

ZC-2024-03

**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.

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-2024-03** 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.

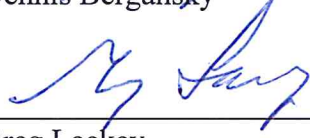
Auburn Township Zoning Commission:




Ted Van Hying, Chairman



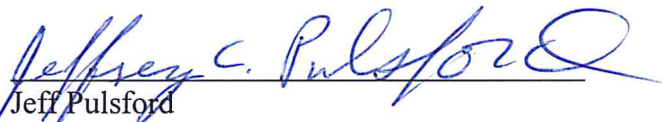
Dennis Bergansky



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 Crombie

Print Name


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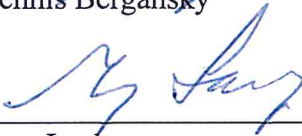
Auburn Township Zoning Commission:



Ted Van Hying, Chairman



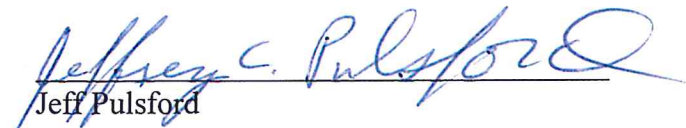
Dennis Bergansky



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 _____ day of November, 2024.

Signature of Planning Commission Employee

Print Name

**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-2024-03** consisting of 4 pages, marked Exhibit A and attached hereto and incorporated herein as though fully rewritten, be hereby initiated by the Auburn Township Zoning Commission this **14th** 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:

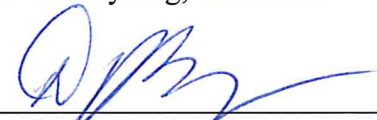
Member

Yes or No




Ted Van Hyning, Chairman

Yes



Dennis Bergansky

YES

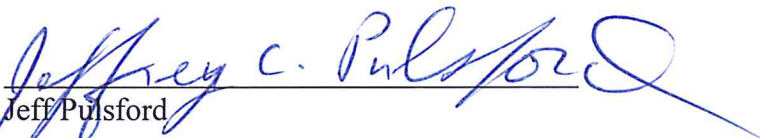


Greg Lackey




Chad Canfield

Yes



Jeff Pulsford

Attested to by:



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

Date: November 14, 2024

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


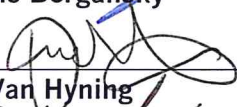
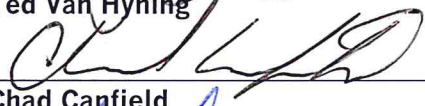
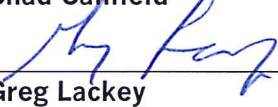
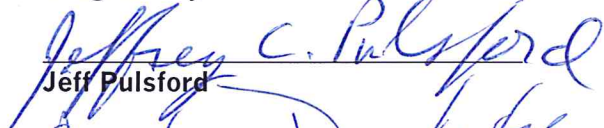

The Auburn Township Zoning Commission, Geauga County, Ohio, met in Regular Session on the 14th day of November, 2024, at 7:00 PM, with the following members present:

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

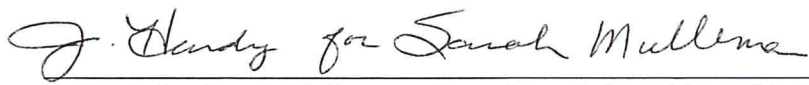
Dennis Bergansky moved to adopt the following motion:

That the Auburn Township Zoning Commission conduct a public hearing on the proposed Amendment, identified as **ZC-2024-03** to the Auburn Township Zoning Resolution as attached hereto on the 12th day of December, 2024, at 7:15 o'clock PM at the Auburn Township Administration Building, 11010 Washington Street, 44023.

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

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

Adopted this 14th day of November, 2024
Attested to by:



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

ARTICLE 2

DEFINITIONS

- 2.01 General.
 - 2.02 Definitions.
-

2.02 DEFINITIONS:

MOBILE FOOD UNIT: Includes any apparatus or equipment that is used to cook, prepare, and serve food and/or beverages from a movable vehicle, including, but not limited to, motorized vehicles, trailers, and hand-propelled carts.

RESTAURANT a commercial retail service establishment within a permanent, fully enclosed principal building that shall include a kitchen for food preparation and a dining area wherein food and beverages are served and sold directly to patrons for consumption.

SPECIAL EVENT means a temporary occasion, gathering or celebration for commercial for profit or non-profit purposes that is open to the public, held on public or private property including, but may not be limited to, fundraisers, marketing and promotional activities, receptions, festivals, carnivals, parades, walkathons, and marathons. However, a special event does not include a temporary occasion, gathering or celebration for noncommercial purposes that is not open to the general public held on private property for invited guests by the owner of the affected premises including, but may not be limited to, graduation parties, receptions, and other social activities.

STORAGE CONTAINER means a portable enclosed structure or unit consisting of metal or other components for the temporary storage of goods, merchandise, materials, equipment, or other personal property

**ARTICLE 5
SUPPLEMENTARY REGULATIONS**

5.02 ACCESSORY USES: In addition to the other provisions of this Resolution, accessory uses shall be permitted and regulated as follows:

(p) Mobile Food Units

1. A mobile food unit may be permitted only as a temporary use that is accessory to an existing non-residential use in the B-1 General Business, B-1A Auburn Corners Retail, B-2 Village Retail, B-3 Retail/Motorist Services, and B-4 Office/Light Industrial Zoning Districts.

Provided, however, these regulations shall not apply to special events held by invitation only of the affected property owner for private, noncommercial temporary occasions, gatherings, or celebrations that are not open to the general public in a residential zoning district. A zoning certificate shall not be required for such special events.

2. The affected lot owner and the mobile food unit owner/operator shall be in conformity with the following regulations and the lot owner shall provide the necessary information to ensure compliance to the Zoning Inspector. The Zoning Inspector may require the submittal of a completed zoning certificate application, including a site plan or such additional information necessary to ensure compliance with these regulations. The zoning certificate shall be valid for one (1) year from the date of issuance.
 - a. The mobile food unit owner/operator or the affected lot owner shall submit written documentation from the Geauga County Public Health Department or regulating authority demonstrating that applicable health codes have been met.
 - b. The mobile food unit owner/operator or the affected lot owner shall submit a copy of the Certificate of Insurance, State of Ohio License, Vendor License, and Auburn Township Volunteer Fire Department approval.
 - c. The maximum number of mobile food units allowed on a lot shall be one (1) at any one time.

EXHIBIT A

- d. Only food and/or beverages may be cooked, prepared, and served from a mobile food unit. No other retail items may be sold.
- e. If located in an off-street parking area, a mobile food unit, including any trash receptacles, shall not impede or block pedestrian or vehicular traffic, parking lot area circulation, loading/unloading spaces, fire lanes, and clear sight distance for ingress/egress to any public or private road.
- f. Tables and chairs shall be prohibited.
- g. Temporary signs may be erected on the affected lot and such signs shall be in accordance with the following regulations. No sign shall be located within a road right-of-way, no more than two (2) signs shall be erected, the maximum sign face shall be six (6) square feet, and no sign shall be erected more than forty-eight (48) hours prior to the location of a mobile food unit on the affected lot and shall be removed within twenty-four (24) hours after the mobile food unit is no longer in active use.
- h. Closed lids shall be required on any trash receptacles.
- i. A mobile food unit shall not be located within any public or private road right-of-way. The parking location of a mobile food unit shall be fully accessible to fire department apparatus and emergency vehicles.
- j. A mobile food unit shall be setback a minimum of fifteen (15) feet from any side or rear lot line.
- k. The maximum time period permitted for locating and operating a mobile food unit on a lot shall be two (2) days a week four (4) times per month, exclusive of special event days. Upon expiration of this time period, a mobile food unit and any trash receptacles or other related items shall be immediately removed from the affected lot.
- l. A mobile food unit shall not be located on a lot for storage while it is not in active use, unless it is owned or leased by the affected lot owner of record.
- m. A mobile food unit shall not be permanently connected to any plumbing, electrical, natural gas, or other utilities on a lot.
- n. Wheels, any hitch, the engine or other components related to the mobility of a mobile food unit shall not be removed, it shall not be erected on any foundation or blocks, and it shall not be permanently attached to any other building or structure on a lot.
- o. No mobile food unit may be located on a vacant lot.
- p. The regulations contained herein shall apply to a mobile food unit owned or leased by the lot owner of record upon which it is located.

- q. A mobile food unit shall be subject to inspections during operation by the Zoning Inspector and the Auburn Township Fire Prevention Officer for compliance and must conform with the Geauga County Public Health Department requirements.**
- r. Additional regulations pertaining to mobile food units involving a special event shall include the following:**
- (1) A maximum of two (2) zoning certificates may be issued for a special event, two (2) special events are allowed per quarter: January–March; April–June; July–September; and October–December.**
 - (2) The maximum number of days for a special event shall be three (3) days. Upon expiration of this time period, the mobile food unit and any trash receptacles or other related items shall be immediately removed from the affected lot.**
 - (3) The maximum number of mobile food units allowed on a lot during a special event shall be two (2) at any one time and the minimum separation distance between units shall be in accordance with the applicable fire code.**

EXHIBIT A