

Planning board rejects constrictions in zoning code

Changes rejected unanimously

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Bedford Township's Planning Commission rejected a proposed amendment to the zoning ordinance.

The Bedford Watch created the text amendment, which was introduced during the Jan. 13 commission meeting.

The amendment sought to restrict buildings for the "purpose of promoting and protecting the public health, safety and general welfare of the residents and the property of the Township of Bedford," the amendment said.

However, commissioners voted unanimously, 7-0, to "let the amendment die." The motion was made by Tom Peitz, the panel's vice chairman.

The citizen action group proposed revisions to parcels including professional and business office districts and local business districts, known

as C-1; shopping center business districts, C-2, and general business districts, C-3, the most intensive commercial development.

"The Bedford Watch's amendments were even more restrictive," Dennis Jenkins, community development and planning coordinator, said Tuesday. "According to their definition, the Taco Bell currently under construction would need two and a half acres to build it."

Mr. Jenkins said the proposed changes would have classified 80 to 90 percent of all Bedford Township businesses as nonconforming.

In 2002, the township board adopted amendments that restricted office and commercial building sizes, Mr. Jenkins said. Bedford Watch was seeking sizes similar to those in effect then.

"After it was adopted and put into effect, we started to encounter problem with prior legal nonconforming buildings," Mr. Jenkins said. "If a building burned down, or if

PROPOSED RULES VS. CURRENT ORDINANCE

The amendment would limit structure size:
PBO (Professional and business office districts): no structure shall exceed the size of 25,000 square feet

PBO-1 (professional business office districts-1): no structure larger than 17,000 square feet.

C-1 (local business districts): no structure larger than 25,000 square feet.

C-2 (shopping center districts): no structure bigger than 50,000 square feet.

C-3 (general business districts): no structure shall exceed 75,000 square feet.

In addition, the proposed amendment defined a net parcel area as the gross parcel area minus the road right-of-way, all required open space accommodations, parking surfaces and easements and utility rights of way, and other requirements of the ordinance.

you needed to add to it, you couldn't do it."

The zoning ordinance was amended in 2005 to state the size of a property cannot exceed 25 percent of the net parcel area. The net parcel area is the gross parcel area

Current township zoning ordinance was amended in 2005 so that the size of a building can't exceed 25 percent of the net parcel area.

The net parcel area is the total area minus the road-right-of-way, said Dennis Jenkins, community development and planning coordinator.

meeting, several members of Bedford Watch explained the necessity for looking into the changes.

Jim Duggan, a Temperance resident, said during the meeting that the township is a predominately residential community, which was a reason to seek changes to the zoning laws.

"What we seek to do is maintain a rural, quiet, quality of life that the 33,000 residents of this township have moved here for and we have worked hard to preserve," Mr. Duggan said.

Bedford Watch's Doug Bermick discussed the past amendments to the zoning ordinance and pleaded for commissioners to consider the proposal.

"Help us plan what is right for this community," Mr. Bermick said.

Judy Frankowski of Bedford Watch said that 55 percent of those who voted in the May, 2009, referendum think large-scale businesses are not

minus the road-right-of-way, Mr. Jenkins said.

"It seems to be a fair way in determining building size," he said of the current regulations.

In a videotaped version of the planning commission

Planning (cont.)

large-scale businesses are not welcome within the township.

“Huge retail stores will threaten the viability of our local stores, cause traffic congestion and put an undue burden on our infrastructure,” she said at the meeting. “We believe our amendment for the land use ordinance will support our local economy and preserve the character of our community.”

Chuck Faller, a Temperance resident, spoke against the amendment.

“I think it would be a terrible mistake to even consider enacting these changes,” Mr. Faller said. “I think doing so would be a tremendous disservice to community property owners in the township.”

Mr. Faller said he was fearful that such an amendment would drive businesses out of the township and not allow for the attraction of new businesses.

Mr. Peitz said there was a

mistake made in 2002 that allowed such restrictions on the property sizes.

“It was too restrictive,” he said at the meeting. “After much discussion, we felt that if these laws continued to be in effect, many businesses in Bedford would be non-conforming. If you are non-conforming, you cannot borrow money to run the business.” Mr. Peitz said looking into the proposed changes would not be in the best interests of the township.

“It doesn’t make business sense to go back and start this all over again,” he said to the other planning commissioners.

Planning Commissioner Mike Bassinger said he does not believe in the township telling a business owner how large a business can be built.

“I don’t know if it is our place to tell an owner what is an adequate size of a business,” Mr. Bassinger said. “I don’t think building limitations is fair to business owners.”