RECORD OF PROCEEDINGS

Minutes of AUBURN TOWNSHIP ZONING COMMISSION—REGULAR MEETING Meeting

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

Auburn Township Administration Building

Held 11010 Washington Street February 9, 2023 20 1

MEMBERS PRESENT: DENNIS BERGANSKY, CHAD CANFIELD, SCOTT BROCKMAN, JASON WEIN

MEMBER ABSENT: TED VAN HYNING, JEFF PULSFORD, GREG LACKEY

The meeting was called to order by Vice-Chairman, Scott Brockman at 7:02 PM.

Roll call was taken by Secretary, Sarah Mulleman.

It was noted that the new alternate to the Zoning Commission, Greg Lackey, was not in attendance due to a prior family commitment.

The Pledge of Allegiance was led by Dennis Bergansky.

Mr. Brockman asked that the members review the meeting minutes. Commission members read the meeting minutes from January 12, 2023.

It was noted that the minutes from the January 12, 2023, meeting, did not reflect the fact that a motion was not made to rehire the Zoning Commissions secretary at the Organizational Meeting.

A discussion took place.

Motion by Scott Brockman to reappointment Sarah Mulleman as the 2023 Zoning Commission Secretary. The motion was seconded by Jason Wein. Vote: Brockman, yes; Bergansky, yes; Canfield, yes; and Wein, yes. The motion passed.

After reading the minutes, a discussion also took place regarding the pros and cons of food service trucks. Mr. Dietrich will be consulted on this.

Motion by Dennis Bergansky to approve the January 12, 2023, meeting minutes. The motion was seconded by Chad Canfield. Vote: Brockman, yes; Bergansky, yes; Canfield, yes; and Wein, yes. The motion passed.

Mr. Brockman noted that Old Business will remain on the agenda for the next meeting.

Mr. Brockman also commented that the Commission received additional comments back from Linda Crombie regarding the proposed zoning amendment. Mr. Brockman indicated that he would like the members to review the comments.

It was noted that drive-thru facilities was not resent to the Planning Commission for additional comments; but that some of the original suggestions from the first review had been implemented and are noted in green highlighting on the member's copies.

The first comment referenced the spelling of the word "setback". A discussion took place. Mr. Bergansky commented that he thought the word could be spelled both ways. Sarah Mulleman confirmed that to be correct. It was noted that setback in the amendment is spelled the same way that it is spelled in the Ohio Revised Code and also how it is currently spelled in the Auburn Township Zoning Resolution.

More discussion took place. It was decided to spell "setback" as one word in the upcoming amendment.

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Mr. Brockman proceeded to the next item in Mrs. Crombie's comments. He explained that the next comment to be discussed pertains to a change that the Zoning Commission was proposing for General Business from a conditional use to a permitted use in the B-4 zoning district.

It was noted that the comment from the Planning Director indicated that with this change, it appears that this will open up the district for a wider variety of uses. A discussion took place regarding the intent of that particular zoning district, as written in the zoning resolution.

It was further explained that there are currently many uses outlined in the Schedule of Uses that are currently permitted in that district that are not included in the overall intent of the district.

Mr. Brockman indicated that since this is a general definition and not an all-inclusive definition, he is not in agreement with the comment.

A discussion took place regarding the definition of general business, which is located in Article 2 Page 4 of the Auburn Township Zoning Resolution. It was noted that the definition lists out a lot of retail type establishments and retail services.

Mr. Bergansky asked for clarification of the difference between the definition and the stated intent/purpose of the zoning district. A discussion took place and it was explained that the purpose statement shown in Article 4A Page 2 explains the general intent of why districts are established.

It was also noted that the intent is the general guidelines for planning the uses within the particular zoning district. It was noted that Mr. Dietrich will be asked about it for clarification purposes and if potential verbiage should be added.

It was noted that if something was submitted for a general commercial business to the Zoning Department that the Zoning Inspector would look at the Schedule of Uses and also reference the definition of General Business as it is listed in the Schedule of Uses to determine if it was permitted.

A very valid point was noted, since the general business use is currently listed as a conditional use in the Schedule of Uses, it is currently allowed in that zoning district. It was further noted that all the Commission is currently proposing to do is change it from a conditional use to a permitted use and both are allowed uses. It was also noted that it is not like changing from "not permitted to permitted."

A discussion took place. The Commission was in agreement to leave it as written.

Mr. Brockman moved on to the next item to be discussed which was funeral homes.

A discussion took place regarding funeral homes and whether this proposed use should be permitted in the B2 zoning district and if the use would be a good fit for the district. A lengthy discussion took place regarding allowing Funeral Homes in the Village Retail District.

The majority of the Commission felt funeral homes were a "good clean use", and Auburn does not have a funeral home, it would draw more business to Auburn, It was also noted that funeral homes are currently permitted in B-1 and B-1A zoning district.

Some members felt that it could be viewed as a retail use and funeral homes are usually maintained well.

The Commission re-reviewed the rest of the proposed amendment.

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It was noted that the amendment will be initiated at the next meeting on February 23, 2023, and the Public Hearing will be scheduled for March 23, 2023. The amendment will be discussed at the Planning Commission's March meeting and the Planning Commission's comments should be received in time for the Zoning Commission's Public Hearing.

Discussions took place regarding outdoor shooting ranges and how the proposed change will only effect commercial ranges.

The pond and lake setback for the Industrial and Commercial Districts was also discussed regarding why this change was being proposed. It was noted that in the Industrial and Commercial districts the current required setbacks uses a lot of area on the lot.

It was noted that this proposed change will not be applicable to a retention or detention pond.

A discussion took place regarding changing drive-throughs from a permitted to a conditional use. It was noted that there are enough proposed regulations to control them; therefore, it was decided that the proposed change would not be included in the new amendment so it probably did not need to be a conditional use. Since the original change was suggested by Jason Wein, Mr. Wein indicated that he is ok with leaving it as is.

A quick discussion took place regarding the reason for the proposed change in sexually oriented businesses. It was noted that road names changed since the SOB amendment was written years ago; so the change was for clarification and identification purposes and helps keep Washington Street from having these businesses.

Motion by Jason Wein to adjourn the meeting. The motion was seconded by Scott Brockman. Vote: Bergansky, yes; Brockman, yes; Wein, yes; and Canfield, yes. The motion passed.

The meeting was adjourned.

Minutes submitted by:

Minutes Approved on:

February 23, 2023

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Sarah C. Mulleman, Secretary

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Scott Brockman, Vice Chairman