

**Minutes: Public Hearing
Russell Township Zoning Commission
Russell Fire-Rescue Station
October 26, 2016**

Present: Tom Warren, Chairman
Donna Weiss Carson, Vice Chairman
Ben Kotowski
Jim Dickinson

Also in attendance: Shane Wrench, Zoning Inspector; Jennell Dahlhausen, Zoning Secretary; Charlie Butters; Lucy Warren.

Mr. Warren called the meeting to order at 7:35 p.m. The Zoning Secretary announced that a Public Hearing notice was properly advertised in the Chagrin Valley Times.

PROPOSED ZONING AMENDMENT #2016-7 – AMENDING SECTION 4.6 PERMITTED MODIFICATIONS AND EXCEPTIONS, SECTION 5.2 RESIDENTIAL ZONES AND SECTION 7.5 NONCONFORMING LOTS OF RECORD – *Mr. Kotowski moved to open the Public Hearing on Amendment 2016-7 to the Zoning Resolution Section 4.6 Permitted Modifications and Exceptions, Section 5.2 Residential Zones and Section 7.5 Nonconforming Lots of Record, seconded by Mr. Dickinson. In favor; Mr. Warren – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Dickinson – yes. Motion passed.*

This amendment was originated after Joyce Builders was denied a variance request from the Board of Zoning Appeals (BZA) on a small lot in the Chagrin Heights Subdivision. They appealed the BZA denial and Judge Fuhry ruled the decision unconstitutional, stating the lots are unusable and unbuildable because of their small size. The proposed footnote to section 5.2B of the Zoning Resolution adds a smaller minimum lot area, width, depth, and frontage for the Chagrin Heights Subdivision to eliminate future issues.

There was no public comment on the amendment.

Mr. Warren moved to recommend the approval of amendment 2016-7 to the Russell Township Zoning Resolution, consisting of 4 pages, marked Exhibit A, to amend the Zoning Resolution Section 4.6 Permitted Modifications and Exceptions, Section 5.2 Residential Zones and Section 7.5 Nonconforming Lots of Record, seconded by Ms. Weiss Carson. Roll call: Mr. Warren – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Dickinson – yes. Motion passed.

Mr. Dickinson moved to close the public hearing for amendment 2016-7, seconded by Mr. Kotowski. Roll call: Mr. Warren – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Dickinson – yes. Motion Passed

MINUTES OF SEPTEMBER 28, 2016: Ms. Weiss Carson made a grammar change to page 2 under Old Business. *Mr. Dickinson moved to approve the minutes of the September 28, 2016 meeting as amended, seconded by Mr. Kotowski. In favor; Mr. Warren – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Dickinson – yes. Motion passed.*

OTHER BUSINESS: The Commission discussed the Land Use Guide updates. Mr. Warren will finish Chapter 6: Land Use and Mr. Kotowski agreed to organize the final draft to make it look uniform with the graphs. Mr. Warren asked that all comments and changes be submitted by the second week in November so they can be included, and a final draft is ready by December. Mr. Warren would like the Trustees to review the draft and provide comments before the final copy is submitted for approval. He asked that the Zoning Secretary inform the Trustees they will be submitting the final draft in December.

The Commission discussed the Public Hearing concerning House Bill 523 to be held with the Township Trustees on Tuesday, December 6th at 7:30 p.m. It was determined that Mr. Dickinson will run the Public Hearing and will contact Trustee Madden to establish an agenda and discuss the meeting details.

The Commission received a request from the BZA to allow for alternates on their Board. This would need amended in the Zoning Resolution. The Zoning Secretary said this came about since there were a couple meetings where members weren't available and the BZA felt the residents deserve to have a full Board available for variance requests. She added that she received a request from the BZA Chairman to hold off on this request until the Board discussed this further at their next meeting on November 7th. Mr. Butters added that most surrounding townships have alternate members for the BZA.

The next Zoning Commission meeting will be held on Monday, November 21st at 7:30 p.m. due to the regular meeting date falling the day before Thanksgiving.

Mr. Warren mentioned again that he would like everyone to start using their township email accounts or at least copying the email account when sending an email so it is saved on the township server. The Zoning Secretary said the purchase of iPads was discussed at the last Trustee meeting and they said it isn't budgeted for in 2016 and it's too late in the year to make a large purchase like this for all of the Commission members.

Mr. Kotowski stated that his surface was stolen while he was out of state a couple weeks earlier and that he filled out a Police Report. He would like to use a spare device if possible. The Zoning Secretary will ask the Trustees if he can use one of the spare Surfaces.

Ms. Weiss Carson informed the Commission that Stan Gates passed away. Mr. Gates served on both the Zoning Commission and the BZA for many years.

The Zoning Inspector recently dealt with a dispute between neighbors that involved one neighbor questioning the driveway being on the property line. It was noticed the Zoning Resolution states a driveway has to be at least 30 feet from a property line in a Commercially zoned district, but there is nothing about the distance in a Residential zone.

Mr. Warren questioned what would happen in the case where a driveway is shared and asked the Zoning Secretary to add this topic to a list to be addressed in the future.

Being that there was no further business to come before the Commission, Mr. Kotowski moved to adjourn, seconded by Mr. Dickinson. The meeting adjourned at 8:30 p.m.

Jennell Dahlhausen Date
Zoning Secretary

Tom Warren Date
Chairman