

Munson Township

Zoning Commission Meeting

Minutes of August 5, 2013

Chairman Dennis Medica called the meeting to order at 7:04pm, with Ron Atkinson, Heather Crawford, Lenore Pikus and Jim Tekavec present. Also present was Secretary Paula Friebertshouser.

Jim Tekavec moved and Lenore Pikus seconded to approve the minutes of June 17, 2013. Motion carried.

CORRESPONDENCE - Zoning Bulletin Issues – 6/10 & 6/25; Invoice from Thompson Reuters-West for Zoning Bulletin.

Members discussed renewing the Zoning Bulletin. Jim Tekavec moved and Lenore Pikus seconded to request that the Trustees encumber \$279.48 for the Zoning Bulletin renewal. Motion carried.

Mr. Tekavec told the members about a meeting he had in Bratenahl in front of the Planning Commission and Architectural Review Board. He said it was very illuminating. The Zoning Commission has brought up the idea of an Architectural Review Board to the Trustees in previous years.

Members addressed an email from Tim Kearns in regards to Section 509.2 and the need for possible clarification. A case had come before the Board of Zoning Appeals in which they disagreed with the decision of the Zoning Inspector to have the property owner seek a variance. The application was denied because the garage was being constructed in front of the home according to Mr. Kearns. However, because the garage was going to be attached to the home, the Board of Zoning Appeals felt it did not require a variance. They felt if the garage were to be unattached and erected in front of the residence it would require a variance. After reviewing Section 509.2, the Board felt the existing language was clear. Mr. Atkinson commented that if Mr. Kearns or legal counsel had wording suggestions they should advise the Board.

The mechanics of how the Board of Zoning Appeals should address any issues or concerns was discussed. Mr. Atkinson explained that the Zoning Inspector's role is that of an enforcer or policeman, and the Board of Zoning Appeals members act as judges. He felt that any concerns they have should be directed to the prosecutor's office. Trustee Andy Bushman was present and explained how some other township's run their hearings and commented that he would talk to Mr. Kearns about it.

The Board spent some time reviewing the latest changes to the Zoning Resolution. Mr. Medica reviewed a list of issues to seek the prosecutor's opinion on. These included guidance on the time for electronic signs to be on or off; ground water for watering of golf facilities or making snow for ski facilities; clarification of the definition of Principle Business Purpose; and enforceability of Drainage under Section 508.

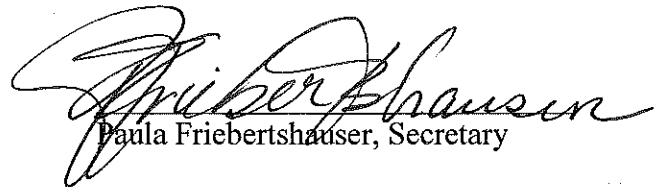
The issue of Front Setbacks was discussed and would be further talked about at the next meeting. Mr. Medica suggested to members that they should think about it prior to the next meeting.

Mr. Atkinson mentioned the possibility of not including the language on any topic such as sexually oriented businesses in the resolution if there is a low probability of it being used. Mr. Medica and Mr. Tekavec both commented that it is just anticipating what may come into the township. Mr. Tekavec added that you never know what you could be dealing with tomorrow.

Mr. Atkinson informed newer members about the role of the township's legal counsel and how certain situations were dealt with in the past.

The next scheduled meeting is Monday, September 16th at 7pm. The meeting was adjourned at 9:08pm.


Dennis Medica, Chair


Paula Friebertshauser, Secretary