

Munson Township

Zoning Commission Meeting

Minutes of August 20, 2020

Dennis Medica called the meeting to order at 6:08pm with, Nick Christie, Adriano Fiucci and Ed Hren present via Zoom electronic teleconference. Kurtis Taylor was absent. Due to the ongoing viral pandemic, the meeting was held without any Zoning Commission members located in the same physical space. The meeting was open to the public, with the access link posted on the Munson Township website, conducted lawfully, in accordance with conditions established by the Ohio legislature's Substitute Amended House Bill 197. Also present was Zoning Inspector James Herringshaw and Secretary Julie Johnston along with Trustee Andy Bushman and a reporter who logged into the meeting. The Pledge of Allegiance was said.

Ed Hren moved and Nick Christie seconded to approve the minutes of July 16, 2020 as written. Motion carried, 4-0.

Dennis Medica read the Geauga County Planning Commission recommendations.

There was no public comment. The public hearing was closed at 6:19pm and the regular meeting immediately followed.

Dennis Medica moved the adoption of the following motion: That the Munson Township Zoning Commission recommends the approval of the following modifications to the proposed amendment (2020-01) to the Munson Township Zoning Resolution as attached hereto.

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

- e. Licensed Residential Facilities as defined in O.R.C. 5123.19 (Θ) M and O.R.C. 5119.341 (A) or as amended.

402.1 ***Permitted Principal Uses and Structures***

- e. Licensed Residential Facilities as defined in O.R.C. 5123.19 (M) and O.R.C. 5119.341 (A) or as amended.

403.1 ***Permitted Principal Uses and Structures***

- e. Licensed Residential Facilities as defined in O.R.C. 5123.19 (M) and O.R.C. 5119.341 (A) or as amended.

404.1 ***Permitted Principal Uses and Structures***

- e. Licensed Residential Facilities as defined in O.R.C. 5123.19 (M) and O.R.C. 5119.341 (A) or as amended.

SECTION 410 USES NOT SPECIFICALLY MENTIONED

Any use of land or structures, unless otherwise noted herein as a permitted principal, permitted accessory, or conditional use within any district, shall not be permitted by the Zoning Inspector unless a variance has been granted by the Board of Zoning Appeals. Excluded are carnivals, circuses, tent meetings, bazaars, festivals, art shows, or other similar public events which are permitted activities, not requiring a Zoning Certificate, within any non-residential district and upon Place of Worship, school or similar sites within any residential district. All other zoning regulations apply and such uses shall only be permitted on lots where adequate off-road parking can be provided and shall not be permitted for a period longer than fifteen (15) days.

1003.3 ***Location***

No sign shall be located closer than five (5) feet from a front lot line or within twenty-five (25) feet of any other lot line, with the exception of Sections 1003.4, 1003.6(a) and 1003.8.

Ed Hren seconded the motion. Motion carried 4-0.

The Munson Township Zoning Commission agreed to submit the attached recommendation on the proposed amendment, identified as number 2020-01 to the Munson Township Zoning Resolution together with the attached motion and text pertaining thereto, and the attached recommendation of the Geauga County Planning Commission to the Munson Township Board of Township Trustees this 20th day of August 2020.

The above documents in their entirety are attached as part of the minutes.

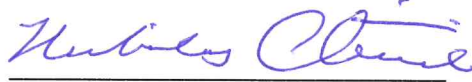
Zoning Report

Zoning Inspector Jim Herringshaw commented that July has been the busiest month so far this year and things seem to be going strong. There were three (3) area variances heard at the Board of Zoning Appeals meeting last evening and they were all approved. So far there are two (2) cases scheduled for September. Best Sands Corporation has started the project to install the tunnel under State Route 44.

Other Business

The next meeting will be held on Thursday, October 22, 2020 at 6pm.

Nick Christie moved and Dennis Medica seconded to close the meeting at 6:54pm. Motion carried, 4-0.



~~Dennis Medica~~, Chair

Nick Christie



Julie Johnston, Secretary



Geauga County Planning Commission
470 Center Street, Building 1C, Chardon, Ohio 44024
Phone (440) 279-1740 Fax (440) 285-7069
www.co.geauga.oh.us/Departments/Planning-Commission

August 13, 2020

Ms. Julie Johnston
Munson Township Zoning Commission
12210 Auburn Road
Chardon Ohio 44024

Re: Proposed Zoning Amendment 2020-01
Initiated July 16, 2020

Dear Ms. Johnston:

Please be advised that the Geauga County Planning Commission at its meeting held on August 11, 2020 voted to recommend approval of proposed Munson Township Zoning Amendment No. 2020-01 as initiated on July 16, 2020 by the Zoning Commission with the following modifications:

- Sections 401.2, 402.1, 403.1, and 404.1- Recommend adding a reference to ORC 5119.341 (A), per the Model Zoning Resolution, regarding licensed residential facilities.
- Section 410- Recommend adding language "on a semi-annual basis" after the phrase "...shall not be permitted for a period longer than fifteen (15) days" to account for the potential of more than one (1) event per year.
- Section 1003.3- Recommend a five (5) feet minimum setback from the right of way line be required to avoid line of sight/safety issues in regard to Sections 1003.4, 1003.6, and 1003.8.

Pursuant to R.C. 519.12, the Planning Commission's recommendation must be considered by the Zoning Commission at its public hearing regarding the proposed amendment. Subsequent to the hearing, the recommendation is to be forwarded to the Board of Township Trustees. If the subject amendment is adopted by the Board of Trustees, a copy thereof must be provided to this office within five (5) days after its effective date.

If there are any questions, please let us know.

Sincerely,

A handwritten signature in blue ink that reads "Linda M. Crombie".

Linda M. Crombie
Planning Director

cc: Susan Wieland, APA
file

Exhibit A

SECTION 202 DEFINITIONS

Nursing Home– A home as defined in O.R.C. Section 3721.0 **or as amended**, and used for the reception and care of individuals who by reason of illness or physical or mental impairment require skilled nursing care and of individuals who require personal assistance but not skilled nursing care. A nursing home is licensed to provide personal assistance and skilled nursing care.

401.2 Permitted Principal Uses and Structures

- e. Licensed Residential Facilities as defined in O.R.C. 5123.19 (Q) **M or as amended**.

402.1 Permitted Principal Uses and Structures

- e. Licensed Residential Facilities as defined in O.R.C. 5123.19 (M) **or as amended**.
- f. Type B family day-care home and Type B home – See Section 524.1

403.1 Permitted Principal Uses and Structures

- e. Licensed Residential Facilities as defined in O.R.C. 5123.19 (M) **or as amended**.
- f. Type B family day-care home and Type B home – See Section 524.1

404.1 Permitted Principal Uses and Structures

- e. Licensed Residential Facilities as defined in O.R.C. 5123.19 (M) **or as amended**.
- f. Type B family day-care home and Type B home – See Section 524.1

SECTION 410 USES NOT SPECIFICALLY MENTIONED

Any use of land or structures, unless otherwise noted herein as a permitted principal, permitted accessory, or conditional use within any district, shall not be permitted by the Zoning Inspector unless a variance has been granted by the Board of Zoning Appeals. **Excluded are carnivals, circuses, tent meetings, bazaars, festivals, art shows, or other similar public events which are permitted activities, not requiring a Zoning Certificate, within any non-residential district and upon Place of Worship, school or similar sites within any residential district. Such uses shall only be permitted on lots where adequate off-road parking can be provided and shall not be permitted for a period longer than fifteen (15) days.**

516.2 Other Vehicles

- b. The parking or storage of commercial tractors as defined in O.R.C. Section 4501.01(D) **or as amended**, semitrailers as defined in O.R.C. Section 4501.01(P) **or as amended**, or any vehicle having a gross vehicle weight (gvw) of twenty-five thousand (25,000) pounds or more, other than for the purpose of making temporary delivery or service calls, shall be prohibited outside of a fully enclosed building in any residential zoning district. In all other nonresidential zoning districts, such commercial tractors, semitrailers, or vehicles with a gvw of twenty-five thousand (25,000) pounds or more shall not be parked or stored in front of the principal building on a lot unless they are within a driveway, parking or loading/unloading area pursuant to Section 521 and shall be set back from all lot lines in accordance with the regulations for the zoning district in which they are located.

519.1 ~~Carnivals, Circuses, Tent Meetings, Bazaars, Festivals, Art Shows, or Other Similar Public Events~~

~~The above referenced activities may be permitted within any non-residential district and upon Place of Worship, school or other similar sites within any residential district. No certificate shall be issued unless the written consent of fifty-one percent (51%) of the owners of all residentially used property within four hundred (400) feet of the temporary use site is first filed with the Zoning Inspector at least forty-eight (48) hours prior to commencement of the event. Such uses shall only be permitted on lots where adequate off-road parking can be provided and shall not be permitted for a period longer than fifteen (15) days.~~

519.21 Temporary Offices

519.32 Temporary Mobile Home

519.43 Temporary Storage Containers

519.54 Garage Sales

524.1 Child Day-Care Center

Type B family day-care home and Type B home – a permanent residence of the provider in which child care is provided for one (1) to six (6) children at one time and in which no more than three (3) children are under two (2) years of age at one time and as defined in O.R.C. Section 5104.01 (UU) ~~VV~~ or as amended.

524.2 Licensed Residential Facility

As defined in O.R.C. 5123.19 (Θ) ~~M~~ or as amended.

SECTION 701

INTENT AND PURPOSE

Within the districts established by this Resolution or amendments that may later be adopted, there exist lots, structures, or uses of land and structures which were lawful before this Resolution was passed or amended, but which would be prohibited or more restricted under the terms of this Resolution or amendment thereto. It is the intent of this Resolution to permit these nonconformities to continue until they are removed, but not to encourage their continuance. Additionally these nonconformities shall not be enlarged upon, expanded, or extended, and shall not be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

A nonconforming use may be substituted for a lawful nonconforming use provided that such use is of the same kind and character as the prior lawful nonconforming use and does not result in an increase in noise, pollution, traffic, dwelling units or in the number of persons using the property. See O.R.C. 519.19 or as amended.

SECTION 804

SOLID MINERAL EXTRACTION OPERATIONS

The purpose of this section is to insure that the solid mineral resources of Munson Township are properly managed, and that all land used for solid mineral extraction be properly located, screened, and reclaimed so as not to create a hazard or nuisance which may adversely affect the health, safety, or general welfare of the community, either immediately or in the future. Quarries, sand, peat and gravel operations, or other solid mineral extraction operations may be permitted as a conditional use within the Industrial District upon submission of satisfactory proof that such operations will not be hazardous to the neighborhood or surrounding properties. In addition to meeting the requirements of O.R.C. 519.141 ~~or~~ as amended, the applicant shall be required to comply with the following conditions:

1003.3

Location

No sign shall be located closer than five (5) feet from a front lot line or within twenty-five (25) feet of any other lot line, ~~with the exception of 1003.4, 1003.6 and 1003.8.~~

1003.8

Directional Signs

Directional signs ~~at points of ingress and egress~~ on private property, shall have a maximum area of ~~2.25~~ ~~six~~ (6) square feet per sign face. ~~and contain only directional information.~~

1201.2

Affidavit of Fact Deed Addendum

~~In order to ensure compliance with the provisions of this resolution, an application for a zoning certificate for the Residential Districts as identified by section 401, 402, 403 and 404 may include an "Affidavit of Fact Deed Addendum" pursuant to Ohio Revised Code Section 5301.252 and as set forth in the requisite form available from the zoning inspector.~~

~~The affidavit shall be recorded with the county recorder after it has been executed by the real property owner(s) and reviewed by the zoning inspector. The zoning certificate shall not be issued until a copy of the recorded affidavit has been provided to the zoning inspector.~~

1201.23

Processing of Certificate

1201.34

Beginning of Construction

1201.45

Renewal of Certificate

1201.56

Schedule of Fees, Charges and Expense, and Collection Procedure

Zoning Commission

Munson Township

Chardon, Ohio


SUBMISSION OF RECOMMENDATION
OF TOWNSHIP ZONING COMMISSION
ON PROPOSED AMENDMENT TO ZONING
RESOLUTION TOGETHER WITH MOTION, AND TEXT
PERTAINING THERETO AND THE
RECOMMENDATION OF THE COUNTY
PLANNING COMMISSION TO THE BOARD
OF TOWNSHIP TRUSTEES
R. C. 519.12 (E)

The Munson Township Zoning Commission hereby submits the attached recommendation on the proposed amendment, identified as number 2020-01 to the Munson Township Zoning Resolution together with the attached motion and text pertaining thereto, and the attached recommendation of the Geauga County Planning Commission to the Munson Township Board of Township Trustees this 20th day of August 2020.

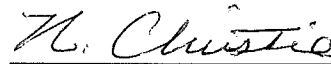
Munson Township Zoning Commission




Dennis Medica



Adriano Fiucci

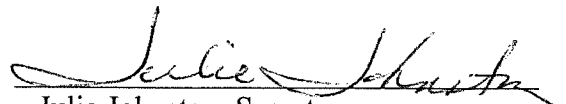


Nick Christie



Ed Hren

Attested to by:



Julie Johnston, Secretary
Munson Township Zoning Commission

Received by Munson Township Board of Township Trustees this _____ day of August 2020.

Todd Ray, Township Fiscal Officer

Zoning Commission

Munson Township

Chardon, Ohio

RECOMMENDATION OF
TOWNSHIP ZONING COMMISSION
CONCERNING PROPOSED AMENDMENT
TO ZONING RESOLUTION
R. C. 519.12 (E)

The Munson Township Zoning Commission, Geauga County, Ohio, met in regular session on the 20th day of August 2020 at 6:00 p.m. with the following members present:

Dennis Medica, Adriano Fiucci, Nick Christie and Ed Hren

Dennis Medica moved the adoption of the following motion:

That the Munson Township Zoning Commission recommends the approval of the following modifications to the proposed amendment (2020-01) to the Munson Township Zoning Resolution as attached hereto.

401.2 *Permitted Principal Uses and Structures*

e. Licensed Residential Facilities as defined in O.R.C. 5123.19 (Θ) M and O.R.C. 5119.341 (A) or as amended.

402.1 *Permitted Principal Uses and Structures*

e. Licensed Residential Facilities as defined in O.R.C. 5123.19 (M) and O.R.C. 5119.341 (A) or as amended.

403.1 *Permitted Principal Uses and Structures*

e. Licensed Residential Facilities as defined in O.R.C. 5123.19 (M) and O.R.C. 5119.341 (A) or as amended.

404.1 *Permitted Principal Uses and Structures*

e. Licensed Residential Facilities as defined in O.R.C. 5123.19 (M) and O.R.C. 5119.341 (A) or as amended.

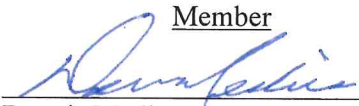
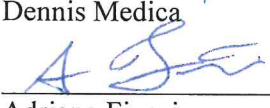
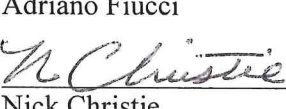
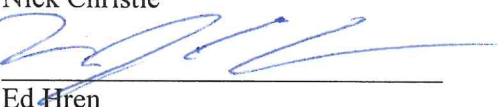
SECTION 410 USES NOT SPECIFICALLY MENTIONED

Any use of land or structures, unless otherwise noted herein as a permitted principal, permitted accessory, or conditional use within any district, shall not be permitted by the Zoning Inspector unless a variance has been granted by the Board of Zoning Appeals. Excluded are carnivals, circuses, tent meetings, bazaars, festivals, art shows, or other similar public events which are permitted activities, not requiring a Zoning Certificate, within any non-residential district and upon Place of Worship, school or similar sites within any residential district. All other zoning regulations apply and such uses shall only be permitted on lots where adequate off-road parking can be provided and shall not be permitted for a period longer than fifteen (15) days.

1003.3 *Location*


No sign shall be located closer than five (5) feet from a front lot line or within twenty-five (25) feet of any other lot line, with the exception of Sections 1003.4, 1003.6(a) and 1003.8.

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

Member	Yes or No
 Dennis Medica	Yes
 Adriano Fiucci	Yes
 Nick Christie	Yes
 Ed Hren	Yes

Adopted the 20th day of August 2020

Attested to by:


Julie Johnston, Secretary
Munson Township Zoning Commission

Received by Munson Township Board of Township Trustees this _____ day of August 2020.

Todd Ray, Township Fiscal Officer