

Minutes: Russell Township Zoning Commission  
Russell Town Hall  
September 15, 2008

Present: Richard E. Snyder, Chairman  
Bruce Murphy  
Wendy Bruzas  
Diana Steffen, Secretary

Donna Weiss Carson and Ben Kotowski were absent.

Also in attendance: Ric Machnics, Zoning Inspector, and James Dickinson, Chairman of the Board of Trustees.

The Chairman called the meeting to order at 7:49 p.m. and noted a quorum was present.

**MINUTES OF JULY 21, 2008** – *Mr. Murphy made the motion to approve the minutes as submitted, Mr. Snyder seconded and the motion passed by 2-0. Ms. Bruzas abstained due to her absence from that meeting.*

**FOOD SERVICE/PERMITTED USES IN C-S ZONE** – Mr. Snyder announced that the changes to township and county zoning in SB 18 have been found to be unconstitutional by the 10<sup>th</sup> District Court of Appeals. As a result the amendment to this bill, that removed the authority of townships to regulate for general welfare, has been rescinded. O.R.C. Section 519.02 now permits township trustees to zone "in the interest of the public health, safety, convenience, comfort, prosperity, or general welfare."

Mr. Snyder said that this change will permit the Commission to consider issues such as noise, odor and hours of operation when discussing restaurants. He suggested they also think about how they can use the new language for other uses in the C-S district. Mr. Murphy expressed concern that although townships are given this new authority there is no new means of enforcement, so he would like to obtain opinions from the Prosecutor and Geauga County Planning Commission (G.C.P.C.) on the real authority given to townships.

The Commission agreed to work on drafting a proposed amendment for restaurants as a starting point for discussions with legal counsel and the G.C.P.C. Mr. Dickinson talked about the status of the proposed sewer tie-in across S.R. 306 and the timeline for the project.

**PERMITTED USES IN FRONT YARD** – The Commission reviewed the County Model list of items permitted in the front yard. Discussing driveway entrances, Mr. Machnics said he would support the Fire Chief's recommendations, but would prefer to see them in the Zoning Resolution rather than just be advisory. Ms. Bruzas will review earlier letters and recommendations from the Fire Department and then contact Fire Chief John Frazier.

