enclosed by a maximum six (6) foot high fence or wall and maintained in good condition with appropriate security appurtenances. **Equipment, tools, and vehicles shall be stored inside a fully enclosed building. All burial grounds shall be setback a minimum of two hundred feet (200') to any potable water well. Exterior storage of landscaping or other materials shall be setback a minimum of thirty feet (30') from all lot lines. A cemetery shall comply with the applicable riparian setback, wetland, and flood plain regulations (3.01 and 3.06).**
- (3) Maintenance Standards:** In addition to the other standards of this Resolution (3.02), limitations on the time or extent of operations, and certifications or approvals by applicable governmental agencies **on the legal nature of the use shall be required. A cemetery shall be in conformity with applicable laws and regulations set forth in O.R.C. Chapters 1721, 3705, and 4767. A township cemetery shall be in conformity with the provisions of O.R.C. Chapter 517.**
- (4) Other Regulations and Conditions:** **A cemetery shall comply with all other applicable regulations of the zoning district in which it is located, including the General Conditions for Conditional Zoning Certificates (6.05(e)(2-e), and such other specific conditions as may be determined by the Board of Zoning Appeals.**



- (d) **Economically Significant Wind Farm:** This Resolution does not apply with respect to the location, erection, construction, reconstruction, change, alteration, maintenance, removal, use, or enlargement of any economically significant wind farm, whether publicly or privately owned, or the use of land for the purpose, having wind turbines and associated facilities with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of five (5) megawatts or more.
- (d) **Major Utility Facility and Economically Significant Wind Farm:** Pursuant to O.R.C. Section 4906.13, this Resolution shall not apply to the construction or operation of a major utility facility as defined in O.R.C. Section 4906.01 or to an economically significant wind farm as defined in O.R.C. Section 4906.13 and authorized by a certificate issued pursuant to O.R.C. Chapter 4906 of the O.R.C. A major utility facility includes a large wind farm and a large solar facility. A large wind farm and a large solar facility shall have the same meanings as in O.R.C. Section 4906.01.
- (e) **Amateur Radio Service:** Pursuant to Ohio Revised Code Section 5502.031, this Resolution does not preclude amateur radio service communications and does not restrict the height or location of amateur station antenna structures in such a way as to prevent effective amateur radio service communications and shall comply with 47 C.F.R. 97.15.
- (f) **Government:** This Resolution does not apply in respect to the location, relocation, erection, construction, reconstruction, change, alteration, maintenance, removal, use or enlargement of any buildings or structures of any Federal, State, or political subdivision thereof, or the use of land by any Federal, State, or political subdivision thereof, for the operation of its business. (Effective 5/19/04)
- (g) **Transportation:** This Resolution does not apply with respect to a building or structure of, or the use of land by, a person engaged in the transportation of farm supplies to the farm or farm products from farm to market or to food fabricating plants. However, this Resolution does apply with respect to the location, erection, construction, reconstruction, change, alteration, maintenance, removal, use, or enlargement of any buildings or structures of a public utility engaged in the business of transporting persons or property, or both, or providing or furnishing such transportation service, over any public road or highway in this state, and with respect to the use of land by any such public utility for the operation of its business, to the extent that any exercise of such power is reasonable and not inconsistent with Chapters 4901., 4903., 4905., 4909., 4921., and 4923. of the Revised Code. 11/19/13
- (h) **Biodiesel Production:** This Resolution does not prohibit in a district zoned for agricultural, industrial, residential, or commercial uses, the use of any land for biodiesel production, biomass energy production, or electric or heat energy production if the land on which the production facility is located qualifies as land devoted exclusively to agricultural use under Sections 5713.30 to 5713.37 of the Ohio Revised Code for a real property tax purposes. As used herein, "biodiesel," "biomass energy," and "electric or heat energy" have the same meanings as in Section 5713.30 of the Ohio Revised Code.