

Munson Township
Zoning Commission Special Meeting
Minutes of September 12, 2024

Kurtis Taylor called the meeting to order at 6:12pm with Nicholas Christie and Glen Peck present. Also present was Zoning Inspector James Herringshaw and Secretary Julie Johnston. Edward Hren and Adriano Fiucci were absent. The Pledge of Allegiance was said.

Points of Discussion:

The Board reviewed future amendments to the Zoning Resolution. Jim Herringshaw met with Assistant Geauga County Prosecutor, Susan Wieland regarding wireless telecommunication towers, section 9 in our Zoning Resolution and also referred to the Ohio Township Association Risk Management Authority (OTARMA) Sourcebook as well. Changes were made to correct the language in our Zoning Resolution and bring it up to date.

Nicholas Christie moved and Kurtis Taylor seconded to send Articles 9 through 13 to the Planning Commission for an informal review. Passed Unanimously. Motion carried, 3-0

Zoning Report

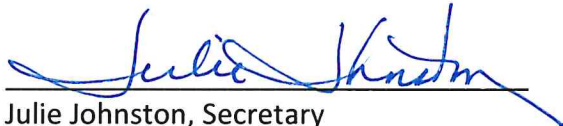
Even though the month was slower, there may be more variance requests coming in. New homes are being built and there were multiple miscellaneous complaint calls from residents.

The next meeting will be held on Thursday, October 10, 2024 at 6pm at Munson Town Hall.

Nicholas Christie moved and Kurtis Taylor seconded to adjourn the meeting at 6:59pm. Passed Unanimously. Motion carried, 3-0.



Nicholas Christie, Chair



Julie Johnston, Secretary

Informal Review 5/8/24

Accessory Use or Structure - A use or structure incidental and subordinate to the principal use or structure on the lot and serving a purpose customarily incidental and subordinate to such use or structure. A Zoning Certificate is not required for flagpoles, student bus stop shelters, and mailboxes, children's tree houses, playhouses, swing sets and other related recreational equipment.

SECTION 302 OFFICIAL ZONING DISTRICT MAP

The Zoning Districts and their boundaries are shown on the Official Zoning District Map of Munson Township **Zoning Map**. The Official Zoning District Map shall be identified by the signature of the Township Trustees, attested by the Township Clerk. The map, together with all explanatory data and changes, is hereby incorporated into and made part of this Resolution. The original and one copy of the official **Zoning Map** are to be maintained and kept up-to-date by the Zoning Commission. Except where specific Zoning District boundaries are specifically given in the text of the Resolution [e.g. Section 409.1], the ~~Map~~ original shall be the final authority as to the current zoning status of lands within the township.

SECTION 303 INTERPRETATION OF DISTRICT BOUNDARIES

Where uncertainty exists with respect to the boundaries of the various districts as shown on the Official Zoning District Map, the following rules shall apply:

303.4 Boundaries indicated as parallel to or extensions of features or lines indicated in sub-sections 303.1 through 303.3 above shall be so construed. Distances not specifically indicated on the Official Zoning District Map shall be determined by the scale of the map.

~~401.1~~ ***District Boundaries***

~~District designations on the Zoning Map notwithstanding, the parcel of land on the East side and within 436 feet of the centerline of Bass Lake Road between a point 750 feet North of the midpoint of the intersection of Bass Lake Road and Route 322 and extending Northerly to Woodiebrook Road is an R-1 Residential District.~~

401.2 ***Permitted Principal Uses and Structures***

401.3 ***Permitted Accessory Uses and Structures***

- a. Accessory structures necessary for domestic activities and storage, which does not include any business activity

401.4 ***Minimum Dimensional Requirements***

401.5 ***Agricultural Use Exception***

401.6 ***Parking***

401.7 ***Driveway***

402.2 ***Permitted Accessory Uses and Structures***

- a. Accessory structures necessary for domestic activities and storage, which does not include any business activity

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- a. Accessory structures necessary for domestic activities and storage, ~~which does not include any business activity~~

405.3 **Permitted Accessory Uses, Buildings and Structures: Conditional Use Zoning Certificate Approval Per Section 806 Not Required**

- a. Accessory structures necessary for domestic activities and storage, ~~which does not include any business activity~~

407.2 **Permitted Uses and Structures**

The following uses and structures ~~and no other~~ shall be permitted in a Commercial District. Where the Zoning Map designates a Flood **Prone District Plain (FP)** area within a Commercial District, a building or structure intended for commercial use which requires or is intended to be serviced by an on-site sewage disposal system shall not be permitted. Otherwise, the permitted uses in a Commercial District follow:

408.1 **District Boundaries**

District designations on the Zoning Map notwithstanding, the parcel of land lying north of Route 322 between Bass lake Road and Route 44 and extending to the northern boundary of the Geauga County Park District as of the date of this Resolution, and the parcel of land lying east of Route 44 to the Munson-Claridon line and north of Route 322 to the Munson-Chardon **City Village** line, but excluding from such parcels the Commercial District described in 407.1, and the Residential District described in Section 401.1, is an Industrial District. Where the Zoning Map designates a Flood **Prone District (FP)** area within an Industrial District, a building or structure intended for Industrial use which requires or is intended to be serviced by an on-site sewage disposal system shall not be permitted.

SECTION 509 ACCESSORY STRUCTURES

All accessory structures shall be in conformity with the following provisions:

- 509.2 **Unless otherwise noted herein**, no freestanding garage or other accessory structure shall be erected within the front yard of any district, except for fencing and a student bus stop shelter.

509.6 **Permitted Buildings, Structures, and Uses in Required Yards**

The following **building, structures, and uses** shall be permitted in the minimum yards set forth in this Resolution **without a Zoning Certificate**, unless otherwise indicated and shall not be used for **habitational purposes**.

- a. **Flagpoles**
- b. **Mailboxes**
- c. **Student bus stop shelters.**
- d. **Playhouses.**
- e. **Children's tree houses.**
- f. **Swing sets and other related recreational equipment.**

SECTION 516 STORAGE OF CONSTRUCTION EQUIPMENT AND OTHER LARGE VEHICLES

516.2 **Other Vehicles**

- a. Outdoor storage or parking of **no more than one (1) boat and one (1) recreational vehicles** shall be permitted within any Residential District; ~~however, more than one (1) boat and one (1) recreational vehicle~~ and shall **have a current license or registration by the applicable issuing authority**. ~~be prohibited~~. Any ~~Such boat or recreational vehicle(s)~~ shall

not be a) located partially or wholly in front of the principal building on any lot, b) used for habitational purposes, shall have a current license or registration, shall not be parked or stored in front of the principal building on any lot, and shall not be located closer than twenty (20) feet from any side or rear lot line, and c) located closer than sixty (60) feet from any side yard of a corner lot. Any additional boats or recreational vehicles shall be parked or stored in a fully enclosed building. Any boat or recreational vehicle shall not be used for habitational purposes.

SECTION 608 **~~INOPERABLE OR JUNK VEHICLES~~**

Outdoor storage or parking of ~~inoperable or~~ junk vehicles is prohibited.

SECTION 610 **OBJECTIONABLE USES**

Any use that is objectionable by reason of odor, radiation, noise, vibration, cinders, gas, fumes, dust, smoke, refuse matter, or wastewater. **Noise complaints may be enforced by local law enforcement as defined in O.R.C. 505.172 and O.R.C. 519.141 or as amended.**

SECTION 806 **FLOOD PRONE DISTRICT PRINCIPAL BUILDINGS**

806.1 No principal building will be built ~~on the flood-prone portion of a lot located~~ in a Flood Prone District unless prior conditional use approval is obtained from the Board of Zoning Appeals.

Proposed Amendments 2024 (9-13)

SECTION 1001 SIGNS - INTENT AND PURPOSE

Sign regulations, including provisions to control the size, location, illumination, and maintenance of signs, are hereby established in order to promote the public health, safety, and welfare through the provision of standards for existing and proposed signs of all types. More specifically, this Article is to achieve, among others, the following purposes:

- a. To allow businesses, institutions, and individuals to exercise their right to free speech by displaying an image on a sign, and to allow audiences to receive such information.
- b. To promote and maintain visually attractive, Residential, ~~retail~~, Commercial, ~~historic open~~ Institutional, Medical Use, ~~space~~ and Industrial districts.
- c. To ensure that signs are located and designed to reduce sign distraction and confusion that may be contributing factors in traffic congestion and accidents and maintain a safe and orderly pedestrian and vehicular environment.
- d. To promote property values.
- e. To promote the public health, safety, and welfare by avoiding conflicts between signs and traffic control devices, avoiding traffic hazards, and reducing visual distractions and obstructions.
- f. To protect and preserve the aesthetic quality and physical appearance of the Township.

The Township seeks to protect the rights of free speech and not infringe on the rights of free speech as protected by the First Amendment to the United States Constitution and Article I, § 11 of the Ohio Constitution. All provisions in this Article are to be constructed, whenever possible, in favor of vigorous political debate and accommodations of the rights of residents and visitors to speak freely.

1202.1 Procedures of Board of Zoning Appeals

Appeals to the Board of Zoning Appeals may be taken by any person aggrieved or by any officer of the Township affected by any decision of the Zoning Inspector. Such appeal shall be taken within ~~twenty~~ **thirty** (230) days after the decision of the Zoning Inspector by filing with the Zoning Inspector and with the Board of Zoning Appeals, a notice of appeal specifying the grounds of appeal. The Zoning Inspector shall forthwith transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken.

Written notices of appeal shall be made on forms provided by the Township Zoning Inspector and shall be signed and dated by the appellant or his authorized legal representative attesting to the truth and accuracy of all information supplied on the notice of appeal.

1202.2 Appeals Alleging Zoning Inspector Error

For notices of appeal alleging error by the Township Zoning Inspector, a written statement shall be made by the appellant or his authorized representative relative to the alleged error made by the Township Zoning Inspector in his determination of the application for the Zoning Certificate. Such appeal shall be taken within ~~twenty~~ **thirty** (230) days after the decision by filing, with the Zoning Inspector and with the Board of Zoning Appeals, a notice of appeal specifying the grounds upon which the appeal is being taken. The Zoning Inspector shall transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed was taken.

Granting of "Area" or "Size" Variances

Variance for area, size and setback requirements are judged by a less stringent legal standard than for "use" variances. Significant practical difficulty in meeting zoning regulations is required to be shown by a property owner. The factors to be considered and weighed to determine whether a property owner has encountered practical difficulties are:

- a. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
- b. Whether the variance is substantial;
- c. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the variance;
- d. Whether the property owner purchased the property with knowledge of the zoning requirements;
- e. Whether the variance would adversely affect the delivery of governmental and community services (e.g. fire safety, all other safety aspects, road maintenance, water supply, sewage treatment, and garbage service);
- f. Whether the property owner's predicament feasibly can be ~~obviated~~ **relieved to match language or variance request** through some method other than a variance; and
- g. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance.