

ZONING COMMISSION
January 14, 2021 - 6:00 p.m.
Work Session

Approved: 4/8/21

I. Chairman called the meeting to order and roll call was taken.

Members present: Chairman Richard Bradner, Joy Kosiewicz, Scott Meyer, Jim Hower, Emily Hete, and Jeremy Rowan. Planning Director/Zoning Inspector Bill Funk, Zoning Administrative Assistant Nanci Noonan and Township Legal Counsel Bob Konstand. Maryellen Burnham was excused.

- A. New Business: none
- B. Approval of November 19, 2020 Public Hearing: Motion to approve by Mrs. Hete; seconded by Mr. Hower. All in favor.
- C. New Business: none
- D. Old Business: 1.) Results of the January 4th, Trustee Public Hearing on the 4073 Medina Road rezoning request. Mr. Chairman read the comments he made at the Trustee's hearing to the Commission. The Trustees will be making their decision on Thursday, January 21st at 6:00 p.m. Mr. Funk shared that there were some citizen letters received regarding uses and access issues.

2.) Review ZC-21-01- Timothy Pristas/Joyce Mock application for a zoning resolution/map amendment for the property at 1075 Ghent Road. Mr. Funk presented the application, the exhibits, the guidelines and the corresponding timeline. Currently zoned as R-2, the applicant, Dr. Timothy Pristas, is requesting a rezone to a B-4 for his dental office. Mr. Funk shared that the application is complete and the fee has been received. If the Commission is inclined to accept the application this evening, the case has been submitted the case to be heard by Summit County Planning Commission on Thursday, January 28, 2021. Then the Zoning Commission can have our Public Hearing on our regularly scheduled meeting date of February 11th. This will enable us to have the County recommendation to present at the Public Hearing.

Mr. Chairman asked Mr. Funk to review the surrounding properties exhibit. Mr. Funk walked the Commission through it and added that notices of the application will be mailed to the adjacent property owners. Mr. Snow shared that one of the dentists did speak with the neighbor, Kathy Damitz, on the south side. Mr. Snow stated that it was a good conversation and that Mrs. Damitz wanted a more detailed plan.

Discussion ensued on the application by the Commission. Mr. Rowan's concern was the surrounding properties remaining residential and the potential for them also wanting to rezone in the future. He felt that this decision goes beyond just this parcel. Mrs. Hete agreed with Mr. Rowan's comments and is anxious to hear what the adjoining property owners will have to say. Mr. Meyer stated he supports the project; the traffic pattern is of concern but with the way the lights are now it should be okay. He felt that with the headlights coming into your home every evening, it doesn't seem, long term, that it's an ideal residential property and this proposal seems like a relatively good use as a substitute; Mr. Meyer would support the proposal. Mr. Hower agreed with Mr. Meyer, stating he thinks using it for a dentist office is the softest encroachment in the area. It is a very poor residential location because of the way the traffic pattern is across the street. Mr. Chairman enjoined the Board to note that there may be some 30 acres involved as one looks at the entire contiguous properties.

Mr. Funk reminded the Commission that they need to move forward with the public hearing process and this will all be covered in the public hearing process. Mrs. Kosiewicz was also concerned with having just this one parcel being rezoned on that side of the road where adjoining properties are all R-2. She

echoed what the others said about the potential of other property owners wanting to rezone as well and then losing all of the residential space on that side of the street.

Mr. Konstand stated he is concerned, looking at the map, about parcel no. 0400040, because they have been in an adversarial situation in the past because they want a business type zoning. Also, the big lot back on the right, no. 0405071; we sure don't want to get an office development in there as they have frontage to the street. Where do we draw the line on this? Mr. Meyer stated maybe the Commission be proactive and research the area to understand what would be best for everyone. Mrs. Kosiewicz asked what the Comprehensive Plan calls for and Mr. Funk stated is calls for R-2 Residential zoning.

Mrs. Joanne Alexander, 207 Harmony Hills Road, asked is the plan intended to extend the JEDD to this area; and also, is an intrinsic part of this rezoning? Mr. Konstand replied that, per our JEDD Agreement, any property that does not remain residential goes into the JEDD. The old Dimitroff and Hammond Carpet property went into it. If this parcel gets rezoned it would go into the JEDD and tie into Akron City water. Mrs. Alexander wanted to know if it is clear to the abutting property owners that it is clear that this is also an extension of the JEDD? Mrs. Alexander sated it will be the county that will make this decision and is concerned about the cost to the abutting property owners if they have to tie into the water. Mr. Konstand stated the county will control the sewer and the city will control the water. Mrs. Alexander had one closing remark and that was that it be made clear that this is not just a request for a zoning change from residential to business, but that it will also extend the JEDD. This would be in the interest of transparency, whether or not it is statutorily required. She thinks all Bath residents should know that that is the plan. Mr. Konstand stated that the applicant is aware that if they get the business zoning, they will have to tie into the JEDD. Mr. Snow noted that the water line is already installed at the front of the property and the JEDD really would not impact the other folks.

Motion to accept the application by Mr. Meyer; seconded by Mrs. Kosiewicz. All in favor, motion carried.

E. Miscellaneous: Mr. Funk informed the Commission that we will not be having our annual All Board meeting due to the COVID situation. We will keep you informed once in person meetings are resumed.

II. Mr. Chairman adjourned the meeting. Next meeting will be a virtual Public Hearing on February 11, 2021 at 6:00 P.M. to hear Case ZC-21-01.