RECORD OF PROCEEDINGS

Minutes of AUBURN TOWNSHIP BOARD OF ZONING APPEALS—REGULAR Meeting

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

Auburn Township Administration Building
11010 Washington Street June 13, 2023 1

Held BZA-2022-13c 20

MEMBERS PRESENT: DOUG HOGAN, BRIAN STEWART, MICHAEL VARLEY, ROBERT FORD, BEN TIMMONS

MEMBER ABSENT: DAVID PARKER, LEWIS TOMSIC

MEMBERS HEARING THE CASE: Hogan, Timmons, Stewart, Ford, Varley

CASE FILE: The case file is included as part of the official record, and also includes the Auburn Township Zoning Resolution

The meeting continued to the next item on the agenda under Old Business. It was noted that this case is continued from the January 13, 2023, Board of Zoning Appeals meeting.

BZA-2022-13c--a request for a conditional use certificate submitted by Crash Champions, LLC, for an auto body repair garage located at 9967 Washington Street, Auburn Township, OH 44023, in a B-1 zoning district.

Mr. Hogan again commented that the official record for this hearing, BZA-2022-13c, will be the minutes recorded by the Board of Zoning Appeals Secretary and also as part of the official record, is the case file and the Auburn Township Zoning Resolution.

Mr. Hogan confirmed that everyone who was planning on testifying had been sworn in.

Mr. Hogan proceeded with the agenda item under Old Business.

BZA-2022-13c--a request for a conditional use certificate submitted by Crash Champions, LLC, for an auto body repair garage located at 9967 Washington Street, Auburn Township, OH 44023, in a B-1 zoning district.

Representing Crash Champions again for the meeting was Greg O'Brien from the law firm of Taft, Stettnius, and Hollister, in Cleveland, Ohio. Mr. O'Brien reintroduced himself to the Board.

As a follow-up to the January meeting, Mr. O'Brien indicated that he is under the impression that the BZA members have received the requested documents regarding the parking situation at the Rad Van complex. He indicated that there is now a lease between Crash Champions and Rad Van for the additional parking and an updated site plan. The updated site plan shows the additional parking area behind the back building leased from Bill Collins

Mr. Stewart summarized the items, from the previous meeting, that were of concern which included the parking of the disabled cars on the site and the timing of getting the cars moved.

Mr. O'Brien commented that hopefully with the new parking plan these concerns will be eliminated.

A discussion took place regarding the additional parking at the Pond Ice Rink. It was noted that the Pond parking may continue.

Frank Kitko, Auburn Township's Zoning Inspector, verified that Rad Van is ok with the agreement at this point.

Fire Chief John Phillips commented that a dry hydrant has been put in at the retention basin. The Chief also commented that Crash Champions is in conformity with their conditional use permits at the other buildings.

A discussion took place regarding how the parking for the other businesses is regulated. It was explained that the parking for the other businesses is regulated on the honor system.

There were no other comments or questions.

Motion by Robert Ford to grant BZA-2022-13c--a request for a conditional use certificate submitted by Crash Champions, LLC, for an auto body repair garage located at 9967 Washington Street, Auburn Township, OH 44023, in a B-1 zoning district, with the following conditions:

1. **Comply with Auburn Township Zoning Resolution, Article 5.03(j) regarding an Auto Repair Garage.**
2. **Repairs or servicing of vehicles shall be within completely enclosed buildings.**
3. **No more than three (3) vehicles per bay may be stored outside. Vehicles must be immediately stored in an area identified in new parking plan, which is screened from the ROW and adjacent lots.**
4. **No vehicle can be stored for more than twenty-one (21) consecutive days.**
5. **The repair/servicing of vehicles with a gross vehicle weight rating of 26,001 pounds or more shall be prohibited.**
6. **All storage of supplies shall be in a completely enclosed building.**
7. **Any new additional lighting shall comply with Article 4A.11 and be approved by the Auburn Township Zoning Department.**
8. **Any additional signage will require a permit and approved by the Auburn Township Zoning Department.**
9. **Comply with Auburn Township Zoning Resolution, Article 3.01 Development Standards; and Article 3.02 Maintenance Standards.**
10. **The Auburn Township Zoning Department is to be supplied a copy of the current occupancy permit, from the Geauga County Building Department.**
11. **Receive approval from the Auburn Township Volunteer Fire Department and a copy of the written report to be submitted to the Auburn Township Zoning Department.**
12. **The Conditional Use Permit will be reviewed after one (1) year of operation in this building, or sooner if there is an issue.**
13. **The submitted new site plan showing the additional parking that is to be created for Crash Champions will be adhered to and made part of the official record.**

The motion was seconded by Doug Hogan. Vote: Hogan, yes; Ford, yes; Stewart, yes; Varley, yes; and Timmons, yes. Motion was granted.

Mr. O'Brien thanked the Board and left the meeting.

The Board members read the meeting minutes from the February 7, 2023, meeting. There were no comments. **Motion by Robert Ford to approve the meeting minutes for the February 7, 2023, meeting. The motion was seconded by Doug Hogan. Vote: Hogan, yes; Ford, yes; Stewart, yes; Varley, yes; and Timmons, yes. Motion was granted.**

Under Miscellaneous were the following announcements: the BZA is no longer required to approve their meeting minutes within 30 days. It was explained that with the new amendment that went into place, BZA minute approval was increased to forty days; therefore, there will only be one meeting a month so the September 5th and November 7th meeting are cancelled.

Tabled from the Organization Meeting was to appoint a Secretary for 2023. A discussion took place. **Motion by Doug Hogan to appoint Jane Hardy as the Board of Zoning Appeals Secretary for 2023. The motion was seconded by Brian Stewart. Vote: Hogan, yes; Stewart, yes; Varley, yes; Timmons, yes; and Ford, yes. Motion passed.**

Mr. Hogan also commented that Auburn's Community Picnic will be September 16, 2023, at the Auburn Community Park. Please try to attend.

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Mr. Hogan commented that there is a flyer with information about a zoning seminar that is available for anyone to attend. The Township will reimburse for any registration fee, if anyone is interested.

The next meeting for the BZA will be July 11, 2023. There will be at least one case to be heard at the meeting.

Scott Brockman from the Auburn Township Zoning Commission was present and asked to speak to the Board of Zoning Appeals. Mr. Brockman asked if there was anything that the Board would like to address, regarding contradictions or improvements to the Zoning Resolution or anything that the Board of Zoning Appeals would like to see changed.

Mr. Brockman explained what the Zoning Commission had been working on. Mr. Stewart commented that concerns had been previously sent to the Commission. Mr. Brockman indicated that the current Board may be more receptive to any suggestions than the prior Commission might have been. Mr. Brockman also indicated that they are trying to make the Resolution more approachable to the average citizen.

A discussion took place regarding lack of Geauga County enforcement from the courts regarding zoning cases.

A discussion also took place regarding health and safety.

There was no further comments.

Motion by Robert Ford to adjourn the meeting. The motion was seconded by Ben Timmons. Vote: Hogan, yes; Stewart, yes; Varley, yes; Timmons, yes; and Ford, yes. Motion passed.

The meeting was adjourned.

Minutes submitted by

Jane Hardy, BZA Secretary

Minutes Approved on:

July 11, 2023

Doug Hogan, Chairman