

# Munson Township

## Zoning Commission Regular Meeting

### Minutes of June 14, 2023

Nicholas Christie called the meeting to order at 6:09pm with Adriano Fiucci, Glen Peck and Edward Hren. Also present was Zoning Inspector Secretary Julie Johnston. Kurtis Taylor was absent. The Pledge of Allegiance was said.

Glen Peck moved and Edward Hren seconded to approve the minutes of May 10, 2023 as written. Motion carried, 3-0.

#### Points of Discussion:

Jim Herringshaw talked with Linda Crombie of the Geauga County Planning Commission regarding the informal review. The Board discussed the proposed Zoning Resolution while reviewing the comments.

Nicholas Christie moved and Glen Peck seconded said the adoption of the following motion: That an amendment to the Munson Township Zoning Resolution, identified as number 2023-01 consisting of 4 pages, marked Exhibit A and attached hereto and incorporated herein as though fully rewritten, be hereby initiated by the Munson Township Zoning Commission this 14th day of June 2023.

Nicholas Christie moved and Edward Hren seconded the adoption of the following motion: That the Munson Township Zoning Commission conduct a public hearing on the proposed amendment, identified as number 2023-01 to the Munson Township Zoning Resolution as attached hereto on the 12<sup>th</sup> day of July 2023 at 6pm at Town Hall.

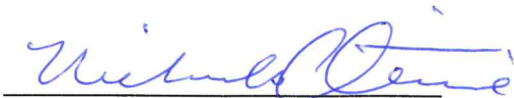
Nicholas Christie moved and Adriano Fiucci seconded the adoption of the following motion: The Munson Township Zoning Commission hereby submits the attached copy of the motion for a proposed amendment identified as number 2023-01 to the Munson Township Zoning Resolution with attached text pertaining thereto to the Geauga County Planning Commission this 14<sup>th</sup> day of June 2023.

#### Zoning Report

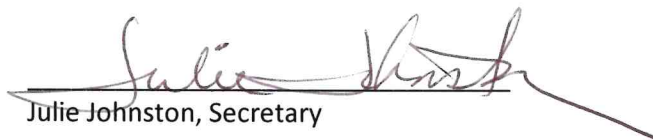
Pools, accessory buildings, fences and more. There has been a mixture of issued zoning certificates in May. Mr. Herringshaw recently attended a webinar on rehabbing Zoning Resolutions. What he learned will come in handy as the Board goes through Munson's. It was decided that each Board member get an Article to go through and cross reference at home. At the following months Zoning Commission meeting, it will be discussed among Board members. Secretary Julie Johnston will email the assignments to members. The Land Use Plan may need updating as well. The medical District expanded a little bit, the Industrial and Commercial Districts may need to be looked at.

The next meeting will be a Public Hearing held on Wednesday, July 12, 2023 at 6pm at Munson Town Hall.

Edward Hren moved and Glen Peck seconded to adjourn the meeting at 6:53pm. Motion carried, 4-0.



Nicholas Christie, Chair



Julie Johnston, Secretary

# Zoning Commission

## Munson Township

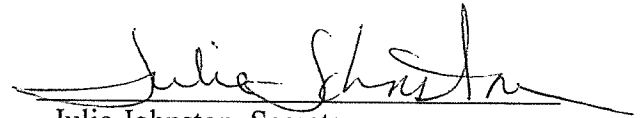
Chardon, Ohio

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 2023-01 to the Munson Township Zoning Resolution with attached text pertaining thereto to the Geauga County Planning Commission this 14<sup>th</sup> day of June 2023.

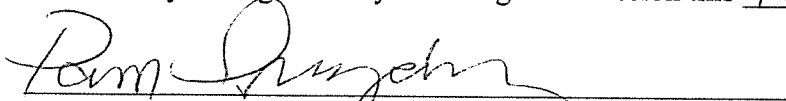
Munson Township Zoning Commission

Attested to by:



Julie Johnston, Secretary  
Munson Township Zoning Commission

Received by Geauga County Planning Commission this 15 day of June, 2023



Signature of Planning Commission Member or Employee

# 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)



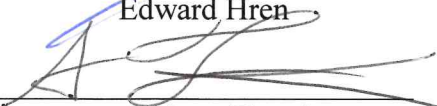

The Munson Township Zoning Commission, Geauga County, Ohio, met in regular session on the 14th day of June 2023 at 6:00 p.m. with the following members present:

Nicholas Christie, Edward Hren, Adriano Fiucci and Glen Peck

Nicholas Christie moved the adoption of the following motion:

That the Munson Township Zoning Commission conduct a public hearing on the proposed amendment, identified as number 2023-01 to the Munson Township Zoning Resolution as attached hereto on the 12<sup>th</sup> day of July 2023 at 6pm at Town Hall.

Edward Hren 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>
 _____ Nicholas Christie	Yes
 _____ Edward Hren	Yes
 _____ Adriano Fiucci	Yes
 _____ Glen Peck	Yes

Adopted the 14th day of June 2023

Attested to by:

  
\_\_\_\_\_  
Julie Johnston, Secretary  
Munson Township Zoning Commission

# 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 2023-01 to the Munson Township Zoning Resolution at the Munson Town Hall, 12210 Auburn Road at 6p.m. on Wednesday, July 12, 2023.

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 June 29, 2023 through July 12, 2023.

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  
June 29, 2023

STATE OF OHIO                    }  
COUNTY OF GEAUGA        } ss.

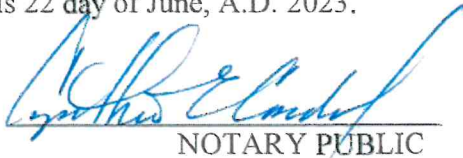
CAPTION: NOTICE OF PUBLIC  
HEARING: MUNSON TOWNSHIP  
ZONING COMMISSION: JULY 12, 2023

COST: \$70.15

I, Jeffrey B. Karlovec, being duly sworn,  
upon oath, depose and say that I am the  
agent of the Geauga County Maple Leaf,  
and that the annexed advertisement  
attached hereto was published in the  
GEAUGA COUNTY MAPLE LEAF, a  
weekly newspaper of general circulation  
published in the County of Geauga, State  
of Ohio, on June 22, 2023.



Sworn to and subscribed in my presence  
this 22 day of June, A.D. 2023.

  
NOTARY PUBLIC

CYNTHIA E. CONDOL, Notary Public  
STATE OF OHIO (Cuyahoga County)  
My Commission Expires December 26, 2023

**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 Town-  
ship Zoning Commission will conduct a public  
hearing on a motion which is an amendment,  
identified as number 2023-01 to the Munson  
Township Zoning Resolution at the Munson  
Town Hall, 12210 Auburn Road at 6:00 p.m. on  
Wednesday, July 12, 2023.

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resolution will be available for examination  
at the Munson Town Hall, 12210 Auburn Road  
from 9:00 o'clock a.m. to 3:00 o'clock p.m. from  
June 29, 2023 through July 12, 2023.

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

**Julie Johnston, Secretary**  
Jun22, 2023

GEAUGA COUNTY MAPLE LEAF  
8389 MAYFIELD RD STE B5  
CHESTERLAND OH 44026-2553

PROOF OF PUBLICATION



# Zoning Commission

## Munson Township

Chardon, Ohio

### MOTION TO INITIATE AMENDMENT


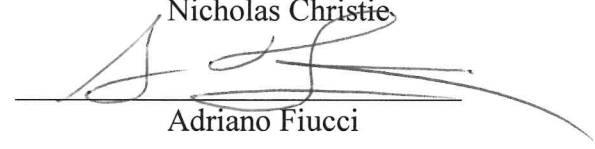

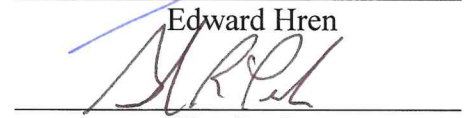
### TO MUNSON TOWNSHIP ZONING RESOLUTION

R. C. 519.12 (A)


Nicholas Christie moved the adoption of the following motion:

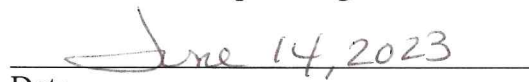
That an amendment to the Munson Township Zoning Resolution, identified as number 2023-01 consisting of 4 pages, marked Exhibit A and attached hereto and incorporated herein as though fully rewritten, be hereby initiated by the Munson Township Zoning Commission this 14th day of June 2023.

Glen Peck 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>
 Nicholas Christie	Yes
 Adriano Fiucci	Yes
 Edward Hren	Yes
 Glen Peck	Yes

Attested to by:

  
Julie Johnston, Secretary  
Munson Township Zoning Commission

  
Date



## Exhibit A

### SECTION 202                      **DEFINITIONS**

**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. ~~and fences as defined in Section 509.5~~

**Bollard** – a post used to create a protective or architectural perimeter.

**Electric Vehicle** – Any vehicle that operates either partially or wholly on electrical energy from an off-board source that is stored on-board for motive purposes.

**Electric Vehicle Charging Station (EVCS)** – A unit that supplies electric energy for charging an electric vehicle. Such equipment is classified by the Society of Automotive Engineers (SAE).

**Electric Vehicle Charging Station (EVCS) Space** – Those parking spaces located in a parking lot, parking garage, or designated charging area with Electric Vehicle Charging Stations (EVCS).

### SECTION 407                      **COMMERCIAL DISTRICT (C)**

#### 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 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:

- ~~17. Commercial recreational facilities, indoor and outdoor~~
187. Construction services, including offices, excluding heavy construction equipment.
198. Convenience carry-out stores with drive-through facilities
- ~~20~~19. Delicatessens
210. Dental laboratories
221. Department stores and/or discount stores
232. Drug stores
243. Electrical and appliance sales and service
254. Employment services
265. Farm supply stores
276. Florist
287. Furniture and home furnishing sales, repair and upholstery shops
298. Grocery stores and specialty food stores
- ~~30~~29. Hardware stores
310. Health and athletic clubs
321. Heating and air conditioning sales and service
332. Interior decorating studios
343. Jewelry sales, service and repair
354. Laundry and dry-cleaning establishments

- 365. Lawn maintenance equipment sales and service
- 376. Medical clinics
- 387. Motor Vehicles - parts and accessories, sales, repair stations and/or service stations, sales or rentals
- 398. Musical instrument sales and repair
- 4039. Off- road parking lots
- 410. Office supply sales
- 421. Paint, glass, and wallpaper sales
- 432. Pets and pet supply sales
- 443. Photographic studios
- 454. Places of Worship
- 465. Plumbing, electrical, and similar supply sales
- 476. Printing services
- 487. Private schools: art, dancing, music, business, and driver training
- 498. Professional offices
- 5049. Public buildings and/or uses which are supported in part by taxes or special public assessments. Such uses include but are not limited to parks, libraries, schools, fire stations, public administrative offices, and community centers.
- 510. Radio and television sales and service
- 521. Restaurants
- 532. Shoe sales
- 543. Sporting goods sales
- 554. Swimming pool sales
- 565. Taverns
- 576. Universities
- 587. Veterinary services with or without kennels provided that any outside animal area is located a minimum of five hundred (500) feet from any residential district.

## **SECTION 502                    FRONTAGE REQUIRED**

No new lot shall be created ~~nor shall any building or structure be erected upon a lot~~ which does not possess the required minimum frontage upon a public or private road established for the district in which such lot is located.

## **SECTION 509                    ACCESSORY STRUCTURES**

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

509.2 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.

## **SECTION 529                    ELECTRIC VEHICLE CHARGING STATIONS (EVCS)**

Electric Vehicle Charging Stations (EVCS) shall be permitted in the Commercial, Industrial, Institutional, Medical Use Zoning Districts; and, in regard to conditional uses in the Residential Zoning District as an accessory use upon issuance of a Zoning Certificate, subject to the following regulations:



- a. An EVCS shall be either a Level 2 or a Level 3 charger. If the charging station has more than one (1) port, then each port shall be counted as a charging station, but only one (1) Zoning Certificate shall be required for contiguous charging stations.
- b. An EVCS space shall count towards determining the minimum number of parking spaces as otherwise required by this Resolution.
- c. The minimum size of an EVCS space shall be ten (10) feet in width and twenty (20) feet in length.
- d. EVCS shall be protected at least two (2) permanent concrete filled bollards as defined by Ohio Fire Code section 312 (L) (2), 312.2, a minimum of four (4) feet, and a maximum of six (6) feet in height.
- e. The EVCS space shall be designated by pavement identification markings and a permanent sign immediately adjacent thereto with a maximum face size of four (4) square feet. Sign height shall not exceed six (6) feet.
- f. EVCS space may be located within any front, side, or rear yard, subject to all minimum setbacks required by this Resolution, as well as the following additional requirements:
  1. A minimum of twenty-five (25) feet from any building or structure.
  2. A minimum of twenty-five (25) feet from any dispensing devices for flammable or combustible liquids.
  3. A minimum of twenty-five (25) feet from any above or underground tanks, tank fill connections, remote or submersible pump transfer equipment, vapor recovery equipment or vents.
  4. A minimum of twenty-five (25) feet from any tank vehicles while filling or transferring flammable or combustible liquids.
- g. EVCS shall conform with current and updated codes of the National Electric Code and shall be inspected once a year with the results submitted to the fire department.
- h. EVCS shall be designed and constructed in accordance with local building and fire codes.

#### 801.2 ***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:

- 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 **within the Flood Prone District** and Places of Worship ~~within the Flood Prone District~~.

#### **SECTION 1001      *SIGNS - INTENT AND PURPOSE***

~~The intent of this article is to provide a comprehensive system of sign regulation for Munson Township that recognizes the necessity and desirability of communication by outdoor signs while promoting an order to signage which eliminates visual clutter and confusion within the physical environment. The purpose of this article is to protect the safety and general welfare of the public within the Township by encouraging compatibility between the design and functional nature of the sign and its location within the physical environment, thus reducing the propensity for traffic accidents and personal hazards caused by distractions, sight obstructions, and unsafe structures.~~

**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 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.

## **SECTION 1002                      ZONING CERTIFICATE**

With the exception of Sections 1001 (a), 1003.4, 1003.6 (a) and 1003.8 no sign of any kind, the area of which exceeds 2.25 square feet, shall be erected in the township unless and until the person responsible for erecting the sign has applied for, and the Zoning Inspector has issued a certificate for the sign pursuant to Article 12.

## **SECTION 1202                      APPEALS AND VARIANCES**

### **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~~ **when granting** any appeal for a variance, may ~~place~~ **require** such supplementary conditions, which are **regulations specifically provided for elsewhere in this Resolution and which are reasonably reasonable and directly** 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,~~ **and general welfare**. 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.