

Cuyahoga Falls City Council
Minutes of the Planning & Zoning Committee Meeting
February 11, 2013

Members: Vince Rubino, Chair
Jerry James
Terry Mader

Mr. Rubino called the meeting to order at 6:43 p.m. All members were present.

The minutes from the December 17, 2012 Committee meeting were approved as submitted.

Legislation Discussed

Temp. Ord. B-6

Discussion

Temp. Ord. B-6

An ordinance approving the application of Daniel Michael Lynch, Trustee, as owner of certain real property located at 643/653 West Steels Corners Road (Parcel Nos. 35-00045, 35-05391 and 35-05392), to place said property into an agricultural district pursuant to Ohio Revised Code Chapter 929, and declaring an emergency.

Mr. Rubino stated that Council heard about this matter during the public hearing and that Mr. Guerra also had distributed a chart. Mr. Guerra indicated that agricultural services are permitted in RR and R-1 (large lot residential). This is a renewal of what already exists. There is an application for agricultural district per the Revised Code that can be filled out. This has been done in the past and now the homeowner wants to renew it. He went to the County and they indicated he first needs something showing approval from the City.

Daniel Lynch, the property owner, stated he is only renewing what he already has. He does this every five years. He went to the County and they sent him to Cuyahoga Falls. No one knew what to do with it. It is not a tax break. Doing this protects him from complaints from people about smells. Mr. Guerra added that because the City allows agricultural districts, Mr. Lynch is also protected by the Code as long as he follows it. Mr. Rubino stated this is not something Council has dealt with very often and stated in light of the February 13 deadline, Council would need to bring this out for a vote this evening. Mr. Lynch stated he had thought everything was done since he had filed it with the County. Mr. Mader thought the Northampton Township agreement came into this because there were a lot of things that were grandfathered in. There is another home out there that is raising chickens. He thought this was covered by the merger agreement. Mr. Janis stated the merger agreement specifies that the City will endeavor to preserve the rural character but it is not legally or contractually bound by the merger agreement to do so. Mr. Mader stated he had no problem with this because it has been ongoing out there. Mr. James also did not have a problem with this although this is the first time Council has seen it. Mrs. Klinger added this is the first time in her 20-year tenure that someone brought something like this before Council.

Mr. Lynch stated the neighbors are excited and added that the chickens to which Mr. Mader referred are at the house in front of his.

Mr. James moved to bring out Temp. Ord. B-6 with a favorable recommendation, second by Mr. Mader. Motion passed (3-0).

Meeting adjourned at 6:52 p.m.