MEMBERS PRESENT: SCOTT BROCKMAN, JEFF PULSFORD, CHAD CANFIELD, DENNIS BERGANSKY,

MEMBER ABSENT: JASON WEIN, TED VANHYNING, TODD ADNAVORIAN

The Regular Meeting was called to order by Chairman Ted VanHyning at 7:01 PM.

Roll call was taken. Members present were Scott Brockmam, Jeff Pulsford, Dennis Bergansky, Ted VanHyning

David Dietrich was in attendance.

The Pledge of Allegiance was led by Jeff Pulsford.

The Chairman asked the members to review the meeting minutes from last meeting.

Mr. Pulsford asked about the upcoming planning conference being held in June at Punderson. Numerous members showed interest in attending.

Mr. Brockman had a question on which page in Article 6 that the Commission will continue with. It was noted that it was Page 23.

Mr. Dietrich had researched the Ohio Revised Code regarding the Board of Appeals being able to revoke a variance for a mining operation [Page 10 of Article 6]. A discussion took place.

Motion by Scott Brockman to approve the meeting minutes from April 14, 2022. The motion was seconded by Jeff Pulsford. Vote: VanHyning, yes; Brockman, yes; Bergansky, yes; and Pulsford, yes.

Mr. VanHyning indicated that there was a gentleman present from the community.

Tom Morrow introduced himself to the Commission and indicated that he lived in the Woods of Auburn Lakes and there was a concern in his community. Mr. Morrow explained that his development use to be abutted by a wooded lot and when the houses in his development were built, the property owners were assured by Pulte Homes that this wooded area would "not being going away."

Mr. Morrow continued explaining that last year a group of contractors came in and started removing the woods. He further explained that there is a concern about what the plans for this adjacent area are, since it had recently sold. He also explained that this parcel is 50 acres and it fronts on Munn Road and it is zoned Industrial. Mr. Morrow commented that there are 12 homes that border the Industrial lot. He also explained that the previous owner's name was George Lanesky. Mr. Morrow commented that his HOA asked Mr. Lanesky if Auburn Woods could purchase a buffer area. Mr. Lanesky indicated that he would sell them a buffer but that did not happen and the property has since been sold.

Mr. Morrow indicated that he had met with the Zoning Department and has found out what the restrictions were in that area. Mr. Morrow was concerned that a parking area could be built up to 15 feet from the property line and potentially be right in Mr. Morrow's backyard.

Mr. VanHyning explained that there is a process in place that a resident could initiate an amendment if they would like to; but outside of that there is not much that this board can do regarding the situation.

Mr. Brockman indicated that the zoning in that district was in place long before Mr. Morrow bought the property and Mr. Brockman explained that he was not sympathetic to someone who bought into their own problem.

Mr. Morrow asked how he can move the process forward and what he needed to do. Mr. VanHyning explained that "it is like pushing a boulder up a hill." Mr. Bergansky commented that they could try and approach the current owner.

Mrs. Hardy explained that when the HOA approached the previous owner to buy the 100 foot buffer, a couple members of the HOA thought it was not fair to assess the whole community to buy the property; so the HOA decided not to purchase it.

It was also explained that the problem with changing the parking set back in the I-1 District is that the Township cannot change this just for this parcel, the setback requirement would change for the whole district.

It was further explained to Mr. Morrow that in Article 4A Page 12 of the Zoning Resolution it outlined the requirements for screening for parking areas; and these requirements include thick vegetation or a fence.

Mr. Morrow left the meeting.

A discussion took place regarding summer meetings and going down to one meeting for the months of June, July and August. Mr. VanHyning indicated that he would be okay with that.

It was noted that the next amendment would be initiated at the first meeting in May and that the Public Hearing for that amendment would the first meeting in June.

Mr. VanHyning noted that the commission informally agreed to have one meeting a month for June, July, and August.

The commission continued on to review Article 6, page 23. Mr. VanHyning indicated that the rest of Article 6 looked good.

A discussion took place regarding a suggested change in Article 6; whether it should reference the Ohio Revised Code and write that particular reference out in the Resolution so if the ORC changes, the Resolution would not need to be changed, if it just referenced the specific section in the ORC. After the discussion, it was decided to leave the ORC text in the zoning resolution as currently written in Article 6.

A discussion took place regarding Page 29 and the ability to fine $500 a day.

Article 8 was discussed and minor modifications were made on Page 2 and Page 7.

A discussion took place regarding a court case called Willow Grove vs Olmstead Township. Mr. Dietrich explained the case which was out of Cuyahoga County; and essentially the zoning commission can review a plan, but not grant any zoning permits.

A discussion took place regarding short term rentals and chartered communities having home rule authority.

A discussion took place regarding what if the Planning Commission denies the new amendment as they did the previous submittal.

A discussion took place regarding the conditions that need to be added for the changes that were included in the Schedule of Uses for the I-1 and B-4 Zoning Districts; for restaurants; general business; curb side pickup and drive through facilities.

Mr. Dietrich indicated that he would get something ready for the Commission to review at the next meeting.

It was suggested that for the Fall agenda, the Commission should address residential uses in the B1A district. Mr. Dietrich explained that as it is currently written in the Zoning Resolution, a lot of single family homes in the district are non-conforming. He also noted that there are a fair number of townships in the county where single family residential is allowed in commercial districts and as currently is allowed in Auburn's B-1 District and it has worked well; people, buying and living in these districts, do need to understand that they are in a commercial zone.

A discussion took place regarding outdoor shooting ranges. Mr. Pulsford commented that he wants to make sure that not allowing a commercial outdoor shooting range will not impact the average person from shooting in their own back yard. The proposed definition will be sent up to Chardon for an opinion. Mr. Bergansky felt that the key to the definition was that it says it is open to the public at a fee or no cost.

The new definition was discussed: "Public or privately owned facilities, which are open to the public for a fee or no cost, designed and equipped for the conduct or indoor/outdoor sports and leisure time activities. However such facilities shall not include an outdoor shooting range for the purpose of shooting with firearms unless it is owned or operated by a public law enforcement agency or department." It was noted that currently Auburn allows this in B-1, B-1A, B-4 and I-1 as only a conditional use in these districts; thereby, this would not impact anyone in a residential district

Mr. VanHyning announced that the next meeting will be May 12, 2022. He also discussed the "Save the Date" flyer for June 24, 2022, for the zoning seminar to be held at Punderson.

Motion by Jeff Pulsford to adjourn the meeting. The motion was seconded by Scott Brockman. Vote: VanHyning, yes; Brockman, yes; Bergansky, yes; and Pulsford, yes.

The meeting was adjourned.

Minutes submitted by:

Minutes Approved on:

May 12, 2022

_____
Sarah C. Mulleman, Secretary

_____
Ted VanHyning, Chairman