

CITY OF BEREA, OHIO

**MINUTES OF A PUBLIC HEARING BEFORE COUNCIL
FEBRUARY 2, 2015 - 7:25p.m.**

In response to a legal notice published in The News Sun on January 1, 2015, a public hearing was held in the Council Chamber at Berea City Hall on February 2, 2015. The public hearing was called to order at 7:29p.m. by President of Council Mary K. Brown, with the following members of Council present: Cheryl A. Banaszak, Nick Haschka, Margarette S. Key, Dale A. Lange, Richard T. Malott, Jim Maxwell, and Gene Zacharyasz. Also present: Mayor Cyril M. Kleem, Director of Finance Dana Kavander and Director of Law James N. Walters III.

The Clerk's certificate of compliance with C.O. Section 109 and with Section 121.22 of the Ohio Revised Code was filed with Council records in the Clerk's office.

Mrs. Brown stated that the purpose of the hearing is to discuss comments and/or objections to proposed Ordinance No. 12-2 and proposed Ordinance No. 12-3 which are entitled:

ORDINANCE NO. 12-2: AN ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF BEREA AT SECTION 305.02(C) AND (D), AND SECTION 309.05, OF THE ZONING CODE OF THE CITY OF BEREA, OHIO, AS ADOPTED MAY 7, 2012 AND AS AMENDED THEREAFTER, TO MODIFY THE STANDARDS FOR SWIMMING POOLS AS RESIDENTIAL DISTRICT ACCESSORY USES.

ORDINANCE NO. 12-3: AN ORDINANCE AMENDING SECTION 1323.02, LOCATION AND AREA, OF CHAPTER 1323, SWIMMING POOLS, IN TITLE FIVE, LOCAL PROVISIONS, OF PART THIRTEEN, BUILDING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF BEREA.

Mrs. Brown explained that these Ordinances were reviewed by the Municipal Planning Commission at their January 15, 2015 meeting, and the Commission recommended that Council adopt both Ordinances with the condition that the recommended changes, provided by the City's Zoning Consultant, be incorporated in to the legislation.

Mrs. Brown did acknowledge that both Ordinance No. 12-2 and Ordinance No. 12-3 will be discussed at the February 9, 2015 Council Work Session.

Mrs. Banaszak provided a bit of background on these Ordinances, explaining that she was approached by a few residents in the fall of 2014 about installing a pool at their place of residence. A pool on their property, however, is not permissible under the Zoning Code due to the fact that their lot is considered a "peninsula lot", meaning it is bordered on three sides by streets, roads or alleys. Mrs. Banaszak continued by stating that multiple solutions were discussed, and the changes proposed in the aforementioned Ordinances seem like the most viable way to proceed.

There being no further comments, Mrs. Brown declared the hearing closed at 7:32p.m.

Alycia Esson
Clerk of Council

CERTIFICATE OF COMPLIANCE

The public hearing held before Council of the City of Berea, Ohio, on the 2nd day of February, 2015, was conducted in compliance with Codified Ordinances Section 109 and Ohio Revised Code Section 121.22.

Alycia Esson
Clerk of Council