

**PAINESVILLE TOWNSHIP ZONING COMMISSION
MEETING MINUTES
Monday, January 19, 2022
Painesville Township Office 55 Nye Rd. Painesville Twp., OH, 44077**

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

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: None

Regular Meeting:

Chairman asked if the Members had any additional comments or edits to the December 13, 2021, December 20, 2021, and January 10, 2022 Meeting Minutes.

Hearing no other edits or comments, Chairman entertained a motion to approve the **December 13, 2021, December 20, 2021, January 10, 2022 Meeting Minutes.**

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

Public Hearing:

- **Case 2022-0001-ZC: McKinley Crossing**

Map amendment concerning the 28.23 acre parcel number 11-B-045-0-00-002-0 located on Bacon Road.

David Novak spoke for the proposal.

Mr. Novak let the Commission know that the acreage was incorrect on the Agenda. The correct acreage was 23.64 acres.

Mr. Novak gave a history of The Brooks. Leading up to the 23.64 acres being discussed, called McKinley Crossing. Mr. Novak gave a description of McKinley Crossing.

Chairman asked Mr. Novak if the revised layout of the parcel reflects the Lake County Planning Commission's concerns that the road layout would create unsafe conditions.

Mr. Novak replied yes. There will only be one entrance into the development and meets block length.

John Haught needed clarification for the acreage correction from 28.23 to 23.64 acres.

Mr. Novak let the Commission know that it corrected the proposed plan.

Zoning Inspector Harley DeLeon needed clarification if the acreage correction was from the land swap.

Mr. Novak replied part of the acres correction was from the land swap. Mr. Novak showed the Commission on a provided map for the case how the correct acreage amount was coming about.

Darrell Webster needed clarification on how the revised layout worked.

Mr. Novak showed on the provided map how the revised layout worked.

Dave Radachy of the Lake County Planning Commission gave a clarification regarding the revised layout.

Chairman asked if there was anyone in attendance, against the proposal. Hearing none.

John Haught the acreage per unit was following within the Resolution.

Zoning Inspector Harley DeLeon replied yes.

Dave Radachy let the Commission know that this was not a full Map Amendment. The land had been rezoned prior in 2004, and this would be a modification of that Map Amendment. Mr. Radachy continued that the revised plan will be reviewed by the Lake County Planning Commission at their meeting on January 25, 2022. The plan does meet all the Planning Commission's requirements. Mr. Radachy explained the problems that had been created with the initial plan. Mr. Radachy explained the revised plan will be for review, and the recommendation will be given to act on at the January 25, 2022 Meeting.

Darrell Webster commented that the revised plan works.

Dave Radachy commented that the revised plan will keep the traffic flowing and safer on Bacon Road.

Dave Radachy commented that the concerns unfortunately were not caught right away at the Pre-Application Meeting.

Chairman needed clarification that the revised plan met the Lake County Planning Commission's requirements.

Dave Radachy replied yes.

Chairman asked for a Staff Report regarding the case from Zoning Inspector Harley DeLeon.

Zoning Inspector Harley DeLeon replied, answering a question from John Haught, that the Resolution did not have a minimum lot size; but had a minimum density requirement, which the proposed acreage per unit for McKinley Crossing did not exceed. Harley DeLeon let the Commission know that some parcels within the proposed plan would not meet the minimum lot width requirement at the right-of-way line. Harley DeLeon continued that Applicant is proposing a fifty (50) foot buffer along the properties adjacent on Duffton, which would be a courtesy to the Township; as there were concerns from the contiguous neighbors. Harley DeLeon commented that the Trustees requested that Creekside Court Cul De Sac be pivoted, which narrowed the lots some. Harley DeLeon let the Commission know that it was suggested to recommend to the Trustees for approval as a FPUD-B District, as it does not meet the requirements in Section 32 entirely.

Chairman needed clarification from Harley DeLeon regarding the Applicant asking for a Variance.

Zoning Inspector Harley DeLeon replied no.

A discussion was held regarding Section 32, allowing a developer to request to deviate from the requirements listed in this Section.

Harley DeLeon read aloud, a list of requirements provided by Dave Radachy of the Lake County Planning Commission, that allowed the Applicant to deviate to be classified as a FPUD-B and approve the proposed plan as submitted. Harley DeLeon also included any comments or concerns pertaining to the list of requirements.

Darrell Webster asked regarding setbacks not lining up for sub lot 37.

Dave Novak, speaking for the proposal, replied this was due to the fifty (50) foot buffer, but the provided drawings were for the developer to see what size homes can be built.

John Haught needed clarification regarding the fifty (50) foot buffer.

A discussion was held with Zoning Inspector Harley DeLeon showing John Haught what lots were affected on drawings provided.

John Haught needed clarification on a roadway that is being removed.

A discussion was held with Dave Novak pertaining to the concern of a private street for The Brooks Condo Association, that cannot be used to connect to the public street.

A discussion was held regarding the process of swapping the land the unused, dead end street is on back to the proposed development; and what will happen after the swap.

Chairman entertained a motion to continue or close the Public Hearing for **Case 2022-0001-ZC**.

Darrell Webster made a motion to close the Public Hearing for **Case 2022-0001-ZC**.

Amy Cossick seconded.

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

Motion carried.

Election of Officers:

- **Chairman:**

John Haught made a motion to re-elect Ted Galuschik as Zoning Commission Chairman. Amy Cossick seconded.

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

Motion carried.

- **Vice-Chairman:**

John Haught made a motion to re-elect Amy Cossick as Zoning Commission Vice-Chairman. Darrell Webster seconded.

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

Motion Carried.

Site Plan/Architectural Reviews: None

New Business:

- **2022-0002-ZC: 485 Riverside Drive**

Application for zoning amendment. The request is to rezone 2.79 acres of property located at 485 Riverside Dr parcel number 11-A-019-0-00-011-0 from R-1 single family residential to CS Community Service.

Zoning Inspector Harley DeLeon recommended to the Commission that they were receiving and setting for Public Hearing for February 14, 2022.

Chairman entertained a motion to set a Public Hearing for **Case 2022-0002-ZC** for the February 14, 2022 Meeting.

John Haught made a motion to set **Case 2022-0002-ZC** to a Public Hearing for February 14, 2022.

Darrell Webster seconded.

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

- **2022-0003-ZC: 120 Fairport Nursery Road**

Application for zoning amendment. Request is to rezone 120 Fairport Nursery a 12.27 acre parcel, created by splitting and combining three parent parcels, to B-2 General Retail. The current zoning designation of the three parent parcels is I-2, I-2, and R-4. This request affects parcels 11-B-037-0-00-008-0, 11-B-037-0-00-007-0, and 11-B-037-0-00-012-0.

Chairman needed clarification from Zoning Inspector Harley DeLeon where this parcel was located. Zoning Inspector Harley DeLeon showed where the parcel was located on a map provided. Harley DeLeon gave a brief description of what was being proposed to rezone.

Chairman entertained a motion to set a Public Hearing for **Case 2022-0003-ZC** for the February 14, 2022 Meeting.

Amy Cossick made a motion to set **Case 2022-0003-ZC** to a Public Hearing for February 14, 2022. Darrell Webster seconded.

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

- **2022-0004-ZC: 0 Greenside**

Request is to rezone 0 Greenside a 1.58 acre parcel, created by the splitting and combining of two parent parcels, to R-3 Duplex Dwelling. The current zoning designation of the two parent parcels is I-2 and I-2. This request affects parcels 11-B-037-0-00-008-0, and 11-B-037-0-00-007-0.

Chairman needed clarification regarding Case 2022-0003-ZC and Case 2022-0004-ZC being connected but two separate applications.

Zoning Inspector Harley DeLeon explained that both cases were the same parcels, but were being rezoned to two different zoning districts.

Chairman entertained a motion to set a Public Hearing for **Case 2022-0004-ZC** for the February 14, 2022 Meeting.

John Haught made a motion to set **Case 2022-0004-ZC** to a Public Hearing for February 14, 2022. Amy Cossick seconded.

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

Old Business:

- **Case 20-ZC-07: Section 28 Rewrite sign section**

Chairman asked Zoning Inspector Harley DeLeon if discussion should be tabled for the February 14, 2022 Meeting.

Zoning Inspector Harley DeLeon replied yes.

The Commission agreed.

Chairman would like to table the discussion for **Case 20-ZC-07** until the February 14, 2022 Meeting.

Dispensation of Closed Public Hearings:

- **Case 21-ZC-01:**

Chairman entertained a motion to submit **Case 2022-0001-ZC** to the Trustees with a recommendation to approve the proposed Map amendment with modifications as discussed by the Zoning Commission.

Darrell Webster made a motion to submit **Case 2022-0001-ZC** to the Trustees with a recommendation to approve the proposed Map amendment with modifications as discussed by the Zoning Commission. Amy Cossick seconded.

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

Items being held for Public Hearing: None

Zoning Inspector's Report:

Zoning Inspector Harley DeLeon did not have anything to report.

Any Further Business to come before the Commission: None

Chairman adjourned the meeting at 7:21 P.M.

Next Meeting will be on Monday, March 14, 2022.

Respectfully submitted,



Ted Galuschik, Chairman



Rachel Muro, Zoning Secretary