

**Resolution 010-2023**  
Memorializing Zoning Map Amendment

**Whereas**, on May 17, 1990 Hall Brothers requested a rezoning of PP#264-12-1A & PP#264-12-2 address 27040 Cook Road from Residential to Local Business and was granted said rezoning (See Exhibit File A), and

**Whereas**, on June 14, 1990 the Olmsted Township Zoning Commission recommended approval of Resolution A-90 noted above (See Resolution/Exhibit File A), and

**Whereas**, on July 16, 1990 the Olmsted Township Board of Trustees resolved "to amend the Zone Map of Olmsted Township by transferring from its present classification of Residential to Local Business the following described premises designated as Parcel #264-12-1 (part) and Parcel #264-12-2 (all) on the Cuyahoga County Auditor's Maps"; there is no indication in the Resolution that Cuyahoga County Planning Commission presented any recommendation or staff comments on this matter (See Resolution/Exhibit File A), and

**Whereas**, on February 28, 2003 Hall Brothers applied for a change in zoning for PP#264-12-1C from Residential to Retail Business (See Exhibit File B; drawing indicates only 19.7 acres with frontage on Stearns Road), and

**Whereas**, current Cuyahoga County GIS mapping does not designate "A and/or C"; the Property PP#264-12-001 is bisected by First Energy power lines, however, both the smaller lot With frontage on Cook Road (formerly designated PP#264-1-1A) and the 19.7 acres with frontage on Stearns Road (formerly designated PP#264-12-1C) are currently noted as PP#264-12-001, and

**Whereas**, following the appropriate notification and a public hearing, on March 26, 2003, the Zoning Commission approved (C-03) the zoning change for the lot known as PP#264-12-1C from R40 Residential to Retail Business (See Exhibit File B), and

**Whereas**, on March 27, 2003 Daniel Gargas Olmsted Township Building Commissioner informed the Cuyahoga County Planning Commission of C-03, requested rezoning and on May 14, 2003, said Cuyahoga County Planning Commission disapproved C-03 through Resolution #030508-C citing the 1997 Olmsted Township Comprehensive Plan for Land Use recommendation that this area remain residential (See Exhibit File B), and

**Whereas**, on May 28, 2003 the Zoning Commission re-heard C-03, recommended approval and sent it to the Olmsted Township Board of Trustees for final approval and mapping changes, (See Exhibit File B), and

**Whereas**, following a public hearing on June 26, 2003 the item C-03 was tabled; on July 10, 2003, "Trustee Strelau moved to accept the request to remove Resolution C-03 from consideration by the Olmsted Township Board of Trustees"; all approved (See Exhibit File B), and

**Whereas**, no action by the Olmsted Township Board of Trustees determined there was to be no change in the zoning status of PP#264-12-1C (Residential) from the 1997 Comprehensive Plan for Land Use to the 2013 Comprehensive Plan for Land Use and no change in any Cuyahoga County mapping, and

**Whereas**, the designation PP#264-12-1A and PP#264-12-1C are not reflected on the current Cuyahoga County GIS map; both lots noted above are designated PP#264-12-001, now

**Therefore Be It Resolved:** that the Olmsted Township Board of Trustees on this date, June 26, 2019, in keeping with the recommendation for approval of the Zoning Commission dated May 28, 2003 and the designation on the 2013 Comprehensive Plan for Land Use determine the lot in question (formerly known as PP#264-12-1C) is hereby accorded the designation of Retail Business; this designation as Retail Business is subject to:

1. development according to accepted uses as noted in the Olmsted Township Zoning Manual (See attached)
2. any regulations currently in place for the parcel (formerly known as PP#264-12-1A (See current 2013 Comprehensive Land Use Map attached)
3. notification by the Olmsted Township Board of Trustees to Cuyahoga County Planning to amend the zoning map to comply with the change in designation of PP#264-12-001 formerly known as PP#264-12-1C, and

**Be It Further Resolved:** that it is hereby found and determined that all formal actions of this Board of Township Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted the 8<sup>th</sup> day of February, 2023

Attest: Bonnie W. Gethoff  
Township Fiscal Officer

Tracy A.  
Jeanne M. Frazee  
Jan J. Jr.  
Township Trustees

# OLMSTED TOWNSHIP, OHIO

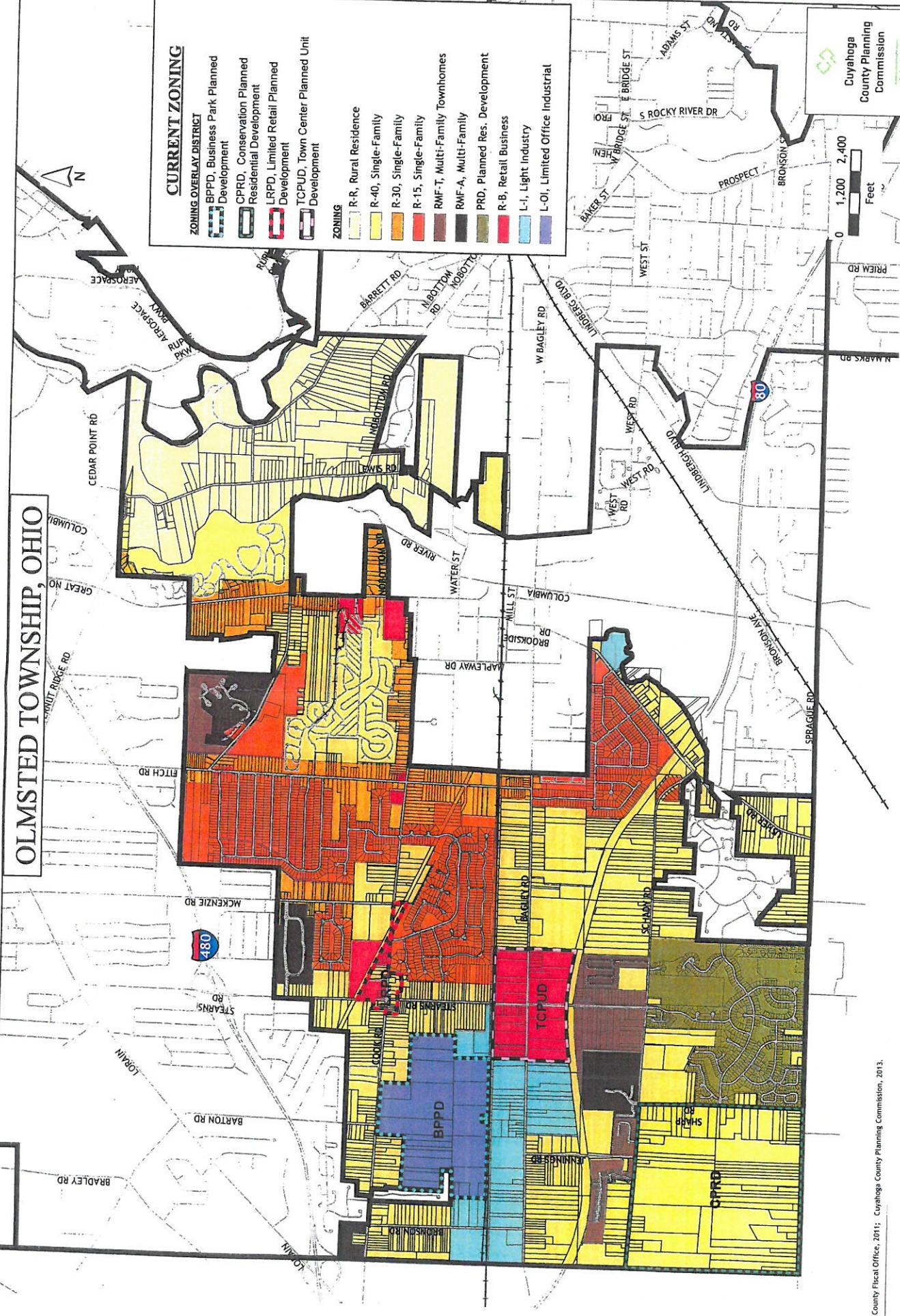
## CURRENT ZONING

### ZONING OVERLAY DISTRICT

- BPPD, Business Park Planned Development
- CRPD, Conservation Planned Residential Development
- LRPD, Limited Retail Planned Development
- TOPUD, Town Center Planned Unit Development

### ZONING

- R-R, Rural Residence
- R-40, Single-Family
- R-30, Single-Family
- R-15, Single-Family
- RMF-T, Multi-Family Townhomes
- RMF-A, Multi-Family
- PRD, Planned Res. Development
- R-B, Retail Business
- L-I, Light Industry
- L-OI, Limited Office Industrial



Sources: Cuyahoga County Fiscal Office, 2011; Cuyahoga County Planning Commission, 2013.



## Hall Brothers: Summary of Activity on PP#264-12-001 and PP#264-12-002

Note: This Summary contains maps of the properties of concern and the 1997 and 2013 Olmsted Township Comprehensive Land Use Maps.

May 17, 1990      The Olmsted Township Zoning Commission held a Public Hearing for Resolution A-90 initiated by Gerald Hall of Hall Brothers to rezone PP# 264-12-001A and PP# 264-12-002 from Residential to Local Business. The Commission set June 7, 990 to advise their decision since as of this date they had not received a recommendation from the Cuyahoga County Planning Commission. Minutes attached)

June 14, 1990      The Zoning Commission recommended approval of Resolution A-90 as noted above. (Resolution attached)

July 16, 1990      The Olmsted Township Board of Trustees resolved "to amend the Zone Map of Olmsted Township by transferring from its present classification of Residential to local Business the following described premises designated as Parcel #264-12-1 (part) and #264-12-2 (all) on the Cuyahoga County Auditor's Maps". There is no indication in the Resolution that Cuyahoga County Planning Commission presented any recommendation or staff comments on this matter. (Resolution, direction to Cuyahoga County Mapping and Map attached)

February 28, 2003      Application for Zoning Certificate by Gerald Hall  
Change 264-12-1-C from Residential to Retail Business

Note: Drawing indicates only 19.7 acres off Stearns Road; not noted is property on Cook Road generally noted as PP# 264-12-1-A.

Note: On the current Cuyahoga County GIS mapping, there is no "A, C" designation. Both properties are simply noted as PP# 264-12-001.

March 3, 2003      Building Commissioner Daniel Gargas acknowledged receipt of the application and forwarded "Application Requirements" per Olmsted Township Zoning 3/9/2000.

March 4, 2003      Mr. Gargas advised the Board of Trustees of the matter.

March 13, 2003      Appropriate notices were placed by the Building Department for meeting of the Zoning Commission 3/26/2003.

March 21, 2003      Gerald Hall responded to "Application Requirements" with letter citing need to shift some of the tax burden from residential to commercial/light industrial users.

March 26, 2003      The members of the Zoning Commission heard Resolution C-03 in a Public Hearing and approved the request as amended. Mr. Hall had originally requested Commercial Zoning, but accepted Retail Business Zoning. (Agenda attached)

March 27, 2003      Mr. Gargas sent the application for rezoning to the Cuyahoga County Planning Commission.

May 1, 2003      Public Notice from the Building Department "due to lack of recommendation from the Cuyahoga County Planning Commission regarding C-03 Application #20030311", the Zoning Commission will re-hear the application.

May 14, 2003      Received Cuyahoga County Planning Commission Resolution #030508-C disapproving the "application to amend the Olmsted Township Zone Map by rezoning approximately 19.7 acres of land that lies within the boundaries of PP#264-12-001 from single-family (R40) to the Retail Business District". (Staff notes attached)

May 28, 2003      Olmsted Township Zoning Commission Resolution C-03 "recommending approval of a request for re-zoning to the Olmsted Township Board of Trustees. (Agenda and Resolution attached)

June 12, 2003      Olmsted Township Board of Trustees moved to set a public hearing for Resolution C-03 for June 26, 2003. (Minutes of the meeting attached)

June 26, 2003      Olmsted Township Board of Trustees conducted a public hearing simply closed the public hearing without action. (Minutes of the meeting and public hearing attached)

July 10, 2003      "Trustee Strelau moved to accept the request to remove Resolution C-03 from consideration by the Olmsted Township Board of Trustees". All approved. (Minutes of the meeting attached)

Note: No changes were made to the 1997 Olmsted Township Comprehensive Land Use Plan that reflect any further action taken by the Board of Trustees and sent to Cuyahoga County Planning for map amendment.

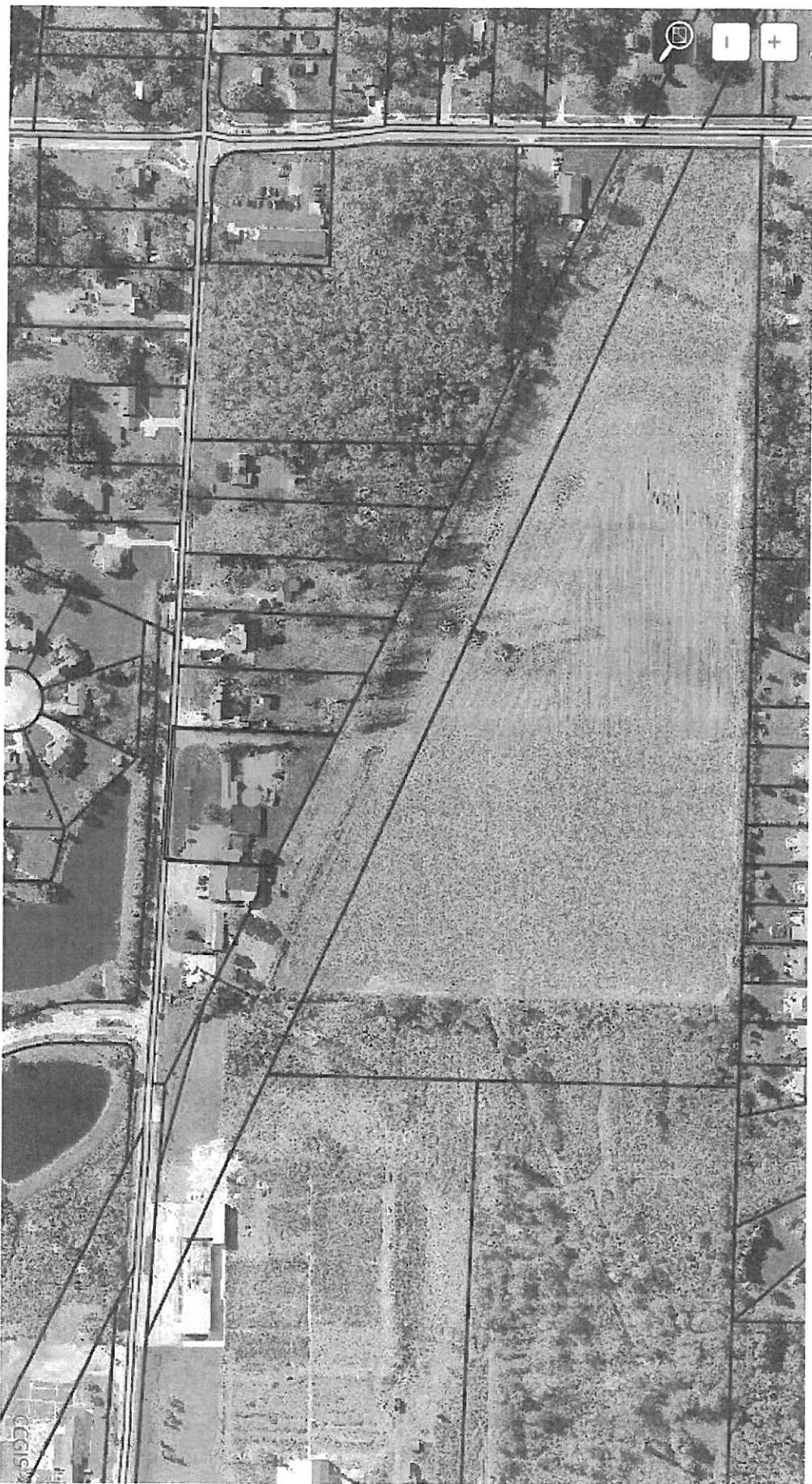
## LEGAL RECORDINGS

[Get a Document List](#)

## ACTIVITY

[Informal Reviews](#)

[Board of Revisions Cases](#)



Zoom in and click on a parcel for more information or click the banner to reset the map

[Top](#)

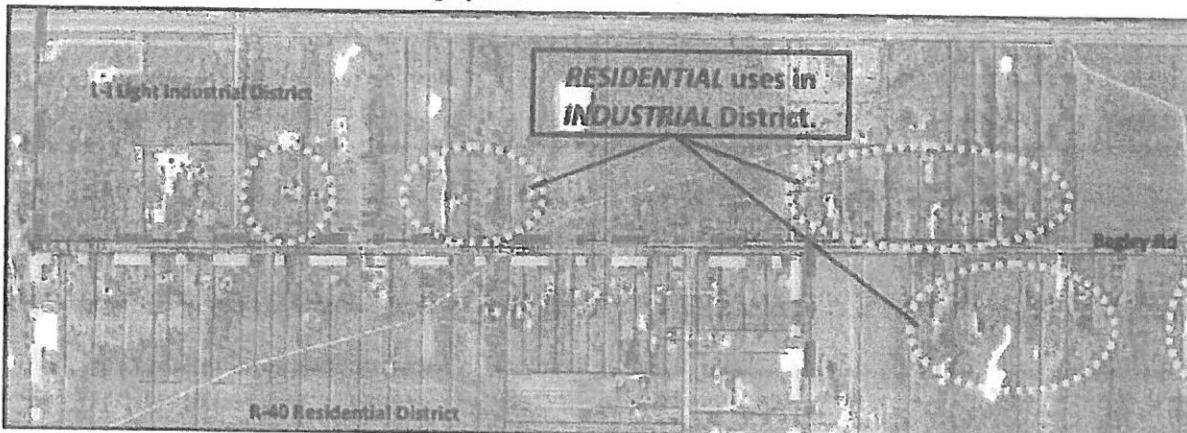
[Go To Full Map](#)

## OLMSTED TOWNSHIP 2012 COMPREHENSIVE LAND USE PLAN AND ZONING UPDATE

This area remains a suitable location for light industrial uses. However, residents can continue to remain in the area with little or no impact from the industrial uses. Consider strategies that would continue to allow existing residential homeowners to invest and maintain their houses.

**C1.** Revise the nonconforming use regulations to ensure that existing homeowners in this industrially-zoned corridor are able to sell their house and rebuild in case of damage.

**Figure 5.10. Current residential uses on Bagley Road**



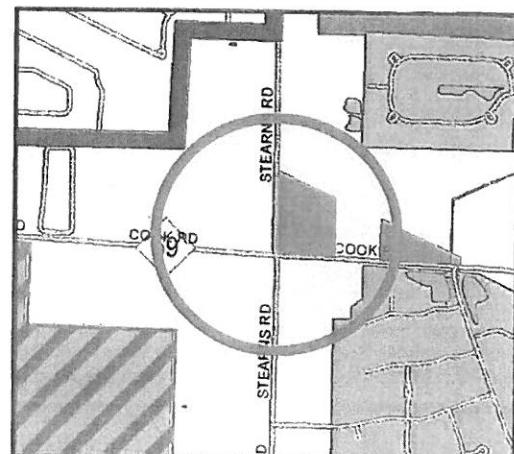
### **D. Accommodate limited retail at the Cook and Stearns Roads intersection.**

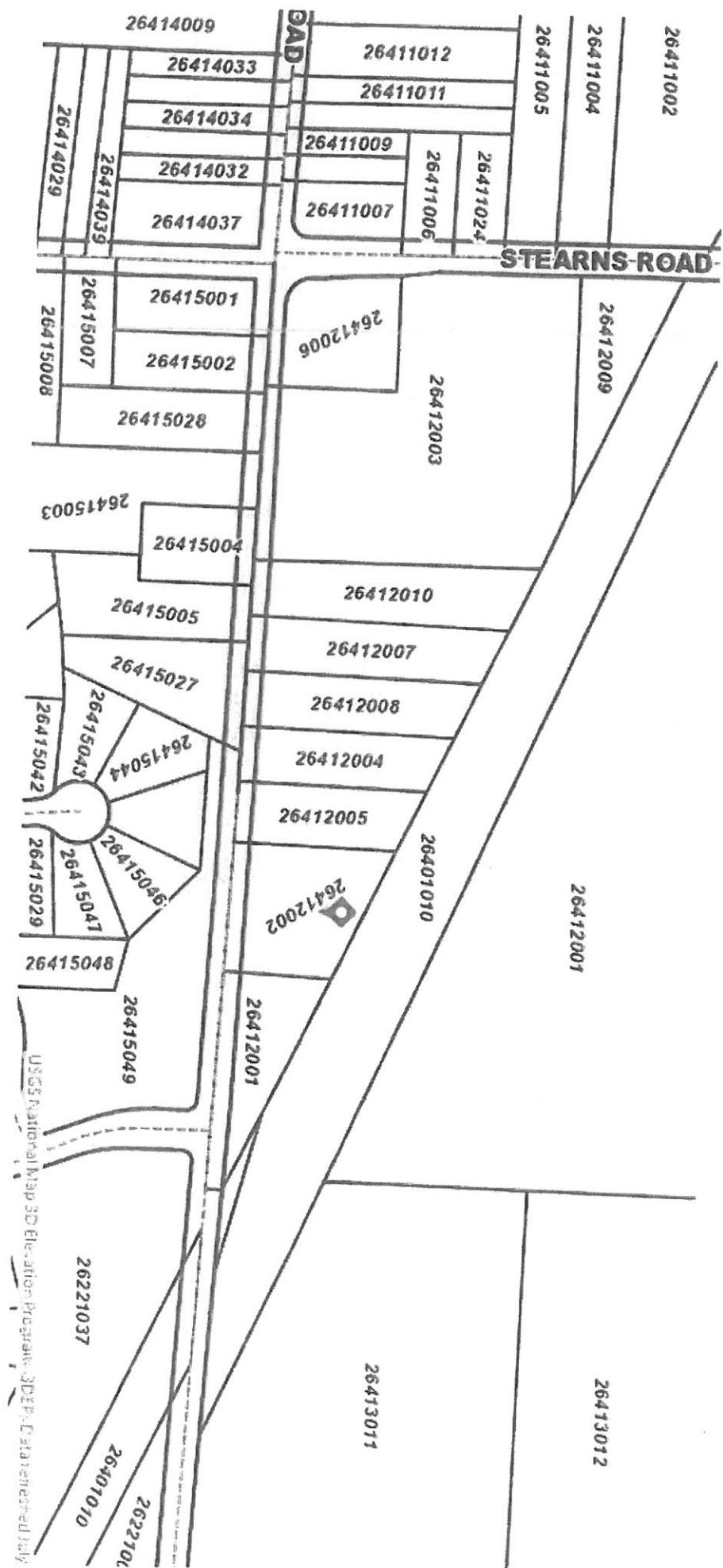
Currently, a car service station exists on the northeast corner of the Cook and Stearns. It is anticipated that with the development of the JEDD, traffic along Stearns Road will increase, and limited, convenience-type retail may be advantageous at this intersection. Retail should remain bound to this relatively small area and should be limited in nature to avoid drawing potential businesses away from the Town Center.

**D1.** Allow only limited expansion of this retail district to accommodate a gas station and/or other convenience retail.

**D2.** Except for Cook/Stearns intersection, avoid rezoning additional land as retail until current retail areas are built-out.

**Figure 5.11. Proposed Limited retail at Cook and Stearns.**





2003 ZONING &amp; BUILDING CODE

C-03

## APPLICATION FOR ZONING CERTIFICATE

To: Board of Trustees  
 Olmsted Township  
 26900 Cook Road  
 Olmsted Twp. Ohio 44138-1152

Date February 28, 2003Name of Owner Richard A. Hall Name of Applicant Gerald A. HallAddress 36215 Aurensen Address 27036 Cook RoadCity/State/Zip No Ridgeville Oh 44039 City/State/Zip Olmsted Twp Oh 44138Telephone 327-5527 Telephone 235-5920State if agent, attorney, contractor or other interest Hoffmann-Metzker Eng. Sean O'Toole AttyApplication is hereby made for a Zoning Certificate to Rezone parcel of land from R 140  
to commercial services Retail Businesses

Describe activity (construct, erect, remodel, etc.) and structure

DESCRIPTION OF LAND, BUILDINGS, AND USESPermanent Parcel Number 264-12-1-C Sublot/Subdivision 19.7 Acres off Stearns RoadStreet number and street name 27040 Cook RoadFront lot width (feet) 138.58 Left side lot depth (feet) 1664.72 Right side lot depth (feet) 1825Describe all existing buildings and structures on land: None back 895Describe present use of buildings and structures on land Vacant and agriculturalDescribe proposed use of structure: Residential  Business  Commercial  Industrial  Agricultural Describe type of structure: 1 story  1 1/2 story  2 story  Split  Basement  Slab Describe sanitary facilities City Water Valuation of proposed structure \_\_\_\_\_IF THIS APPLICATION REQUIRES A ZONING CERTIFICATE FOR A BUSINESS, OR  
 INDUSTRIAL/COMMERCIAL STRUCTURE OR USE, FILL IN THE BELOW QUESTIONS:Total square feet of all buildings on lot \_\_\_\_\_ Square feet of lot \_\_\_\_\_ Number of employees \_\_\_\_\_  
 Number of parking spaces \_\_\_\_\_ Square feet of off street parking facilities \_\_\_\_\_ON BACK OF THIS PAGE DRAW A PLOT PLAN SHOWING:

(1) Street to which lot has access &amp; adjacent street (if corner lot); (2) An outline of lot with dimensions; (3) Location of swales and drains on lot; (4) Locations of buildings and proposed buildings on lot and distance from front, rear, and side lines of lot; (5) Location of nearby buildings on adjacent lots.

The drawing required to be made on the other side of this application showing the above locations and distances is considered part of this application, and if found to be incorrect in any manner, it may be grounds for the revoking of the zoning certificate.

Application	Appeal or conditional use permit
<input type="checkbox"/> APPROVED	<input type="checkbox"/> NOT APPROVED
<input type="checkbox"/> APPROVED	<input type="checkbox"/> NOT APPROVED

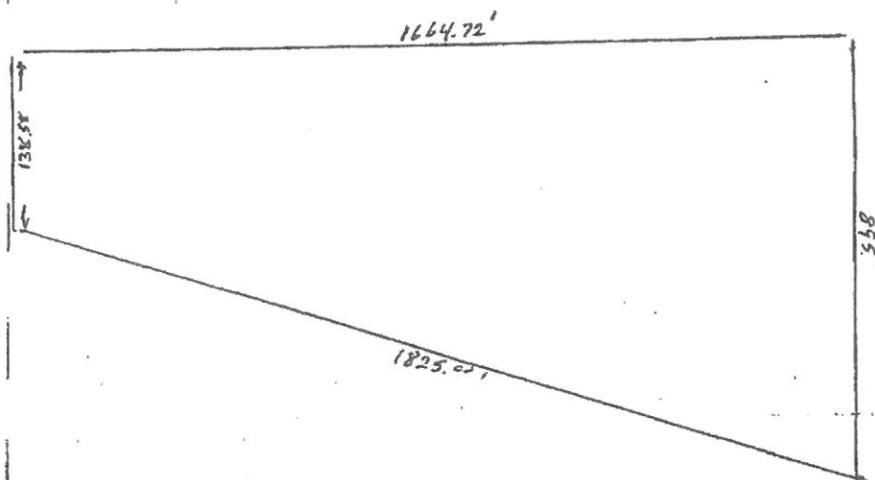
Zoning Inspector	Date	Chairman Zoning Board of Appeals	Date
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Zoning Commission	Final Approval
<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> APPROVED
NOT APPROVED	<input type="checkbox"/> NOT APPROVED

Chairman Zoning Commission	Date	Zoning Inspector	Date
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SPECIAL NOTE: If application is not approved, the reasons for the rejection shall be outlined below.

Below draw a correct map on to scale of the proposed location, as shown, construction as requested by this application.



APPLICATIONS MUST BE NOTARIZED  
AFFIDAVIT OF OWNER OR APPLICANT

State of Ohio  
Cuyahoga County

The undersigned applicant/owner being duly sworn according to law says that the facts and allegations contained in the foregoing application for a Zoning Certificate are true and that the proposed buildings (s) on land herein described and the land itself shall be used for the foregoing or purposes: To include abiding to all current Olmsted Township Zoning Resolution standards and granting permission to the Zoning Inspector to inspect site as per OTZR 580.01 prior to issuance of zoning certificate or certificate of compliance.

R. G. Will  
Owner or Applicant

Sworn to before me and subscribed in my presence this 4 day of MARCH 2003

(SEAL)

Clerk of Courts -Notary Public

(SPECIAL NOTE)

" THIS IS NOT A ZONING CERTIFICATE"

The approval of this application by the Zoning Inspector does not permit the applicant to proceed with the proposed work. The submission of the application and the approval of same is only the first step necessary in the obtaining of a ZONING CERTIFICATE. After the approval of the application, the applicant must obtain a permit from the County Building Department and the Board of Health if required and return a copy of the required permit to the Zoning Inspector who shall then issue a Zoning Certificate.

# Olmsted Township

## Building Department

26908 Cook Road • Olmsted Township, Ohio 44138  
Website: [olmstedtownship.org](http://olmstedtownship.org)

(440)-235-4225  
(440)-235-8025

March 4, 2003

Gerald Hall  
27036 Cook Rd.  
Olmsted Twp., Ohio 44138

Dear Mr. Hall:

I have received your application for a rezoning request of your parcel at 27040 Cook Rd. According to the Cuyahoga County Auditor's Office the parcels described in the submitted site plan have been combined into one parcel. We will need to have a current site plan showing the combined lots. I have included a section of the Olmsted Township Zoning Resolution describing additional documents to be submitted prior to the Olmsted Township Zoning Commission meeting of March 26, 2003. Please contact my office if you have any further questions.

Sincerely,



Daniel J. Gargas  
Building Commissioner

suggestions, or recommendations of the Zoning Commission shall be relied upon by the applicant to indicate subsequent approval or disapproval by the Zoning Commission.

(b) Application Requirements. Applications for amendments to the Zoning Map adopted as part of this Resolution shall be submitted to the Zoning Inspector and shall contain at least the following information, unless otherwise instructed by the Zoning Commission during the preliminary discussion in Subsection 550.03(e).

- (1) The name, address and phone number of the applicant and the property owner if other than the applicant;
- (2) An accurate legal description of the parcel(s) to be rezoned, drawn by a registered surveyor;
- (3) A statement of the reason(s) for the proposed amendment;
- (4) Present use and zoning district, and the proposed use and zoning district;
- (5) A vicinity map at a scale approved by the Zoning Inspector showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Zoning Inspector may require;
- (6) Existing topography at two foot contour intervals of the property to be rezoned and extending at least 300 feet outside the proposed site, and including property lines, easements, street rights-of-ways, existing structures, trees and landscaping features existing thereon;
- (7) The last known names and addresses of the owners of all properties lying within 350 feet of any part of the property on which the zoning map amendment is requested, as shown upon the County auditor's current tax list;
- (8) A statement on the ways in which the proposed amendment relates to the Comprehensive Plan;
- (9) The payment of the application fee as established by Trustees.

(c) Referral to Zoning Commission. After the filing of an application by an owner, the Zoning Inspector shall transmit the application to the Zoning Commission for its consideration and recommendation.

(d) Review by County Planning Commission. Within 5 days after the application is transmitted to the Zoning Commission from the Zoning Inspector, the Zoning Commission shall transmit a copy of the application to the County Planning Commission. The County Planning Commission shall

Memo

To Township Trustee's  
From Daniel J. Gargas, Building Commissioner  
Date March 4, 2003  
Subject Hall Property rezoning

Please be advised that we have received a re-zoning request for this property. I have included the submittal and response for your general information.

**Olmsted  
Township  
Zoning Commission**

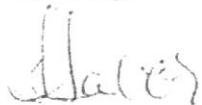
26900 Cook Road Olmsted Township, Ohio 44138  
Phone 440-235-4225 Fax 440-235-8025

March 13, 2003

Dear Sir:

The Olmsted Township Zoning Commission will hold a public hearing on a request for rezoning of parcel # 264-12-1C, located north of Cook Rd. and East of Stearns Rd. on Wednesday March 26, 2003 at 7:00 p.m. This application #20030311, will be known as Resolution C-03. Please notify this office if you will be unable to attend.

Sincerely,



Tammy Tabor  
Secretary

**Olmsted  
Township  
Zoning Commission**

26900 Cook Road Olmsted Township, Ohio 44138  
Phone 440-235-4225 Fax 440-235-8025

March 13, 2003

Dear Resident::

Please be advised that the Olmsted Township Zoning Commission will hold a public hearing on an application, #20030311, to be known as Resolution C-03, submitted by Gerald Hall, seeks approval of a request to rezone parcel # 264-12-1C, from the current zoning of R-40 (single family residential) to CS (commercial services). The parcel is located north of Cook Road and east of Stearns Road. The hearing will be held on Wednesday March 26, 2003 at 7:00 p.m. at the Township Hall, 26900 Cook Road. Copies of this application are available for review at the Olmsted Township Building Department.

Sincerely,



Tammy Tabor  
Secretary

## PUBLIC HEARING

The Olmsted Township Zoning Commission will hold the following public hearings on Wednesday March 26, 2003 at 7:00 p.m. at the Township Hall, 26900 Cook Road.

Application # 20030311, to be known as Resolution C-03, submitted by Gerald Hall, seeks approval to rezone parcel #264-12-1C, located north of Cook Road and east of Stearns Road, from the current zoning of R-40 ( single family residential) to CS (commercial services).

Application # 20030349, to be known as Resolution D-03, submitted by Pulte Homes, seeks approval of a final development plan for Phase 1 of Seton Village, located within the Woodgate Farms subdivision at Sprague and Sharp Roads.

Application # 20030290, to be known as Resolution E-03, submitted by Strike Zone, Inc., requests approval of a conditional use to expand the Swings-n-Things Family Fun Park located at 8501 Stearns Rd.

Copies of these application are available for review at the Olmsted Township Building Department. The opportunity to be heard will be afforded any person attending the hearing.

PD. March 15, 2003

Tammy Tabor

## HALL'S QUALITY MEAT MARKET

27040 Cook road  
Olmsted Falls, Ohio 44138  
Phone (440) 235-3262 \* Fax (440) 235-6696

Olmsted Township Zoning Commission  
26908 Cook Road  
Olmsted Township, Ohio 44138

March 21, 2003

Gentlemen:

Regarding our application for a rezoning request of our land parcel located at 27040 Cook Road.

In answer to the Application Requirements b-3: Reason for the proposed amendment;

There is not enough non-residential tax base; the tax base is not appropriately balanced between residential and non-residential uses. Good locations for commercial expansion need to be identified.

We need a community that promotes economic development to achieve an appropriate balance of commercial/light industrial uses and residential areas.

The objective must be balanced with economic development initiatives that will increase fiscal stability by increasing the non-residential tax base and reducing the tax burden on residential property owners.

In order to shift some of the tax burden from residents, economic development is to be pursued in areas of the Township that have the greatest potential to attract such development.

In answer to the Application Requirements b-8: Ways in which the proposed amendment relates to the comprehensive Plan;

We feel that the Stearns Road access to this land will be a good location for Commercial Expansion in the Township area.

## **HALL'S QUALITY MEAT MARKET**

Olmsted Township Zoning Commission

Page two

Stearns Road will most probably become a 4-lane highway in the near future and will connect into Bassett Road and ultimately I-90.

The property butts up to the electric Transmission Lines right-of-way which will make it better for commercial, rather than residential usage.

We do feel this is a good location for Commercial Expansion and we feel that it needs to be identified as such.

Thank you for your time and consideration.

Gerald A. Hall  
Vice President

Hall Brothers, Inc.

OLMSTED TOWNSHIP ZONING COMMISSION  
26900 COOK ROAD  
OLMSTED TOWNSHIP, OHIO 44138  
440-235-4225  
fax: 440-235-8025

Regular Meeting  
March 26, 2003  
7:00 p.m.

AGENDA

1. MEETING CALLED TO ORDER

2. APPROVAL OF MINUTES

February 26, 2003  
March 12, 2003

3. OLD BUSINESS

4. NEW BUSINESS

a. Resolution C-03  
Hall rezoning

b. Resolution D-03  
Phase 1 Seton Village  
Final Plan review

c. Resolution E-03  
Swings-n-Things Plan review

5. FLOOR DISCUSSION

6. ADJOURNMENT

NEXT REGULAR MEETING  
March 26, 2003

The regular meeting of the Olmsted Township Zoning Commission was called to order March 26, 2003 at 7:05 p.m.. Present were John Lavelle, Richard McMakin, and Richard Gebhard. Also present were Building Commissioner Daniel Gargas and Secretary Tammy Tabor. Board members Richard Witherspoon and Jerry Gobble were absent. Mr. Lavelle moved to approve the minutes of the meeting of February 26, 2003. Seconded by Mr. McMakin. Roll call, all approved.

#### Resolution C-03

Mr. Lavelle moved to table the regular meeting and open the public hearing for Resolution C-03. Seconded by Mr. Gebhard. Roll call, all approved. Gerald Hall was representing Hall Gardens and Tim Roche was representing Realty One.

Mr. Hall stated that currently the property is zoned R-40, residential. Due to the fact that the property has electrical towers that run alongside the property it is not preferable to residential development. Mr. Hall stated that the Board has received copies of a letter from CEI stating that the area under the towers may be used for water retention or open space without interfering with the towers. Mr. Hall stated that currently the property is vacant and will be tilled and used as agricultural until it can be sold. Mr. Roche stated that if rezoned to commercial services district the tax base to the Township will be increased by the development of office buildings on the site. Mr. McMakin asked where the entrance would be proposed. Mr. Hall stated that an entrance could be placed on Stearns Road. However, there are no plans for development at this time only a request to rezone the parcel. Mr. Roche stated that he feels that there is a need for commercial property in the Township rather than homes. Mr. Roche stated that he has tried to market the property as residential and developers do not want the property due to the configuration of land and the CEI Towers.

Mr. Lavelle stated that the property would be buffered according to the Olmsted Township Zoning Resolution.

Mel Hart, Sprague Rd., asked what type of buildings would be permitted. Mr. Lavelle stated that any type of business that is permitted in the Commercial district would be permitted.

Bob Bayda, Hunters Ridge Lane, asked how tall the buildings could be. Mr. Roche stated that they are looking for a developer that would build 1-2 story buildings. Mr. Bayda asked if the buildings would be higher than that. Mr. Lavelle stated that the code allows for up to 3 stories.

Pat McElroy asked if the developers would be granted tax abatements to move into the Township. Mr. Lavelle stated that the property is being proposed for rezoning and not development. The Zoning Commission has no power to grant abatements.

AnnMarie Radigan stated that the current tax on the parcel is commercial, how would the rezoning allow for increased taxes. Mr. Lavelle stated that the construction of buildings would increase the tax base.

Robert Miller asked what types of businesses may go in.

The Board discussed the various types of businesses that would be permitted.

Mr. Gebhard stated that whatever business would be permitted it would be strictly regulated and buffering between residential zones would be included as part of the approval.

Mr. McMakin stated that Mr. Roche approached the Board 2 months ago with questions regarding the best use of the land.

Mr. Back asked that if the property is rezoned to commercial, what if someone wanted to build a manufacturing plant or a go cart track. Mr. Roche stated that he will market the property as retail.

Mr. Radigan asked what the adjacent greenhouse property is zoned. Mr. Lavelle stated that the greenhouses are currently zoned Residential.

The Board discussed the options of commercial zoning and retail zoning. Mr. Hall stated that he will amend his application to request retail business zoning instead of commercial services.

Mr. Lavelle moved to approve Resolution C-03 as amended. Seconded by Mr. McMakin. Roll call all approved.

Mr. Lavelle moved to close the public hearing for Resolution C-03 and open the public hearing for Resolution D-03. Seconded by Mr. Gebhard. Roll call, all approved.

#### Resolution D-03

Rob Izer was present representing Pulte Homes. Mr. Izer stated that Pulte Homes is requesting final development plan approval for Phase 1 of the Seton Village subdivision within Woodgate Farms. Mr. Izer stated that there will be 41 home sites that will have private streets and an additional Homeowners Association. Mr. Izer stated that all of the requested changes have been made to the plans, including an additional entrance off of Sprague Rd.

Mrs. McElroy asked where the development is. Mr. Izer stated that it is in the southwest corner of the Woodgate Farms Development. Mr. McElroy stated that she didn't know where that was. Mr. Izer stated that it is near the corner of Sharp and Sprague Roads.

Mr. McElroy asked if traffic studies were done. Mr. Izer stated that traffic studies were done as a part of the general development plan submitted by Sharp Development. Mrs. McElroy asked if the Township has approved the sewer plans.

Mr. Lavelle stated that the Cuyahoga County Sanitary Engineer is responsible for reviewing and approving the sewer plans.

Mr. Lavelle moved to approve Resolution D-03 as submitted provided all plans conform to the Cuyahoga County Sanitary Engineer, Olmsted Township's Consulting Engineer, Cuyahoga County Engineer for private roads and the Cuyahoga County Planning Commission approvals. Seconded by Mr. McMakin.

Mrs. McElroy asked how large the lots are. Mr. Izer stated that the lots are 6000- 10,000 square feet.

Mrs. McElroy asked how the Board could permit all of these homes to be built. Mr. Lavelle stated that the development plan was approved several years ago and the development conforms as to the permitted number of homes and required open space. Mrs. McElroy asked if Mr. Izer knew how much the increased traffic would raise the temperature inside her home.

Mrs. Mann asked when this phase of development would begin. Mr. Izer stated that construction would begin in May 2003 in Seton Village. Mr. Izer stated that the area surrounding Mrs. Mann's property would begin in approximately a year.

Mr. McMakin stated that the Board appreciated the changes made to Phase 1 of Seton Village. On Mr. Lavelle's motion to approve. Roll call, all approved.

Mr. Lavelle moved to close the public hearing for Resolution D-03 and open the public hearing for Resolution E-03. Seconded by Mr. Gebhard. Roll call, all approved.

#### Resolution E-03

Tim Sorge was present representing Swings-n-Things. Steve Luenberger, Architect for Mr. Sorge was also present. Mr. Sorge stated that he would like to create paintball fields at the Swings-n- Things Family Fun Park at 8501 Stearns Road. Mr. Sorge stated that the insurance industry has rated paintball as a very safe activity when all proper gear is used. Mr. Sorge stated that Swings-n- Things has contracted with a leading industry specialist from Los Angeles to help research and design the proposed fields. Mr. Sorge stated that the area will be located to the east of the miniature golf and bumper boat activities currently at the park. Also, an existing building will be remodeled to be used as a pro shop and staging area for players. Mr. Sorge displayed the netting that would surround the paintball fields. Mr. Sorge stated that the netting would be 20 feet high around the fields. A five foot chain link fence would surround the field five feet from the netting. Mr. Sorge stated that five feet is the industry standard for paintball over spray. Mr. Sorge stated that there is not a facility similar to this in the eastern U.S. Mr. Sorge stated that most of the research he has done has shown that the groups seem to use the fields primarily. Offices, youth groups, churches seem to use the field for outings. Mr. Sorge stated that no one under 10 years old can play and anyone under 18 must have parental permission. The Spring and Fall seem to be the primary season for paintball. Mr. Sorge stated that daytime and weekends are the most popular time for play. However the fields will be open weekends year round.

Mr. McMakin asked if there is adequate parking available. Mr. Sorge stated that they have adequate parking and have never had a problem with adequate parking spaces. Mr. Sorge stated if there ever was an overflow problem, Fred Shaker has allowed parking at the Shaker Plaza and there is a walkway between the two lots.

Mr. Lavelle asked how much area will be covered. Mr. Sorge said approximately 1.5 acres. Mr. Lavelle asked when they would like to open the fields. Mr. Sorge stated they are ready to begin construction and would like to be open in May.

Mr. McMakin asked what type of base would be used in the fields. Mr. Sorge stated that pea gravel would be in one field and the other 2 would be grass.

Mr. Rottel asked if the fields would be lighted. Mr. Sorge stated that the fields would be dimly lit. The use of shadows is preferable.

Mrs. McElroy asked what the velocity of the paintball is. Mr. Sorge stated that 300 ft per second is the industry standard. The paintball cartridges used at Swings-n- Things would be between 275-280 feet per second. All equipment brought into the facility will be checked with a chronograph to assure safe play.

Mrs. McElroy asked if children would be permitted to view the shooting. Mr. Sorge stated that the fencing and netting are not solid, the games can be viewed from the exterior of the fields. Mrs. McElroy asked if Mr. Sorge has done this any where els. Mr. Sorge stated that his go cart track has been a model for other go cart tracks around the

country. Mr. Sorge stated that the tracks and equipment at Swings-n-Things have changed the way most go cart tracks are operated now. The safety record at the go cart track is very good.

Mr. McMakin stated that the Zoning Commission will decide whether or not the proposed use is within the permitted uses in the Olmsted Township Zoning Resolution. Tom Gallagher stated that he owns the property at the southeast corner of Bagley and Stearns. Mr. Gallagher stated that the county destroyed his property and the Health department told him that the ditch has raw sewage in it. Mr. Gallagher wants to know what will happen regarding the sewage coming from Swings-n-Things. Mr. Sorge stated that Swings-n-Things has an adequate sewage system and does not drain raw sewage into the ditch. Mr. Gallagher stated that there is a lot of parking in his lot and no one is doing anything about it.

Mr. Gargas stated that if Mr. Gallagher has a problem with the sewage system, he should contact the Cuyahoga County Board of Health. Mr. Gargas stated that he believes that the parking on Mr. Gallagher's lot is not from Swings-n-Things but probably from Razzles. If there is parking on his lot that is not permitted, he should call the police and have the vehicles ticketed and towed.

Mr. Lavelle asked for any further comments. Seeing none, Mr. Lavelle moved to approve Resolution E-03 as submitted. Seconded by Mr. McMakin. Roll call, all approved.

Mr. Lavelle moved to close the public hearing for Resolution E-03 and reopen the regular meeting. Seconded by Mr. Gebhard. Roll call, all approved.

Mr. Lavelle moved to amend the agenda to include Wheaton Place Final Development plan approval. Seconded by Mr. McMakin. roll call, all approved.

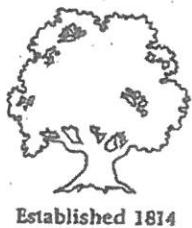
Mr. Lavelle moved to table the regular meeting and open the public hearing for Resolution B-03, Wheaton Place plan approval. Seconded by Mr. McMakin. Roll call, all approved.

William Bishop and David Binder were present representing Wheaton Development. Mr. Bishop stated that Wheaton Place is located in Block E of the Woodgate Farms subdivision. Mr. Bishop stated that all plans have remained the same as the preliminary plan. All approvals have been granted by Cuyahoga County. Mr. Bishop stated that Wheaton Place will be a private development and will have a home owners association in addition to the overall Woodgate Farms home owners association. The development will have 42 single family homes.

Mr. Lavelle moved to approve Resolution B-03, with approvals from Cuyahoga County, Olmsted Township's consulting engineer and approval of all road improvements by Cuyahoga County Engineers. Seconded by Mr. Gebhard. Roll call, all approved.

Mr. Lavelle moved to close the public hearing for Resolution B-03 and reopen the regular meeting. Seconded by Mr. McMakin. Roll call, all approved.

Mr. McMakin moved to adjourn. Seconded by Mr. Gebhard. Roll call, all approved.



# Olmsted Township

Building Department

Established 1814

26908 Cook Road • Olmsted Township, Ohio 44138

(440) 235-3051

FAX (440) 235-8025

March 27, 2003

Carol Thaler  
Cuyahoga County Planning Commission  
323 Lakeside Ave. West  
Cleveland, Ohio 44113

Dear Carol:

Please find the enclosed application for a rezoning request. Gerald Hall is requesting that parcel number 264-12-1C be rezoned from the current residential zoning of R-40 to Retail Business. Please forward your comments and recommendations to the Olmsted Township Zoning Commission.

Please feel free to contact me if you have any further questions or concerns regarding this request.

Sincerely,

Daniel J. Gargas  
Building Commissioner

Cc: Olmsted Township Zoning Commission

**CUYAHOGA COUNTY  
PLANNING  
COMMISSION**

323 Lakeside Avenue West, Suite 400  
Cleveland, Ohio 44113-1080  
Phone: (216) 443-3700  
FAX: (216) 443-3737

**OLMSTED TOWNSHIP  
BUILDING DEPARTMENT**

MAY 14 2003

**FAX**

**OLMSTED TOWNSHIP  
BUILDING DEPARTMENT**

MAY 14 2003

RECEIVED

TO	Don Gargas	RECEIVED
ORGANIZATION	Dem. Jwp.	
FAX NUMBER	440-235-8025	
FROM	C. Hall	
DATE	5/14/03	
SUBJECT	Hall Rezonin	
PAGES: (INCLUDING COVER PAGE)	6	
<p>Original</p> <p>To follow in mail —</p> <p>GT</p>		

CUYAHOGA COUNTY  
PLANNING COMMISSIONCUYAHOGA COUNTY PLANNING COMMISSION  
RESOLUTION NO. 030508-C

**Recommending that the Olmsted Township Zoning Commission and Township Trustees disapprove Olmsted Township Rezoning Resolution No. C-03.**

**WHEREAS**, the Olmsted Township Zoning Commission received an application to amend the Olmsted Township Zone Map by rezoning approximately 19.7 acres of land that lies within the boundaries of Permanent Parcel No. 264-12-001 from Single-Family, R-40 to the Retail Business Zoning District; and,

**WHEREAS**, the proposed amendment was prepared as Olmsted Township Zoning Resolution C-03; and,

**WHEREAS**, such resolution was submitted to the Cuyahoga County Planning Commission for review and recommendation as required by Section 519.12 of the *Ohio Revised Code* as amended; and,

**WHEREAS**, the staff of the Cuyahoga County Planning Commission reviewed the proposed rezoning request and found that:

A. The proposed rezoning to Retail Business is inconsistent with the Township's current Comprehensive Plan recommendations which call for the area to be developed for residential uses.

B. Currently, single-family homes are allowed to be developed on this site. The rezoning, if approved, would allow more intensive types of retail uses such as administrative, professional and business offices, medical and dental offices, financial establishments, garden centers, restaurants, beauty and barber shops, dry cleaners, and banks. These more intensive types of retail uses would create impacts that could be perceived as negative to nearby residential neighborhoods including increased traffic, increased overall activity levels, noise and the potential for litter.

**NOW, THEREFORE, BE IT RESOLVED** that the Cuyahoga County Planning Commission recommends that the Olmsted Township Zoning Commission and the Board of Township Trustees disapprove Olmsted Township Zoning Resolution C-03 as submitted; and,

**BE IT FURTHER RESOLVED** that Olmsted Township is encouraged to consider the future land uses of the Stearns, Cook and MacKenzie Road area within the context of an update to the existing Comprehensive Plan.

**BE IT FURTHER RESOLVED** that the Director is hereby directed to deliver copies of this resolution and staff review report to the Olmsted Township Zoning Commission.

CUYAHOGA COUNTY  
PLANNING COMMISSION

On a motion by Mayor Rawson, seconded by Mayor Cain, the foregoing resolution was duly adopted.

AYES: Cain, Dimora, Kocevar, Longo, Rawson, Roynane

NAYES: None

NOT PRESENT: Hurby, Jones, McCormack

CUYAHOGA COUNTY PLANNING COMMISSION  
STAFF REVIEW OF OLMSTED TOWNSHIP  
ZONING RESOLUTION C-03

**APPLICANT:** Gerald A. Hall  
27036 Cook Road  
Olmsted Township, Ohio 44138  
Phone: (440) 235-5920

**DATE REZONING REQUEST RECEIVED:** March 31, 2003

**DATE OF CPC STAFF REVIEW:** April 29, 2003

**DATE OF TOWNSHIP ZONING COMMISSION HEARING:** May 28, 2003

**DATE OF COUNTY PLANNING COMMISSION MEETING:** May 8, 2003 at 1:30 P.M.

**PROPOSED ZONING AMENDMENT:** A request by the applicants to rezone approximately 19.7 acres of land from R-40 (Single-Family Residential with a minimum lot size of 40,000 square feet), to R-B (Retail Business).

**LOCATION OF REZONING:** The area requesting to be rezoned is Permanent Parcel No. 264-12-001, located east of Stearns Road and north of Cook Road, just west of the intersection of Cook and McKenzie Roads, see Map 1. This site is further described as triangular in shape and having 240 feet of frontage along Stearns Road and widening to 984 feet at its furthest point from Stearns Road.

**PROPOSED USE:** It is the applicant's opinion that this land would be a good location for commercial expansion in the Township.

**PRESENT LAND USE/LAND COVER:** This property is currently a vacant field with a utility easement housing electric transmission lines and towers along the southern boundary.

**RELATIONSHIP TO ADJACENT LAND USES AND CURRENT ZONING (See Maps 2 and 3):**

	Land Use	Zoning
<b>Subject Property</b>	Vacant Field	R-40* Single-Family
North	Single-Family	R-40 and R-15** Single-Family,
South	Retail Businesses and Single-Family	Retail Business and R-40 Single-Family
East	Vacant Hall Garden Center and greenhouses; inactive incinerator	R-40 Single-Family
West	Single-Family	R-40 Single-Family

\* Single-Family R-40 requires lots to be a minimum of 40,000 square feet, just under 1 acre.

\*\* Single-Family R-15 requires lots to be a minimum of 15,000 square feet, about 1/3 acre.

**UTILITIES PRESENT:** There is a 16" water line on Cook Road. The site is not served by sanitary sewers. Electric and gas service are available.

**HIGHWAY ACCESS:** The proposed rezoning site is located directly off Stearns Road. The Stearns Road interchange with I-480 is located 3/4 of a mile north of this property. The most current traffic count done by the County Engineer's Office shows that in July of 1999 this portion of Stearns Road had an average daily traffic count of 12,466.

#### RELATIONSHIP OF PROPOSED USE TO TOWNSHIP PLANNING AND ZONING:

##### Planning

Olmsted Township's 1998 Comprehensive Land Use Plan, which was approved by the Olmsted Township Board of Trustees, indicates that the recommended use of this site should be suburban residential development, see Map 4.

##### Zoning

Single-family development with lots that are a minimum of 40,000 square feet are allowed as the land is currently zoned.

The applicant is requesting a change to Retail Business. The Township's current regulations for its Retail Business Zoning District would allow administrative, professional and business offices, medical and dental offices, financial establishments, garden centers, restaurants, beauty and barber shops, dry cleaners, and banks. As a conditional use, the Retail Business District also allows drive-thru facilities including fast food restaurants and banks, outdoor displays of merchandise, service stations and car and truck washes, party centers, indoor and outdoor recreational facilities and movie theaters.

#### CPC STAFF RECOMMENDATIONS:

The CPC Staff recommends that this rezoning from R-40 to Retail Business be disapproved for the following reasons:

A. A comprehensive plan is the chief policy instrument for the administration of zoning and subdivision regulations. The proposed rezoning to Retail Business is inconsistent with the Township's current Comprehensive Plan recommendations which call for this area to be developed for suburban residential uses.

At the time the current Comprehensive Plan was prepared, the same conditions existed - there was access to I-480 nearby via Stearns Road and there was a mix of retail business and single family uses to the south and east. The goals and objectives of the Olmsted Township Comprehensive Plan are stated as:

##### *We envision a community that:*

- Promotes economic development;
- Manages growth to minimize negative impacts from future development on existing residents;
- Maintains its own governmental identity;
- Maintains and preserves its open character and a "sense of ruralness";
- Creates a "township center"; and
- Has an adequate sewer and water system.

The committee that formulated the current Comprehensive Plan considered the existing conditions

and weighed the above goals and objectives and decided to delineate this area as a suburban residential area.

B. The rezoning, if approved, would allow more intensive types of retail uses such as offices and restaurants than what is allowed now, single-family lots. These more intensive types of retail uses would create impacts that could be perceived as negative to nearby residential neighborhoods including increased traffic, increased overall activity levels, noise and the potential for litter. CPC staff suggests that these issues be discussed in the context of an update to the Comprehensive Plan.

**Olmsted  
Township  
Zoning Commission**

26900 Cook Road Olmsted Township, Ohio 44138  
Phone 440-235-4225 Fax 440-235-8025

**DATE CORRECTION**

Sorry for any inconvenience

May 1, 2003

Dear Resident::

Please be advised that due to a lack of recommendations from the Cuyahoga County Planning Commission regarding Resolution C-03 the Olmsted Township Zoning Commission will rehear application, #20030311, submitted by Gerald Hall, seeking approval of a request to rezone parcel # 264-12-1C, from the current zoning of R-40 (single family residential) to CS (commercial services). The parcel is located north of Cook Road and east of Stearns Road. The hearing will be held on **Wednesday, May 28, 2003** at 7:00 p.m. at the Township Hall, 26900 Cook Road. Copies of this application are available for review at the Olmsted Township Building Department.

Sincerely,

Tammy Tabor  
Secretary

## PUBLIC HEARING

The Olmsted Township Zoning Commission will hold a public hearing for Resolution H-03 on May 14, 2003 at 7:00 p.m. at the Township Hall 26900 Cook Rd. The resolution is to consider proposed amendments to the Olmsted Township Zoning Resolution adopted March 9, 2000.

The following public hearings will be held on Wednesday May 28, 2003 at 7:00 p.m. at the Township Hall, 26900 Cook Road.

Application # 20030311, to be known as Resolution C-03, submitted by Gerald Hall, seeks approval to rezone parcel #264-12-1C, located north of Cook Road and east of Stearns Road, from the current zoning of R-40 ( single family residential) to RB (Retail Business)

Application # 20030528 to be known as Resolution F-03, submitted by Sharp Development, Homes, seeks approval of an amendment to the general development plan for the Woodgate Farms subdivision, located south of the Stearns and Schady Road intersection in Olmsted Township.

Resolution G-03 seeks approval of a final development plan for Phase 5 of the Woodgate Farms subdivision, located on Sprague Road east of the Sharp Road intersection.

Copies of these application are available for review at the Olmsted Township Building Department. The opportunity to be heard will be afforded any person attending the hearing.

News Sun May 1, 2003  
Tammy Tabor

OLMSTED TOWNSHIP ZONING COMMISSION  
26900 COOK ROAD  
OLMSTED TOWNSHIP, OHIO 44138  
440-235-4225  
fax: 440-235-8025

Regular Meeting  
May 28, 2003  
7:00 p.m.

AGENDA

1. MEETING CALLED TO ORDER

2. APPROVAL OF MINUTES

April 23, 2003  
May 14, 2003

3. OLD BUSINESS

a. Hall Gardens Rezoning  
Resolution C-03

4. NEW BUSINESS

a. Sign review  
Summer Hill Homes  
Faith Bible Chapel

b. Woodgate Farms  
Overall Development plan  
Resolution F-03

c. Woodgate Farms Phase 5  
Final plan  
Resolution G-03

d. Set Public Hearing I-03  
Pembroke Place

5. FLOOR DISCUSSION  
Pride One

6. ADJOURNMENT

NEXT REGULAR MEETING  
June 25, 2003

## Olmsted Township Zoning Commission

Phone 440-235-4225  
Fax 440-235-8025

26900 Cook Road  
Olmsted Township, Ohio 44138

### OLMSTED TOWNSHIP ZONING COMMISSION RESOLUTION C-03

Recommending approval of a request for rezoning to the Olmsted Township Board of Trustees

**WHEREAS**, Section 220 of the Olmsted Township Zoning Resolution requires plan approval for all proposed subdivisions in Olmsted Township; and

**WHEREAS**, Gerald Hall has submitted to the Olmsted Township Zoning Commission for its review and recommendations to the Olmsted Township Board of Trustees a request for rezoning 19.7 acres of land that is known as parcel # 264-12-1-C, located north of Cook Road and East of Stearns Road; and,

**WHEREAS**, The request is to permit a change from the current zoning classification of R-40, single family residential to RB, Retail Business; and ,

**WHEREAS**, The Olmsted Township Zoning Commission has held the required public hearing on March 26, 2003 and May 28, 2003; and,

**WHEREAS**, The Olmsted Township Zoning Commission has received comments from the residents of Olmsted Township; and,

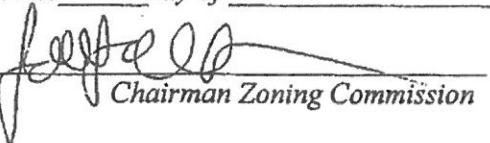
**WHEREAS**, the Olmsted Township Zoning Commission has received a recommendation from the Cuyahoga County Planning Commission; and,

**NOW, THEREFORE, BE IT RESOLVED** that the Olmsted Township Zoning Commission recommends approval of Resolution C-03 to the Olmsted Township Board of Trustees.

On a motion of Mr. Lavelle, seconded by Mr. Gobble, the foregoing resolution was approved.

AYES: Lavelle, Gebhart, McMakin, Gobble, Witherspoo,  
NAYS: None  
PASS: None  
ABSENT: None

*Adopted this* \_\_\_\_\_ *day of* \_\_\_\_\_, 20 \_\_\_\_

  
\_\_\_\_\_  
\_\_\_\_\_  
*Chairman Zoning Commission*

*Attest* \_\_\_\_\_  
\_\_\_\_\_  
*Township Clerk*

\_\_\_\_\_  
*Township Trustees*

## OLMSTED TOWNSHIP BOARD OF TRUSTEES – JUNE 12, 2003

The Olmsted Township Board of Trustees' regular meeting of June 12, 2003 was called to order at 7:30 p.m. Present were Chairman Martin Strelau, Vice-Chairman Thomas Bush, Trustee Karen Straka and Clerk Annette Wey. Absent was Assistant County Prosecutor Michael Lyons. Chairman Strelau asked that everyone stand for the Pledge of Allegiance.

### Correction and Approval of Previous Minutes

Trustee Strelau moved to approve the May 29, 2003 regular meeting minutes with the following amendment: Page 2, Paragraph 4, change 'Moved by Trustee Bush' to 'Moved by Trustee Strelau'. Seconded by Trustee Bush Roll Call: All approved.

### Reports

Clerk Wey gave the Fund Status Report.

Berea Clerk of Court Ray Wohl presented the 2002 annual report for Berea Municipal Court.

### Payment of Bills

Trustee Bush moved to approve Draft Nos. 1945-1951, 1953-2036, 2039 and E01762-E01792. Seconded by Trustee Strelau. Roll Call: All approved.

### Old Business

Trustee Strelau tabled the part-time dispatcher issue for tonight.

Trustee Strelau moved to approve the amended contract between Olmsted Township and Rito Alvarez. Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau moved to approve \$5,000.00 for Rito Alvarez to draw against as referenced in the amendment. Seconded by Trustee Bush. Roll Call: All approved.

### New Business

Trustee Strelau moved to approve Resolution 31-03 (Expenditures). Seconded by Trustee Straka. Roll Call: All approved.

Trustee Strelau moved to set a public hearing for Resolution C-03 for June 26, 2003 at 7:45 p.m. Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau moved to set a public hearing for Resolution F-03 for June 26, 2003 at 8:00 p.m. Seconded by Trustee Straka. Roll Call: All approved.

Trustee Strelau moved to set a public hearing for Resolution G-03 for June 26, 2003 at 8:15 p.m. Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau moved to approve Resolution 32-03 (Building Commissioner Salary & Benefits Resolution). Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau moved to approve Resolution 33-03 (Board of Zoning Appeals Appointment Resolution). Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau tabled items #7 & #8.

Trustee Strelau moved to accept \$1,960.42 from the Ohio State Board of EMS, which is a 100% reimbursable grant for bio-chemical first responder kits. Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau moved to approve Resolution 34-03 (Firefighter Dahlhausen). Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau moved to approve Resolution 35-03 (Firefighter Gameire). Seconded by Trustee Bush. Roll Call: All approved.

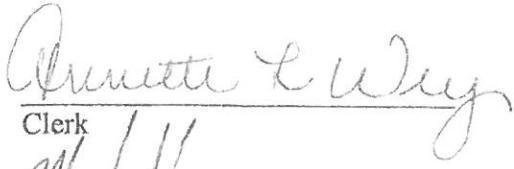
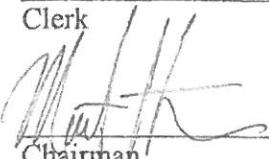
Trustee Strelau moved to approve Resolution 36-03 (Firefighter McMillen). Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau moved to approve Resolution 37-03 (Firefighter Puklavec). Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau moved to approve \$900.00 to North Ohio Heart Center for stress tests for the new firefighters. Seconded by Trustee Straka. Roll Call: All approved.

Trustee Strelau moved to adjourn the meeting at 8:45 p.m. Seconded by Trustee Bush. Roll Call: All approved.

Respectfully submitted,

  
Annette L. Wiley  
Clerk  
  
Mark H. Bush  
Chairman

6-26-03  
Date

OLMSTED TOWNSHP BOARD OF TRUSTEES – JUNE 26, 2003

The Olmsted Township Board of Trustees' regular meeting of June 26, 2003 was called to order at 7:34 p.m. Present were Chairman Martin Strelau, Vice-Chairman Thomas Bush, Trustee Karen Straka, Assistant County Prosecutor Michael Lyons and Clerk Annette Wey. Chairman Strelau asked that everyone stand for the Pledge of Allegiance.

Correction and Approval of Previous Minutes

Trustee Strelau moved to approve the June 12, 2003 regular meeting minutes. Seconded by Trustee Bush. Roll Call: All approved.

Reports

Clerk Wey gave the Fund Status Report.

Payment of Bills

Trustee Bush moved to approve Draft Nos. 2040-2058, 2060-2131 and E01793-E01824. Seconded by Trustee Straka. Roll Call: All approved.

Old Business

Trustee Strelau stated the part-time dispatcher issue is tabled indefinitely.

Trustee Strelau moved to approve Resolution 38-03 (Property Nuisance Abatement Authorization Resolution). Seconded by Trustee Straka. Roll Call: All approved.

Trustee Strelau moved to recess the regular meeting for the public hearing on Resolution C-03. Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau moved to reconvene the regular meeting. Seconded by Trustee Bush. Roll Call: All approved.

Trustee Bush moved to table Resolution C-03. Seconded by Trustee Strelau. Roll Call: All approved.

Trustee Strelau moved to recess the regular meeting for the public hearing on Resolution F-03. Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau moved to reconvene the regular meeting. Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau moved to approve Resolution F-03. Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau moved to set a public hearing for Resolution F-03 for June 26, 2003 at 8:00 p.m. Seconded by Trustee Straka. Roll Call: All approved.

Trustee Strelau moved to set a public hearing for Resolution G-03 for June 26, 2003 at 8:15 p.m. Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau moved to approve Resolution 32-03 (Building Commissioner Salary & Benefits Resolution). Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau moved to approve Resolution 33-03 (Board of Zoning Appeals Appointment Resolution). Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau tabled items #7 & #8.

Trustee Strelau moved to accept \$1,960.42 from the Ohio State Board of EMS, which is a 100% reimbursable grant for bio-chemical first responder kits. Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau moved to approve Resolution 34-03 (Firefighter Dahlhausen). Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau moved to approve Resolution 35-03 (Firefighter Gameire). Seconded by Trustee Bush. Roll Call: All approved.

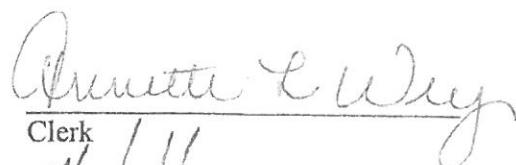
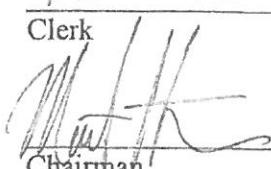
Trustee Strelau moved to approve Resolution 36-03 (Firefighter McMillen). Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau moved to approve Resolution 37-03 (Firefighter Puklavec). Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau moved to approve \$900.00 to North Ohio Heart Center for stress tests for the new firefighters. Seconded by Trustee Straka. Roll Call: All approved.

Trustee Strelau moved to adjourn the meeting at 8:45 p.m. Seconded by Trustee Bush. Roll Call: All approved.

Respectfully submitted,

  
\_\_\_\_\_  
Clerk  
  
\_\_\_\_\_  
Chairman  
6-26-03  
Date

PUBLIC HEARING ON RESOLUTION C-03  
OLMSTED TOWNSHIP BOARD OF TRUSTEES - JUNE 26, 2003

Present for the public hearing on Resolution C-03 were Chairman Martin Strelau, Vice-Chairman Thomas Bush, Trustee Karen Straka, Assistant County Prosecutor Michael Lyons and Clerk Annette Wey.

Trustee Strelau moved to open the public hearing on Resolution C-03. Seconded by Trustee Bush. Roll Call: All approved.

Clerk Wey read the legal notice that was published in the Plain Dealer.

Mr. Gerald Hall stated this property consists of 19.7 acres. He stated they want access on Stearns Road and C.E.I. will allow this access. They have had no offers on this land at this time.

Trustee Bush asked why they want this rezoning. Mr. Hall stated he feels it would have a better impact on the community. He feels that homes would further burden the schools and township and that commercial property would relieve some of the taxes on property owners.

Assistant County Prosecutor Lyons stated that the Retail Business zoning district has many uses other than office buildings.

Trustee Straka read the Planning Commission's recommendation.

Building Commissioner Gargas stated that he felt office buildings would have less of an impact on the community than other retail establishments.

A real estate broker for the Hall property stated he felt the land would best be utilized by building offices and not homes.

Trustee Strelau moved to close the public hearing on Resolution C-03. Seconded by Trustee Bush. Roll Call: All approved.

Respectfully submitted,

Annette Wey  
Clerk

MMH 7.10.03  
Chairman Date

## OLMSTED TOWNSHIP BOARD OF TRUSTEES – JULY 10, 2003

The Olmsted Township Board of Trustees' regular meeting of July 10, 2003 was called to order at 7:32 p.m. Present were Chairman Martin Strelau, Vice-Chairman Thomas Bush, Trustee Karen Straka, Assistant County Prosecutor Michael Lyons and Clerk Annette Wey. Chairman Strelau asked that everyone stand for the Pledge of Allegiance.

### Correction and Approval of Previous Minutes

Trustee Strelau moved to approve the June 26, 2003 regular meeting minutes as submitted. Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau moved to approve the June 26, 2003 public hearing minutes of Resolution C-03. Seconded by Trustee Straka. Roll Call: All approved.

Trustee Strelau moved to approve the June 26, 2003 public hearing minutes of Resolution F-03. Seconded by Trustee Straka. Roll Call: All approved.

Trustee Strelau moved to approve the June 26, 2003 public hearing minutes of Resolution G-03. Seconded by Trustee Straka. Roll Call: All approved.

### Reports

Clerk Wey gave the Fund Status Report.

### Payment of Bills

Trustee Bush moved to approve Draft Nos. 2132-2150, 2156-2224 and E01825-E01856. Seconded by Trustee Strelau. Roll Call: All approved.

### Old Business

Trustee Strelau stated the Storm Water issue was tabled for tonight.

Trustee Strelau moved to accept the request to remove Resolution C-03 from consideration by the Olmsted Township Board of Trustees. Seconded by Trustee Bush. Roll Call: All approved.

### New Business

Trustee Strelau moved to approve Resolution 40-03 (Expenditures). Seconded by Trustee Bush. Roll Call: All approved.

Trustee Strelau moved to approve Resolution 41-03 (Appropriation Reallocation). Seconded by Trustee Bush. Roll Call: All approved.

July 10, 2003

For personal reasons, I am resigning as Clerk of Olmsted Township, effective August 1, 2003 at 12:01 a.m. It has been an honor serving the residents of my community and I appreciate the support. It has been a pleasure working with the many board members through the years who have strived to make Olmsted Township a better place to live.

Annette L. Wey

Annette L. Wey

Olmsted Township Zoning Commission

26900 COOK ROAD  
OLMSTED TOWNSHIP, OHIO 44138

May 17, 1990  
Regular Meeting

The regular May 17, 1990 Zoning Commission Meeting Began at 8:00 p.m.  
Present: Albert Arlow, William Peplin, Ronald Morgan and Chairman Gregory Engelking. Carl Lesher was not present.

The Secretary read the minutes from the May 3, 1990 meeting. Mr. Morgan requested that under new business, the first paragraph, third sentence have the size (40' x 60') of the pole barn added. Mr. Morgan also requested under old business, second paragraph, last sentence should have "or to inspect the site." added. There being no further additions or corrections Mr. Arlow made a motion to approve the minutes as amended. Mr. Peplin seconded the motion. Roll call: All approved.

Mr. Engelking tabled the regular meeting at 8:10 p.m. for the Public Hearing on Resolution A-90.

PUBLIC HEARING

*Hall*  
The public hearing for Resolution A-90 initiated by Gerald Hall of Hall Brothers, Inc. began at 8:10 p.m.

*\** Mr. Hall is requesting a rezoning of permanent parcels #264-12-001 A and #264-12-002 from residential to local business.

The Commission had not received a recommendation from the Cuyahoga Planning Commission as of the day of the meeting on Resolution A-90.

Discussion followed on the area that Mr. Hall was seeking to rezone. The secretary read correspondence from Dugan's Garden Center, 27005 Cook Road expressing their approval of Mr. Hall's request for rezoning.

Mr. Burt Hall of Hall Gardens, Inc., 27016 Cook Road was present and stated he was not quite sure what was going on. After an explanation Mr. Burt Hall stated he had no objection to the rezoning.

The Commission will make their decision by the June 7, 1990 meeting, due to the fact that there had been no recommendation from The Cuyahoga Planning Commission, and from there, Resolution A-90 would be forwarded to the Trustees.

The Public Hearing on Resolution A-90 adjourned at 8:20 p.m.

The regular meeting restarted at 8:25 p.m.

Mr. Arlow had been in contact with Prosecutor Celebreeze for an opinion on the Zoning Book and The Planning Commissions letter. Mr. Arlow was told to send an official letter. The Commission requested the secretary send a letter to the Prosecutor with a copy of the letter from Tom Schultz of the Planning Commission and a copy of what the Commission is trying to incorporate to get an opinion on how to handle this matter.

1 Township Zoning Commission

26900 COOK ROAD  
OLMSTED TOWNSHIP, OHIO 44138

New Business

Gary Scolic along with Mr. Fred Bower of Shore West Inc. came before the Commission with two requests for rezoning. The first request was to rezone 2.65 acres next to the Greenbrook Shopping Centers from residential R-1-4 to local business to add on to the existing shopping center.

The Commission requested an updated map and additional letters to residents. After discussion the date for the public hearing on this request was set for June 21, 1990 at 8:05 p.m.

The second request for rezoning made by Shore West was to rezone 215.32 acres of land from residential R-1-40 and Light Industry to R-1-15 residential. The Commission requested additional letters to residents on Pinewood Way.

The Commission also requested updated letters from the City of North Olmsted stating there would be sewers due to the ban currently in effect for Olmsted Township for both of the rezoning requests.

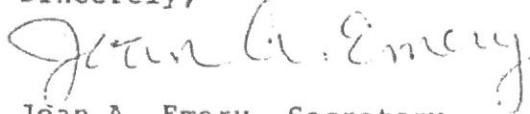
Discussion followed on the service road owned by the Township on this property. After further discussion the Commission agreed to hold a Special Public Hearing on this request for rezoning on June 14, 1990 at 8:05 p.m.

Mr. Rudy Martinez came before the Commission to apply for a home occupation permit for a property he is interested in purchasing at 8526 Stearns Road. Mr. Martinez was seeking approval for this permit before purchasing the property. There would be just himself, his wife, his daughter and his son-in-law working the business. After discussion Mr. Arlow made a motion for approval of Mr. Martinez home occupation permit with the contingent that Mr. Martinez buy the property. Mr. Morgan seconded the motion. Roll call: Mr. Arlow - yes, Mr. Morgan - no, Mr. Peplin - no, Mr. Engelking - yes. The Commission explained to Mr. Martinez that there was no problem with the home occupation permit if he was the owner of the property. Mr. Morgan suggested he come back after he purchased the property to apply for his permit.

There being no further business Mr. Arlow made a motion to adjourn. Mr. Morgan seconded the motion. Roll call: All approved.

The meeting adjourned at 9:25 p.m.

Sincerely,



Joan A. Emery, Secretary  
Olmsted Township Zoning Commission

Approved June 14, 1990



Olmsted Township Zoning Commission

26900 COOK ROAD

OLMSTED TOWNSHIP, OHIO 44138

Olmsted Township Board of Trustees  
Olmsted Township Hall  
26900 Cook Road  
Olmsted Township, OH 44138

LETTER OF CERTIFICATION  
Resolution A-90

Whereas the Olmsted Township Zoning Commission received a request from Gerald Hall of Hall Brothers Inc., to amend the Zoning Resolution of Olmsted Township, known as Resolution I-52, adopted the 20th day of July, 1952, and amendments, thereto, by rezoning from Residential to Local Business parcels of land located north of Cook Road and east of Stearns Road. (Permanent Parcels #264-12-001-A and #264-12-002).

Whereas according to Section 519.12 of the Revised Code of Ohio, as amended, the Olmsted Township Zoning Commission did submit a copy of said Resolution to Cuyahoga Planning Commission and did advertise in the Plain Dealer on May 2, 1990, and,

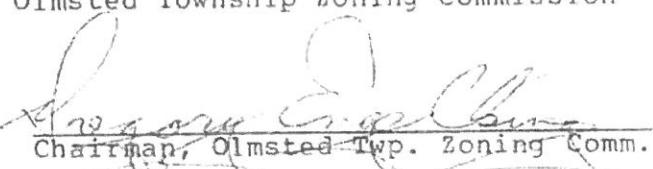
Whereas the Olmsted Township Zoning Commission has reviewed the proposed Resolution and recommendations of the Cuyahoga Planning Commission, and,

Whereas all the recommendations voiced at the Public Hearing have been reviewed, and,

Now therefore be it resolved that the Olmsted Township Zoning Commission recommends approval of Resolution A-90.

Olmsted Township Zoning Commission

Date 6-14-90

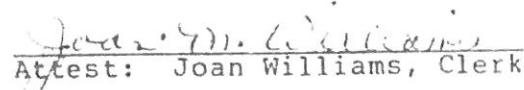
  
Chairman, Olmsted Twp. Zoning Comm.

Date of 7/14/90  
Approval

  
Olmsted Twp. Board of Trustees

Date of 7/14/90  
Disapproval

  
Olmsted Twp. Board of Trustees

  
Attest: Joan Williams, Clerk

  
Olmsted Twp. Board of Trustees

RESOLUTION

A RESOLUTION TO AMEND THE ZONE MAP OF THE UNINCORPORATED AREA OF OLMSTED TOWNSHIP, OHIO, WHICH IS A PART OF RESOLUTION NO. 1-52, ADOPTED THE 20TH DAY OF JULY, 1952 AND AMENDMENTS THERETO, BY CHANGING THE ZONING TO ESTABLISH THE FOLLOWING ZONING DISTRICT: TO CHANGE FROM RESIDENTIAL to LOCAL BUSINESS DISTRICT, A PARCEL OF LAND LOCATED ON THE NORTH SIDE OF COOK ROAD, EAST OF STEARNS ROAD.

WHEREAS, the Zoning Commission of Olmsted Township did receive a request by Hall Brothers, Inc. requesting a rezoning of a parcel or parcels hereinafter described, and

WHEREAS, the Township Zoning Commission has advertised and held the required public hearing and otherwise has complied with the requirements of Sec. 519.12 of the Revised Code of Ohio as amended, and Sections 11.71, 11.72, 11.73 and 11.74 of the Olmsted Township Zoning Resolution as amended and

WHEREAS, The Cuyahoga Planning Commission of Cuyahoga County, Ohio has reviewed the request and has expressed their \_\_\_\_\_ of said rezoning in writing, and

WHEREAS, the Township Zoning Commission did hold a public hearing on Resolution No. A - 90 on \_\_\_\_\_ and recommended \_\_\_\_\_ of said zoning resolution to the Board of Trustees.

NOW THEREFORE BE IT RESOLVED by the Board of Township of Trustees of Olmsted Township, County of Cuyahoga, and State of Ohio:

Section 1. That, after public notice and hearing and compliance with Section 11.72 of the above resolution, the building zone map is hereby revised by changing the zoning as follows:

To amend the Zone Map of Olmsted Township by transferring from its present classification of Residential to Local Business the following described premisis designated as Parcel Nos. 264-12-1 (part) 264-12-2 (all) on the Cuyahoga County Auditors Maps, and futher known as follows:

Situated in the Township of Olmsted, County of Cuyahoga, State of Ohio and known as being part of Original Olmsted Township, Lot No. 11 Tract No. 5 and is further bounded and described as follows:

Beginning at the intersection of the centerline of Cook Road (60 feet wide) with the centerline of Stearns Road (60 feet wide). Thence South 85 degrees-22'-49" East, along the centerline of said Cook Road 1132.54 feet to Southeasterly corner of a parcel of land conveyed to Thomas J. and H.E. Holmes by deed filed November 30, 1983 and recorded in Volume 83-1835, Page 28 of Cuyahoga County Records and the principal place of beginning of the land herein described;

Course 1 Thence North 4 degrees-37'-11" East, along the Easterly line of land so conveyed to Thomas J. and H.E. Holmes, 313.72 feet to the Southwesterly line of a parcel of land conveyed to the Cleveland Electric Illuminating Company by deed filed April 12, 1929 and recorded in Volume 3934, Page 48 of Cuyahoga County Records;

Course 2 Thence South 61 degrees-41'-39" East, along the Southwesterly line of land so conveyed to the Cleveland Electric Illuminating Company, 560.96 feet to the Westerly line of Original Olmsted Township, Lot No. 10, Tract No. 5;

Course 3 Thence South 3 degrees-55'-11" West, along the Westerly line of said Original Lot No. 10, Tract No. 5, 101.22 feet to the centerline of Cook Road, as aforesaid;

Course 4 Thence North 83 degrees-54'-29" West, along the centerline of said Cook Road, 499.80 feet to an angle point therein;

Course 5 Thence North 85 degrees-22'-49" West, continuing along the centerline of said Cook Road, 15.30 feet to the principal place of beginning.

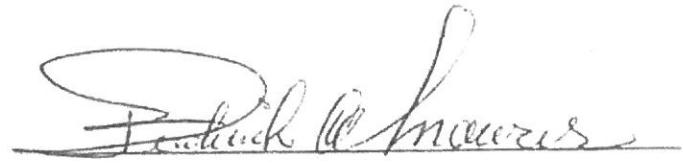
Be the same more or less but subject to all legal highways.



Section 2. That the Zoning Inspector of Olmsted Township be authorized and directed to make said changes on said original building zone map on file with the Clerk of the Board of Township Trustees.

Section 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

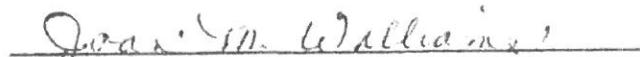
Passed 7/16/70



Frederick W. Snareus  
Chairman, Board of Trustees

Effective 8/14/70

Attest

  
Jean M. Williams  
Clerk, Board of Township Trustees



76 South Main St.  
Akron, Ohio 44308

1-800-633-4766

October 26, 2000

Gerald A. Hall  
Hall Brothers, Inc.  
27040 Cook Road  
Olmsted Falls, Ohio 44138

Re: Access Road & Storm Retention Basin  
Avon-Lines Easement Right of Way  
Stearns Road, Olmsted Township

Dear Mr. Hall:

FirstEnergy Corp. acting as agents for The Cleveland Electric Illuminating Company has reviewed a drawing submitted to the Company on October 13, 2000 and hereby grants permission to Hall Brothers, Inc., to install an access road and storm retention basin in the CEI right of way, as shown on preliminary plans of a proposed townhouse subdivision of Permanent Parcel No. 264-012-001, as shown on the attached print which is marked Exhibit "A" attached hereto and made a part hereof under the following terms and conditions:

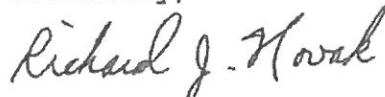
1. Access Road shall not be closer than 25 feet to any CEI structure (tower), and access to the transmission towers shall be kept open and unobstructed at all times.
2. Hall Brothers, Inc., its successors and assigns shall establish, maintain and utilize a storm water retention basin within the CEI easement area for the purpose of accepting into the retention basin surface water drainage from the townhouse subdivision area as well as surface water drainage from the CEI easement area.
3. Overhead equipment, such as cranes, shovels, etc., shall not operate in such proximity to the Company's conductors as to be in violation of The National Safety Code or any federal, state, or municipal regulation in force at the time. In no case shall personnel and equipment be permitted to operate closer to Company conductors than OSHA required

clearances. The minimum for 138kV, is 12 feet to energized conductors.

4. No buildings or other structures will be permitted within the transmission line right of way.
5. Permission is granted to do this work subject to all easements, conditions and restrictions of record.
6. Hall Brothers, Inc., its successors or assigns, agrees to release, indemnify, hold harmless and defend The Cleveland Electric Illuminating Company from and against any and all claims, demands, damages, actions or causes of action, together with any and all losses, costs or expenses in connection therewith or related thereto, including reasonable attorneys' fees asserted by any person or persons for bodily injuries, death or property damage arising from or in any manner arising from, or in any manner as a result of the access road and storm retention basin in the right of way.

Hall Brothers, Inc., acknowledges and agrees to the above conditions by signing both copies of this letter, retaining a copy for its records and returning an accepted copy to this office.

Sincerely,

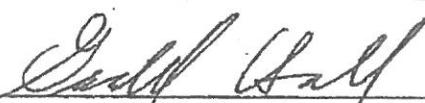


Richard J. Novak  
Contracted Representative  
For FirstEnergy Corp.

RJN/djh  
Attachment

cc: CAMunoz  
WHUnderwoodJr

Accepted this 26th day of October, 2000.

By   
Gerald Hall  
Hall Brothers, Inc.



BLACK & VEATCH CORPORATION  
900 OAKMONT LANE, STE. 100  
Westmont, IL 60559  
(630) 590-0929 (Work) | (773) 947-4802 (Cell)

SCANNED

August 2, 2016

Olmsted Township, OH  
27093 Bagley Road  
Olmsted Township, OH 44138  
ATTN: Zoning & Planning Administrator

Zoning Determination  
Site ID OH0653 | PACE ID MROWP016620 | FA Location 10115746  
Site Name: OLMSTED FALLS WEST | Site Address: **27040 COOK ROAD, Olmsted Falls, OH 44138**

To whom it may concern:

On behalf of AT&T Mobility, we have been engaged to confirm the zoning requirements in your jurisdiction for an upcoming project.

AT&T is proposing to **swap/add antennas, and swap/add associated equipment such as RRHs (Remote Radio Heads). There will be no increase to the height of the tower, or to the size of the lease compound.** We understand that there are no zoning requirements in Olmsted Township for the proposed work. We ask for confirmation of compliance and approval so that AT&T Mobility may document and comply with the process required.

Upon completion of your review, please mail, or email if you prefer, this signed letter to me. I have enclosed a preaddressed envelope for your convenience. Thank you for your attention to this matter, and if you require further information, or have questions, please feel free to contact me at 773-947-4802 or 630-590-0929 or email me at SweeneyE@bv.com.

Sincerely,

Black & Veatch Corporation (Authorized Agent for AT&T)

*Elizabeth Sweeney*

sweeneye@bv.com

This proposed construction does require zoning review.

YES

NO

This proposed construction does require a building permit.

YES

NO

There is another jurisdiction that has zoning/permitting power in this area.

YES

NO

NAME

DATE

Tammy Tabor

8-9-2016

Permit Technician  
Office Coordinator

OLMSTED TOWNSHIP  
BUILDING DEPARTMENT

AUG 09 2016

RECEIVED

www.bv.com



## INSPECTION REPORT

<b>Client</b> AT & T hall	<b>Jurisdiction</b> Olmsted Township	<b>Site Address</b> 27040 COOK RD Olmsted Township, OH 44138	<b>Contact Info</b> AT & T hall Home: 847-942-6786 Requestor's Phone: 440-7877-721
<b>Date</b> 11/14/2017 AM	<b>Inspector</b> Dave Faciana	<b>Permit Type</b> Alteration - Commercial - Commercial Alteration	<b>Subdivision</b> 83173

<b>Requested Inspection</b> Final Building	<b>Permit #</b> 16OLMT-00084	<b>Pass</b> <input checked="" type="checkbox"/>	<b>Fail</b> <input type="checkbox"/>	<b>Partial Pass</b> <input type="checkbox"/>	<b>Cancelled</b> <input type="checkbox"/>
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**Comments:** 3 ANTENNAS  
**Corrections Required:**

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OLMSTED TOWNSHIP  
BUILDING DEPARTMENT

11/14/2017

RECEIVED

I HAVE THIS DAY INSPECTED THE ABOVE DESCRIBED WORK AND HAVE LISTED ANY CODE DISCREPANCIES I HAVE DISCOVERED. ALL CODE DISCREPANCIES, WHETHER LISTED OR NOT, MUST BE CORRECTED, RE-INSPECTED, AND APPROVED BY AN AUTHORIZED INSPECTOR BEFORE THE WORK IS COVERED UP. PURSUANT TO UBC SECTION 108.1 AND IBC SECTION 109.1, APPROVAL AS A RESULT OF AN INSPECTION SHALL NOT BE CONSTRUED TO BE AN APPROVAL OR A VIOLATION OF THE PROVISIONS OF THIS CODE OR OF OTHER ORDINANCES OF THE JURISDICTION.

Date: 11/14/17

Inspector: Dave Faciana

We'd like your feedback. Please go to [www.safebuilt.com/survey](http://www.safebuilt.com/survey) to take our short survey.

**SECTION 250.06 HEIGHT REGULATIONS.**

All buildings and structures shall comply with the following height regulations.

- (a) The height of all buildings shall not exceed 35 feet.
- (b) The height of chimneys, flag poles, towers, water tanks and other mechanical appurtenances located upon or constructed as an integral part of a building may be erected above the maximum height of buildings and shall not exceed 50 feet.

**SECTION 250.07 PARKING SETBACK REQUIREMENTS.**

Off-street parking shall be located in compliance with the minimum setbacks, measured from the street right-of-way or property line, as specified in Schedule 250.07 unless otherwise noted. The area within this setback shall be landscaped in accordance with Chapter 330.

Schedule 250.07			
	R-B Retail Business	L-I Light Industrial	L-OI Limited Office Industrial
(a) Setback from street right-of-way	20 ft.	20 ft.	Not in front yard
(b) Setback from side lot line and rear lot line			
(1) Adjacent to non-residential district	10 ft.	10 ft.	10 ft.
(2) Adjacent to residential district	25 ft.	30 ft.	100 ft.

**SECTION 250.08 ACCESSORY USE REGULATIONS.**

Accessory uses permitted in any Business, Commercial or Industrial District shall conform to the regulations of this Section.

- (a) Accessory Buildings. Accessory buildings shall conform to all lot and yard regulations and development plan review and approval requirements of the zoning district in which the parcel or lot is located.
- (b) Fences and Walls. Fences and walls may be erected in any Business, Commercial or Industrial District in compliance with the following:
  - (1) All fences and walls shall be of uniform design and shall be well maintained.
  - (2) Fences and wall used for buffering and screening shall comply with the regulations set forth in Chapter 330.
- (c) Off-Street Parking and Loading Regulations. Off-street parking and loading areas shall conform to the minimum parking setback requirements specified in Schedule 250.07 and shall otherwise conform to the regulations of Chapter 310.
- (d) Signs. Signs shall be in compliance with the regulations specified in Chapter 320.

**SECTION 250.04 LOT REQUIREMENTS.**

The minimum lot requirements for uses in Business and Industrial Districts are specified in Schedule 250.4.

Schedule 250.4			
	R-B Retail Business	L-I Light Industrial	L-OI Limited Office Industrial
(a) Minimum Lot Size	25,000 sq. ft.	2 acres	20 acres
(b) Minimum Lot Width	100 ft.	200 ft. <sup>(1)</sup>	500 ft.
(c) Minimum Ground Floor Area of Building	1,200 sq. ft.	1,600 sq. ft.	1,600 sq. ft.
(d) Maximum lot coverage	80%	60%	60%
Notes to Schedule 250.04:			
<sup>(1)</sup> On an existing public street. For lots on proposed internal streets, the lot shall be 150 feet.			

**SECTION 250.05 BUILDING SETBACK REQUIREMENTS.**

Every building shall be located on a lot in compliance with the setback requirements set forth in Schedule 250.05:

Schedule 250.05			
	R-B Retail Business	L-I Light Industrial	L-OI Limited Office Industrial
(a) Setback from street right-of-way			
(1) For lots fronting on Bagley and Columbia Roads	80 ft.	80 ft.	100 ft.
(2) For lots fronting on Cook and Stearns Roads	60 ft.	60 ft.	100 ft.
(3) For lots fronting on all other streets	60 ft.	60 ft.	80 ft.
(b) Setback from Side/Rear Lot Line			
(1) Adjacent to non-residential district	10 ft.	15 ft.	15 ft.
(2) Adjacent to residential district	30 ft.	50 ft.	100 ft.

LAND USE CATEGORY	R-B Retail Business	L-I Light Industrial	L-OI Limited Office Industrial
(4) Commercial entertainment, fitness or recreation, indoor	C		
(5) Sweepstakes café	C	C	
(e) <u>Supplies/Storage/Distribution</u>			
(1) Distribution facilities		P	
(2) Large scale laundries		P	
(3) Outdoor Storage, in association with a principal use			
A. General storage of materials, vehicles, and equipment		C	C
B. Outdoor overnight storage of fleet vehicles used in operation of principal use		P	C
(4) Printing/publishing		P	P
(5) Self-storage facilities		P	
(6) Warehousing and wholesale trade		P	P
(f) <u>Manufacturing, Packaging, Fabrication, Assembly</u>			
(1) Commercial greenhouses	P	P	P
(2) Contractors' offices/storage		P	
(3) Food preparation establishment		P	
(4) Light manufacturing industrial uses		P	P
(5) Rail and motor freight yards		C	C
(g) <u>Community Services and Facilities</u>			
(1) Adult day care facility	C		
(2) Child day care center	C		
(3) Hospitals	C		
(4) Cultural institutions (libraries and museums)	C		
(5) Places of worship	C		
(6) Public safety facilities	P	P	P
(7) Public service/maintenance facility		P	P
(h) Freestanding small-scale wind energy facilities		C	
(i) Solar panels and wall mounted wind energy systems	P	P	P
(j) Wireless telecommunication towers	SEE CHAPTER 350		
P = Principal Use permitted by right.			
C = Conditional Use permitted only when approved by the Board of Zoning Appeals.			
PT = Temporary use permitted only when in compliance with Chapter 140.			

## SECTION 250.03 SCHEDULE OF PERMITTED USES.

LAND USE CATEGORY	R-B Retail Business	L-I Light Industrial	L-OI Limited Office Industrial
<b>(a) Offices</b>			
(1) Administrative, professional, business offices	P	P	P
(2) Animal clinic, veterinarian office	P	C	
(3) Medical, dental offices and clinics	P		
(4) Research and testing laboratories		P	P
<b>(b) Retail/Services</b>			
(1) Automated teller machines freestanding kiosks	P		
(2) Business services	P	P	
(3) Catering establishment	C		
(4) Drive thru facility in association with a permitted use	C		
(5) Financial establishments	P		
(6) Funeral home	C		
(7) Garden centers	P		
(8) Hotels, motels	C		
(9) Instructional studios	P		
(10) Mobile food facility	PT		
(11) Outdoor dining	P		
(12) Outdoor display and sales in association with a permitted use	P		
(13) Personal services establishments	P		
(14) Radio and television facilities	P	P	
(15) Restaurants and other retail food services	P		
(16) Retail uses in completely enclosed buildings	P		
<b>(c) Auto Oriented</b>			
(1) Gasoline station	C		
(2) Automobile service station	C	C	
(3) Auto repair garage		C	
(4) Car or truck wash facility	C	C	
(5) Car/truck sales/rental facility		C	
<b>(d) Entertainment/recreation</b>			
(1) Adult entertainment		C	
(2) Assembly hall, meeting place, community center	C		
(3) Commercial entertainment or recreation, outdoor	C	C	



