

# Munson Township

## Zoning Commission Regular Meeting

### Minutes of January 12, 2022

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

Nick Christie moved and Glen Peck seconded to approve the minutes of November 10, 2021 as written. Motion carried, 2-1.

Adriano Fiucci read the oath and was appointed to a five (5) year term ending December 31, 2026.

Nick Christie moved and Kurtis Taylor seconded to hold the monthly meetings the second Wednesday of each month at 6:00pm. Motion carried. 4-0; Kurtis Taylor moved and Adriano Fiucci seconded to remain the same with Nick Christie as Chairman and Kurtis Taylor as Vice. Motion carried. 4-0

Board members reviewed the proposed Zoning Resolution amendments. Glen Peck researched surrounding townships Zoning Resolutions regarding fence guidelines in particular the offset from property lines. Zoning Inspector, Jim Herringshaw, typically tells residents installing fences to stay 2' to 3' away from the neighboring property line so there is no question that the fence is not on their property.

Nick Christie moved and Glen Peck seconded to send the proposed Zoning Resolution amendments as modified to the Planning Commission and the assistant Geauga County Prosecutor for an informal review. Motion carried, 4-0.

#### Zoning Report


Zoning Inspector Jim Herringshaw mentioned that the last two months have been a little slower and standard for this time of year. The Board of Zoning Appeals will hear one case this month for a resident who wants to build an accessory building in front of his home.

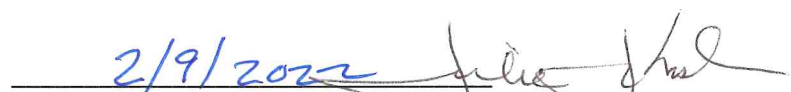
#### Public Comment

Mr. Joe Bastulli asked why Section 801 was on the amendment. The Board responded that there no changes to that section, the change is on Section 805. It is on the page to help the Planning Commission understand where it is in context. He also offered a suggestion that we allow additional conditions to be placed on Conditional Use Permits. He mentioned that Moreland Hills has it on their Conditional Use Permit for example, hours of operation. Mr. Christie responded that the Zoning Commission will review the language within the next couple of upcoming sessions.

The next meeting will be held on Wednesday, February 9, 2022 at 6pm at Munson Townhall.

Nicholas Christie moved and Kurtis Taylor seconded to adjourn the meeting at 6:19pm. Motion carried, 4-0.

  
Nick Christie, Chair  
2/9/2022

  
2/9/2022  
Julie Johnston, Secretary

## Proposed Amendment 11/03/2021

### 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.~~
- ~~e~~ b. Forests and wildlife preserves.
- ~~d~~ c. 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 d. Licensed Residential Facilities as defined in O.R.C. 5123.19 (M) and O.R.C. 5119.341 (A) or as amended.
- ~~f~~ e. 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.~~
- ~~e~~ b. Forests and wildlife preserves.
- ~~d~~ c. 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 d. Licensed Residential Facilities as defined in O.R.C. 5123 (M) and O.R.C. 5119.341 (A) or as amended.
- ~~f~~ e. 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.~~
- ~~e~~ **b.** Forests and wildlife preserves.
- ~~d~~ **c.** 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~~ **d.** Licensed Residential Facilities as defined in O.R.C. 5123.19 (M) and O.R.C. 5119.341 (A) or as amended.
- ~~f~~ **e.** 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.~~
- ~~e~~ **b.** Forests and wildlife preserves.
- ~~d~~ **c.** 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~~ **d.** Licensed Residential Facilities as defined in O.R.C. 5123.19 (M) and O.R.C. 5119.341 (A) or as amended.
- ~~f~~ **e.** 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
- c. Places of Worship as regulated in Article 5 and Article 8.
- d. 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.

801.1

***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.

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

**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.

**SECTION 808****PLACES OF WORSHIP**

Places of Worship may be permitted as a Conditional Use within Residential Districts where the Board of Zoning Appeals determines that such use will be located on a main roadway and will not create undue impacts to the adjoining residential neighborhood with regard to traffic generation, noise, hours of operation, lighting, or storm runoff. Places of Worship granted a Conditional Zoning Certificate shall comply with the provisions of 507 and any additional stipulations or conditions attached to such approval by the Board of Zoning Appeals.

***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.~~