

Munson Township Zoning Commission Meeting

Minutes of August 25, 2014

Chair Lenore Pikus called the meeting to order at 7:00pm, with Sandy Schultz, Carlye Burwell, Dennis Medica, and James Tekavec present. Also present were Zoning Inspector Tim Kearns, Secretary Paula Friebertshauser, and Secretary Kristen Bluemmel.

The Pledge of Allegiance was said.

Members were introduced to Carlye Burwell, the newest Zoning Commission Board Member. Chair Lenore Pikus conducted the swearing in of Carlye Burwell.

James Tekavec moved and Dennis Medica seconded to approve the minutes of May 19, 2014 as written, motion carried.

CORRESPONDENCE - Zoning Bulletin Issues – 5/10, 5/25, 6/10, 6/25, 7/10, 7/25; Ohio Rules of Court subscription offer; Thomas Reuters brochure

Dennis Medica moved and James Tekavec seconded to request that the trustees encumber \$313.08 for renewal of the Zoning News Bulletin, motion carried.

ZONING RESOLUTION UPDATE – Mrs. Friebertshauser received an email from Susan Wieland, Legal Counsel, in response to the board's request for her informal review of the proposed amendment. The board reviewed her suggestions for proposed changes as outlined in the email. The board asked Mrs. Friebertshauser to seek clarification on proposed changes to several sections addressing "Group Care Homes" and "Adult Care Centers." The board also requested that Susan Wieland and Dave Dietrich, Planning Commission Director, be invited to the next Zoning Commission Meeting to be held on September 15, 2014.

ZONING INSPECTOR'S REPORT

Mr. Kearns distributed the June and July zoning certificate listing.

Mr. Kearns indicated that there may be a need to address the definition of swimming pool in order to include the recent occurrence of temporary/removable pools. The board asked that Mr. Kearns research the zoning rules for surrounding townships and provide further information at the next Zoning Commission Meeting.

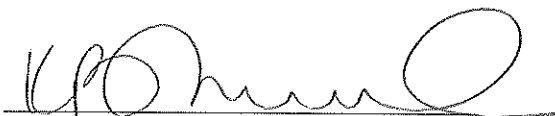
Mr. Kearns requested that the board clarify as to whether a walk-out basement is included in the calculation of the minimum square footage for a one-story residence. The board indicated that basements are not included in the minimum square footage calculation per Section 411 of the Munson Township Zoning Resolution.

The next scheduled meeting is Monday, September 15, 2014.

The meeting was adjourned at 9:25pm.



Lenore Pikus, Chair



Kristen Bluemmel, Secretary

Attachment – August 20, 2014 email from Susan Wieland to Paula Friebertshauser; Subject: Munson zoning amendment



From: Wieland, Susan <SWieland@CO.GEAUGA.OH.US>
Sent: Wednesday, August 20, 2014 1:40 PM
To: paula@munsontwp.com
Cc: Dietrich, Dave
Subject: FW: Munson zoning amendment

Dear Paula and Commission,

Thank you for affording me the time to review the proposed amendments to the Munson Township Zoning Resolution. I do have some comments, and, as I do not have a Word document that I can work with, they are organized by Section as identified in the draft dated July 23, 2014.

Section 202:

Applicant: change "their" to "owner." I suggest defining "designated agent" or including in this section requisite documentation the Township requires authorizing the designated agent to act. Designated agent is also mentioned in section 801.1 and 1103.1(c).

Care Centers: change (e) from Group Care Home to Licensed Residential Facilities because this is the proper title for such facilities. Redact (f) entirely.

Place of Worship: you suggest changing "building" to "structure". I would caution you to make this change. Do you really want to open this up to all structures? This could be as simple as a tent that is erected and removed in an open field. Under the proposed definition, this would qualify as a place of worship.

Section 401.2

I suggesting adding subsection (e.) Licensed Residential Facilities and (f.) Type B family day-care homes and Type B homes, as these are both permitted uses in the Residential district

Section 407.2

38. "motor vehicles" This term is not defined; I would advise including a definition of "motor vehicles" in the definition section of the Resolution.

Section 507.1

"church" should be changed to "place of worship" to agree with the amendment changing "church" to "place of worship" elsewhere in the Resolution.

Section 521.1, Table

Not every use is listed in this table. Why is that? Also, the last item should be "Licensed Residential Facilities" rather than "Adult Care Centers"

Section 524.1

As I read this addition to the Resolution, it appears that all child day-care centers will be permitted in all districts. Is this the intent of the ZC? Perhaps you want to consider having some be conditional uses. Only the Type B center is required to be permitted in the Residential district.

Section 524.2

Change "Group Care Home" to "Licensed Residential facility" (leaving the definition the same)

Section 524.3

I recommend removing this section entirely

Section 603

"Trailer Camps or Parks" should be defined.

Section 604

"travel and camp trailers" should be defined. "Ongoing" should be defined.

Section 802.4, 803.4

Why is "off-road" stricken here? It remains in other sections of the Resolution.

Section 804

Be advised that this section doesn't quite comply with Section 519.141 of the Ohio Revised Code. We can address in a future amendment, but I wanted you to be aware.

Article 8

Section 804.16, 805.2, 806.4, 809.7

I suggest including this language as a general statement at the beginning of the Article 8, perhaps in Section 801, because it pertains to all conditional uses. Therefore, I do not think it is necessary to include this language at the end of some of the sections regarding particular conditional uses.

Section 805

I suggest redacting all of Section 805. A residential licensed facility is the only type of facility that is required to be permitted in the Residential district. Do you want to allow other uses of this type in the R district? I am not aware of any other townships that permit this.

Section 808.1

Why is this section, captioned "Permitted Uses" included in the section for conditional uses?

Section 808.3

I suggest changing the caption from "Prohibited Areas" to "Prohibited Zoning Districts"

Section 808.4

It appears as though the text for the fees section is missing, and the same continues on to the next page. The top of the page begins midsentence.

Section 810

What is a "main roadway"? this is not defined, and what is the basis for this requirement? I suggest redacting "stipulations" from the text.

Section 903.7

I suggest changing "standards" to "regulations."

Subsection(a)—the Township may be challenged on the ten square foot requirement when other signs are permitted to be twenty square feet. This is just something to consider. What is the basis for this requirement?

Section 1101.1

In the list of requirements, (a) through (n), I would add the deed of record as required accompanying information Subsection (g), Soil and Water gets involved on all lots within platted subdivisions (regardless of size) and any other lot involving a soil disturbance area of 1 acre or more. Perhaps the ZC may wish to consult further with Soil and Water. Subsection (h), as previously mentioned, street and road are interchanged.

Section 1103.2

Subsection (j): redact “within one thousand (1000) feet of” and “and others that may have a substantial interest in the case”. This is not statutorily required.

If you have any questions, please feel free to contact me.

Thank you,

Susan T. Wieland
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