

**PAINESVILLE TOWNSHIP
Zoning Commission
MEETING MINUTES**

Monday, December 14, 2020

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

Present: Amy Cossick, Darrell Webster, John Haught, Bailey MacKnight, Ted Galuschik
Absent: None
Zoning Inspector: Rich Constantine, Harley DeLeon
Legal Counsel: Jason Hartzell

Chairman, Ted Galuschik, called the meeting to order at 6:33p.m. The meeting was held by video conference due to respectful response to the coronavirus mandates in the State of Ohio. The Pledge of Allegiance was recited. A roll call revealed that a quorum was present.

Public Comment: No one was present.

Regular Meeting:

Chairman asked if the board had any additional edits to the **November 9, 2020 meeting minutes**.
Hearing

none, Chairman entertained a motion to approve the **November 9, 2020 meeting minutes**.
John Haught motioned. Darrell Webster seconded.

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

Motion carried.

Public Hearing:

- **Case 20-ZC-06 (Continued from November 9, 2020):**

Painesville Township Zoning Commission Proposed Text Amendment Sections 25 and 5
Add new subsection 25.01(K) and re-letter the remainders thereafter, amend 25.07 and amend 5.81
definition of "Home Occupation" Modifications based on Planning Commission Recommendations are to
move the majority of language from the current definition for "Home Occupation" to Sections 14, 15, 16
and 32 and to add definitions to Section 5 which will define Contractors of various types.

Zoning Inspector Rich Constantine gave a brief recap description of the Proposed Text Amendment as
continued from the November 9, 2020 meeting. Rich Constantine reminded the Commission that they
have had the modified version of **Case 20-ZC-06** since the November 9, 2020 meeting.

Chairman explained that the reason to continue **Case 20-ZC-06**, was for just receiving the case
information the same day prior to the November 9, 2020 meeting. The Commission needed more time to
look over the case.

Chairman asked the Commission if anyone had any questions. Hearing none, Chairman asked if the
Commission agreed with the changes that were made per the recommendations from the Planning
Commission. Hearing none. Chairman asked how to go about sending **Case 20-ZC-06** to the Trustees, if
the case has been modified again during the current Hearing.

Rich Constantine stated that the document used to submit the case to the Trustees is a "History of Change" request. Rich Constantine continued that this document and the computer notation of the application has already been modified to reflect what is being altered by **Case 20-ZC-06**.

Chairman asked if the Commission would approve **Case 20-ZC-06**, and send the Proposed Text Amendment to the Trustees as amended.

Rich Constantine replied that if the Commission closed the Public Hearing, and wanted to come back at the end of the meeting, the Commission would then make a motion to send the case to the Trustees with a recommendation for approval as modified.

Chairman asked if the Commission had any questions or comments. Hearing none. Chairman asked if the Commission would like to make the motion to continue or close **Case 20-ZC-06**.

Darrell Webster made the motion to close **Case 20-ZC-06**. Amy Cossick seconded.

Roll Call: Webster; Aye, MacKnight; Aye, Haught; Aye, Cossick; Aye, Chairman; Aye.
Motion carried.

- **Case 20-ZC-08(Continued from November 9, 2020):**

Painesville Township Zoning Commission

Proposed Text Amendment To Sections 5 and 6

Amend 6.13(E) and add new 6.13(F) and re-letter the remainders thereafter, remove Figure 6-1, add definition for "Line of sight safety triangle", add Illustration 5-1 and correct the alphabetical placement of existing definitions for Heavy Industrial and Library, Public and re-number the remainder definitions accordingly. Modifications made based upon Planning Commission recommendations include reinstating Figure 6-1 eliminating the corner lot illustration, change the title of Heavy and Light Industrial to Industrial, Heavy and Industrial, Light and then correctly place them along with Library, Public in alphabetical order and place Illustration 5-1 into Section 6 also as Figure 6-2.

Zoning Inspector Rich Constantine gave a brief recap description of what has been modified in the Proposed Text Amendment as continued from the November 9, 2020 meeting. Rich Constantine did a presentation of figures for 6-1 and 6-2 for Section 6. Rich Constantine asked Zoning Inspector Harley DeLeon if there would be two (2) "Line of Sight Safety Triangle" on a corner lot.

Zoning Inspector Harley DeLeon stated that a second "Line of Sight Safety Triangle" would be needed for the driveway of an interior lot behind the corner lot. Harley DeLeon continued this would not always be the case though. Harley DeLeon continued that the corner lot with the "Line of Sight Safety Triangle" would have to apply for a variance if needing to move their fence. Harley DeLeon also stated that six foot fences would be prohibited in the front setback.

Chairman asked if the Commission had any questions or comments.

Darrell Webster asked if the area along the side street and the front yard would still require a three foot fence.

Zoning Inspector Harley DeLeon replied that the corner lots would still be required to maintain a twenty foot setback from the edge of the roadway as they are currently for a three foot fence. Harley DeLeon continued that this also entails other items such as hedges and what not, that these cannot exceed thirty-six (36) inches.

Chairman asked if the setback had been extended from twenty (20) feet to thirty (30) feet. Harley DeLeon replied that the "Line of Sight Safety Triangle" itself is subject to thirty (30) feet. Chairman asked if the Commission had any more questions or comments. Hearing none. Chairman entertained a motion to continue or close **Case 20-ZC-08**.

John Haught made the motion to close **Case 20-ZC-08**. Bailey MacKnight seconded.

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

Motion carried.

- **Case 20-ZC-09(Continued from November 9, 2020):**

Painesville Township Zoning Commission

Proposed Text Amendment To Sections 25, 12, 22 and 5

Amend Line Items under Automotive & Transportation in the Table of Uses Section 22.02(E); Amend 12.02(C), 12.02(H), 12.02(I) and 12.02(J) and add new 12.02(V) Used Auto and Truck Sales and Leasing and re-letter the remainders thereafter; Amend 25.01(H) to add permitted uses to Transportation Services, Amend 25.07 to restrict the location of parking/storing of equipment and materials between the right-of-way and minimum required front setback. Modifications recommended by the Planning Commission include revisions to all proposed changes involving 12.02(C), (H), (I), (J); 12.05(C), (H), (I), (J)), 22.02(E), 25.01(H), 25.07, and new definition for "Heavy Truck and Equipment Sales, Leasing, Rental and Repair Services", and revisions to existing definitions 5.19, 5.20, 5.155 and 5.156

Rich Constantine stated he proposed amending line items under Automotive and Transportation in the Table of Uses in Section 22. Rich Constantine continued he was trying to take light duty automotive services, for example, exhaust work and instant oil changes; out of the Commercial District and moving them to the Light Industrial District. Rich Constantine continued that this meant amending Conditional Use language and requirements. Rich Constantine stated he wanted to give Used Auto and Truck Sales and Leasing a place in the Township to do business, which was in the Light Industrial District. Rich Constantine continued that the Planning Commission felt a new definition was needed for Heavy Truck and Equipment Sales; Leasing, Rental, and Repair Services; Automotive Repair; Automotive Service, Heavy Truck and Light Truck. Rich Constantine continued that Automotive Service be permitted in the B-3 Zoning District with Automotive Repair being a Conditional Use in the same district.

Darrell Webster brought to the attention of Zoning Inspector Rich Constantine and Zoning Secretary Rachel Muro that there was a grammatical error on the Agenda for the current Zoning Commission Meeting (December 14, 2020). A comma was missing, separating the Sections that were being proposed to be amended for **Case 20-ZC-09**.

Chairman asked if the Commission had any other questions or comments. Hearing none. Chairman entertained a motion to continue or close **Case 20-ZC-09**.

Bailey MacKnight made the motion to close **Case 20-ZC-09**. Amy Cossick seconded.

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

Motion carried.

Site Plan/Architectural Reviews: None

New Business: None

Old Business:

- **Case 20-ZC-07:**

Section 28 Rewrite sign section.

Chairman asked Rich Constantine if he needed more time.

Rich Constantine replied that he had made the corrections brought to his attention from a previous meeting. Rich continued that he was still working through separating content out of the regulations for signs. He recommended to table **Case 20-ZC-07** until the January 11, 2021 meeting.

Chairman stated to keep the case under old business until Rich Constantine was ready to propose new corrections.

Dispensation of Closed Public Hearings:

- **Case 20-ZC-06:**

Chairman entertained a motion to submit and recommend to the Trustees for approval as modified.

Darrell Webster made a motion to submit **Case 20-ZC-06** to the Trustees for approval as modified. Bailey MacKnight seconded.

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

Motion carried.

- **Case 20-ZC-08:**

Chairman entertained a motion to submit and recommend to the Trustees for approval as modified.

Bailey MacKnight made a motion to submit **Case 20-ZC-08** to the Trustees for approval as modified.

John Haught seconded.

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

Motion carried.

- **Case 20-ZC-09:**

Chairman entertained a motion to submit and recommend to the Trustees for approval as modified.

John Haught made a motion to submit **Case 20-ZC-08** to the Trustees for approval as modified. Bailey seconded.

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

Motion carried.

Items being held for Public Hearing: None

Zoning Inspector's Report:

Rich Constantine reported a Site Plan Review should be submitted soon. It was for Master Tech Diamond Precision on Florence Avenue.

Harley DeLeon reported that a developer was looking into demolishing two vacant buildings on Mentor Avenue to rebuild a coffee shop with a drive thru. The developer was asking about the timeline for the January 11, 2021 meeting.

Rich Constantine reported that Meijier may have backed out of plans to rezone the area between SafStor and Emerald Plaza for a possible Meijier Gas Station in the B-1 Zoning District.

Harley DeLeon reported that another party was interested in developing property near the Mentor line near Waterford for a Car Wash. Harley DeLeon continued that the area is not zoned properly for that use. The subject party has approached the Trustees to possibly change the Zoning Resolution to include Car Washes as a Conditional Use in the B-1 District.

Any Further Business to come before the Commission:

Chairman reminded the Commission that at the January 11, 2021 meeting, there will be the Election of Officers. Chairman wanted Zoning Secretary Rachel Muro to know that it will be put on the Agenda after the approval of the Meeting Minutes.

Chairman adjourned the meeting at 7:27PM

Next Meeting will be on Monday, January 11, 2021.

Respectfully submitted,



Ted Galuschik, Chairman



Rachel Muro, Zoning Secretary