

Munson Township

Zoning Commission Regular Meeting

Minutes of March 9, 2022

Kurtis Taylor called the meeting to order at 6:03pm with Edward Hren, Adriano Fiucci and Glen Peck present. Also present was Zoning Inspector Jim Herringshaw and Secretary Julie Johnston. Nicholas Christie was absent. The Pledge of Allegiance was said.

Adriano Fiucci moved and Glen Peck seconded to approve the minutes of February 9, 2022 as written. Motion carried, 2-0.

Board members reviewed the proposed Zoning Resolution amendments after the second informal review. Kurtis Taylor moved and Adriano Fiucci seconded that an amendment to the Munson Township Zoning Resolution, identified as number 2022-01 consisting of 5 pages, marked Exhibit A and attached hereto and incorporated herein as though fully rewritten, be hereby initiated by the Munson Township Zoning Commission this 9th day of March 2022. Motion carried, 4-0.

Adriano Fiucci moved and Kurtis Taylor seconded that the Munson Township Zoning Commission conduct a public hearing on the proposed amendment, identified as number 2022-01 to the Munson Township Zoning Resolution as attached hereto on the 13th day of April 2022 at 6pm at Town Hall. Motion carried, 4-0.

Glen Peck moved and Edward Hren seconded that the Munson Township Zoning Commission hereby submits the attached copy of the motion for a proposed amendment identified as number 2022-01 to the Munson Township Zoning Resolution with attached text pertaining thereto to the Geauga County Planning Commission this 9th day of March 2022. Motion carried, 4-0.

Zoning Report

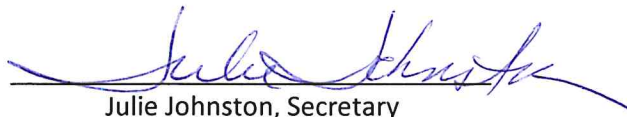
Zoning Inspector Jim Herringshaw commented that February was not as busy as far as issuing zoning permits although there is much in the works. Jennings at Norte Dame added six (6) more cottage units. There have been more phone calls regarding pool installations for the upcoming season. Mr. Herringshaw also shared that Pineview Lake on Wilson Mills Road is on the market and there are a couple of interested buyers. At the next Board of Zoning Appeals meeting there will be one (1) case heard for an area variance for a detached garage on their non-conforming lot.

The Public Hearing followed by the regular meeting will be held on Wednesday, April 13, 2022 at 6pm at Munson Townhall.

Kurtis Taylor moved and Edward Hren seconded to adjourn the meeting at 6:32pm. Motion carried, 4-0.



~~Kurtis Taylor, Vice Chair~~
Nicholas Christie, Chair



Julie Johnston, Secretary

Zoning Commission

Munson Township

Chardon, Ohio

MOTION TO SET DATE FOR PUBLIC HEARING ON PROPOSED AMENDMENT TO TOWNSHIP ZONING RESOLUTION R. C. 519.12 (A)

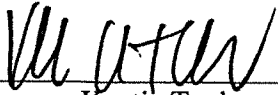
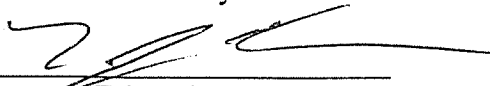
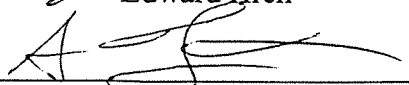
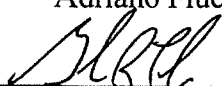
The Munson Township Zoning Commission, Geauga County, Ohio, met in regular session on the 9th day of March, 2022 at 6:00 p.m. with the following members present:

Kurtis Taylor, Edward Hren, Adriano Fiucci and Glen Peck

Adriano Fiucci moved the adoption of the following motion:

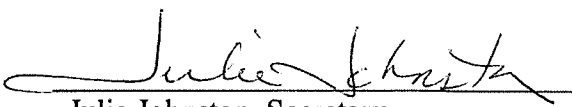
That the Munson Township Zoning Commission conduct a public hearing on the proposed amendment, identified as number 2022-01 to the Munson Township Zoning Resolution as attached hereto on the 13th day of April 2022 at 6pm at Town Hall.

Kurtis Taylor seconded the motion and the roll being called, the vote of the Munson Township Zoning Commission was as follows:

<u>Member</u>	<u>Yes or No</u>
 Kurtis Taylor	Yes
 Edward Hren	Yes
 Adriano Fiucci	Yes
 Glen Peck	Yes

Adopted the 9th day of March 2022

Attested to by:


Julie Johnston, Secretary
Munson Township Zoning Commission

Zoning Commission

Munson Township

Chardon, Ohio


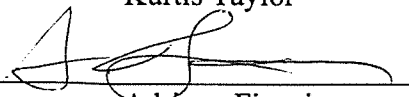
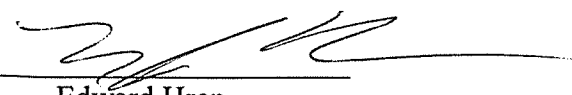

MOTION TO INITIATE AMENDMENT TO MUNSON TOWNSHIP ZONING RESOLUTION

R. C. 519.12 (A)

Kurtis Taylor moved the adoption of the following motion:

That an amendment to the Munson Township Zoning Resolution, identified as number 2022-01 consisting of 5 pages, marked Exhibit A and attached hereto and incorporated herein as though fully rewritten, be hereby initiated by the Munson Township Zoning Commission this 9th day of March 2022.

Adriano Fiucci seconded said motion. Upon the roll being called, the vote of the members of the zoning commission was as follows:

<u>Member</u>	<u>Yes or No</u>
 Kurtis Taylor	Yes
 Adriano Fiucci	Yes
 Edward Hren	Yes
 Glen Peck	Yes

Attested to by:



Julie Johnston, Secretary
Munson Township Zoning Commission

3/9/2022
Date

Zoning Commission

Munson Township

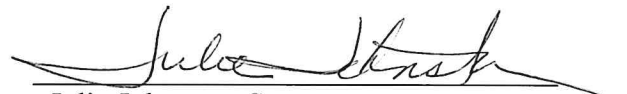
Chardon, Ohio

TRANSMISSION OF COPY OF MOTION FOR PROPOSED
AMENDMENT TO ZONING RESOLUTION
TOGETHER WITH TEXT
PERTAINING THERETO TO COUNTY
PLANNING COMMISSION
R. C. 519.12 (E)

The Munson Township Zoning Commission hereby submits the attached copy of the motion for a proposed amendment identified as number 2022-01 to the Munson Township Zoning Resolution with attached text pertaining thereto to the Geauga County Planning Commission this 9th day of March 2022.

Munson Township Zoning Commission

Attested to by:


Julie Johnston, Secretary
Munson Township Zoning Commission

Received by Geauga County Planning Commission this 10 day of March, 2022


Signature of Planning Commission Member or Employee

Zoning Commission

Munson Township

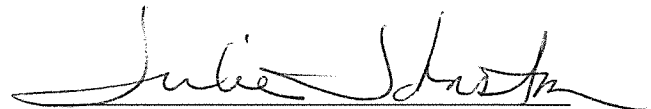
Chardon, Ohio

NOTICE OF PUBLIC HEARING
ON A MOTION
PROPOSING TO AMEND
THE MUNSON TOWNSHIP ZONING RESOLUTION
R. C. 519.12 (D)

Notice is hereby given that the Munson Township Zoning Commission will conduct a public hearing on a motion which is an amendment, identified as number 2022-01 to the Munson Township Zoning Resolution at the Munson Town Hall, 12210 Auburn Road at 6p.m. on Wednesday, April 13, 2022.

The motion proposing to amend the zoning resolution will be available for examination at the Munson Town Hall, 12210 Auburn Road from 9 o'clock a.m. to 3 o'clock p.m. from March 31, 2022 through April 13, 2022.

After the conclusion of the public hearing, the matter will be submitted to the board of township trustees for its action.



Julie Johnston, Secretary
Munson Township Zoning Commission

Geauga County Maple Leaf
March 31, 2022

EXHIBIT A

SECTION 202

DEFINITIONS

All words used in this Resolution shall have their customary meanings as defined in the Ninth Edition of Webster's New World Dictionary, except those specifically defined in this section.

Premises – An area of land, regardless of the number of lots or parcels, occupied by the buildings or other physical uses which are an integral part of the activity conducted upon the land and such open spaces or yards as are arranged and designed to be used in conjunction with that activity.

SECTION 401

R-1 RESIDENTIAL DISTRICT

INTENT AND PURPOSE

The intent of the **R-1** Residential District is to recognize the existence of and the demand for residential lots at a density of one dwelling unit per 2 ½ acres. The dwelling density is compatible with the Munson Township Land Use Plan and the associated Munson Township Soil 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

- a. One single-family dwelling in accordance with Article 5.
- ~~b. Places of Worship as regulated in Article 5.~~
- ~~c. Forests and wildlife preserves.~~
- ~~d.~~ b. Public structures and/or uses which are supported in whole or in part by taxes or special public assessments. Such uses include parks, playgrounds, libraries, schools, fire stations, town hall and cemeteries.
- ~~e.~~ c. Licensed Residential Facilities as defined in O.R.C. 5123.19 (M) and O.R.C. 5119.341 (A) or as amended.
- ~~f.~~ d. Type B family day-care home and Type B home – See Section 524.1

SECTION 402

R-2 RESIDENTIAL DISTRICT

INTENT AND PURPOSE

The intent of the **R-2** Residential District is to recognize the existence of and the demand for residential lots at a density of one dwelling unit per 5 acres. The dwelling density is compatible with the Munson Township Land Use Plan and the associated Munson Township Soil Map.

402.1

Permitted Principal Uses and Structures

- a. One single-family dwelling in accordance with Article 5.
- ~~b. Places of Worship as regulated in Article 5.~~
- ~~c. Forests and wildlife preserves.~~
- ~~d.~~ b. Public buildings and/or uses which are supported in whole or in part by taxes or special public assessments. Such uses include parks, playgrounds, libraries, schools, fire stations, town hall and cemeteries.
- ~~e.~~ c. Licensed Residential Facilities as defined in O.R.C. 5123 (M) and O.R.C. 5119.341 (A) or as amended.

- fd. Type B family day-care home and Type B home – See Section 524.1

SECTION 403 R-3 RESIDENTIAL DISTRICT

INTENT AND PURPOSE

The intent of the **R-3** Residential District is to recognize the existence of and the demand for residential lots at a density of one dwelling unit per 5 acres. The dwelling density is compatible with the Munson Township Land Use Plan and the associated Munson Township Soil Map.

403.1 Permitted Principal Uses and Structures

- a. One single-family dwelling in accordance with Article 5.
- ~~b. Places of Worship as regulated in Article 5.~~
- ~~c. Forests and wildlife preserves.~~
- db. Public buildings and/or uses which are supported in whole or in part by taxes or special public assessments. Such uses include parks, playgrounds, libraries, schools, fire stations, town hall and cemeteries.
- ec. Licensed Residential Facilities as defined in O.R.C. 5123.19 (M) and O.R.C. 5119.341 (A) or as amended.
- fd. Type B family day-care home and Type B home – See Section 524.1

SECTION 404 R-4 RESIDENTIAL DISTRICT

INTENT AND PURPOSE

The intent of the **R-4** Residential District is to recognize the existence of and the demand for residential lots at a density of one dwelling unit per 5 acres. The dwelling density is compatible with the Munson Township Land Use Plan and the associated Munson Township Soil Map.

404.1 Permitted Principal Uses and Structures

- a. One single-family dwelling in accordance with Article 5.
- ~~b. Places of Worship as regulated in Article 5.~~
- ~~c. Forests and wildlife preserves.~~
- db. Public buildings and/or uses which are supported in whole or in part by taxes or special public assessments. Such uses include parks, playgrounds, libraries, schools, fire stations, town hall and cemeteries.
- ec. Licensed Residential Facilities as defined in O.R.C. 5123.19 (M) and O.R.C. 5119.341 (A) or as amended.
- fd. Type B family day-care home and Type B home – See Section 524.1

SECTION 405 FLOOD-PRONE DISTRICT (FP)

INTENT AND PURPOSE

The intent of the FP District is to recognize the existence of areas constituting flood plains, the hazards building and other development in such areas pose to the health, safety and general welfare of the community, and the consequent need for special control over such building and development. Such controls and dwelling density are consistent with the Munson Township Land Use Plan and the associated Munson Township Soil Map. Unless noted otherwise, all buildings, structures and uses in a Flood-Prone District are subject to approval by the Board of Zoning Appeals in accordance with Section 806.

405.1 Minimum Lot Size

The minimum size of a lot in the Flood Prone District shall be five (5) acres.

**Conditional Uses, Principal Buildings and Structures: Conditional Use
Zoning Certificate Approval Per Section 806 Required**

- a. One single-family dwelling per lot in accordance with Section 806.
- b. ~~Forests and wildlife preserves~~
- eb. Places of Worship as regulated in Article 5 and Article 8.
- ec. Public buildings and/or uses which are supported in whole or in part by taxes or special public assessments. Such uses include parks, playgrounds, libraries, schools, fire stations, town hall and cemeteries.

SECTION 509**ACCESSORY STRUCTURES**

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

- 509.1 All accessory structures shall be anchored to the ground.
- 509.2 No garage or other accessory structure shall be erected within the front yard of any district, except for fencing and a student bus stop shelter.
- 509.3 Accessory structures shall be located within the side and rear yards as set forth in Section 411. Accessory structures shall not be closer than fifteen (15) feet to the principal structure, except for the following freestanding structures: swimming pools, fences, dish antennas, decks, and gazebos.

509.4 Student Bus Stop Shelter

Shall be in conformity with the following provisions:

- a. No student bus stop shelter shall be placed within any public right-of-way.
- b. Should any student bus stop shelter be or become unsafe, unsightly, or be in danger of falling, the owner of the real property upon which the shelter is located shall, upon receipt of written notice from the zoning inspector, proceed at once to put such shelter in a safe and secure condition or remove the shelter.
- c. The floor area shall not exceed thirty-two (32) square feet.
- d. The height shall not exceed eight (8) feet.

509.5 Fences, Gates, and Walls

Shall be in conformity with the following provisions:

- a. Fences, gates, and walls shall be erected outside of the right-of-way of any public or private road.
- b. Fences, gates, and walls shall not block or impede clear sight distance of vehicle operators at the intersection of any public or private road.
- c. Fences and walls shall be a maximum of four (4) feet in height in any front yard and no more than six (6) feet in height in any side or rear yard, except as otherwise provided herein.
- d. No part of any fence or wall shall extend beyond the boundary lines of the property being enclosed.
- e. The unfinished side (if any) of a fence, including the structural supports and posts, shall face the lot upon which the fence is constructed.

SECTION 801**CONDITIONAL ZONING CERTIFICATES**

Conditional uses shall be permitted only upon issuance of a Conditional Zoning Certificate by the Board of Zoning Appeals to at least one owner of the property.

Application

Written application for a conditional zoning certificate shall be made on forms provided by the Zoning Inspector and shall be signed and dated by the owner or his/her designated agent, attesting to the truth and accuracy of all information supplied in the application. At a minimum, the application shall contain the following information:

- a. Name, address, and telephone number of applicant;
- b. Date;
- c. The lot, name, and number or legal description of the property;
- d. Description of existing zoning district;
- e. Description of the proposed Conditional Use;
- f. A site plan of the proposed site for the Conditional Use showing the scale, north arrow, location of all buildings, parking and loading areas, traffic access and traffic circulation, sidewalks, curbs, open spaces, landscaping, refuse and service areas, standpipes, utilities, rights-of-way, signs, yards, and such other information as the Board of Zoning Appeals may require to determine if the proposed Conditional Use meets the intent and requirements of this Resolution;
- g. A plan for screening when applicable;
- h. A narrative statement discussing the merits of the proposal;
- i. Such other information as may be required by the Board of Zoning Appeals; and
- j. A fee as established by the Township Trustees.

Conditional Use Standards

Conditional Uses may be permitted provided that such uses shall be found to comply with the following requirements and all other applicable requirements as set forth in this Resolution:

- a. The use is so designed, located and proposed to be operated so that the public health, safety and welfare will be protected.
- b. The use will not result in the destruction, loss or damage of a natural, scenic, or historic feature of major importance;
- c. The use will be designed, constructed, operated, and maintained so that it shall not cause substantial injury to the value of the property in the area or neighborhood where it is to be located;
- d. The use shall be compatible with the adjoining area and the proposed character of the zoning district where it is to be located;
- e. The use will be served adequately by essential public facilities and services such as highways, roads, police and fire protection, and drainage structures;
- f. The use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
- g. Adequate landscaping and screening are provided, as required under Article 8;
- h. Adequate off-road parking and loading is provided, and ingress and egress is so designed as to cause minimum interference with traffic on abutting roads;
- i. The use conforms with all applicable regulations governing the district in which it is located;
- j. The use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odors, or vibrations; and
- k. Any other supplementary requirements as prescribed by the Board of Zoning Appeals.
- l. Conditional uses shall be limited to, and must be implemented in accord with Sections 802-807.
- m. A conditional zoning certificate shall not be transferred or assigned, except for single family dwellings and accessory buildings and structures thereto, within the Flood Prone District.

- n. A conditional zoning certificate for any of the uses provided herein shall be valid for a period not to exceed five years from the date of issuance, except for single family dwellings and Places of Worship ~~within the Flood-Prone District.~~
- o. The conditional use shall be void upon change of ownership or use unless a new application is made for such a certificate within thirty (30) days after change of ownership or use. The conditional zoning certificate shall be limited to whom it is originally issued and is not transferable.
- p. Signs as regulated in Article 10.

SECTION 805

COMMERCIAL RECREATIONAL FACILITIES

All commercial recreational facilities other than those specifically described elsewhere in ~~Section 805~~ Article 8 shall be limited to Commercial Districts and shall be in accordance with the following provisions in addition to any conditions required by the Board of Zoning Appeals.

1003.7

Electronic Changeable Signs

Multiple message and variable message signs which are changed electronically shall conform to the following regulations:

- j. No more than one (1) electronic changeable sign is permitted ~~for~~ on the premises regardless of the number of signs permitted ~~or the number of uses on the premises.~~

1202.4

Granting of Variances

The burden of proof for granting a variance shall rest with the applicant. In granting any appeal for a variance, the Board of Zoning Appeals must consider conformity with the spirit and intent of this Resolution. The Board of Zoning Appeals may only grant an appeal for an allegation of error by the zoning inspector, for a "use" variance or an "area" variance from the terms of this Resolution, in the district involved, by following the procedures set forth in Sections 1202.4.1 and 1202.4.2. ~~The Board of Zoning Appeals, in deciding any appeal for a variance, may require such supplementary conditions, which are reasonably related to the requested variance, are not in conflict with this resolution and which the board deems necessary to protect the public health, safety, and morals. Any such supplementary conditions shall be made a part of the Board of Zoning Appeals' proceedings and shall be incorporated into the final decision by the board approving that variance. Violation of such supplementary conditions which are made a part of the written decision of the board, shall be deemed in violation of this resolution.~~