

Munson Township

Zoning Commission Meeting

Minutes of July 23, 2012

Chairman Jim Tekavec called the meeting to order at 7:00pm with Ron Atkinson, Heather Crawford, Lenore Pikus, and Dennis Medica present. Also present was Zoning Inspector Tim Kearns, and Secretary Paula Friebertshauser.

Lenore Pikus moved and Heather Crawford seconded to approve the minutes of June 18, 2012. Motion carried.

CORRESPONDENCE – Zoning Bulletin Issues – May 10 & 25; June 10 & 25

Mr. Kearns and Ms. Pikus distributed language on in-law suites. In reference to a Board of Zoning Appeals case heard in May requesting a variance for an in-law suite, Mr. Atkinson asked Mr. Kearns why the initial zoning certificate was denied. Mr. Kearns responded that it was denied based on Section 402.2a – Permitted Principal Uses and Structures – one single-family dwelling. Mr. Atkinson referred to principal permitted uses and the definition of family. Mr. Medica commented that the way the zoning resolution currently reads and the definition of family, he would agree with Mr. Atkinson. Mr. Atkinson asked Mr. Kearns if the May Board of Zoning Appeals minutes could be correct in reference to the statement that “we feel the spirit and intent of zoning is to help our neighbors or in another case to help the citizens of Munson, etc.” Mr. Kearns did not know. Mr. Atkinson added that all appeals in 2008, 2010, and 2011 were approved; and in 2006, 2007 and 2009 had only one each denied.

Mr. Atkinson pointed out a sentence in the definition of family – “living and cooking together as a single housekeeping unit” and commented that might that be the basis that an in-law suite could be turned down. Mr. Kearns explained he had spoken with the township’s legal counsel, Becky Schlag, and her opinion for the variance was based on Section 402.2. He also added that with an in-law suite they are not living and cooking together.

Mr. Atkinson said that the family definition was highly recommended to the commission by county legal counsel. He suggested Mr. Tekavec and Mr. Medica talk with Ms. Schlag about the living and cooking together implications, etc., the family definition, and so called in-law suites as a whole. He commented that this issue is a good example of how direct paid in-house legal counsel would be advantageous to the township.

For review of the proposed changes to the zoning resolution, Mr. Tekavec will obtain a ballpark figure from George Smerigan of Oxbow Engineering.

Members discussed fences. Mr. Atkinson felt that generally property appearances, unless a health or safety issue, should be left up to the Trustees and an architectural review board they have not appointed. Mr. Medica commented there are inconsistencies with fences that need to be addressed. Mr. Atkinson offered to research fencing and will have optional language for the Board to review at the next meeting.

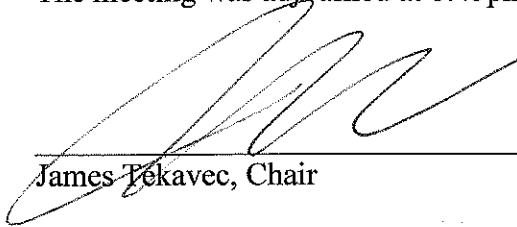
The next topic for discussion was the township's removal of signs from private property. Mr. Atkinson questioned the cost to the township for what is the property owner's responsibility. The Board may propose changes to Section 1005, which would state the property owner was responsible for the placing and removal of signs.

ZONING INSPECTOR'S REPORT

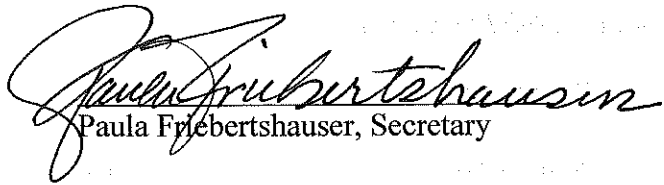
Mr. Kearns distributed the June Zoning Report and Certificate Listing.

It was noted that the agenda for the next meeting will include: review of draft, fences, and child-care.

The meeting was adjourned at 8:45pm. The next scheduled meeting is Monday, August 20, 2012.



James Tekavec, Chair



Paula Friebertshausen, Secretary