VILLAGE OF ST. BERNARD

110 Washington Avenue, St. Bernard, Ohio 45217
Phone: (513) 242-7770 • Website: www.cityofstbernard.org

Planning Commission
November 6, 2025 @ 6:00pm
Council Chambers
110 Washington Ave
St Bernard, Ohio 45217

Benjamin Fraley
Chairperson

Benjamin Fraley	Taylor Vogt	Kelly Valerius	Jonathon Stuchell	Mark Wendling
Chairman	Vice Chair	Commissioner	Mayor	Safety Services Director

Roll Call: 3 Public Hearing(s)

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

Swearing in of Those Providing Testimony to the Planning Commission:
Chair

Conflict of Interest Statement
Prior to consideration of the following agenda items, each member should examine the agenda to determine whether he or she has any conflict of interest with any agenda item.
If so, please note the agenda item for which you intend to abstain or recuse yourself as an exception to the upcoming motion. You may not discuss or vote on any item you have a conflict of interest with or act in any way to influence the deliberation or vote.

Motion: I move that a note be made upon the minutes that each member of the Planning Commission was furnished a copy of the agenda prior to its being considered at this meeting, and that, with the exception of the items so noted, no member has identified any conflict of interest regarding any agenda item.

Motion

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

Roll Call of Vote

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

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New Business:

Agenda Item #1
Case No 11-002-2025
Zoning Text Amendment

Staff is requesting to change the language related to Chapter 1181 Off Street Loading and Parking; Section 1181.15(a) Development and Maintenance of Off-Street Parking Areas: Screening and Landscaping and Section 1181.15(b) Minimum Distances and Setbacks.

Staff Presentation: AJ Schweier

Motion

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

Roll Call Vote

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

Agenda Item #2
Case No 11-003-2025
Zoning Map Amendment

Staff is requesting a Zoning Map Amendment to change three (3) properties from R-3 Multi Family Residence District to R-2 One- and Two-Family Residence District. The subject properties are located on Vine Street.

Motion

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

Roll Call Vote

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

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Agenda Item #3
Case No 11-004-2025
Zoning Map Amendment

Staff is requesting a Zoning Map Amendment to change two (2) properties from R-3 Multi Family to B-1 Neighborhood Business District. The subject properties are located on Vine Street.

Motion

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

Roll Call Vote

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

Old Business:

Notice of Decision:
10-001-2025
Motion

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

Roll Call Vote

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

Minutes
October 2, 2025
Motion

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

Roll Call Vote

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

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Miscellaneous:

The next scheduled is meeting December 4, 2025.
The Zoning Text Amendments and the Zoning Map Amendments are tentatively scheduled to be presented to Council December 11, 2025.

Adjournment:

Motion to Adjourn

Motion

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

Roll Call of Vote

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

VILLAGE OF ST. BERNARD

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PLANNING COMMISSION CASE NO: 11-002-2025
PROPERTY ADDRESS: NA
PARCEL ID # NA
APPLICANT: VILLAGE OF ST. BERNARD

PROPOSED REQUEST:
The applicant is proposing a Zoning Text Amendment to Chapter 1181 Off-Street Parking and Loading; Section 1181.15(a) Development and Maintenance of Off-Street Parking Areas: Screening and Landscaping and 1181.15(b) Minimum Distances and Setbacks.

BACKGROUND INFORMATION
The Village of St Bernard established the Zoning Ordinance related to Chapter 1181 in October 1966, by Ordinance number 12-1966. Staff does not see any updates to this Chapter since the original Ordinance was passed.

Staff participated in a planning meeting for an expansion of a parking lot and reviewed Chapter 1181 in order to provide information to the applicants as to the zoning requirements. Upon review of the Ordinance, Staff observed that several lots appear to have been constructed without meeting the current code.

Staff does not believe that the current code, adopted in 1966, is the most practical way of addressing the screening. Staff believes that it is appropriate to update the code.

VILLAGE OF ST. BERNARD ZONING ORDINANCE
The following are the applicable sections of the St Bernard Zoning Ordinance:

Chapter 1181.15: Every lot hereinafter used as a public or private parking area including a public parking lot as well as motor vehicle and trailer sales lots shall be developed and maintained in accordance with the following requirements:

Chapter 1181.15(a)Screening and Landscaping: Off Street parking areas for more than five vehicles shall be effectively screened on each side which adjoins or faces institutional premises or premises situated in any R-district by a masonry wall or solid fence. Such wall or fence shall not be less than four feet in height and shall be maintained in good condition. Where the capacity of the parking area exceeds thirty vehicles, it shall be screened by a masonry wall of at least the height hereinabove prescribed.

1181.15(b) Minimum Distances and Setbacks: No part of any parking area for more than five vehicles shall be located closer than ten feet to any dwelling, school, hospital, or other

institution for human care located on an adjoining lot unless screened by an unpierced masonry wall; provided however that parking areas for twenty-five or more automobiles or for trucks and buses shall not have an entrance or exit for vehicles within 200 feet along the same side of the street as any school, public playground, church, hospital, public library or institution for dependents or children, except where such property is in another block or on another street which the lot in question does not abut.

STAFF COMMENTS:

After reviewing the Zoning Ordinance, Staff recognized that several parking areas did not appear to meet the code. Staff attempted to determine if the non-conforming lots received variances or waivers to the regulations.

Staff went to the parking areas which do not appear to meet the current code. Staff made the following notes and observations:

Public Library: According to Hamilton County Auditor the library was built in 2014. The parking lot has twenty (20) parking spaces. By code, the parking lot is required to have a four (4) foot fence or a solid brick wall for any area which faces or abuts a residential district or institutional use. There is no wall or fence around this lot.

The north side of the parking lot which abuts a residential property is approximately sixty-six (66) feet long. There are two (2) trees and fourteen (14) shrubs in that area.

The east side of the lot abuts Tower Ave and is approximately one hundred and twenty-eight (128) feet. There are twenty-eight (28) shrubs and zero trees on this side.

The west side of the lot faces the library and the south side of the lot faces City Hall. There is no significant landscaping on these portions of the parking lot.

The shrubs are located approximately every three and a half (3.5) feet to four and a half (4.5) feet. The trees are located every thirty (30) feet but only when abutting an R-District parcel. See Exhibit A

Safety Center: According to Hamilton County Auditor this was built in 2014 and Village Staff confirms that is the correct year. The parking lot contains over thirty (30) parking spaces. By code, this lot is required to have a solid brick wall on the north, west, and east sides of the lot.

The north side of the parking lot which abuts a residential district (Friars Club) is approximately one hundred and one (101) feet long There are nine (9) evergreen shrubs and four (4) trees in that area.

The west side of the parking area is approximately one hundred and twenty-nine (129) feet long and abuts Vine Street. There are twelve (12) evergreen shrubs in this location.

The east side of the parking area abuts the walking path for Friars Club and is approximately one hundred and twenty-nine (129) feet long. There are twelve (12) evergreen shrubs in this location.

The shrubs are located about every eleven (11) feet at this location and the trees are located every twenty-five (25) feet. See Exhibit B

Friars Club: This project was approved in 2024. The Friars Club parking lot is currently under construction. The parking area is designed to have thirty-four (34) parking spaces. The location of the parking lot is in and adjacent to an R-District. As such, the parking lot would be required to have a four-foot brick wall on three sides of the lot.

Staff spoke with the developer of the Friars Club parking lot, Robert Painter. Staff was advised that the screening requirements were never discussed with the Applicant.

Staff met with Annie Timmons and Sandy Sieben of the Friars Club on October 6, 2025. SIEBEN and TIMMONS were both unaware of the screening requirements and advised that it was not a discussion during the planning process. The Friars Club has no landscaping plan at this time as a result of the miscommunication by the Village. Friars Club has stated that they will work with Staff to install appropriate landscaping.

Staff spoke with Mike Besl, Board President of the Friars Club and explained to Mr. Besl the plans moving forward with the Text change and the Zoning Map change.

Staff notes that there is a public parking area located on Vine Street at Bertus Street which does have a brick wall surrounding the lot on Vine Street, Bertus Street, and the adjoining residential parcel. Staff notes that the wall is not "unpierced" as stated in the code. See Exhibit C.

There is a second public parking lot on Vine Street and Baker which does have the brick wall along Vine, and Baker. Staff notes that this wall is not "unpierced" as stated in the code. See Exhibit D.

There is a minimal amount of landscaping at each of these two parking areas.

Section 1181.16 Modifications allows the board of zoning appeals to modify, reduce, or waive the foregoing requirements. Staff was unable to locate any documents or reports which would indicate that such a waiver or modification was sought or granted.

Additionally, Staff spoke with Village employees who may have had knowledge of these issues being discussed during the planning phase and no one was able to provide additional insight.

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Staff recommends the following language to amend the Ordinance:

Chapter 1181.15(a)Screening and Landscaping: Off street parking areas for more than five (5) vehicles shall be effectively screened by landscaping on each side which adjoins or faces institutional premises or premises situated in any R-district ~~by a masonry wall or solid fence~~. Such landscaping must be approved by a registered landscape architect ~~wall or fence shall not be less than four feet in height and~~ shall be maintained in a landscaping bed free of weeds and plantings maintained in good condition. ~~Where the capacity of the parking area exceeds thirty vehicles, it shall be screened by a masonry wall of at least the height hereinabove prescribed.~~

i. Evergreen shrubbery/ bush shall be required. Number shall be determined by type of shrub/bush to be planted.
ii. Flowering perennial plants: three (3) per required shrub or bush.

1181.15(b) Minimum Distances and Setbacks: No part of any parking area for more than five (5) vehicles shall be located closer than ten feet to any dwelling, school, hospital, or other institution for human care located on an adjoining lot unless screened according to (a) above ~~by an unpierced masonry wall~~; provided however that parking areas for twenty-five or more automobiles or for trucks and buses shall not have an entrance or exit for vehicles within 200 feet along the same side of the street as any school, public playground, church, hospital, public library or institution for dependents or children, except where such property is in another block or on another street which the lot in question does not abut.

(c) Surfacing. Any off-street parking area must be paved with either blacktop or concrete ~~so as~~ to provide a durable and dustless surface. The area must be graded and drained ~~in order~~ to dispose of all surface water away from adjacent properties, and must be arranged and marked ~~as~~ to provide for orderly and safe loading, ~~and~~ unloading, ~~and~~ parking, and storage of all vehicles.

(d) Lighting. ~~Any~~ Lighting used to illuminate any off-street parking area shall be so arranged as to reflect the lighting away from adjoining premises.

NEIGHBOR COMMENTS

Staff has not received any comments at the writing of the Staff Report. The original Agenda was posted to the Village website thirty (30) days prior to the meeting date and the Staff Report was posted seven (7) days to the meeting date.

MOTIONS

Motion to Approve: "I make a motion that Planning Commission recommend that Council hold a public hearing and take final action to APPROVE the Zoning text amendments to Section(s)

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1181.15 (a) Screening and Landscaping and Section 1181.15(b) Minimum Distances and Setbacks

Motion to Deny: "I make a motion that the Planning Commission recommend that Council hold a public hearing and take final action to DENY the Zoning text amendments to Section(s) 1181.15 (a) Screening and Landscaping and Section 1181.15(b) Minimum Distances and Setbacks.

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Exhibit A: Public Library

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The public lot by the library does not have a fence or wall as was required.

The shrubs are about 2-3 feet tall. These shrubs are planted closer together but due to their size do not screen the parking lot effectively. They are an evergreen style shrub which will maintain color throughout the winter.

These shrubs could provide adequate screening if allowed to grow and they would not be trimmed back.

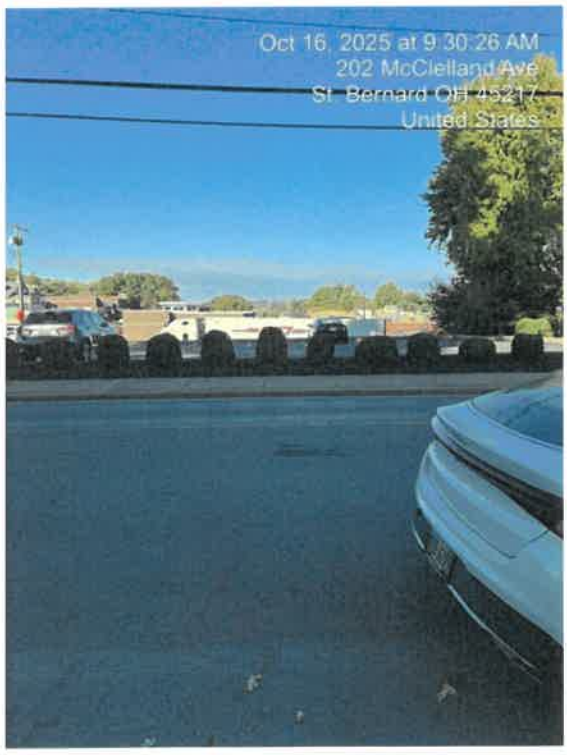

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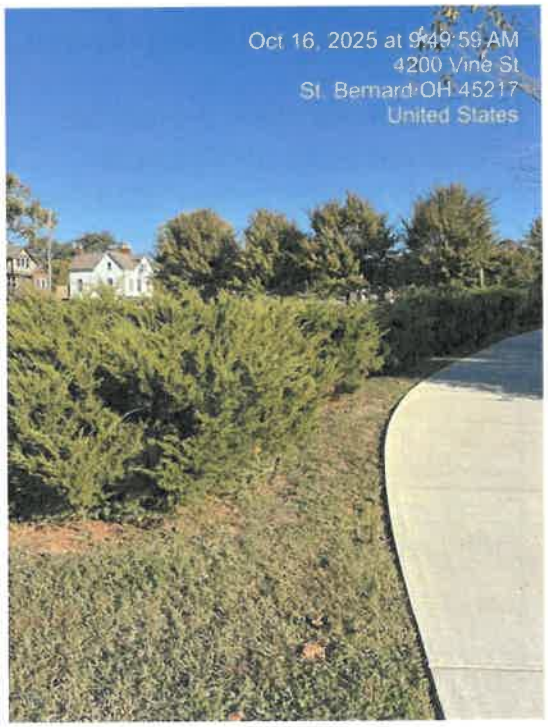
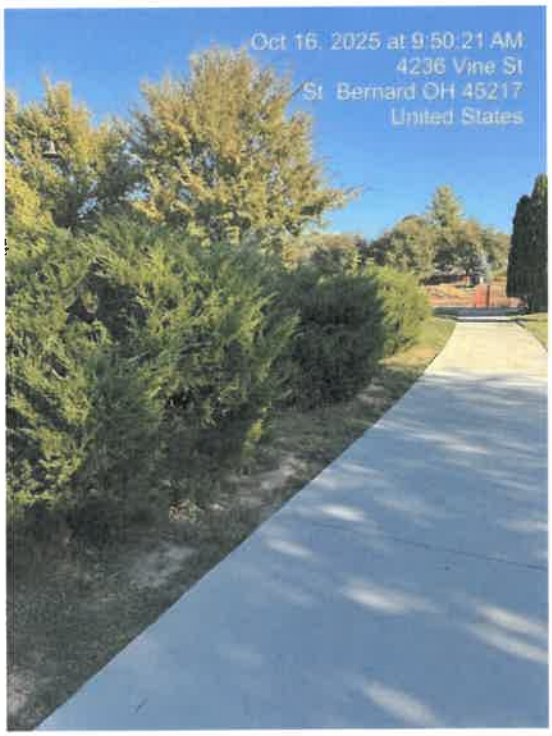
Exhibit B: Safety Service Center





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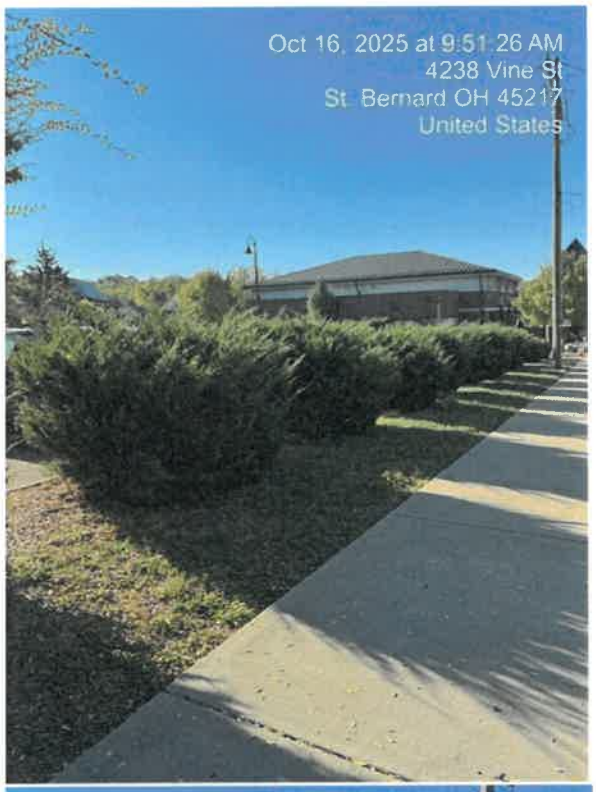

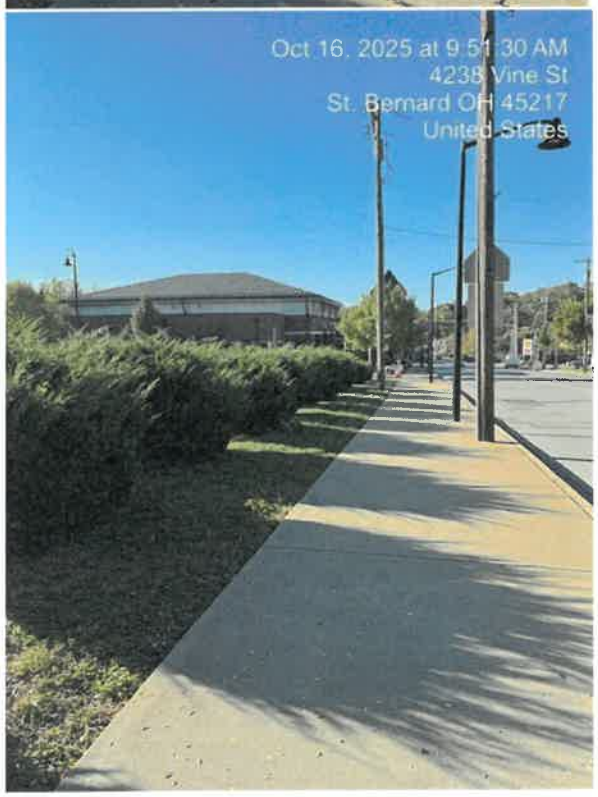

This is the Safety Services Lot which is required to have a brick wall due to the number of parking spaces.

These shrubs are 4 to 5 feet tall, planted further apart as noted in the staff report. They are also an evergreen style shrub.

Staff believes that these provide an adequate screening of the parking lot.

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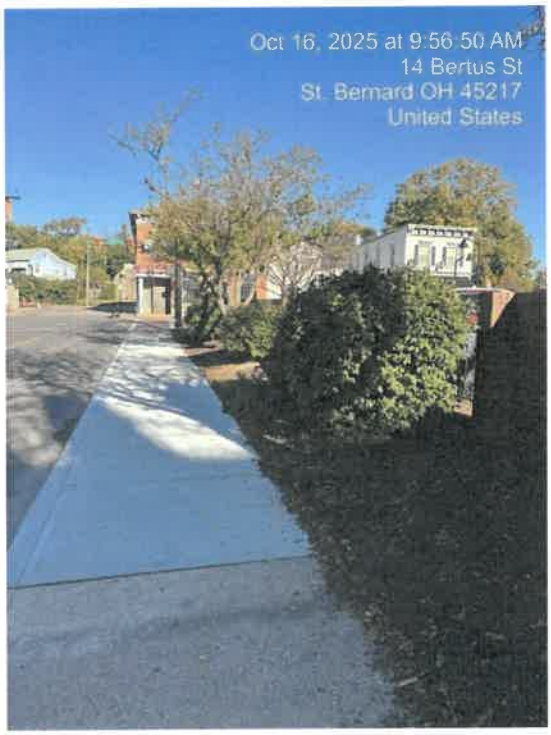
Exhibit C: Municipal Lot Vine and Bertus



This is the Municipal lot at Vine and Bertus. It has the required brick wall and landscaping to break up the view.

It is not an "unpierced wall" as stated in the code, but the landscaping is used to cover the decorative fence.

Staff believes that as the code is currently written, this is a good example of what would be required for the Library, Safety Services, and the Friars Club parking lots.

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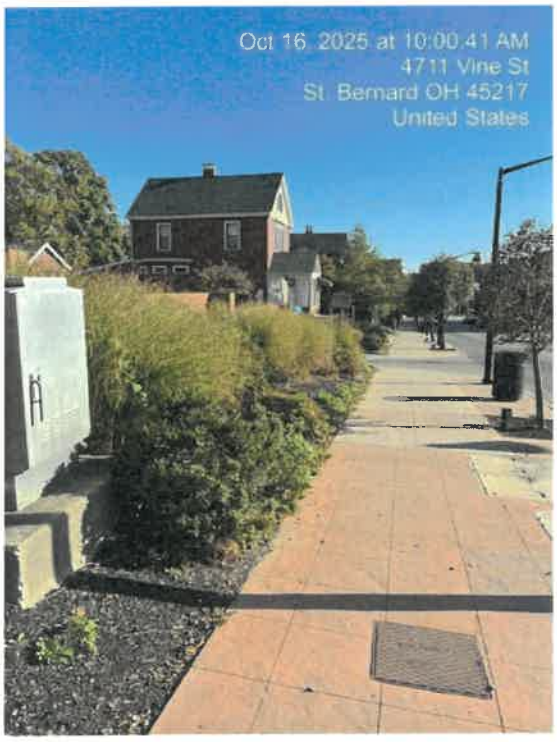
Exhibit D: Municipal Lot Vine and Baker

This is the Municipal lot at Vine and Baker. It has the required brick wall and landscaping to break up the view.

Staff believes that as the code is currently written, this is a good example of what would be required for the Library, Safety Services, and the Friars Club parking lots.



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ORDINANCE NO. XX, 2025

AMENDING SECTION 1181.15 OF THE ST. BERNARD CODIFIED ORDINANCES REGARDING Development and Maintenance of Off-Street Parking Areas

WHEREAS, the Council of the Village of St. Bernard has determined a need to update and amend certain portions of Section 1181.15 of the Codified Ordinances of the Village of St. Bernard;

NOW THERFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ST. BERNARD, STATE OF OHIO:

Section 1. That Section 1181.15 of the St. Bernard Codified Ordinances shall read as follows:

1181.15 DEVELOPMENT AND MAINTENANCE OF OFF-STREET PARKING AREAS.
Every lot hereinafter used as a public or private parking area including a public parking lot as well as motor vehicle and trailer sales lots shall be developed and maintained in accordance with the following requirements:

(a) Screening and Landscaping. Off street parking areas for more than five (5) vehicles shall be effectively screened by landscaping on each side which adjoins or faces institutional premises or premises situated in any R-district. Such landscaping must be approved by a registered landscape architect and shall be maintained in a landscaping bed, free of weeds and with plantings in good condition.

i. Evergreen shrubbery/ bush shall be required. Number shall be determined by type of shrub/bush to be planted.

ii. Flowering perennial plants: three (3) per required shrub or bush.

(b) Minimum Distances and Setbacks: No part of any parking area for more than five (5) vehicles shall be located closer than ten feet to any dwelling, school, hospital, or other institution for human care located on an adjoining lot unless screened according to (a) above; provided however that parking areas for twenty-five or more automobiles or for trucks and buses shall not have an entrance or exit for vehicles within 200 feet along the same side of the street as any school, public playground, church, hospital, public library or institution for dependents or children,

except where such property is in another block or on another street which the lot in question does not abut.

(c) Surfacing. Any off-street parking area must be paved with either blacktop or concrete to provide a durable and dustless surface. The area must be graded and drained to dispose of all surface water away from adjacent properties, and must be arranged and marked as to provide for orderly and safe loading, unloading, parking, and storage of all vehicles.

(d) Lighting. Lighting used to illuminate any off-street parking area shall be so arranged as to reflect the lighting away from adjoining premises.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Note:
This is an example of how the draft ordinance would appear. Staff will work with the Law Director to adopt the appropriate format and language to present to Council. Staff believes that this will be presented to Council in December

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PLANNING COMMISSION CASE NO: 11-003-2025
PROPERTY ADDRESS: 4238 Vine; 4244 Vine; 4248 Vine; 4252 Vine
PARCEL #: 582 0013 0258 00; 582 0013 0241 00; 582 0013 0242 00; and 582 0013 0243 00.
APPLICANT: VILLAGE OF ST. BERNARD

PROPOSED REQUEST:

The applicant is proposing a Zoning Map Amendment to the above listed addresses and Parcels. Parcel # 582 0013 0258 00; 582 0013 0241 00; 582 0013 0242 00; and 582 0013 0243 00 would be re-zoned from R-3 to R-2

The address 4238 Vine Street is actually two parcels on the Auditors website, one being owned by the Village and the other parcel being owned by St. John's Province.

BACKGROUND INFORMATION

The Village of St Bernard established the Zoning Ordinance and related Zoning Map in October 1966. The most recent Zoning Map appears to have been adopted in 2011. Staff has recently added color to the zoning map to more effectively represent the zoning districts.

Staff participated in a planning meeting for an expansion of a parking lot and reviewed Chapter 1181 in order to provide information to the applicants as to the zoning requirements. Upon review of the Ordinance, Staff observed that the parking lot currently being built for The Friars Club is located in a different zoning district than the principal structure. The parking lot is located in an R-3 District while the principal structure is in the R-2 District. This would place the parking lot in violation of the zoning code.

The Friars Club and Roger Bacon High School occupy approximately sixteen (16) different parcels on their complex. Both entities are part of the same organization, the Province of St. John's the Baptist

VILLAGE OF ST. BERNARD ZONING ORDINANCE

The following are the applicable sections of the St Bernard Zoning Ordinance:

Chapter 1181.12: Accessory off-street parking spaces shall be located in the same or a less restricted district as those in which the principal use is permitted, provided however that the Board of Zoning Appeals may authorize as a conditional use subject to the provisions of Chapter 1131 the establishment and operation of accessory off street parking facilities in such sections of any R-District which either abut either directly or across an alley any B or M-District subject to the following requirements:

(a) Such parking area shall be accessory to one or more business or industrial establishments located in said adjoining B or M-district.
(b) each entrance and exit of such parking area shall be distant at least twenty feet from any adjacent lot in any R district
(c) No sign of any kind shall be established and maintained on such parking area except signs used for the direction of traffic.
(d) No motor vehicle repair work or other services shall be conducted on such parking area.
(e) Such parking area shall be subject to all applicable requirements of this chapter and to any additional requirements or conditions which may be determined necessary by the Board for the protection of adjacent property.

STAFF COMMENTS:
After reviewing the Zoning Ordinance, Staff recognized that the Friars Club parking lot is located on four different parcels. One parcel contains the principal structure which is located in the R-2 District. The other three parcels are located in an R-3 District.

According to the code, this could be permitted if the Board of Zoning Appeals granted a waiver. Staff cannot find any information to indicate that the BZA reviewed this information. The BZA could be presented this information and could make ruling allowing the parking to remain in the R-3 District. Staff views the R-3 District as less restrictive than the R-2 District.

However, it is Staff's intention to require parcels to be consolidated into one parcel so that buildings and parking lots are not crossing multiple parcels or lot lines. Consolidating parcels is considered a best practice when there is one owner. In order to achieve this result, all parcels must be located within the same zoning district.

The owner could decide to create two parcels based on the use, one for the school and one for the Friars Club, but the parcels would still need to be within the same zoning district. So this change would still be required.

The Board of Zoning Appeals does not have the authority to amend the map and Staff believes that it would not be in anyone's best interest to take this case to two different boards. Planning Commission can make the recommendation to change the zoning map which will achieve the desired results: the parking lot will be in compliance with the code and the lot combination could proceed in a timely fashion.

Staff had conversations with several people at the Friars Club to advise them of this Zoning Map change. They were advised that the map change was required to bring the project into compliance and to be able to do lot consolidations.

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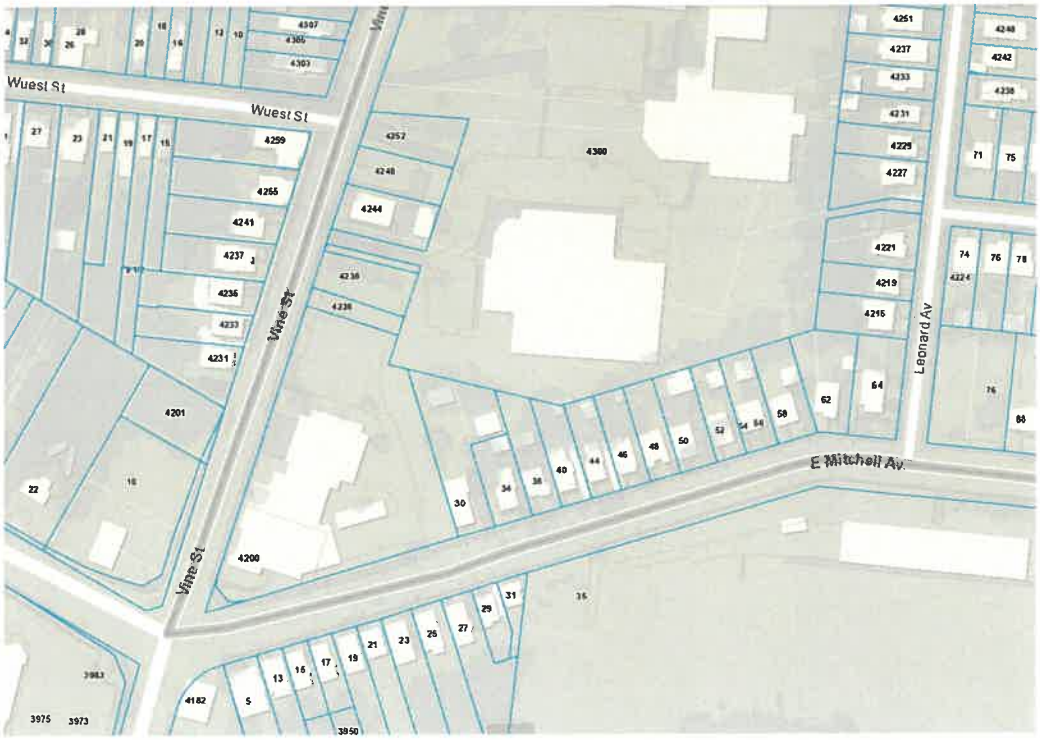
Staff made the decision to initiate the change as a result of approving the project without requiring the BZA hearing or requiring the Friars Club to make the zoning change. Staff believed that due to the oversight on the Villages part, this was the correct path forward.

Staff recommends that 4238 Vine Street, Parcel # 582 0013 0258 00; 4244 Vine Street, Parcel # 582 0013 0241 00; 4248 Vine Street, Parcel #582 0013 0242 00; and 4252 Vine Street, Parcel #582 0013 0243 00 be re-zoned from R-3 to R-2 as this matches the zoning of the principal structure.

NEIGHBOR COMMENTS

Staff has not received any comments at the writing of the Staff Report. The original Agenda was posted to the Village website thirty (30) days prior to the meeting date and the Staff Report was posted seven (7) days prior to the meeting date.

A two hundred (200) foot radius from the center of the property identified seventeen property owners. A written notification about the map change request was sent to 15 owners and/or occupants.



These are the property lines as obtained from Hamilton County CAGIS.

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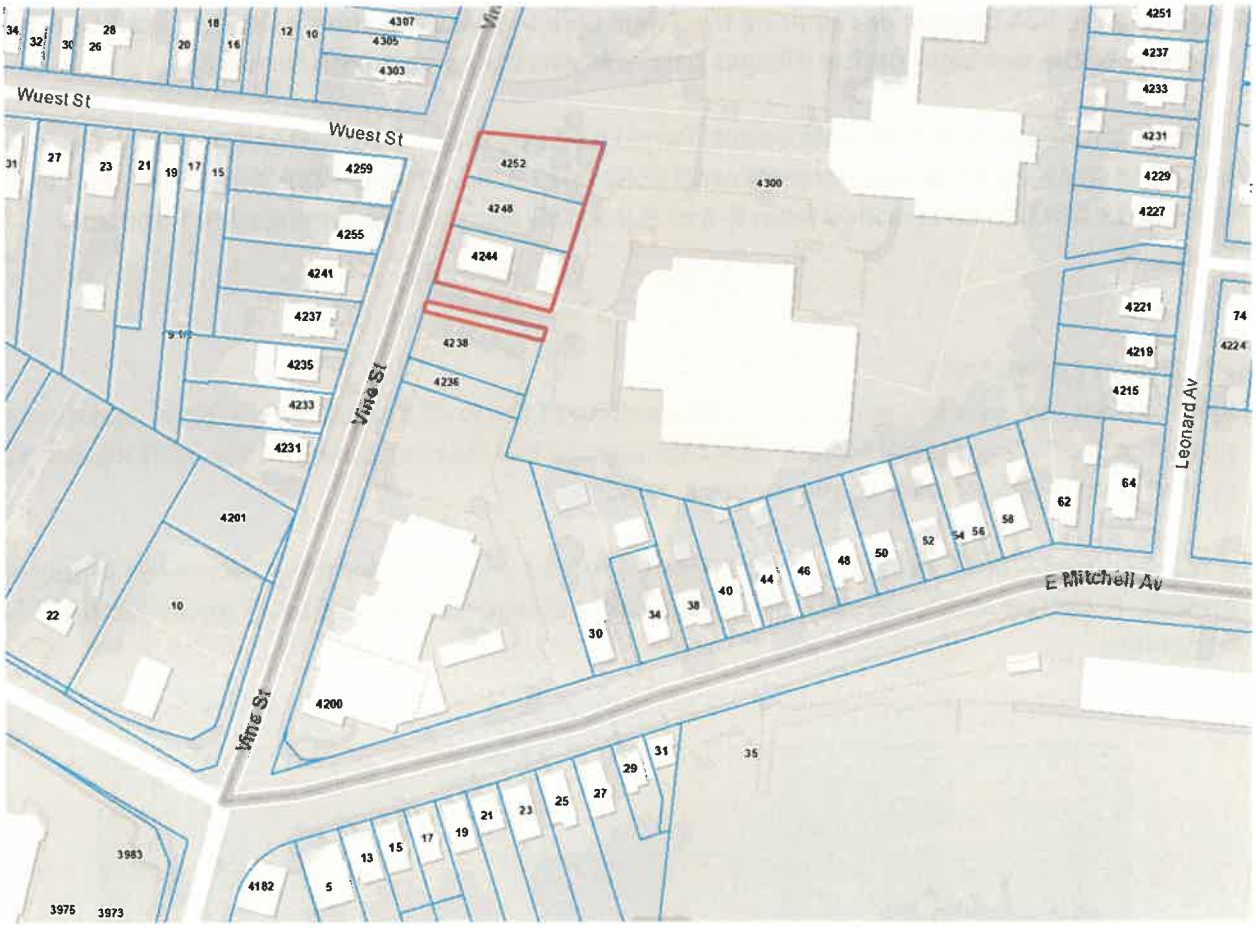

These are the four parcels to be re-zoned. Note there is a small parcel attached to 4238 which carries the same address, but has a different parcel number and is owned by Province of St. John the Baptist.

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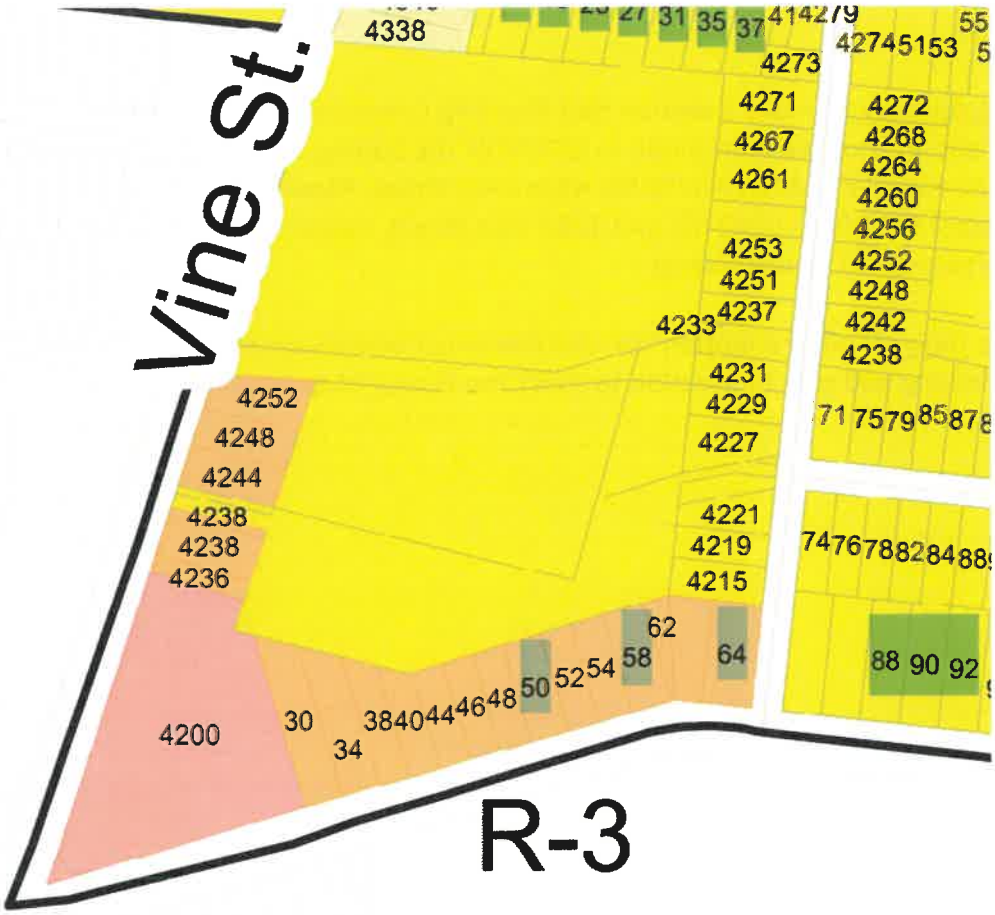

The areas shaded tan are the R-3 Zoning District. As is shown on the map, there are two parcels showing the address of 4238 Vine Street. Both of the parcels are zoned R-3 currently.

The area shaded in the yellow is the R-2 District which is where the Friars Club and Roger Bacon High School are located. Staff is requesting that parcels 582 0013 0258 00; 582 0013 0241 00; 582 0013 0242 00; and 582 0013 0243 00 which make up the parking lot for the Friars Club be re-zoned to R-2 to bring the parking lot into compliance.

VILLAGE OF ST. BERNARD
110 Washington Avenue, St. Bernard, Ohio 45217
Phone: (513) 242-7770 • Website: www.cityofstbernard.org

MOTIONS

Motion to Approve: "I make a motion that Planning Commission recommend that Council hold a public hearing and take final action to APPROVE the Zoning Map amendment to change 4238 Vine Street, Parcel # 582 0013 0258 00; 4244 Vine Street, Parcel # 582 0013 0241 00; 4248 Vine Street, Parcel #582 0013 0242 00; and 4252 Vine Street, Parcel #582 0013 0243 00 from R-3 zoning district to R-2 zoning district

Motion to Deny: "I make a motion that the Planning Commission recommend that Council hold a public hearing and take final action to DENY the Zoning Map amendments.

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NOTICE OF PUBLIC HEARING

A public hearing will be held before the Village of St Bernard Planning Commission on Thursday November 6, 2025 at 6:00pm in Council Chamber, 110 Washington Ave, St Bernard Ohio 45217. The following case is scheduled to be presented:

PLANNING COMMISSION CASE NO: 11-003-2025
PROPERTY ADDRESS: 4238 Vine; 4244 Vine; 4248 Vine; 4252 Vine
PARCEL #: 582 0013 0258 00; 582 0013 0241 00; 582 0013 0242 00; and 582 0013 0243 00.
APPLICANT: VILLAGE OF ST. BERNARD

PROPOSED REQUEST:
The applicant is proposing a Zoning Map Amendment to the above listed addresses and Parcels. Parcel # 582 0013 0258 00; 582 0013 0241 00; 582 0013 0242 00; and 582 0013 0243 00 would be re-zoned to R-2.

VILLAGE OF ST. BERNARD ZONING ORDINANCE
The following are the applicable sections of the St Bernard Zoning Ordinance:

Chapter 1181.12: Accessory off-street parking spaces shall be located in the same or a less restricted district as those in which the principal use is permitted, provided however that the Board of Zoning Appeals may authorize as a conditional use subject to the provisions of Chapter 1131 the establishment and operation of accessory off street parking facilities in such sections of any R-District which either abut either directly or across an alley any B or M-District subject to the following requirements:

(a) Such parking area shall be accessory to one or more business or industrial establishments located in said adjoining B or M-district.
(b) each entrance and exit of such parking area shall be distant at least twenty feet from any adjacent lot in any R district
(c) No sign of any kind shall be established and maintained on such parking area except signs used for the direction of traffic.
(d) No motor vehicle repair work or other services shall be conducted on such parking area.
(e) Such parking area shall be subject to all applicable requirements of this chapter and to any additional requirements or conditions which may be determined necessary by the Board for the protection of adjacent property.

You are receiving this notice because you own or reside in a property located within 200 feet of the subject properties. If you have any comments concerning this matter, you may

VILLAGE OF ST. BERNARD
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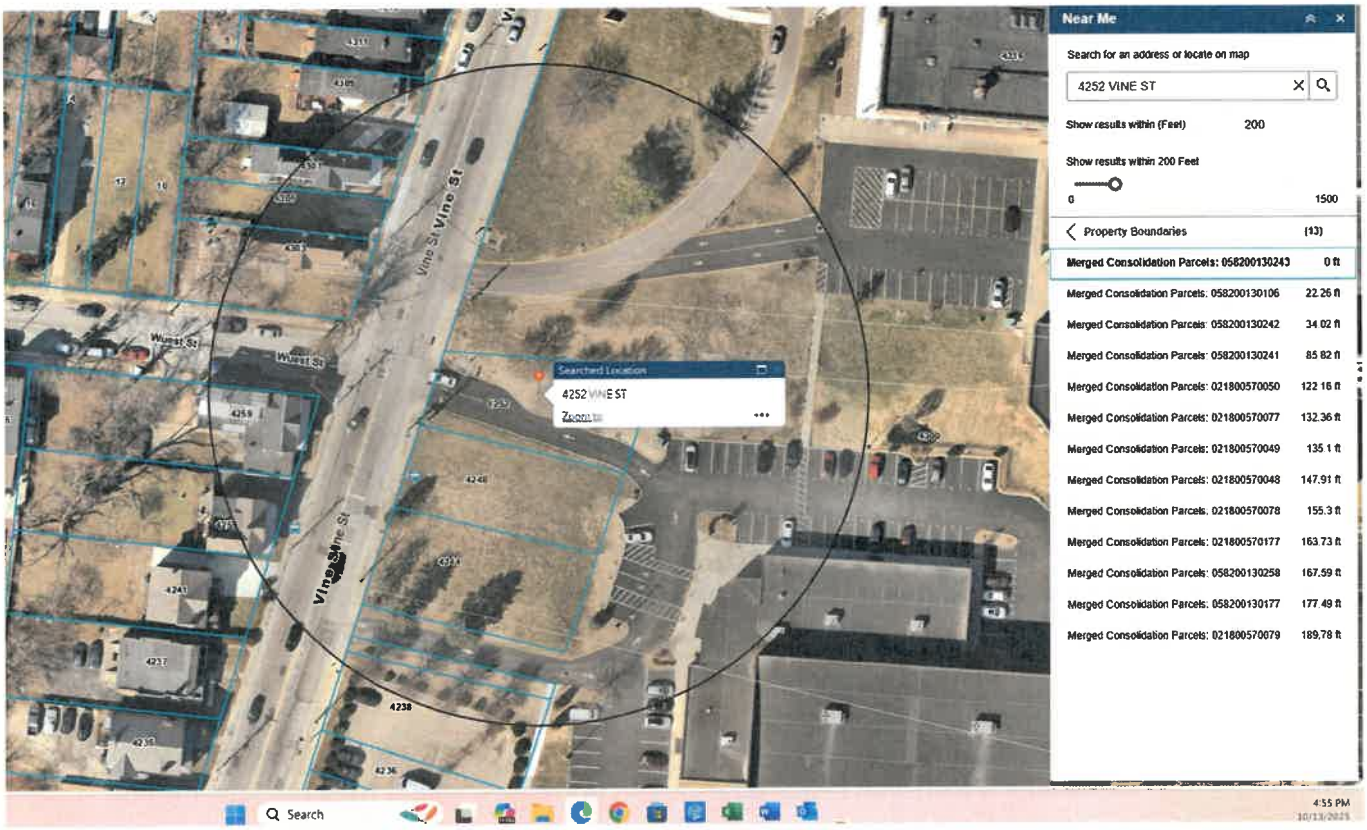
appear at the public hearing or you may forward your comments to the Planning Department in writing for presentation at the meeting. Any written comments must include your name and address in order to be presented to the Planning Commission.

Comments and concerns may be forwarded to AJ Schweier at 513-482-5684 or zoning@cityofstbernard.org

Andrew J. Schweier
Zoning Administrator
Village of St Bernard
513-482-5684
zoning@cityofstbernard.org



VILLAGE OF ST. BERNARD

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PLANNING COMMISSION CASE NO: 11-004-2025
PROPERTY ADDRESS: 4236 Vine Street and 4238 Vine Street
PARCEL #: 582 0013 0244 00; 582 0013 0177 00
APPLICANT: VILLAGE OF ST. BERNARD

PROPOSED REQUEST:

The applicant is proposing a Zoning Map Amendment to the above listed addresses and Parcels. The listed addresses and Parcels would be re-zoned to B-1.

The address 4238 Vine Street is actually two parcels on the Auditors website, one being owned by the Village and the other parcel being owned by St. John's Province. The listed parcel is owned by the Village and is part of the Village parking lot for Safety Service Center.

BACKGROUND INFORMATION

The Village of St. Bernard established the Zoning Ordinance and related zoning Map in October 1966. The most recent Zoning Map appears to have been adopted in 2011. Staff recently worked with Hamilton County to have the Zoning Map updated so that it reflects the various zoning districts with the appropriate American Planners Association colors.

Staff participated in a planning meeting for an expansion of a parking lot and reviewed Chapter 1181 in order to provide information to the applicants as to the zoning requirements. Upon review of the Ordinance, Staff observed that the parking lot for Safety Services Center is located in a different zoning district than the principal structure.

The Safety Service Center was built in 2014. The Safety Service Center is on three parcels of land. The primary structure is located at 4200 Vine Street which is zoned B-1. The parking lot for Safety Service is on 4236 Vine Street and 4238 Vine Street which are zoned R-3.

VILLAGE OF ST. BERNARD ZONING ORDINANCE

The following are the applicable sections of the St Bernard Zoning Ordinance:

Chapter 1181.12: Accessory off-street parking spaces shall be located in the same or a less restricted district as those in which the principal use is permitted, provided however that the Board of Zoning Appeals may authorize as a conditional use subject to the provisions of Chapter 1131 the establishment and operation of accessory off street parking facilities in such sections of any R-District which either abut either directly or across an alley any B or M-District subject to the following requirements:

(a) Such parking area shall be accessory to one or more business or industrial establishments located in said adjoining B or M-district.

(b) each entrance and exit of such parking area shall be distant at least twenty feet from any adjacent lot in any R district
(c) No sign of any kind shall be established and maintained on such parking area except signs used for the direction of traffic.
(d) No motor vehicle repair work or other services shall be conducted on such parking area.
(e) Such parking area shall be subject to all applicable requirements of this chapter and to any additional requirements or conditions which may be determined necessary by the Board for the protection of adjacent property.

STAFF COMMENTS:

After reviewing the Zoning Ordinance, Staff recognized that the Safety Services Center parking lot is located on three different parcels. One parcel contains the principal structure which is located in the B-1 District. The other two parcels are located in an R-3 District.

Staff does not view the R-3 District as less restrictive than the B-1 District. As such the Board of Zoning Appeals (BZA) does not have the authority to grant a waiver in this situation.
Staff could not find any information to indicate that the BZA reviewed this information.

It is Staff's intention, in these cases, to require the parcels to be consolidated into one parcel so that buildings and parking are not crossing multiple parcels and lot lines. Consolidating parcels is considered a best practice. In order to achieve this resolution, all parcels must be located within the same zoning district. The Board of Zoning Appeals does not have that authority and Staff believes that it would not be in anyone's best interest to take this case to two different boards when Planning Commission can make the recommendation to change the zoning map.

Staff looked at changing the B-1 district to R-3 zoning which would be more consistent with the surrounding area. However, upon looking at the building setback requirements for the R-3 District, the Safety Services Center would become a non-conforming use. Staff does not believe that creating a non-conforming use is in the best interest of the Village or the zoning.

Staff recommends that 4236 Vine Street, Parcel # 582 0013 0244 00, and 4238 Vine Street, Parcel # 582 0013 0177 00, be re-zoned from R-3 to B-1 as this matches the zoning of the principal structure.

NEIGHBOR COMMENTS

Staff has not received any comments at the writing of the Staff Report. The original Agenda was posted to the Village website thirty (30) days prior to the meeting date. The Staff Report was posted a minimum of seven (7) days prior to the meeting date on the Village website.

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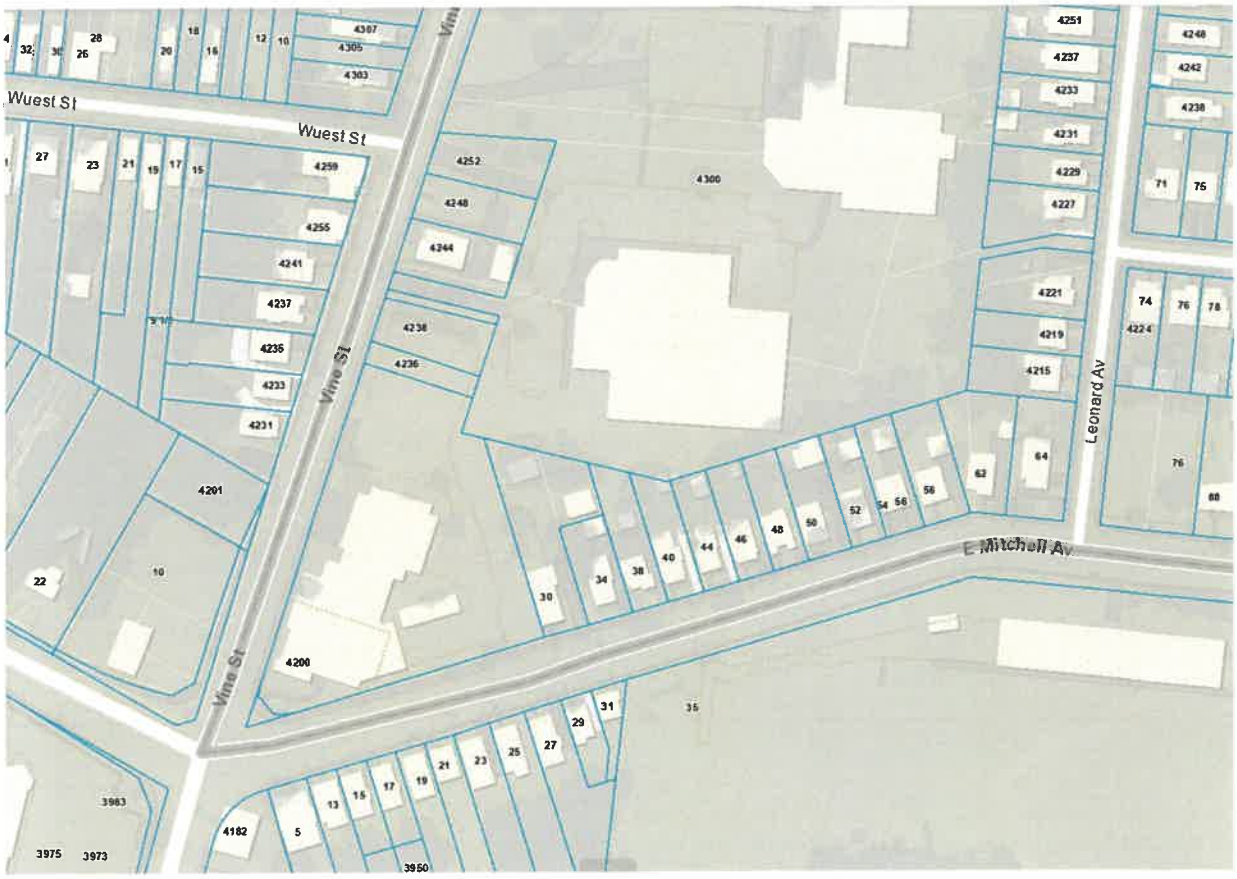
A two hundred (200) foot radius of the property identified sixteen property owners. Fourteen written notifications about the map change were mailed out.



These are the property lines as obtained from Hamilton County CAGIS.

VILLAGE OF ST. BERNARD

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These are the two Village owned parcels to be re-zoned. Note there is a small parcel attached to 4238 which carries the same address, but has a different parcel number and is owned by Province of St. John the Baptist.

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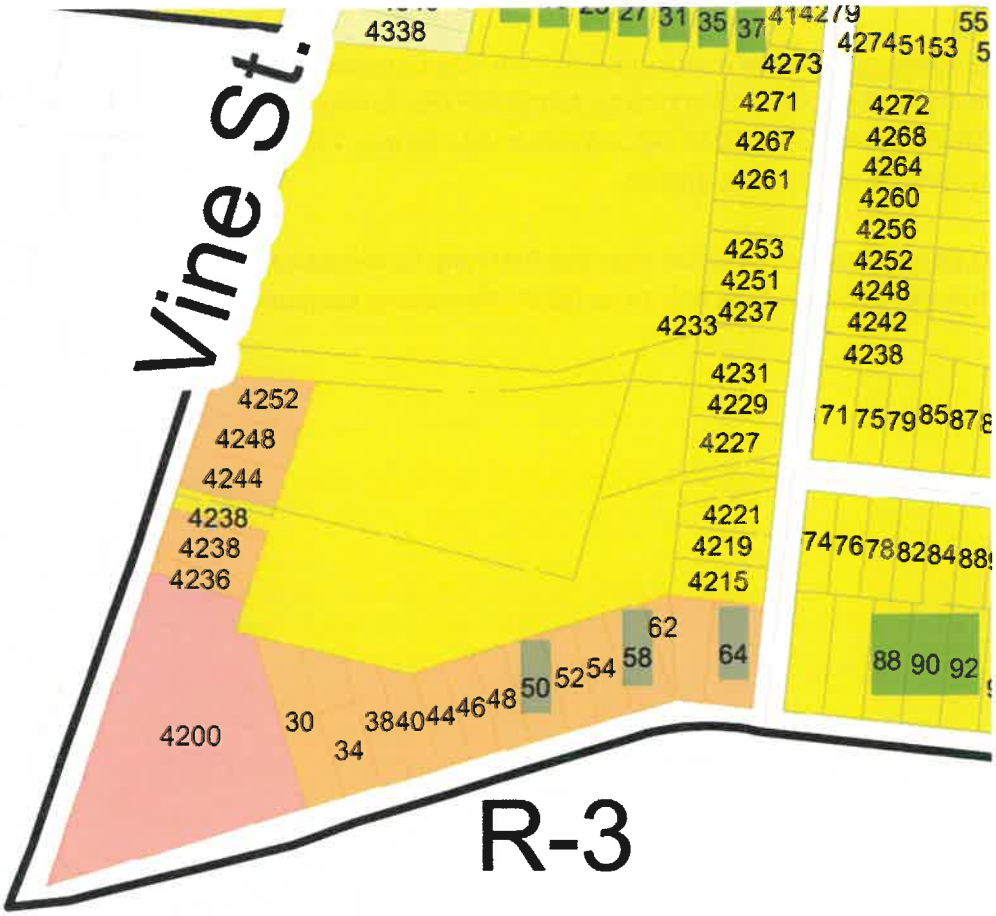

This is a screen shot of the Zoning Map with addresses. The areas shaded tan are the R-3 Zoning District. As is shown on the map, there are two parcels showing the address of 4238 Vine Street. Both of the parcels are zoned R-3 currently. One is owned by the Village and one is owned by The Province of St. John the Baptist.

The area shaded in the pink is the B-1 Business District which is where the Safety Service Center is located. Staff is requesting that parcels 582 0013 0244 00 and 582 0013 0177 00 which make up the parking lot for Safety Service Center be re-zoned to B-1 to bring the parking lot into compliance.

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MOTIONS

Motion to Approve: "I make a motion that Planning Commission recommend that Council hold a public hearing and take final action to APPROVE the Zoning Map amendment to 4236 Vine Street, PARCEL #: 582 0013 0244 00 and 4238 Vine Street, PARCEL #: 582 0013 0177 00 from R-3 zoning district to B-1 zoning district.

Motion to Deny: "I make a motion that the Planning Commission recommend that Council hold a public hearing and take final action to DENY the Zoning Map amendments.

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NOTICE OF PUBLIC HEARING

A public hearing will be held before the Village of St Bernard Planning Commission on Thursday November 6, 2025 at 6:00pm in Council Chamber, 110 Washington Ave, St Bernard Ohio 45217. The following case is scheduled to be presented:

PLANNING COMMISSION CASE NO: 11-004-2025
PROPERTY ADDRESS: 4236 Vine Street and 4238 Vine Street
PARCEL #: 582 0013 0244 00; 582 0013 0177 00
APPLICANT: VILLAGE OF ST. BERNARD

PROPOSED REQUEST:
The applicant is proposing a Zoning Map Amendment to the above listed addresses and Parcels. The listed addresses and Parcels would be re-zoned to B-1.

VILLAGE OF ST. BERNARD ZONING ORDINANCE
The following are the applicable sections of the St Bernard Zoning Ordinance:

Chapter 1181.12: Accessory off-street parking spaces shall be located in the same or a less restricted district as those in which the principal use is permitted, provided however that the Board of Zoning Appeals may authorize as a conditional use subject to the provisions of Chapter 1131 the establishment and operation of accessory off street parking facilities in such sections of any R-District which either abut either directly or across an alley any B or M-District subject to the following requirements:

(a) Such parking area shall be accessory to one or more business or industrial establishments located in said adjoining B or M-district.
(b) each entrance and exit of such parking area shall be distant at least twenty feet from any adjacent lot in any R district
(c) No sign of any kind shall be established and maintained on such parking area except signs used for the direction of traffic.
(d) No motor vehicle repair work or other services shall be conducted on such parking area.
(e) Such parking area shall be subject to all applicable requirements of this chapter and to any additional requirements or conditions which may be determined necessary by the Board for the protection of adjacent property.

You are receiving this notice because you own or reside in a property located within 200 feet of the subject properties. If you have any comments concerning this matter, you may

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appear at the public hearing or you may forward your comments to the Planning Department in writing for presentation at the meeting. Any written comments must include your name and address in order to be presented to the Planning Commission.

Comments and concerns may be forwarded to AJ Schweier at 513-482-5684 or zoning@cityofstbernard.org

Andrew J. Schweier
Zoning Administrator
Village of St Bernard
513-482-5684
zoning@cityofstbernard.org

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Planning Commission Case 10-001-2025

Notice of decision and Resolution: To Approve _X___

To Deny ____

A public hearing was held by the Village of St Bernard Planning Commission on Thursday, October 2, 2025 on the following application:

APPLICANT: Village of St. Bernard
OWNER: NA
REQUEST: Adopt "St. Bernard Planning Commission Rules of Procedure"

Description: Staff developed a "Rules of Procedure" to be followed by the Planning Commission during all meetings. The "Rules of Procedure" were presented by Staff for adoption by the Commission.

Location: NA

DECISION: After the hearing, the Board of Commissioners deliberated on the above application and passed a motion to adopt the "Rules of Procedure" as presented.

FINDINGS OF FACT: The Board of Commissioners finds that the adoption of a set of procedures is in the best interest of the Commission, the Village of St. Bernard and provides equity to all future applicants.

Upon call of the roll to APPROVE the motion resulted as follows:

Motion:	Mr. Fraley	Yes
Second:	Mrs. Vogt	Yes
	Mr. Wendling	Yes
	Mr. Stuchell	Yes
	Mrs. Valerius	Yes

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The motion was carried and the request to adopt "St. Bernard Planning Commission Rules of Procedure" was approved.

_____
Benjamin Fraley, Chairperson

I Andrew J. Schweier, Secretary of the Village of St Bernard Planning Commission, do hereby certify that the forgoing is a true and accurate record of the action taken by the Village of St Bernard Planning Commission on the referenced application.

Effective Date: October 4, 2025

_____
Andrew J. Schweier

St. Bernard Planning Commission
October 2, 2025
6:00 p.m.
MEETING MINUTES

The Planning Commission was called to order at approximately 6:10 p.m. by Mr. Fraley. The Pledge of Allegiance was recited.

Upon call of the roll, members in attendance were Mr. Benjamin Fraley, Ms. Taylor Vogt, Ms. Kelly Valerius, Mr. Jonathon Stuchell and Mr. Mark Wendling. Also, in attendance was Andrew Schweier, Zoning Administrator.

Mr. Fraley reviewed the hearing procedures and performed a group swearing in.

Mayor Stuchell performed a swearing in of all Commissioners to the Board.

Mr. Fraley called for the first case.

Staff read the conflict-of-Interest statement. No conflicts were noted. Commissioner Valerius made a motion and Commissioner Fraley seconded that no conflicts were noted. The motion was passed unanimously.

Case 10-001-2025 was presented by staff. Staff report is submitted as part of the minutes for the record. Staff noted that under the "Removal or Resignation" section, staff added the terms misfeasance, malfeasance, and nonfeasance as possible reasons for removal as requested by the Board. The Board had no questions for Staff.

Commissioner Fraley called for anyone to speak in favor or against the request. Staff notes that there was no in the attendance, and the public meeting was closed.

Staff had no discussion on the proposed case. A motion was made by Commissioner Fraley and second was made by Commissioner Vogt to approve case 10-001-2025. A roll call vote was taken and the motion passed unanimously.

A motion was made by Mayor Stuchell and second was made by Commissioner Valerius to elect Commissioner Fraley as Chair. A roll call vote was taken and the motion passed unanimously to elect Commissioner Fraley as Chair.

A motion was made by Chairman Fraley and second was made by Mayor Stuchell to elect Commissioner Vogt as Vice Chair. A roll call vote was taken and the motion passed unanimously to elect Commissioner Vogt as Vice Chair.

A motion was made by Commissioner Valerius and second was made by Chairman Fraley to select Commissioner Valerius as the representative to the Board of Zoning Appeals. The motion was passed unanimously.

Old Business
There was no Old Business

Miscellaneous
Staff advised that no applications had been received for the November meeting. Staff advised that there are some map amendments and a potential zoning code change which would be Village initiated which may be placed on the November agenda. Staff advised that discussions needed to be finalized on how Staff was going to proceed.

A motion was made and seconded to Adjourn. All voted in favor. The meeting was closed.

Respectfully submitted,

_____
Benjamin Fraley, Chairman

_____
Andrew Schweier, Secretary

VILLAGE OF ST. BERNARD

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PLANNING COMMISSION CASE NO: 10-001-2025
PROPERTY ADDRESS: NA
PARCEL ID # NA
APPLICANT: VILLAGE OF ST BERNARD

PROPOSED REQUEST:
The applicant is proposing the adoption of Rules of Procedure for the Planning Commission.

BACKGROUND INFORMATION

The Village of St Bernard established a Planning Commission in Section 5.01 of the St. Bernard Charter as regulated by Ohio Revised Code 713.01. The Planning Commission appears to have gone defunct and no Policies or Procedures related to its function have been located.

Staff does not have an explanation for when or why the Planning Commission ceased to operate. Staff believes that for the proper operation of the St. Bernard, the Planning Commission must be re-established.

Staff is proposing acceptance of the "St. Bernard Planning Commission Rules of Procedure" as outlined in Exhibit A of this document. Staff believes that having a clear set guidelines outlined in the Rules of Procedure is in the best interest of the Commission and the Village of St. Bernard.

Village of St Bernard Zoning Ordinance:
The following are the applicable sections of the St Bernard Zoning Ordinance:

STAFF COMMENTS:
Staff reviewed procedures from various jurisdictions in order develop the proposed Rules of Procedure. Drafts were provided to the members of the Planning Commission as well as Legal for review and amendments.

After several reviews and comments from Staff, members of the Commission, and Legal the proposed Rules of Procedure are presented for final approval and adoption.

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Neighbor Comments

Staff has not received any comments at the writing of the Staff Report. The original Agenda was posted to the Village website thirty (30) days prior to the meeting date and the Staff Report was posted seven (7) days to the meeting date.

See Exhibit A Attached

VILLAGE OF ST. BERNARD
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ST BERNARD PLANNING COMMISSION

RULES OF PROCEDURE

The Village of St Bernard Planning Commission is established pursuant to Section 5.01 of the Charter of the Village of St Bernard. The Planning Commission shall have all powers and duties accorded to a planning commission under Chapter 713 of the Ohio Revised Cose (O.R.C.) as presently codified or hereafter amended and the Constitution and general laws of the State of Ohio now and hereafter in effect. The Planning Commission shall not exercise any power or authority not specifically required by ordinance or charter of the Village of St Bernard.

ORGANIZATION

A. Commission Members / Commissioners:

The Planning Commission shall consist of five (5) members: the Mayor; the Safety Services Director; and three (3) citizens of the Village, who shall serve without compensation and shall be appointed by the Mayor for terms of six (6) years, four (4) years, and two (2) years upon establishment of the Board and terms of six (6) years each thereafter.

B. Alternate / Alternate Commissioners – Safety Service Director and Mayor positions:

The Mayor may appoint an alternate to serve as the representative for them at a Planning Commission meeting, in the event either will be absent or unable to participate in an agenda item.

C. Alternate / Alternate Commissioners – Citizen Appointed positions:

1. The Mayor may also appoint up to two (2) alternate commissioners who can sit in for the three (3) appointed citizen commission members in situations where any individual appointed citizen member is unable to attend and/or participate in a Planning Commission meeting.

2. In the event alternate commissioners are utilized for a Planning Commission meeting, the Zoning Department will select from the list of alternates in a rotating fashion so that each alternate has an equal opportunity to serve.

    a. In the event where only one alternate is required for a Planning Commission meeting and the First Alternate cannot be reached to

determine attendance, the Planning Department will wait 24 hours before reaching out to the Second Alternate.

3. Alternate commissioners shall serve a four-year independent term and are not required to be used on a one-for-one basis with any specific appointed citizen commission member.

D. All alternate commissioners shall meet all of the qualifications of the member of a commission member and shall possess all of the powers and responsibilities of a commission member when acting as alternate at a Planning Commission meeting.

Service Rules for Alternate Members

If all regular members are present and able to serve, then alternates shall neither participate in the discussion nor vote and shall remain seated with the audience. An alternate who is not serving shall be entitled to the same level of participation in the meeting as any other member of the general public.

If a regular member is absent or unable to serve, the alternate shall fill the vacant seat for the entire meeting and shall participate in discussion and vote on all matters on the agenda.

If a regular member is at the meeting, but unable to serve relative to a specific agenda item, then the alternate shall fill the vacant seat for only that agenda item. (As with any other recusal, the regular member who is unable to serve shall leave the room during all discussions and any votes related to that agenda item.)

Continuity Rules for All Members

If an alternate member serves on an agenda item that requires a vote and is tabled, then the same alternate member shall participate in all future discussions and votes related to that agenda item, even if the regular member for whom the alternate member served is present and able to serve when the item is picked up from the table.

Similarly, no member may participate in discussion or vote on an agenda item that is picked up from the table, unless the member was in service when the item was initially discussed and tabled.

If a regular member is absent for an agenda item that is not an application for approval, is not an appeal, does not require a vote, or is general discussion related to long-term planning and zoning, then the regular member shall return to service regarding the same agenda item if available at future meetings, regardless of any previous absence.

If these Rules unduly affect the ability of the Planning Commission to perform its function in a legal, ethical, or reasonable manner, then the Planning Commission may act differently and may seek the advice of the Village Solicitor.

OFFICERS

A. A chairman and vice chairman shall be elected by a majority vote by the members of the Commission every year at the first regular meeting. Such other officers as are deemed necessary and advisable for the conduct of business shall be appointed as required and provided for by the Planning Commission.

B. The chairman shall preside at all meetings and shall have the power to appoint such committees as may be authorized by the Commission for special studies or circumstances. The chairman, subject to these rules, shall decide all points of order or procedure unless otherwise directed by the majority of the Commission in session at that time.

C. The vice chairman shall provide and exercise all of the duties of the chairman in his absence. Should neither the chairman nor the vice chairman be present at a meeting, a temporary chairman shall be elected by a majority vote of the members present.

D. The Zoning Administrator shall serve as Secretary to the Planning Commission.

MEETINGS

A. All regular meetings of the Planning Commission shall be open to the public.

B. The regular meetings of the Commission will be held on the first Thursday of each month in the Council Chambers of the Municipal Building at 6:00pm, or such other place in the Municipal Building as deemed advisable by the Planning Commission, except when such day falls on a legal holiday, in which case the Planning Commission shall determine the date and time for the rescheduled meeting.

C. Advertisement of Public Meeting:

a. A commission calendar listing the scheduled public meeting dates of the year for the Planning Commission shall be posted on the Village of St Bernard website. This posting shall serve as the required advertisement of public meetings of the Planning Commission for the year, and shall be updated on a yearly basis.

b. Individual meeting agendas listing the meeting time, date of meeting, and meeting location, shall serve as notice of public meeting, and shall be posted to the Village of St Bernard website.

c. Required mailing notices or required notification of public hearing items requiring review and action by the Planning Commission shall also serve as notice of public meeting and will contain language reflecting as such.

d. Executive Sessions: In the event any regular or special meeting will include an executive session (meeting closed to public), all of the above notice requirements shall so state and give the purpose thereof in accordance with Section 121.22 of the Ohio Revised Code.

D. A quorum must be present to constitute an official meeting of the Commission and for the Commission to vote on any item requiring its action.

E. A quorum shall consist of three (3) members.

F. No Meeting shall be held if quorum is not met.

G. A concurring vote of quorum shall be necessary to pass on any matter referred to them or on any matter which the Planning Commission is required to pass by law. All members present must cast a vote on each motion, properly made and seconded, except when a conflict of interest exists, in which case the effective member or members must abstain from voting.

H. A special meeting of the Planning Commission may be called by the chairman, or the vice-chairman in the event the chairman is out of town, or any two (2) members of the Commission. In the case of a special meeting, sufficient notice of the time, place and

purpose of the special meeting shall be conveyed to the membership and proper notice as required by State of Ohio public meeting law and the St Bernard Charter shall be made. At any special meeting, only the agenda item for the special meeting shall be heard or considered.

I. Variation from the order of the agenda can be made by the chairman if he so determines because of the number of persons present or for some other reason that items should be considered other than which appears on the agenda.

VOTING

A. All members shall have the power to vote. Votes shall be taken by roll call vote.

MINUTES

A. Minutes shall be kept by the secretary on all meetings of the Planning Commission. Such minutes shall contain all the motions or resolutions of the Planning Commission.

B. The minutes shall be subject to the approval of the Planning Commission and shall be authenticated by the board at the next Board meeting or earliest practical meeting. The minutes shall be approved by roll call vote.

PROCEDURES

A. All inquiries and applications or matters requiring official action by the Commission shall be submitted to the Zoning Administrator or his or her designee thirty (30) days prior to the meeting of the Planning Commission at which it is to be considered so that there is ample time to have necessary reports or information prepared by the Secretary prior to placing it on the agenda.

B. The normal order of business shall be:

1. Call to order.
2. Roll call.
3. Swearing in of participants.
4. Public hearings:
   i. Staff

ii. Applicant

iii. Speakers for or Against the Application

iv. A recommendation or decision on the item considered.

5. Approval of the minutes of the previous meeting a motion thereon.
6. Other items of the agenda.
7. Discussion of the miscellaneous items.

C. All proceedings, decisions, and resolutions of the Commission shall be initiated by motion. The vote upon the motions and resolutions shall be recorded.

D. Agenda and staff reports for the forthcoming meeting shall be prepared by the secretary and shall be emailed to the Planning Commission by no later than seven (7) days preceding the regular meeting or mailed or delivered to the Commissioner's home or business, as the Commissioners desire.

E. The Planning Commission shall require such surveys, plans or other information as may be reasonably required by said Commission for the purpose of evaluation or consideration of the matter. In each request a letter from the petitioner or petitioner's application should be presented to the Commission or the Secretary which will give full information as to the full intentions of the petitioner as well as a legal and informal description of the property in question. In the event that sufficient data have not been furnished, the Commission may table the matter until such time as required information has been furnished.

F. On matters pertaining to changes of the Zoning Ordinance, street renaming, or vacation proceedings, the Planning Commission shall hold a public hearing thereon and shall notify by mail all property owners within 200 feet of the property in question or in the case of a general amendment to the Zoning Ordinance, a legal notice of a public hearing shall be posted on the Village of St Bernard website. Such notice or advertisement shall give the time and place of such public hearing and a brief statement of the item to be considered. Notices by mail, or by website shall be sent or published twenty (20) days prior to the date set on the calendar for the hearing.

G. In addition to holding public hearings as outlined in Paragraph F, the Planning Commission may also hold any additional public hearings where it is felt that public comment will be beneficial to the Planning Commission.

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H. Variances & Waivers to the Zoning Ordinance for properties zoned Planned Development ("PD") shall be reviewed and approved or denied by the Planning Commission.

1. On matters pertaining to Variances/Waivers to the Zoning Ordinance for properties zoned "PD", the Planning Commission shall hold a public hearing thereon and shall notify by mail all property owners within 200 feet of the property in question.

2. Such notice or advertisement shall give the time and place of such public hearing and a brief statement of the item to be considered. Notices by mail, or by website shall be sent or published twenty (20) days prior to the date set on the calendar for the hearing.

Procedure at Hearings

At a hearing, any person or applicant may appear or be represented by authorized agents or attorneys.

The Chair shall direct the meeting and the order of any presentations and discussions. The typical order for considering an application is:

a. Staff describes the nature of the application and identifies submitted exhibits and evidence as needed in order to acquaint the Planning Commission with the procedural aspects and background of the case.

b. Applicant describes the application, makes a case as to why it should be approved or recommended for approval by the Planning Commission, and presents any additional evidence.

c. Planning Commission questions the applicant and/or staff.

d. Public comment. (Note: Planning Commission hearings are not public hearings and so there is no requirement to allow public comment; the Planning Commission may choose to allow public comment.)

e. Planning Commission questions the applicant, staff, or members of the public.

f. Planning Commission discusses the application and deliberates. (Note: Entering the discussion phase does not prohibit the Planning Commission from directing questions to the applicant, staff, or members of the public.)

g. Planning Commission moves and votes to approve, approve with conditions, or deny the application (or recommend those actions to Council, if appropriate).

Hearings may be continued in progress if approved by a majority of the Planning Commission.

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No Planning Commission Member shall vote on any matter deciding an application except after attending the hearing on the application.

EVIDENCE

The Planning Commission shall not be bound by strict rules of evidence, nor shall it be limited to consideration of such evidence as would be admissible in a court of law, but it may exclude irrelevant, immaterial, incompetent, or unduly repetitious testimony or evidence. The Chair shall rule on all questions relating to the admissibility of evidence, but may be overruled by a majority of the Planning Commission members present. The Planning Commission may limit the time of presentation for the applicant, or any other party, to three (3) minutes each or such longer time as it deems to be reasonable.

CONDUCT AT HEARINGS

During a hearing, each party shall proceed without interruption. All presentations shall be to the Planning Commission. All questions to the Planning Commission shall be addressed to the Chair. Only the Chair or Planning Commission members, Village Solicitor, or staff may direct any questions to the applicant, witnesses, or any person speaking from the audience. The Chair or Planning Commission members may call for pertinent facts from staff or make appropriate comments pertinent to the case. No Planning Commission member should debate or argue with a person in the audience.

FINDINGS AND DECISIONS

After conclusion of a hearing, the Planning Commission shall examine the evidence before it in relation to findings required by the St Bernard Code and make its decision. More particularly, after conclusion of the hearing on a case the Chair may elect:

a. To proceed immediately to a decision on the application, or

b. To defer a decision until later in the same meeting, or

c. To defer a decision to a later meeting.

The Planning Commission decision is not final until it approves the minutes of the meeting or issues Findings of Fact and Conclusions of Law.

MEETING MINUTES

Any member of the Planning Commission may move to approve the minutes of a previous meeting. Minutes can be approved with reading, without reading, or with specific amendments that any member of the Planning Commission may present. In addition, the minutes of the meeting, after approval and acceptance by the Planning Commission, shall become a part of the record of the case and shall be available to the applicant.

RECORDS OF CASES

The decision of the Planning Commission shall be shown in the record of the case. Such record shall show the reasons for the determination, with a summary of the evidence introduced and any findings of fact made by the Planning Commission.

APPOINTMENTS

A. The Planning Commission shall appointment one of their members to serve as a Primary member and an Alternate member to the Board of Zoning Appeals. The term of the member of Planning Commission shall expire at the same time as his/her term on such Commission. Each member shall serve until his/her successor is appointed and qualified.

B. The Planning Commission may make other appointments from their membership or upon recommendation of the Safety Services Director to other Boards, Commissions, Committees, Councils, etc., as requested.

REMOVAL or RESIGNATION

A. A Commissioner may be removed by the Mayor for the following reason(s):

i. Missing four (4) meetings in a twelve (12) month period.

ii. Inappropriate Conduct, including but not limited to:

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misfeasance, malfeasance, or nonfeasance

iii. Change of Residency, no longer living within the Village

In the case of a removal or resignation of a member from the Board, a new member shall be appointed by Mayor to fill the unexpired term.

AMENDMENTS

A. These rules may be amended or modified provided that such amendment is present in writing at one meeting and favorable action taken thereon at a subsequent meeting.

B. Four (4) members of the Commission by due motion and record may suspend or vary the application of these rules to a particular application, case, problem or proceeding pending before the Commission.

ADOPTED: _____

Andrew J. Schweier, Secretary

DATE: ___/___/_____