

PAINESVILLE TOWNSHIP ZONING COMMISSION

MEETING MINUTES

February 10, 2020

Painesville Township Office 55 Nye Rd. Painesville Twp., OH 44077

Present: John Haught, Amy Cossick, Bailey MacKnight, and Ted Galuschik

Absent: Darrell Webster

Zoning Inspector: Rich Constantine

Legal Counsel: Matt Lallo

Chairman, Ted Galuschik, called the meeting to order at 6:30 p.m. The Pledge of Allegiance was recited. A roll call revealed that a quorum was present.

PUBLIC COMMENT: No comments were made.

REGULAR MEETING

Chairman asked if the board had any edits to the January meeting minutes. Hearing none, he called for a motion.

John Haught made the motion to approve the minutes as submitted. Amy Cossick seconded.

Roll Call: Haught; Aye, Cossick; Aye, MacKnight; Aye, Chairman; Aye.

Motion carries.

PUBLIC HEARING:

Case 19-ZC-05

Proposed amendments to Section 31 and 12, by amending sections 31.03 and 31.04 and adding new 12.02(T) and 12.05(T) and moving the existing 12.02(T) and 12.05(T) to 12.02(U) and 12.05(U) respectively.

Chairman noted that the board received a letter from the Planning Commission. They recommended for both sections 12 and 31 when referencing parcel or lot sizes add the reference that the parcel and lot sizes are exclusive to the right-of-way. In section 31.03(B) use the term modification rather than variation of the zoning requirements.

Chairman asked if anyone was there to speak for or against the proposed amendment. Hearing none, he asked for comments from the board and Zoning Inspector. Zoning Inspector recommended to approve both sections as modified per the Planning Commission.

Matt Lallo asked if there is a set language that the board could include to refer to the lot sizes before the board votes on it. Matt Lallo stated that Section 14.03 has reference language in regards to lot sizes, "Lot Area. In computing lot areas, no portion of the road right-of-way may be included regardless of whether or not the owner holds title to the same". Matt Lalo stated to include that subsection in the proposed text amendment. The Zoning Inspector stated, as an alternate, they could add the language to exclude any land located in the road right of way. Matt Lallo replied that it would be up to the board. The Zoning Inspector stated that he could revise the amendments with both options for the board to review at the next meeting.

Chairman asked the board for their comments and/or suggestions on the options. Chairman stated that he would recommend continuing the public hearing to see both options in the proposed text amendment.

The Zoning Inspector stated that Section 31.03(A): on parcels of less than ½ acre, calculation of acreage shall be rounded to third decimal place only... after the word only Zoning Inspector suggested adding the word and and insert the language from Section 14.03. The Zoning Inspector stated that is the similar fashion that the board has used in other sections.

Chairman asked the board for comments or questions. Bailey MacKnight stated that since the board has the language, he recommended adding the language and close the case.

Amy Cossick agreed with Bailey. John Haught stated he would prefer to see it finished prior to voting on it since there is no rush.

John Haught made the motion to continue **case 19-ZC-05**.

Bailey MacKnight seconded it.

Roll Call: Haught; Aye, Cossick; Aye, MacKnight; Aye; Chairman; Aye.

Motion carries.

Case 20-ZC-01

Rezoning initiated by request of Trustees to change district designation for parcel (PPN 11A0150000030) that is R-1 along with approximately 4.55 acres being split off of parcel 11A0150000020 and added to this parcel to change the district to CS(Community Service). Also known as the former Hadden School site.

Matt Lallo recommended continuing this hearing. He stated that this parcel has been (CS) Community Service. That is an improper zoning district for that property. That parcel should be recreation. The agreement purchase indicated that the park was to be rezoned from R-1 to Recreation 1; not Community Service.

The buyer is working with their attorney to have an addendum to reflect those changes. The front half will be B-1, and the back half will be REC-1. Matt Lallo recommended continuing the case until those issues are resolved.

Chairman stated that the Planning Commission recommended that the property be not be rezoned to CS and instead be rezoned to the REC-1 district and that a simple legal description be used to better define the area to be rezoned.

The Zoning Inspector stated that a survey has been ordered. The new legal description will be submitted to Matt Lallo. Chairman asked the audience if they have any questions regarding this case.

Hellriegel property owner, Silvio Trifiletti, at 1840 Mentor Ave, stated this would land lock a portion of his property with two easements. Matt Lallo believes that the businesses there are B-1. Chairman stated that Mr. Trifiletti has two parcels. The Zoning Inspector stated that both parcels are zoned B-1.

Matt Lallo showed Mr. Trifiletti that the lots are both B-1 (one parcel is a parking lot) and the other parcel is B-1.

Matt Lallo stated there will be a signed contract that this parcel will remain a park. He stated that the issue now is to clean up the zoning. This hearing is a technicality of zoning districts. Mr. Sylvio asked if there will be a curfew?

The Zoning Inspector stated there is a curfew enforced now.

Nick Faleau at 106 Everett Ave asked what the difference is between the zoning districts? The Zoning Inspector stated that B-1 is light retail and B-3 is heavy commercial; which also allows adult entertainment. He stated that making it a B-3 district would be unwelcomed in that area. All the properties currently there are zoned B-1.

Chairman asked if anyone had more comments; hearing none he'd entertain a motion.

Bailey MacKnight made the motion to continue **Case 20-ZC-01**

Amy Cossick seconded it.

Roll Call: Haught; Aye, Cossick; Aye, MacKnight; Aye; Chairman; Aye.

Motion carries.

Case 20-ZC-02

Trustee withdrawn case

OLD BUSINESS:

Rules and Procedure *Continued from August Meeting -*

The board discussed the email of Rules and Procedures and did not have any comments.

Chairman asked if the Zoning Inspector had any questions or comments.

The Zoning Inspector stated he's in favor of adopting them.

Darrell Webster made the motion to adopt the Rules and Procedures.

John Haught seconded it.

Roll Call: Haught; Aye, Cossick: Aye, MacKnight: Aye, Chairman:Aye.

Motion carries.

NEW BUSINESS:

Case 20-ZC-03

The Painesville Township Zoning Commission is initiating, at the request of the Trustees, a district amendment affecting approximately 4.16 acres fronting on Mentor Ave at 1800 Mentor Avenue, PPN 11A0150000020 from R-1, Single Family Residential to B-1, Gateway Business.

The Zoning Inspector recommends setting the public hearing as modified.

Chairman stated they need to set a public hearing case 20-ZC-03 for March 9, 2020.

Bailey Macknight made the motion to set the public hearing for **Case 20-ZC-03** for March 9, 2020.

John Haught seconded it.

Roll Call: Haught; Aye, Cossick: Aye, MacKnight: Aye, Chairman:Aye.

Motion carries.

DISPENSATION OF CLOSED PUBLIC HEARINGS: None

ITEMS BEING HELD FOR PUBLIC HEARING: None

ZONING INSPECTORS REPORT: Planning Commission sent their annual calendar for us to make note while setting public hearings.

Matt Lallo announced that he will be leaving Painesville Township. He will stay on until the Trustees find his replacement but is not certain when his last meeting will be.

ADJOURNMENT at 7:05PM

Next meeting will be Monday, March 9, 2020.

Respectfully submitted,



Ted Galuschik, Chairman



Lorrie Schuck, Zoning Secretary

